



Employee Handbook

www.hollandfarms.com

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Holland Farms

Employee Handbook



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100 INTRODUCTION

101 *Welcome Message*

Welcome to Dutch Ovens, LLC, more commonly known as Holland Farms Bakery & Deli and hereafter referred to throughout this employee handbook as Holland Farms or the Company. We are glad you joined our team of producers and retailers of quality food products.

We at Holland Farms feel the pride and satisfaction of working together to provide the highest quality products and services to our loyal customers. We are confident that through your good efforts you too will soon share in the pride and satisfaction of a job well done. Please know that your good work will be acknowledged and appreciated.

We have written this handbook to answer your questions and to explain your rights, responsibilities and benefits as a Holland Farms employee. Please read this handbook thoroughly and retain it for future reference. The Office Staff or the Operations Manager will be happy to answer your questions about our policies and benefits. From time to time you will be receiving updated handbook information concerning changes in policies and benefits. We ask that you keep your handbook current with these changes.

We wish you the best of luck and success and hope that your employment with us will be a worthwhile and rewarding experience.

102 *History of Company*

Holland Farms was started as a house-to-house milk delivery company in 1928 when John Piersma bought his milk route at the age of 19. He built a creamery to bottle the milk on his father's farm in Oriskany in 1929, hiring his brother, Sid, to run the bottling plant. His brother, Pierre, had a milk route, brother Jacob ran a dairy farm on Judd Road, and brother Herman (Pete) tended the cows on their father's farm. John's bride, Evlyn, delivered milk for 7 years, starting on the day they returned from their honeymoon in December of 1933.

In 1955 John and Evlyn Piersma opened the first Holland Farms Bakery & Dairy Bar, a division of Piersma Dairy, Inc., on the "triangle" in Yorkville with two employees. When construction of the Commercial Drive overpass started, Holland Farms moved to its present location, the former site of Sal's Barbecue, at 50 Oriskany Blvd., Yorkville in 1966. A second Holland Farms was operated in Clinton for several years in the late 70's and early 80's.

Suzanne P. Harrington and Marolyn P. Wilson, daughters of the founders, owned and managed Holland Farms Bakery & Deli from 1980 to 2019. It grew to include a busy coffee bar, a deli, featuring "everything from scratch" salads, lunches, take-out catering and daily specials while continuing to feature a full-service scratch bakery. Holland Farms' newest venture is internet and mail order sales.

And as Holland Farms continues to expand its reputation in the community, its strength is now supported by the next generation of the founding family, as Suzanne's daughter, Heather Potrzeba, joined the team as its General Manager in 2015 and is the current owner of Holland Farms. That continued expansion now includes a new facility in Manlius, NY, with the possibility of additional growth to meet future demand.

Holland Farms Bakery & Deli is committed to a quality product and service with a smile, continuing a proud Mohawk Valley tradition that started in 1955.

103 **Employee Handbook Definitions**

For the purpose of this employee handbook, the following terms are defined as follows:

Anniversary Date - The date of an employee's first day of employment with Holland Farms. This date is used to compute certain employee benefits.

Employee - An individual who is employed by Holland Farms as a full-time, part-time, or temporary/seasonal worker as defined in Section 200 Employment Classifications. Independent contractors and individuals employed by temporary employment agencies who are assigned to work at Holland Farms on a short-term basis are not considered employees.

Management - The Owners, Operations Manager, Production Managers, and Sales Manager are considered management positions.

Supervisor - An individual who has been designated by the Company to assign, direct, and/or appraise the work of a designated group of employees.

104 **Employee Handbook Disclaimer**

Not An Employment Contract - The policies, procedures, and rules set forth in this employee handbook are general guidelines only and are not meant to be all-inclusive. The employee handbook should therefore not be interpreted as forming an express or implied contract of employment.

The Company reserves the right, at its sole discretion to change, modify or rescind any section of this Employee Handbook at any time with or without cause or notice, with the exception of the employment-at-will policy or where prohibited by law.

Policy Exceptions - The employee handbook should not be interpreted as a guarantee that the policies discussed in it will be applied in all cases. At its sole discretion, the Company may make exceptions to its policies from time to time for legitimate business reasons.

Policy Interpretation - The Company reserves the right to make the final decision as to the interpretation of all information presented in this employee handbook.

Government Regulations - In the event that a federal, state, or local regulation conflicts with any provision contained in this employee handbook, the regulation shall prevail and the provision deemed amended to the extent necessary to comply with said regulation.

Conduct that is protected under the National Labor Relations Act is not prohibited by this Employee Handbook or the policies of the Company. Nothing in this Employee Handbook is intended or will be interpreted or applied, to interfere with, restrain, or prohibit employees from exercising their rights protected under federal and state laws, including the labor law right to discuss wages, hours or other terms and conditions of employment and to engage in other concerted, protected activity. This Employee Handbook is intended to comply with all federal, state, and local laws and regulations, and will not be interpreted, applied or enforced in a manner that violates such regulations.

105 ***Purpose of Employee Handbook***

Purpose - The purpose of this employee handbook is to familiarize employees with the Company and to communicate important information about many of the personnel policies that affect employment and guide daily operations. The employee handbook provides an overview of the Company's policies that relate to rules, regulations, procedures, practices, compensation, and employee benefits.

Previous Employee Handbook - Unless otherwise notified, this employee handbook supersedes and replaces any previous employee handbook verbal or written policy statements, practices and procedures issued by the Company.

Employee Handbook Updates - Every effort is made to keep the information in this Employee Handbook up to date. From time to time, policies may be added, revised, or revoked before a written revision is made to the Employee Handbook. An employee is required to abide by updated policies communicated by the Company.

Employee Responsibility - The employee handbook answers many questions about employment with Holland Farms. Each employee is therefore expected to read, understand, and comply with all provisions of this employee handbook and to retain it for future reference.

Questions - An employee is encouraged to contact the office with any questions regarding the information provided in this employee handbook or to request the most recent copy of this handbook.

200 EMPLOYMENT CLASSIFICATIONS

Policy Statement - Each employee is classified as full-time, part-time, or temporary/seasonal. Each position is also designated as exempt or non-exempt from federal and New York State minimum wage and overtime provisions. Employees are notified of their employment classification during the hiring process and if changed during employment. For the purpose of this employee handbook, the following terms are defined as follows:

201 *Full-Time Employees*

A full-time employee is an employee who is regularly scheduled to work 40 hours or more per week.

202 *Part-Time Employees*

A part-time employee is an employee who is regularly scheduled to work less than 40 hours per week.

203 *Temporary / Seasonal Employees*

A temporary/seasonal employee is an employee who is hired to supplement Holland Farms' workforce on a short-term basis. A temporary/seasonal employee may work full- or part-time hours/varying hours each day/week based on business needs. Employment beyond any initially stated period does not imply a change in employment classification nor does the Company guarantee employment for any set period of time.

204 *Exempt Employees*

An exempt employee is an employee whose position meets specific tests established by the Fair Labor Standards Act (FLSA) and applicable state law as an executive, administrative, professional, computer, or highly compensated employee. In accordance with these regulations, an exempt employee is not eligible for overtime compensation.

205 *Non-Exempt Employees*

A non-exempt employee is an employee who is subject to federal and state minimum wage and overtime provisions. In accordance with such regulations, a non-exempt employee is paid the current statutory minimum wage or higher and overtime compensation when more than 40 hours are worked during a workweek.

Tipped Employees - Tips are the property of the employee. Tips may be a credit against minimum wage ("tip credit") or in furtherance of a valid tip pool. In accordance with IRS regulations, employees are required to declare all cash tips. All tipped employees will be notified of the correct method to declare tips. Tipped employees will be paid overtime compensation when more than 40 hours are worked during a workweek at the applicable rate for tipped employees, less the applicable tip credit.

300 EMPLOYMENT POLICIES

301 *Employment-at-Will*

Policy Statement - Holland Farms follows the practice of employment-at-will. The Company does not promise or guarantee employment for any specified period of time. Either an employee or the Company may end the employment relationship at any time, for any reason, with or without cause or notice.

Employment Contract - No manager, supervisor or other representative of Holland Farms except the President has the authority to enter into a binding employment contract. Any such employment contract must be in writing and signed by both the President and the employee. No other oral or written statements or representations can limit Holland Farms's right to terminate employment-at-will.

302 *Hiring Practices*

Selection Process – Holland Farms selects and hires individuals on the basis of many factors including, but not limited to, their ability, experience, education, skills, and cooperative spirit. The selection process includes written application, personal interviews, reference, and background checks.

Employment Application - All applicants are required to complete an *Employment Application*. Applicants must provide complete and accurate information regarding their qualifications on this form. Misrepresentations or omissions on an *Employment Application* may remove an applicant from consideration for employment, or if already hired, subject the employee to termination of employment.

Verification of Employment Information - Prior to making an offer of employment, the Company may conduct a job-related verification of the data provided on the employment application (ie; prior employment verification, education confirmation, and other verification of statements and skills claimed on the application and/or the resume.

Background Checks - After making a conditional offer of employment, the Company may conduct drug screening, criminal background, and/or credit checks, as permitted by law. Third-party services may be hired to perform these checks. All offers of employment and continued employment are contingent upon a satisfactory background check.

Convictions - A criminal conviction does not necessarily bar an applicant from employment. Any criminal background check will be conducted in compliance with the Fair Credit Reporting Act (FCRA), New York State Human Rights Law and New York State Correction Law Article 23-A. Employment decisions based on a conviction take into consideration many factors, including but not limited to, the public policy of New York State to encourage the employment of individuals previously convicted of criminal offenses, the specific duties and responsibilities necessary for the position sought, the extent to which the offense bears upon the ability of the applicant to perform the duties and responsibilities of the particular job sought, the seriousness of the offense, length of time since the conviction, the age of the applicant at the time of the criminal offense, and information produced by the applicant indicating rehabilitation and good conduct.

Former Employees - A former employee may be considered for re-employment with Holland Farms based on the reason for the previous separation and the Company's current business needs. An employee who resigns without giving or completing the requested notice or who is terminated for misconduct is generally not considered for re-employment.

If rehired, the individual is considered a new employee as of the date of re-employment and a new orientation period must be completed. Eligibility for group insurance programs is the same as for all new hires. There is no credit for prior service for purposes of seniority or paid leave benefits.

Minors - Individuals who are 14 to 17 years of age are employed to work for the Company in accordance with federal and state regulations regarding child labor. Operation of certain equipment is strictly prohibited by Minors. Your Manager will describe all materials and equipment that you are prohibited from using as a minor.

Relatives or Domestic Partners - Employment of relatives and domestic partners is permitted, except in circumstances where the employee would be directly supervised by a relative or in a situation where influence could be exerted on future decisions concerning the status of employment, promotion, or compensation.

303 Probationary Period

Policy Statement - All new and rehired employees participate in a probationary period that is conducted by the Operations Manager. The purpose of the probationary period is to welcome new employees and to familiarize them with the Company and their jobs. It also gives the Company an opportunity to evaluate the employee's job performance and potential for success in the position.

Length - The probationary period generally extends for the first 90 days of employment. The Company reserves the right to extend or shorten the probationary period at its sole discretion.

Topics Covered – Topics generally covered during the probationary period include, but are not limited to, a tour of the facility, distribution and review of this employee handbook, and enrollment in Company-sponsored benefits, if applicable. In addition, the employee's supervisor is responsible for introducing the employee to coworkers, scheduling on-the-job training, and reviewing the job description and performance requirements of the position.

Performance Appraisal - Throughout the probationary period, the employee's supervisor monitors and evaluates the employee's performance, work habits, attendance, cooperation, and potential for development in the position. Any problems or deficiencies are normally addressed with the employee. A formal performance evaluation is generally conducted at the completion of the orientation period to ensure the employee has received the necessary training and has the basic skills needed to perform the duties of the position. The supervisor also determines if continued employment is appropriate.

Employment Contract - The probationary period is not a contract of employment for any set period of time nor does completion of the probationary period guarantee continued employment or alter the at-will employment relationship.

Transfers and Promotions - An employee who is transferred or promoted to another position is required to complete a probationary period for this new position. The employee remains eligible for all applicable Company-sponsored benefits during the probationary period. If an employee does not perform satisfactorily in the new position, the employee may be returned to the original job held, if a vacancy exists, or is subject to termination, at the Company's sole discretion.

304 **Performance Appraisals**

Policy Statement - Regular performance evaluations are an important aspect of professional relationship building between employee and supervisor as well as an opportunity for open dialogue and discussion of goal development. The performance review will provide the employee with an appraisal of their progress, success, and/or shortcomings in meeting job expectations. It is designed to provide guidance to the employee in career development, to assist the supervisor in understanding the employee's interests and concerns, set goals, and to provide for a candid exchange of ideas.

Employment Decisions - An employee's performance appraisal can be a factor in decisions affecting transfer, promotion, compensation, layoff, and disciplinary action. However, performance appraisals do not guarantee continued employment or otherwise alter the at-will nature of the employment relationship.

Wage Adjustments - An employee does not automatically receive a pay increase at the time of a formal appraisal. Any pay increase is based on merit and financial capability of the Company.

Frequency - A newly hired employee generally receives an informal evaluation of the employee's job performance at the completion of the 90-day orientation period. Thereafter, formal performance appraisals are generally conducted on or around an employee's anniversary date. Formal appraisals may occur more or less frequently at the discretion of the employee's supervisor. In addition, informal performance discussions occur on an as needed basis throughout the year.

305 **Promotions and Transfers**

Policy Statement - Holland Farms encourages the career development and growth of employees through promotions and lateral transfers to other positions within the Company for which they are qualified.

Job Vacancies - When there is a job vacancy, management will consider current employees who possess the minimum qualifications required for the position. An employee who is interested in being considered for a job vacancy should notify the office. In order to ensure the most qualified person is hired, the Company reserves the right to recruit external applicants for any job vacancy at any time.

Eligibility Requirements – For employees to be promoted, they must demonstrate they have the basic skills and abilities, an agreeable attitude, a record of above average performance on prior jobs, satisfactory attendance and tardiness records, a demonstrated willingness to learn, and other positive attributes of a satisfactory employee. Promotions are not based solely on length of service. Exceptions to the requirements may be considered on a case-by-case basis.

Application Procedure - An employee who is interested in applying for a promotion or transfer must express interest to either their supervisor or the supervisor responsible for the position.

Unsatisfactory Performance - If an employee does not perform satisfactorily in the new position, the employee may be returned to the original job held, if a vacancy exists, or is subject to termination, at the Company's sole discretion.

306 *Separation from Employment*

Notice of Resignation - An employee who elects to resign or retire from employment with Holland Farms is asked to submit a written notice to the office two workweeks before the date of resignation/retirement is to be effective. Supervisory staff are asked to give four workweeks written notice. The resignation letter should include the reason for resigning and the date the resignation is to take effect. If an employee provides more notice than requested, the Company will determine whether the additional notice is necessary for efficient operations.

An employee is generally not allowed to rescind a verbal or written notice of resignation once it has been submitted to the employee's supervisor.

Completion of Notice Period - When a resignation notice is submitted, the Company reserves the right to waive some or all of the notice period at its discretion.

Use of Paid Benefits - An employee will generally not receive authorization to use credited, unused vacation leave during the notice period unless the time off was approved before the Company received the notice of resignation.

Exit Interviews - Exit interviews are generally conducted by the owners in order to discuss cancellation of employee benefits, COBRA eligibility, return of Company property, and/or Holland Farms' policy regarding employment references. The exit interview also provides an employee the opportunity to ask any employment-related questions and give suggestions, concerns, and constructive recommendations about the Company and its policies.

Return of Company Property - All Company property in the employee's possession, such as, but not limited to, the employee's copy of this employee handbook, equipment, name badge, keys, smartphones, computers, vehicles, credit cards, and Company-issued clothing, must be returned to the office in good working order when requested, but no later than the employee's last day of work. If an employee fails to return any Company property, the Company may initiate legal proceedings.

Credited Benefits - Refer to the applicable policy in Section 900 of this Employee Handbook for information regarding forfeiture and/or payment for benefits at the time of separation from the Company.

Final Paycheck - An employee's final paycheck for all hours worked is provided on the next regularly scheduled payday after the employee's last day of work. The final paycheck includes payment for credited, unused vacation leave, if applicable.

400 COMPANY AND EMPLOYEE RECORDS

401 Confidentiality

Policy Statement - All Company, and customer information is to be treated with discretion and confidentiality. An employee should not discuss, photocopy, duplicate, record, or revealing Holland Farms proprietary information, or customer information that is not generally known to the public in any form to anyone outside the Company. Disclosure of confidential or sensitive information via any software application or text message is prohibited – this includes taking or sending pictures of such information. The proper use and disclosure of sensitive information applies to both current and former employees.

Confidential Company Information - All records and files maintained by the Company are confidential. This confidential information includes, but is not limited to: personnel records, trade secrets, and information relating to customers, products, processes, know-how, designs, recipes, formulas, test data, marketing data, accounting records, pricing information, business plans and strategies, training materials, negotiations, contracts, sales reports, inventions, discoveries, and any other proprietary information. Confidential information does not include an employee's own compensation or other terms or conditions of employment if the employee chooses to disclose such information.

Confidential information may be in physical form or may be learned through conversations with others regarding Holland Farms or its customers. Confidential information obtained as a result of employment with Holland Farms and from contact with customers is considered proprietary and can only be used in the course of employment with the Company.

All company information, whether generated through a personal or corporate device, belongs to the employer, not to the employee, and is subject to company policies limiting use and disclosure of such information. Confidential information should be divulged only to individuals within the company with both a need to receive and authorization to receive the information. If in doubt as to whether information should be divulged, err in favor of not divulging information and discuss the situation with your supervisor, a manager, or Human Resources. Confidential information should not be disclosed to external parties, including customers, family members, and friends, except as authorized by the Company or as required by government regulation.

Company Property - All confidential information and products developed by an employee while on Company time and/or using Company equipment such as, but not limited to, recipes, decorations, designs, or inventions, remain the property of Holland Farms.

Personal Identifying Information – The Company will take reasonable measures to ensure the privacy and confidentiality of its employees' Personal Identifying Information. The Company does not publicly post, display, or share an employee's personal identifying information with the general public nor are employees allowed to divulge such information. Personal Identifying Information includes, but is not limited to, any information regarding an individual which, because of name, number, personal mark, or other identifier, can be used to identify said person in combination with any one or more of the following: birthdate, social security number, driver's license number, non-driver identification card number, mother's maiden name, home address or telephone number, personal e-mail address, financial services or banking account number or code, credit or debit card number, electronic serial number, or personal identification number, password, security question, or unique biometric information..

Security and Removal of Confidential Information - Employees are responsible for properly securing and maintaining confidential information obtained or learned during employment. This includes confidential information stored on smart phones, flash drives, wireless devices, and laptops, as well as home computers that are used to conduct the Company business. Employees must exercise caution when using a wireless device for business purposes in public areas to ensure that confidential information cannot be viewed by others or that equipment is not stolen. Unauthorized removal of confidential information from Company premises is prohibited.

Confidentiality/Non-Disclosure Agreement - As a condition of employment, an employee may be required to sign a confidentiality/non-disclosure agreement at the time of hire or at the time of promotion or transfer into a sensitive position.

Confidentiality Breach – Employees are responsible for immediately reporting any breach of confidential Company or employee information to the office for appropriate action.

402 Personnel Records

Policy Statement - Holland Farms maintains records and/or confidential personnel files on employees, former employees, and applicants in accordance with government recordkeeping and reporting requirements. Each employee is responsible for completing any employment-related forms that are required by government regulation or necessary for efficient Company operations.

Control & Review of Personnel Files – Employee personnel records and medical information is confidential and is maintained and controlled by the Operations Manager. Access to personnel files is restricted. A supervisor may only review an employee's personnel file if there is a business reason to review the record. A current employee must submit a written request to review their own personnel file to the Office. Based on the reason for the request, the employee may be allowed to review the contents of their personnel file in the presence of an authorized member of management. An employee may not copy, remove, or place any material in the employee's personnel file without the approval of the Office. Former employees will not be permitted to inspect or copy their personnel file.

Control of Medical Records - A separate confidential medical file is maintained on all employees by The Office. Any protected health information (PHI) that is maintained by the Company is confidential, and only Company officials who have a business need to know have access to these medical records. Information can only be released to others with the expressed, written authorization of the employee or if the Company receives a court order to do so.

Employment Eligibility Verification – Holland Farms does not knowingly hire or continue to employ undocumented persons who are not authorized to work in the United States. All employees must complete and sign Section 1 of Form I-9 and provide documents to prove the employee's identity and eligibility to work in the United States on the first day of work. Documentation is subject to verification. I-9 Forms are confidential and are maintained separately from employee personnel files in a secure location.

Changes in Status - An employee is responsible for ensuring that Holland Farms receives all information needed to maintain up-to-date personnel records. An employee must provide written notification to the Operations Manager of a change in name, address, telephone number, emergency contact, insurance beneficiary, insurance enrollees, tax withholding status, or marital/dependent status. This list is not all-inclusive. The Company is not responsible for any errors that result from an employee's failure to inform the Company of changes in this information in a timely manner.

403 *Electronic Documents Retention*

Policy Statement – It is Company policy that employees retain electronic documents that are needed for business purposes or to comply with government regulations.

Potential Litigation - An employee is responsible for saving any electronic documents that are needed for legal and/or business reasons. If an employee believes documents may be relevant to potential litigation or the employee has been notified of pending litigation, all applicable electronic documents must be saved and preserved in their natural form until informed by management that they are no longer needed.

Retention Period - The retention period for electronic documents depends on the subject matter and must be looked at on a case-by-case basis. Questions on electronic record retention should be directed to the office.

Method of Retention - E-mails that are to be retained should be printed and saved in the appropriate file. Text messages can be saved as a picture/screen shot. If any electronic documents that are stored on laptops, wireless devices, and/or home computers are to be retained, they should be forwarded to an employee's business e-mail so that they can be saved on the Company's network server.

404 *The SHIELD Act*

Policy Statement - In accordance with New York State regulations, the Company complies with the "Stop Hacks and Improve Electronic Data Security" (SHIELD) Act, implemented to broaden New York's security breach notification requirements, and requiring businesses to implement safeguards for the "private information" of New York State residents. The SHIELD Act pertains to all Company communication, storage, and transmission systems used by the Company (see Use of Electronic Communications Systems and Equipment policy in this Employee Handbook).

Safeguards to Protect Private Information - It is the policy of the Company that all private information shall be protected against unauthorized access to the information collected, including that held in electronic format on the Company computer systems.

The Company has established and maintains administrative, electronic, and physical safeguards to protect the security, confidentiality and integrity of private information, including an individual's name, social security number, driver's license number, non-driver identification card number, mother's maiden name, home address or telephone number, credit or debit card number, financial account number (with or without security code, as long as an unauthorized person could gain access to the account), unique biometric information, and usernames or e-mail addresses with a password that permit access to any online account.

The Company has implemented reasonable safeguards to protect sensitive electronic information, consistent with our Company size, industry, and level of risk to our employees and consumers. Safeguards include but are not limited to: specific policies and procedures, vendor management and oversight, restriction of access to private information, designation of at least one person to coordinate cyber security and breach reporting, employee training, routine risk assessments of data, internal audits, and annual vulnerability scanning and testing.

Internal Access to Information - Access to private information shall be limited to employees who have a business-related reason to access such information in the course of normal business operations. All employees are required to protect private information from inappropriate access and disclosure.

Private Information Risk Management and Control Assessment - To identify any reasonably foreseeable internal and external threats to the security of private information that could result in the disclosure, misuse, alteration or destruction of private information or systems, the Company will take cyber security steps as follows:

- Ensure the security of all computer systems so that only trained employees using individually assigned security codes and passwords can access private information;
- Train and advise all employees of the Company policy with respect to private information;
- Maintain a complete computer backup system to recover private information stored in the system in the event of damage to or destruction of the system;
- Periodically test the controls, systems and procedures that are in place to safeguard private information; and
- Evaluate the effectiveness of the information security programs and make adjustments necessary due to changes in technology or changes in business operations.
- Require service providers to safeguard private information; and
- Securely destroy private information within a reasonable amount of time after it is no longer needed for business purposes.

Notification in the Event of a Data Breach - In case of a breach of private information, the Company will, in compliance with the protocols of the SHIELD Act, report the breach to the appropriate authorities.

Disciplinary Action - Employees who violate this policy will be subject to disciplinary action, up to and including termination from employment.

405 *Records Disposal*

Policy Statement - The security of all confidential Company, employee, and customer information is a top priority of Holland Farms. Documents that no longer need to be retained for business purposes are to be disposed of in accordance with government regulations and Company policy.

Disposal of Paper Documents - Any paper document containing confidential information or personally identifiable information regarding an employee or customer must be shredded, destroyed, and/or modified to make it unreadable prior to its disposal.

406 Reference Checks and Release of Employment Information

Policy Statement - All written and verbal inquiries regarding current and former employees must be referred to the Office. No other supervisor or employee is authorized to provide information to any outside source or to “recommend” or comment on the job performance of a current or former employee via social media. Holland Farms is not responsible for information provided by an unauthorized employee.

Employment Verification - If the Company is contacted for a reference check or employment verification of a current or former employee, the Office will release only dates of employment and position(s) held without the signed consent of the individual. Additional information will not be released unless the current/former employee authorizes such in writing and releases the Company from liability in connection with furnishing this information.

Holland Farms does not guarantee that it will release employment-related information to an outside source even with written consent. The Company will respond and provide any information that is legally required by court order or subpoena.

407 Electronic Monitoring Law

Policy Statement - New York State requires private employers to provide notice to employees of its electronic monitoring practices. Employees may be subject to such electronic monitoring at any and all times and by any lawful means. Electronic monitoring may include monitoring of:

1. any and all telephone conversations or transmissions (including text messages if on a Company issued device);
2. electronic mail or transmissions (including employee communication programs); and/or
3. internet access or usage (including social media profiles).

Monitoring may occur on any electronic device or system, including but not limited to a computer, telephone, company-issued mobile phone, electronic key card, tablet, or any other device that provides for such communications and usage.

Disciplinary Action - In accordance with the disciplinary provisions in this employee handbook and in light of the potential implications for the Company and its business practices, including any regulatory compliance obligations, Holland Farms will take appropriate action against an employee or employees who are discovered via such electronic monitoring to have violated any established rules or practices associated with the sending and receiving of electronic communications.

500 COMPLIANCE POLICIES

501 *Equal Employment Opportunity*

Policy Statement - Holland Farms is an Equal Opportunity Employer. The Company does not discriminate on the basis of a person's race, religion, creed, color, sex, age, national origin, citizenship or immigration status, disability, sexual orientation, gender identity or expression, transgender status, gender dysphoria, marital or family status, pregnancy, military status, veteran status, genetic information including predisposing genetic characteristics or carrier status, arrest or conviction record, domestic violence victim status, or any other protected class or status.

Holland Farms will not prohibit, discipline, discriminate or retaliate against an employee or applicant for discussing their wages or other terms and conditions of employment with others. However, if an employee makes the disclosure based on information obtained in the course of performing their essential job functions, they may be subject to disciplinary action, up to and including termination (i.e., a Payroll Clerk revealing another employee's salary without their permission). Further, an employee is prohibited from accessing, discussing or disclosing the wages of another employee without that employee's permission.

Equal Employment Opportunity applies to all terms and conditions of employment including, but not limited to, advertising, recruiting, hiring, placement, promotion, disciplinary action, termination, layoff, recall, transfer, leave of absence, compensation, benefits, training, and participation in all Company-sponsored social and recreational programs.

New York State Human Rights and Labor Regulations - In compliance with New York State human rights and labor regulations, Holland Farms will not discriminate or retaliate against an employee or intern for opposing prohibited practices or for filing a complaint, testifying or assisting in a proceeding brought under the New York State Human Rights Law, including, any of the following:

- Requesting or taking lactation breaks;
- Donating blood or bone marrow;
- Requesting or taking time off from work to vote;
- Wearing a representation of the American flag or displaying an American flag at one's workstation;
- Engaging in lawful, leisure-time recreational activities outside of working time for recreational purposes (e.g., sports, games, hobbies) unless such activity creates a material conflict of interest;
- Being a member in a union;
- Participating in political activities outside of working time off Company premises;
- Contacting U.S. immigration authorities, and/or threatening to report the suspected immigration or citizenship status of a whistleblower or a whistleblower's family or household member;
- Legally using consumable products, including cannabis in accordance with NYS law, during non-working time unless it violates the Company's substance free workplace or substance testing policy or affects the employee during working time;
- Being a victim of a crime *and* requesting time off from work to seek medical attention, assistive services or counseling related to the violence, to obtain legal services, or to participate in the legal process related to a domestic violence incident; or
- Grooming in a manner consistent with the employee's race, including but not limited to, hair texture and protective hairstyles.

Workplace Bullying - Repeated inappropriate behavior either direct or indirect, conducted by one or more persons against another or others in the course of employment, will not be tolerated. Examples of bullying include but are not limited to:

- **Verbal Bullying** - slandering, ridiculing or maligning a person or their family; persistent name calling which is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical Bullying** - pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property.
- **Gesture Bullying** – non-verbal threatening gestures; glances which can convey threatening messages.
- **Exclusion** – socially or physically excluding or disregarding a person in work-related activities.

Diversity and Fair Treatment - Holland Farms recognizes the rich diversity of its employees and the varying cultures, backgrounds, and experiences they each bring to the workplace. The Company is committed to maintaining and promoting a work environment where employees' and customers' similarities and differences are respected and valued. An employee is expected to treat coworkers, customers, vendors, suppliers, and other non-employees that the employee comes in contact with on the job with fairness, dignity, and respect. The Company prohibits an employee from engaging in any form of discrimination, harassment, or other offensive behavior based on any of the protected classes or groups listed above.

Discrimination by Others - The Company prohibits employees, vendors, suppliers, visitors, customers, and any other individual that an employee comes in contact with during the course of employment from harassing or discriminating against Holland Farms employees based on any protected class or status.

Americans with Disabilities Act - Holland Farms complies with the Americans with Disabilities Act (ADA), The ADA and New York State Human Rights and related regulations by providing an equal employment opportunity to qualified applicants and employees with disabilities regarding all terms and conditions of employment. The Company does not discriminate against qualified applicants and employees who have a physical or mental impairment or a record of such impairment. In addition, the Company does not discriminate based on a person's relationship or association with an individual with a disability.

Reasonable Accommodation - Holland Farms does not discriminate against qualified individuals with disabilities who, with or without reasonable accommodation, can perform the essential functions of the employment position held or desired. Holland Farms will provide a reasonable accommodation to an employee with a disability, unless it imposes an undue hardship on the Company. Under the Pregnant Workers Fairness Act (PWFA), if the need for accommodation is related to pregnancy or childbirth, or other related medical conditions or medical appointments (including fertility treatments), the employee's condition does not need to rise to the level of disability, and accommodation may be requested even if they can't perform their essential job functions on a temporary basis.

Any employee with a disability and any pregnant employee who believes an accommodation is needed should contact the Office. The Company will engage in the interactive process with the employee and may request medical documentation to demonstrate that the requested reasonable accommodation is appropriate. When more than one option will satisfy a reasonable accommodation, the Company reserves the right to choose the accommodation.

Genetic Information Nondiscrimination Act - GINA prohibits employers and other entities covered by GINA from using genetic information in making employment decisions or requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. "Genetic information" as defined by GINA includes an individual's or an individual's family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Victims of Domestic Violence - A victim is defined as any individual who is over the age of 16, married, or a parent accompanied by their minor child in a situation where the person or their minor child is the victim of an act committed by a family or household member that would violate the penal law, and results in physical or emotional injury or creates substantial risk of physical or emotional harm to the person or their child. The Company will not refuse to hire, discriminate against, nor terminate an employee solely because they are a victim of domestic violence. Further, no information regarding an individual's status as a victim will be printed or circulated. The Company will provide reasonable accommodations to employees who must be absent from work for a reasonable time unless such accommodation would cause undue hardship on the employer's business.

Reproductive Health Decisions - The Company will not access an employee's personal information regarding the employee or employee's dependents' reproductive health decision-making, including information related to the decision to lawfully use or access a particular drug, device or medical service without the employee's prior written consent. The Company will not require employees to sign a waiver or other document that would prevent the employee from making their own reproductive health care decisions, including the lawful use of a particular drug, device or medical service.

The Company will not tolerate any discrimination or retaliation against employees based on the employee or their dependents' reproductive health decision-making, making or threatening to make a complaint to the Company or any court or agency, or participating in any investigation, hearing or inquiry related to a potential violation of this policy.

Complaint Procedure - An employee who believes that the actions or words of an employee or non-employee have violated this Equal Employment Opportunity policy should report the behavior to the Office immediately. Refer to *Policy 505 Complaint Procedure and Investigations* for information on filing a complaint and the Company's investigation procedures.

Policy Violations - Any employee who violates this policy will be subject to disciplinary action, up to and including termination. Any vendor, supplier, visitor, customer, or other non-employee who violates this policy will be subject to remedial action, as determined by management.

502 Anti-Harassment / Sexual Harassment

Policy Statement - This policy applies to all employees, applicants for employment, paid or unpaid interns, contractors, vendors, consultants or anyone conducting business with or on behalf of Holland Farms. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation and is against the law. Sanctions will be enforced against individuals engaging in sexual harassment and against supervisory personnel who knowingly allow such behavior to continue. Sexual harassment and harassment based on any protected characteristic is strictly prohibited. The Company takes all necessary measures to prevent harassment in the workplace or, in the event it occurs, to stop the conduct immediately. All employees have a legal right to a workplace free from sexual harassment, and employees can enforce this right by filing a complaint internally with Holland Farms, with a government agency, or in court under federal, state or local anti-discrimination laws (see Legal Protections and External Remedies section of this policy).

What is Sexual Harassment? - Sexual harassment includes harassment or discrimination on the basis of sex, gender, sexual orientation, self-identified or perceived sex, gender identity, gender expression and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. It includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression, and perceived identity are all forms of sexual harassment. The three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth – generally, the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which a covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of Holland Farms's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts.

Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

Hostile Work Environment - A hostile work environment consists of words, signs, gestures, jokes, pranks, intimidation, or physical actions or violence, either of a sexual nature or not of a sexual nature, which is directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory or discriminatory statements that a recipient finds offensive or objectionable, causes discomfort or humiliation, and/or interferes with an employee's job performance.

Quid Pro Quo Sexual Harassment - Sexual harassment also occurs when a person in authority trades, or tries to trade, job benefits for sexual favors. This type of harassment usually occurs between an employee and someone with authority, like a supervisor, who has the ability to grant or withhold job benefits. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment.

Examples of Prohibited Conduct - The following describes some of the acts that may be unlawful. This list is just a sample of behaviors and should not be considered exhaustive. Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it.

Prohibited conduct includes, but is not limited to:

- Insulting, lewd, or sexually-oriented words, jokes, pranks, slurs, innuendoes, or stories. This includes verbal harassment as well as written, recorded, and electronically transmitted material.
- Intimidation or physical violence which is of a sexual nature, or which is directed at an individual because of that individual's sex.
- Leering, ogling, obscene gestures or sounds, or whistling.
- Sexually oriented gestures, noises, remarks, jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Physical acts of a sexual nature, including, but not limited to, touching, groping, grabbing, hugging, kissing, massaging, fondling, patting, pinching, hitting, pushing, or brushing up against or poking another person's body or impeding and/or blocking movements.
- Rape, sexual battery, molestation or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as: displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace, as well as anything on display in the background of an individual's work from home set up during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender, such as: interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job; sabotaging an individual's work or excluding an individual, parent or caregiver from work meetings; bullying, yelling, name-calling, including the intentional misuse of preferred pronouns; denying employees use of a restroom consistent with their gender identity; harassing an employee about contraceptive or other reproductive choices; creating different expectations for individuals based on their perceived identities; or dress codes that place more emphasis on women's attire.
- Unwanted sexual comments, advances or propositions, such as requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits; subtle or obvious pressure for unwelcome sexual activities; or repeated requests for dates or romantic gestures, including gift-giving.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look.

Other Types of Harassment - Harassment based on any protected characteristic is prohibited. While it is not possible to list all conceivable behaviors which might be considered harassing, the following are examples of behavior that must be avoided:

- Ethnic, racial, religious or other teasing or slurs, jokes or comments that demean a person on the basis of race, color, religion, national origin, creed, sex, marital status, citizenship status, sexual orientation, gender identity or expression, the status of being transgender, age or disability;
- Mimicking or mocking another's race, color, religion, , national origin, creed, sex, marital status, citizenship status, sexual orientation, gender identity or expression, the status of being transgender, age, or disability;
- Racially or religiously offensive pictures, symbols, cartoons, or graffiti.
- Race-based comments or actions such as criticizing an employee's natural hair texture; and
- Harassment against an individual because of pregnancy, childbirth, or a related health condition.

Who Can be a Target of Sexual Harassment? - Sexual harassment can occur between any individual, regardless of their sex or gender and can be anyone in the workplace, whether a supervisor, coworker, independent contractor, vendor, client, customer, patient, constituent, or visitor.

Discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Where Can Sexual Harassment Occur? - Unlawful sexual harassment can occur anywhere - while employees are traveling for business, at social functions sponsored by Holland Farms and/or at any location while representing the Company. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if it occurs away from the workplace premises, on personal devices, or during non-work hours. Sexual harassment can occur when employees are working remotely from home as well.

Supervisory Responsibility - Individuals in a supervisory role have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. They are required to take immediate and appropriate corrective action in the event they are a witness to, or become aware of, any violations of this policy, even if no one is objecting to the harassment. The supervisor is also required to immediately notify the Office of any policy violations. Supervisors who engage in sexual harassment, allow such behavior to continue or fail to report such behavior likewise will be subject to disciplinary action up to and including termination from employment.

Bystander Intervention - Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor that is a bystander to harassment is required to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination.

1. Interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. Ask a third party to help intervene;
3. Take notes on the incident to benefit a future investigation;
4. Check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
5. If you feel safe, confront the harasser and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Complaint and Reporting Procedure - Refer to the *Complaint Procedure and Investigations* policy for information on filing a complaint and the Company's investigation procedures. Any individual who feels harassed, witnesses or becomes aware of potential instances of sexual harassment and/or discrimination should file a complaint internally with Holland Farms so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation.

Legal Protections and External Remedies - Sexual harassment is not only prohibited by Holland Farms but is also prohibited by state, federal, and, where applicable, local law. Aside from the internal process at Holland Farms, individuals may also choose to file a complaint and pursue legal remedies with the following governmental entities at any time.

- **New York State Division of Human Rights (DHR) and Human Rights Law (HRL).** Complaints alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court under HRL, within three years of the alleged harassment. Employees may call the DHR sexual harassment hotline at 1-800-HARASS-3 (1-800-427-2773) for more information about filing a sexual harassment complaint. This hotline can also provide a referral to a volunteer attorney who can provide limited free assistance and counsel over the phone. The hotline is operational Monday through Friday, from 9:00 a.m. to 5:00 p.m.

More information about filing a complaint with DHR can be found by visiting www.dhr.ny.gov. The website has a digital complaint process that can be completed on a computer or mobile device and has the option of a complaint form that can be downloaded, filled out, notarized, and mailed to DHR. Contact information for DHR's regional offices across New York State is also available.

Filing a complaint internally to Holland Farms does not extend the time to file with DHR or in court. An attorney is not needed to file a complaint with DHR, and there is no cost to file. DHR will investigate the complaint and determine whether there is probable cause to believe that sexual harassment or discrimination has occurred. Probable cause cases receive a public hearing before an Administrative Law Judge (ALJ). If sexual harassment and/or discrimination is found, DHR has the power to award relief, which may include requiring the employer to take action to stop the harassment or redress the damage caused by the harassment, including paying monetary damages, punitive damages, attorney's fees, and civil fines. If the DHR concludes that unlawful discrimination did not occur, the claim will be dismissed.

- **United States Equal Employment Opportunity Commission (EEOC).** An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of harassment. There is no cost to file, and an attorney is not needed. A complaint must be filed with the EEOC before filing in federal court. For more information, contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov. If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.
- **Local Protections.** Many localities enforce laws protecting individuals from sexual harassment and discrimination. Contact the county, city or town to find out if such a law exists.
- **Contact the Local Police Department.** If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

Mandatory Sexual Harassment Prevention Training - Employers are required to provide interactive sexual harassment prevention training to all employees on an annual basis.

Policy Violations - Any form of harassment, including sexual harassment, is a form of employee misconduct. Any individual covered by this policy who engages in harassment, discrimination, or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination of employment, termination of their relationship with Holland Farms). Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment.

503 **Complaint Procedure and Investigations**

Policy Statement - Holland Farms takes all complaints of discrimination, harassment, sexual harassment, unfair treatment, and retaliation seriously. A comprehensive complaint procedure has been developed to address any concerns or complaints received from employees and non-employees.

Reporting Policy Violations - Any employee or covered individual is encouraged to report harassing or discriminatory behavior to the Office or the President. Anyone who witnesses or becomes aware of potential instances of sexual harassment or discrimination must promptly report the behavior to Office or the President immediately. All employees will have access to an optional complaint form to report harassment and file complaints. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

Supervisory Responsibility - A supervisor who receives a complaint or information about harassment, discrimination, or retaliation, or who observes or suspects such behavior is taking place, is required to report it to the Office or the President immediately. Any supervisory personnel who knowingly allow such behavior to continue will be subject to liability, remedial and/or disciplinary action, up to and including termination of employment.

Investigation- Holland Farms will conduct a prompt and thorough investigation of the allegations that ensures due process for all parties, whenever receiving a complaint of harassment or discrimination, or otherwise knows of possible discrimination or harassment occurring. The investigation will be conducted as discreetly as possible, and with sensitivity that the investigation process may lead to retraumatizing the victim. Holland Farms will take appropriate corrective action whenever harassment or sexual harassment is found to have occurred. In addition to any required discipline, Holland Farms will also take steps to ensure a safe work environment for the employee(s) who experienced discrimination or harassment. All employees and supervisors are required to cooperate with any internal investigation.

While the process may vary from case to case, investigations will be done in accordance with the following steps:

1. Conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If the complaint is verbal, and the person reporting prefers not to fill out the complaint form, Holland Farms will prepare equivalent documentation based on the verbal reporting.
2. Take steps to obtain, review, and preserve documents sufficient to assess the allegations, including emails or phone records that may be relevant to the investigation. Holland Farms will consider and implement appropriate document request, review, and preservation measures, including for electronic communications.
3. Seek to interview all parties involved, including any relevant witnesses.
4. Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - a. A list of all documents reviewed, along with a detailed summary of relevant documents;
 - b. A list of names of those interviewed, along with a detailed summary of their statements;
 - c. A timeline of events;

- d. A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
 - e. The basis for the decision and final resolution of the complaint, together with any corrective action(s).
5. Keep the written documentation and associated documents in a secure and confidential location (not in personnel files).
 6. Promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document.
 7. Inform the individual(s) who reported the right to file a complaint or charge externally.

Confidentiality - An employee's confidentiality will be protected to the greatest extent possible, consistent with conducting a full investigation. However, the Company cannot guarantee complete confidentiality. Holland Farms reserves the right to disclose information as reasonably necessary to investigate and remedy the matter.

Retaliation Prohibited - No person covered by this policy shall be subject to adverse action because the employee reports an incident on behalf of themselves or others, provides information, or otherwise assists in any investigation or proceeding of a sexual harassment or discrimination complaint. Unlawful retaliation is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours or disparaging someone on social media).

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reducing hours, or assigning less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as “difficult” and excluding them from projects to avoid “drama;”
- Undermining an individual’s immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual’s desk to a less desirable office location.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Policy Violations - Any employee who violates the Company’s Equal Employment Opportunity or the Sexual Harassment and Discrimination policy, engages in harassment or retaliatory conduct prohibited by these policies, or makes a complaint that is demonstrated to be intentionally false, will be subject to disciplinary action, up to and including termination. Non-employees violating this policy may have their relationship with Holland Farms terminated or be subject to remedial action, as determined by management.

Please note this policy is not intended to limit the Company’s authority to discipline or take remedial action for workplace conduct which it deems unprofessional, inconsistent with Company standards, or otherwise inadvisable behavior, regardless of whether that conduct satisfies the legal definition of unlawful discrimination or harassment.

Policy Statement - Holland Farms's Confidentiality, Personal Conduct, and Ethics policies require senior management, supervisors, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Company, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations. It is the responsibility of all employees, to comply with these policies, and to report violations or suspected violations of the law in accordance with this Whistleblower policy.

No Retaliation - The Company will not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, because such employee does any of the following:

- (a) discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer that the employee reasonably believes is in violation of law, rule or regulation or that the employee reasonably believes poses a substantial and specific danger to the public health or safety;
- (b) provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such activity, policy or practice by such employer; or
- (c) objects to, or refuses to participate in any such activity, policy or practice.

Reporting Violations - Holland Farms will investigate all complaints, including those made anonymously. Where the employee wishes to disclose a violation to a public body, the employee must first make a good faith effort to notify the Office or the President and provide Holland Farms a reasonable opportunity to correct such activity, policy or practice. Notification to a supervisor is not required where:

- (a) there is an imminent and serious danger to the public health or safety;
- (b) the employee reasonably believes that reporting to the supervisor would result in a destruction of evidence or other concealment of the activity, policy or practice;
- (c) such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor;
- (d) the employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or
- (e) the employee reasonably believes that the supervisor is already aware of the activity, policy or practice and will not correct such activity, policy or practice.

Acting in Good Faith - Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality - Violations or suspected violations of law may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

600 OPERATIONAL POLICIES

601 *Hours of Operation*

Business Hours – Store hours are Monday through Friday from 5:30 a.m. to 8:00 p.m., 6:00 a.m. to 8:00 p.m. on Saturday and 6:00 a.m. to 6:00 p.m. Sunday.

Holiday Hours – Holiday hours may vary from normal business hours as designed by the owners.

Department Hours - The regular hours of the office and production department may vary from the Company's normal business hours, depending upon the season and/or schedule demands.

602 *Work Schedules*

Normal Work Schedules - An employee's work schedule is established by the employee's supervisor and posted in each department. An employee's work hours may differ from the normal hours of operation depending on the particular needs and requirements of the department. A full-time employee is normally scheduled to work 8 hours per day five days per week. Part-time and temporary/seasonal employees' workdays and hours vary, depending on the position and season. Employees are responsible to check their work schedules.

Swapping Shifts - An employee is responsible for working all assigned shifts once the work schedule has been posted. For clerks only, if an employee is unable to work an assigned shift, it is the employee's responsibility to find coverage. Both employees and the employee's supervisor must sign a shift change request to authorize the change in shift.

Changes in Work Schedules - Holland Farms reserves the right to revise an employee's normal work schedule at any time. This includes the employee's starting and ending times, the total number of hours worked per day and/or per week, and the days worked.

603 *Meal and Break Periods*

Meal Periods - An employee who is scheduled to work more than six hours in a given day receives a meal/break period. Meal periods vary each day and are scheduled by the employee's supervisor.

An employee who works more than six hours and whose work shift starts between the hours of 1:00 p.m. and 6:00 a.m. receives a meal/break period approximately halfway through the employee's shift.

As required by NYS labor standards, an employee who begins work before 11:00 a.m. and continues working later than 7:00 p.m. receives an additional 20-minute paid meal period between 5:00 p.m. and 7:00 p.m.

Observance of Meal Periods - In accordance with New York State regulations, an employee who works more than six hours in a given day is required to take the scheduled meal period. An employee is not allowed to work through the meal period to make up lost work time or to leave work early. In addition, the meal period may not be taken at the end of an employee's workday in order to leave work before the normal quitting time.

Break Periods – Under certain circumstances, employees who work four hours in a given day are allowed one (1) 10-minute paid break. Employees who work eight hours in a given day are allowed two paid breaks of up to 10 minutes each.

Scheduling of Meal and Break Periods - Meal and break periods are scheduled by the employee's supervisor in accordance with operational needs.

Extension of Meal and Break Periods - Employees should be punctual in starting and ending all meal and break periods. An employee may not extend a meal or break period beyond the time allowed unless prior approval is obtained from the employee's supervisor.

Failure to Take Break Periods - An employee who chooses not to take an allowed break period may not take an extended meal period, arrive at work later than the normal starting time, leave work before the normal quitting time, or receive extra compensation. Unused break periods cannot be accumulated for use at a later date.

Location of Meal and Break Periods – A lunch table is available in the kitchen for employees to use during their meal and break periods. Employees are required to clean up after themselves for all break and meal periods.

604 Nursing Mothers Accommodation

Policy Statement - Holland Farms provides a supportive environment to enable nursing employees to express breast milk during work time and makes reasonable efforts to provide a private room in close proximity to the work area for such activity that will include seating, a working surface, electricity, and nearby access to running water. This accommodation is available for up to three years following the birth of a child. Discrimination and retaliation of breastfeeding mothers in any form is unacceptable and will not be tolerated.

Notification Requirements - Whenever possible, an employee should give advance notice of their intent to take lactation breaks upon their return to work.

Length and Payment for Lactation Breaks - The Company will provide up to 30 minutes of *paid* break time, per occurrence throughout the workday, to employees who need to express breast milk for their nursing child. Paid lactation breaks are in addition to any existing Company-paid break or paid mealtime that the Company normally provides to employees. Paid lactation breaks are allowed each time an employee has reasonable need to express breast milk. Deductions will not be taken from an exempt employee's pay for lactation breaks of any length.

Storing Expressed Milk - A refrigerator is available to store expressed breast milk. All expressed milk must be stored in a closed container and must be taken home at the end of each workday. Holland Farms is not responsible for the safekeeping of an employee's milk stored in a refrigerator on its premises.

605 **Emergency Closings**

Policy Statement - It is Holland Farms' policy to remain open during all normally scheduled work hours.

Notification - In the unusual event the Company opens late or remains closed for the day, the Company will attempt to notify employees via telephone.

Inclement Weather - Employees are expected to report to work and remain at work during inclement weather conditions unless otherwise notified by the Company. When Holland Farms has not officially closed, an employee who does not report to work or requests to arrive at work late or leave work early must obtain prior authorization from the employee's supervisor in accordance with the Company's notification policy (See *Policy 701 Attendance*).

Compensation for Exempt Employees - Exempt employees receive their regular salaries when the Company officially opens late, shuts down early, or closes for any partial workweeks due to emergency operating conditions. Exempt employees are not paid if the Company is closed for an entire workweek or longer.

Compensation for Non-Exempt Employees - When the Company officially opens late, closes early, or remains closed for an entire workday due to an emergency closing, non-exempt employees are paid only for the number of hours actually worked.

A full-time, or eligible part-time, employee may elect to use any credited, unused vacation leave for any scheduled hours not worked and for which the employee is not paid by the Company. An employee may be allowed to make up the lost work time during the current workweek, with prior supervisory approval.

Call-In Pay - If an employee who is paid at the New York State minimum wage rate is required or permitted to report to work and is then sent home early, the employee will be paid for three hours or the number of hours in the employee's scheduled work shift, whichever is less. In some cases, an employee who is paid slightly above the minimum wage rate may also be eligible for call-in pay.

Compensation for Employees On Scheduled Leave - An employee who is out of work on sick or vacation leave during an emergency closing will be charged such leave as scheduled.

700 ATTENDANCE, TARDINESS, & LEAVES OF ABSENCE

701 Attendance

Policy Statement - In order to maintain a productive work environment, employees are expected to work all scheduled work hours and to keep unscheduled absences and tardiness to a minimum. Poor attendance, tardiness, and early departures place a burden on the Company, other employees, and customers.

Notification of Tardiness and Unscheduled Absences - An employee is expected to be on time and ready to begin work at the start of the employee's scheduled workday. An employee who is going to be absent or tardy or who is unable to report to work must personally notify the employee's supervisor at least one hour before the employee's scheduled starting time. The reason for the tardiness or absence and when the employee expects to report to work must be indicated. The department managers' cell phone numbers are posted outside the office door. Notification of tardiness or unscheduled absence via text message is prohibited. Likewise, an employee who needs to leave work early for any reason must notify their supervisor as soon as possible.

Asking a relative, friend, or another person to call in on the employee's behalf is not permitted nor is leaving a message on the answering machine or with a coworker. Notification requirements may be waived in cases of emergency or where extenuating circumstances are present.

It is understood that sudden illness and certain situations covered by the New York paid sick leave law may not allow for ample notice to an employee's supervisor of the need for absence. However, an employee is asked to provide as much notice as possible and will not be required to provide confidential details of the reason for the absence. However, if an employee is going to be absent, missing a scheduled shift, it is that employee's responsibility to secure a replacement.

Scheduled Absences - Requests for scheduled time off, must be submitted in writing to the employee's supervisor/manager as far in advance as possible, but no less than 7 workdays in advance. The Company reserves the right to request the reason for the absence. All time off requests are subject to supervisory approval on a case-by-case basis.

Unexcused Absences - Notification of an absence to an employee's supervisor does not automatically mean the absence is authorized. Any time off from work that is without supervisory approval is considered an unexcused absence. An unexcused absence is without pay for non-exempt employees.

Daily Notification - If an employee is unable to report to work for more than one workday, the employee must personally notify the supervisor each day of the absence, unless the absence was pre-authorized or the employee is on an approved leave of absence (e.g., FMLA, jury duty, military leave).

Failure to Call in or Report to Work - An employee who does not report for work or notify the supervisor of their absence for two consecutive workdays will, absent extenuating circumstances, be considered to have abandoned their job and voluntarily resign their position with the Company.

Documentation of Absences - An employee who demonstrates a pattern of frequent absences may be required to provide documentation of the reason for any future absences. Failure to provide valid documentation upon return to work may result in disciplinary action up to and including termination of employment.

Medical Verification - An employee who is absent from work for more than two consecutive workdays due to personal illness or injury is required to provide medical verification of the employee's absence. Medical verification may also be required for certain shorter absences. If an employee is on an authorized leave of absence, the provisions of the applicable *leave of absence policy* shall apply. Failure to produce the medical verification may result in an employee receiving the time off without pay and/or jeopardize continued employment with the Company.

Upon return to work, the employee may also be required to provide a medical statement from the employee's health care provider indicating that the employee is able to return-to-work and listing any work restrictions. In the event the medical statement indicates there are work restrictions, the Company reserves the right to evaluate if the restrictions can be reasonably accommodated (See *Policy 501 Equal Employment Opportunity*). An employee is not allowed to return to work until an adequate medical statement is provided to the employee's supervisor.

Leaving the Premises - An employee must notify and obtain approval from the employee's supervisor before leaving Company premises during working time for personal reasons. An employee who leaves Company premises during the workday due to business reasons must notify the employee's supervisor in accordance with department policy. Non-exempt employees leaving the premises for personal reasons must clock out on their time card.

Time Off Without Pay – With the exception of approved leaves, the Company does not normally grant employees time off from work without pay. Unless a particular policy allows, or a regulation requires the discretionary use of unpaid time off, an employee must first use all available accrued or credited paid time off before the Company will consider requests for time off without pay.

Making up Lost Time - A non-exempt employee may be allowed to make up lost work time during the current workweek with prior supervisory approval. Authorization is granted only if work is available and only at a time that is mutually convenient for the employee and the employee's supervisor. A non-exempt employee is generally not allowed to make up lost work time that is due to tardiness, unauthorized absence, or early departure.

Policy Violations - Violations of this policy may result in disciplinary action, up to and including termination. This includes falsification of the reason for absence, unexcused absence(s), a record of excessive absences, tardiness, or early departures, or a pattern of absenteeism, even if excused.

702 Time Records

Policy Statement - Federal and state employment regulations require Holland Farms to maintain accurate records of employee work hours. Accurate time records allow the Company to calculate each employee's compensation for time worked and authorized paid leave taken in a given workweek.

Working Time - Generally, time worked is considered all time an employee is on duty performing assigned tasks and all time an employee is required to be on the Company's premises or at a designated work site.

Procedures for Non-Exempt Employees - Non-exempt employees are responsible for clocking in and out to record their work hours. A non-exempt employee must record the employee's own time at the beginning and end of each work shift and for all unpaid meal periods. During regular work hours, an employee must clock out when leaving Company premises for non-work-related reasons.

Employees should be ready to begin work at the time they clock in.

A non-exempt employee is not permitted to work overtime or unscheduled time without prior authorization from their supervisor. This includes working before or after the employee's scheduled work shift and working through the scheduled lunch period. Accordingly, an employee should not clock in more than five minutes prior to the start of the employee's work shift or clock out more than five minutes after the end of the work shift, unless approved by the employee's supervisor.

Procedures for Exempt Employees - Exempt employees are not required to record their time but must account for authorized paid leave by informing the office.

Performing Work Before/After Scheduled Work Hours - Arriving at work before the scheduled starting time or leaving work after the scheduled ending time for an employee's own convenience when no work is performed for the Company is not to be included in working time nor is such behavior tolerated.

Correction of Errors - Failure to record time accurately should be brought to the attention of the employee's supervisor immediately. The supervisor shall investigate the matter and make and initial the correction on the timecard once the error is verified. All corrections must be made by Sunday night and approved by supervisor and manager.

Lost Timecards - Lost timecards should be reported immediately to the office.

Submission of Time Records - Time records should be verified and approved by the employee and the employee's supervisor at the end of each pay period and turned in to the Office by noon on Monday.

Falsification of Time Reports - Employees are responsible for ensuring that their actual hours worked and time off are accurately reported. Altering, falsifying, or tampering with an employee's own timecard or a coworker's time card and/or recording time on another employee's time, including clocking in or out for another employee, is prohibited and may result in disciplinary action, up to and including termination of employment for both employees.

703 Jury and Witness Duty

Policy Statement - Employees will be granted time off to serve on jury duty or to appear as a witness in a criminal proceeding. In accordance with New York State law, an employee who is a victim of a crime will be granted time off to appear in court as a witness, to consult with a district attorney, or to obtain an order of protection. An employee will not be subject to adverse employment action as a result of taking time off to serve as a juror or witness.

Notification Requirements - When an employee receives notice to report for jury duty or a subpoena to testify as a witness, a copy of the notice/subpoena should immediately be submitted to the office.

Compensation for Exempt Employees - In accordance with federal regulations, an exempt employee who serves as a juror or witness is paid the employee's regular salary for working any partial workweeks but is not paid for any workweeks in which no work is performed for the Company. If an exempt employee does not perform any work for the Company during the first workweek of employment because of jury duty service, the employee will receive \$40 per day for the first three days of service.

Compensation for Non-Exempt Employees - A non-exempt employee who is required to report for jury duty on a regularly scheduled workday is paid \$40 per day (or full pay, up to \$40 per day) for the first three days. Thereafter, a non-exempt employee is no longer paid by the Company but is entitled to any stipend paid by the court. Time off for witness duty is without pay.

Verification of Service - An employee must provide written verification from the court noting the date(s) and time(s) served as a juror or witness in order to receive payment from the Company.

Return to Work - An employee who is excused from court for the entire day must report to work for the employee's scheduled work hours. If an employee is released early from jury or witness duty on a given day, the employee must contact the employee's supervisor to discuss reporting requirements if there are two or more hours left in the employee's scheduled work shift. An employee will not be

required to work on any days when they are not normally scheduled to work in order to make up for any time lost due to jury duty service.

Accrual of Benefits - Holland Farms will continue to provide medical and dental insurance benefits for an eligible employee during the time spent as a juror or witness. All employee contributions, if any, must be paid on a timely basis in order to maintain the continuous coverage of benefits. Vacation and holiday benefits also continue to accrue.

704 Military and Reserve Leaves

Policy Statement - Holland Farms recognizes the importance of military service and complies with all federal and state regulations relating to military leaves of absence, encampment, and temporary military duty. If an employee is called into the military for extended leave, the Company will comply with the terms of the Uniformed Services Employment and Reemployment Rights Act ("USERRA") and other similar federal, state or local laws and regulations relating to the re-employment rights of persons entering military service.

Notification - An employee is required to give advance notice to the employee's supervisor of the dates of military service unless unable to do so because of military necessity or if it is otherwise impossible or unreasonable to do so. An employee is asked to give as much notice as possible and to bring their military service orders to The Office for review prior to commencement of the leave.

Benefits during Leave - An employee retains and accrues any Company-sponsored benefits that are tied to seniority during a military leave. The employee is also allowed to participate in the medical insurance plan and other Company-sponsored benefits that are not determined by seniority to the same extent as an employee who is granted a leave of absence for other reasons, so long as the employee meets the eligibility requirements of each benefit plan. During a military leave of 30 days or less, the Company will make its normal contribution towards an employee's insurance benefits.

Return from Leave - Upon returning from leave, an employee will be reinstated to their position, or a similar position, and retains certain rights relating to seniority, status, length of service promotions, and compensation upon return from military duty, as long as the employee is not separated with a dishonorable or bad conduct discharge and the employee's cumulative military leave with the Company does not exceed five years. Certain types of uniformed service do not count against an employee's five-year maximum, including service during war or call-ups during national emergencies, reserve drills, and annually scheduled active duty for training.

If an employee terminated coverage in Holland Farms' health insurance plan or elected COBRA or New York State health insurance continuation while on a military leave of absence, the employee will be reinstated in the plan upon return to work without a waiting period or any pre-existing exclusions.

Temporary Military Duty - The Company will attempt to rearrange an employee's work schedule, if possible, when the employee needs to attend a weekend drill or encampment.

Compensation for Exempt Employees - In accordance with federal regulations, an exempt employee who is on military leave or reserve leave for any partial workweeks is paid the employee's regular salary for those workweeks. Any military pay received is deducted from the employee's salary. An exempt employee is not paid for any workweeks in which no work is performed for the Company. An employee may request to use credited, unused vacation leave during the leave.

Compensation for Non-Exempt Employees - Military leave and reserve leave is without pay for a non-exempt employee. A non-exempt employee may request to use credited, unused vacation leave during the leave.

Family and Medical Leave - An employee may be eligible for time off in accordance with the Family and Medical Leave Act (FMLA) due to a covered family member's active or impending military duty or if a covered family member suffers a serious injury or illness while on active duty (See *Policy 705 Family and Medical Leave* for additional information).

705 Military Spousal Leave

Policy Statement - In accordance with New York State regulation, Holland Farms will grant an unpaid leave of absence of up to ten days to an employee whose spouse is on leave from the military under specified circumstances as described below. An employee who is entitled to Military Spousal Leave may check with their employer to see if the circumstances overlap with the criteria for a paid leave under NYPFL. If it does, both leaves will run concurrently.

Basic Leave Entitlements - An eligible employee may take an unpaid military spouse leave if the following conditions are met:

- The employee's spouse is a member of the U.S. Armed Forces, National Guard, or reserves;
- The spouse has been deployed during a period of military conflict to a combat theater or combat zone of operations; *and*
- The spouse is on a leave from active deployment.

Definition of Spouse – For the purpose of this policy, a spouse includes a married spouse of the same or opposite sex.

Eligibility - To be eligible for leave, an employee must work an average of 20 hours or more per week. There is no minimum length of service requirement.

Notification Requirements – If possible, at least 30-calendar days' notice must be given to the office prior to the requested start date of the leave. When a leave is unforeseen, an employee must give notice as soon as the need for a leave is known. Permission or denial of the leave is normally communicated to the employee in writing within one week after receiving the request.

Use of Paid Leave - Credited, unused vacation leave may be used at the start of the leave. The use of paid leave benefits does not extend the leave of absence.

Insurance Benefits – An employee's insurance benefits will continue at the same level during the leave of absence. The employee is responsible for their normal contributions toward insurance benefits.

706 New York Paid Family Leave

Policy Statement - In compliance with New York Paid Family Leave (PFL), the Company will provide eligible employees with partially paid, job-protected family leave during a 12-month period to take time off from work for specified family and medical reasons as described below.

Eligibility - To be eligible for PFL, an employee must meet one of the two following conditions: (1) be a the Company employee whose regular employment schedule is 20 or more hours per week and who has been employed at the Company for 26 consecutive weeks immediately before taking PFL, or (2) be a the Company employee whose regular employment schedule is less than 20 hours per week and who has worked 175 days at the Company before taking PFL. Periods of temporary disability shall not be counted as weeks of employment or days worked for determining eligibility for PFL. Participation in the PFL program is mandatory for all employees, except for those individuals eligible for a waiver (explained below).

PFL Waiver Opt-Out - Employees have the opportunity to waive PFL benefits under the following limited circumstances: (a) The employee is regularly scheduled to work 20 or more hours per week but will not work 26 consecutive weeks; or (b) The employee is regularly scheduled to work less than 20 hours per week but will not work 175 days in a 52 consecutive week period. However, if an employee has elected to waive PFL coverage and their regular schedule changes such that they work for either 26 consecutive weeks or 175 days in a consecutive 52-week period, the employee's waiver shall be deemed revoked and the employee will be obligated to begin making contributions to the cost of PFL, including any retroactive amounts due from date of hire.

Qualifying Events - An eligible employee shall be entitled to PFL in any 52-consecutive week period for any of the following qualifying events:

- The birth of a child and to provide care for the newborn child during the first 12 months following birth (PFL only begins after birth and is not available for prenatal conditions);
- The placement of a child with the employee for adoption or foster care and to care for the newly placed child during the first 12 months following placement. (PFL may be taken before the actual placement or adoption of a child if an absence from work is required as part of the process, such as counseling sessions, appearing in court, consulting with attorneys or doctors representing the birth parent, physical examinations, or traveling to another country to complete an adoption);
- For a qualifying exigency as interpreted under the federal FMLA when a spouse, domestic partner, child, or parent of the employee is on active duty or has been notified of a call or order to active duty); or
- To provide care for a family member with a serious health condition. A family member includes a spouse, domestic partner, child/stepchild, sibling (biological, adopted, step-, and half-siblings), parent (biological, foster, or adoptive parent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child, as well as step-parents and parent-in-law), grandparent and grandchild.

PFL cannot be used for the employee's own serious health condition or one's own military event. However, for short-term disabilities, including pregnancy and other medical conditions, the employee may be able to collect state disability benefits.

Serious Health Condition - A serious health condition means an illness, injury, impairment, or physical or mental condition that involves: inpatient care in a hospital, hospice, or residential health care facility; or continuing treatment or continuing supervision by a health care provider for a condition that either prevents the qualified family member from working, attending school, performing other daily activities or is otherwise incapacitated due to a chronic serious health condition. It also includes transplantation preparation and recovery from surgery related to organ or tissue donation.

Continuing treatment by a health care provider includes, but is not limited to:

- A period of incapacity of more than three consecutive, full days combined with at least two visits to a health care provider; or
- One visit to a health care provider and a regimen of continuing treatment; or
- Incapacity due to a chronic health condition.

Voluntary cosmetic treatments are not eligible conditions unless inpatient care is required, or complications develop. Ordinarily, unless complications arise, the common cold, flu, earaches, upset stomach, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, periodontal disease, etc. do not qualify as serious health conditions. In addition, routine medical examinations do not qualify for PFL. This list is not all inclusive.

Cost - PFL is funded solely by employee contributions via post-tax payroll deductions based on a percentage of the employee's weekly wage capped at New York State's current average weekly wage. This "weekly wage" is reviewed and re-determined annually each year by New York State.

Length of Paid Leave and Benefits - The maximum length of paid leave is 12 weeks, payable at 67% of the employee's average weekly wage, up to a specified statutory maximum.

Notification Requirements - When the need for PFL is foreseeable (i.e., expected birth, placement for adoption or foster care, the planned medical treatment for a serious health condition of a family member, or a known military exigency, an employee must submit a written request to the Office at least 30 days prior to the requested start date of the leave.

If the need for leave is not foreseeable (due to, for example, lack of knowledge, a change in circumstances, or a medical emergency), notice must be provided as soon as he or she become aware of the need for leave. Such notice must normally comply with the Company's call-in procedures (See Attendance Policy). The employee must indicate the anticipated length of the leave and provide sufficient information about the reason for absence to allow the Company to determine if the leave may qualify for PFL.

Certification - Medical certification from a health care provider is required for leave requests due to a family member's serious health condition or the birth of a child. Documentation from the appropriate agency is required to support a leave request due to the adoption or foster placement of a child.

Applying for PFL Benefits - Employees needing PFL must notify the Office. In order to receive income replacement benefits while on PFL, an employee must submit a claim form to Holland Farms's PFL insurance carrier using the applicable *Paid Family Leave* forms. The claim form(s) will provide details regarding the documentation that will be required to support the request for PFL benefits. These forms may be obtained from the Office.

Employees are responsible for timely filing their own PFL claim(s) with Holland Farms's insurance carrier. Employees have 30 days from the date PFL is taken to file the claim. Holland Farms will not file a claim on an employee's behalf. The insurance carrier has 18 days, from the date of submission, to make an approval decision.

Use of Leave - PFL is only available in full day increments, but it can be taken intermittently. An employee is responsible for making reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt business operations. The Company will not permit more than one employee to use PFL to care for the same family member at the same time. Example: If both spouses work for the Company, the Company may deny PFL to one spouse if both employees have requested to take PFL during the same period of time to bond with the same child. However, both spouses could take PFL at different times to bond with the same child.

Workers' Compensation - An employee that is unable to work and is collecting workers' compensation is not eligible for PFL.

Interrelationship of PFL and NYS Disability Benefits - PFL and NYS Disability benefits cannot be collected at the same time. If an employee is eligible for both, the combined total in any 52-week period may not exceed 26 weeks. A female employee who is going to have a baby would be allowed to take the period of incapacitation defined by her physician, followed by the maximum length of PFL offered. An employee who opts to take PFL first may do so, but since they will no longer be considered disabled after taking PFL, they would not be eligible for paid NYS Disability benefits at the conclusion of PFL.

Interrelationship of PFL and Federal FMLA - In certain instances, PFL and FMLA will overlap. Where leave is taken for a reason specified in both the FMLA and PFL, the leave will run concurrently. This means that PFL time cannot be added to FMLA time to extend the overall leave. For example, an employee who takes a leave for the purpose of caring for a newborn or adopted child will have their leave counted simultaneously against their 12-week entitlement under FMLA and their entitlement under PFL.

If an employee's need for leave qualifies under both PFL and FMLA, but the employee declines to apply for one or the other of these benefits (despite being notified that the reason for leave qualifies for both), any leave taken by the employee for such reason will be counted against both the employee's PFL and FMLA allotment.

Benefits During PFL - For the purpose of this policy, the following applies to employee benefits during a PFL leave:

- Employee will not lose employment benefit that accrued prior to the start of the PFL leave.
- An employer may not require an employee to use their available paid time off benefits before using PFL (unless leave is running concurrent with FMLA and paid time off is required to be used under FMLA).

- **Substitution of Paid Time Off**

Substitution: If an employee takes PFL but would prefer to receive their full pay, the employee may elect to substitute a full day of accrued paid time off (vacation or personal time). In this instance, the employee is still required to file a claim with the Company's insurance carrier, though the employee will not receive the PFL wage replacement benefit. Any paid time off substituted by the employee will be counted against their PFL allotment.

Supplement: An employee has the option to supplement the PFL benefit with accrued paid time off (vacation or personal time) in order to receive full pay. In no event can the combination of PFL benefits and paid time off result in the receipt of more than 100% of an employee's regular wages.

- **Accrual of Paid Leave Benefits** - An employee will not continue to accrue vacation and sick leave while on PFL.
- **Insurance Benefits** - An employee's coverage for health, dental, life, disability, etc. insurance will continue at the same level, terms, and conditions as if the employee was working and the employee must continue to timely pay their portion of the insurance premium, if any. Failure to pay the employee portion of the insurance premium may result in the termination of coverage.
- **Employment Restrictions** - While on PFL, an employee may not work for another employer during the same work hours they are normally scheduled to work for the Company.
- **Early Return or Extension of Leave** - If an employee intends to return to work earlier than anticipated or extend the leave beyond the time originally requested, the Office must be notified at least two business days from the date the employee became aware of the need to shorten/extend the leave.

Return-to-Work - If the employee's leave request indicated a specific return-to-work date, they should contact the Office at least two weeks prior to this date. If the return-to-work date was not known at the time leave was granted, the Office must be notified as soon as a return-to-work date has been established. Failure to return to work when scheduled may result in disciplinary action, up to and including termination.

Job Restoration - An employee shall be restored to the position held when PFL began or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment, provided they return to work within the time period allowed under the PFL regulations.

Fraud - An employee who fraudulently obtains PFL is subject to disciplinary action, up to and including termination.

Non-Retaliation - the Company prohibits any discrimination or retaliation against any employee for exercising PFL rights. Employees who wish to apply for PFL, have questions regarding this policy, or believe they're being treated differently or retaliated against for seeking or using PFL should immediately contact Human Resources. If HR is unavailable, or you are not comfortable reporting the issue to her/him, you should report your concerns to the Office or to the Owner.

707 Family and Medical Leave Act (FMLA)

Policy Statement - In compliance with the federal Family and Medical Leave Act (FMLA), the Company will grant an eligible employee unpaid, job-protected leave for specified family, medical, and military reasons as described in this policy. Leave may also be available for some of the same purposes under the New York State Paid Family Leave Law ("PFL"). See the PFL Policy above. When such leave qualifies for both FMLA and PFL, the leaves will run concurrently.

Eligibility - To be eligible for FMLA leave, an employee must meet the following requirements:

- Completion of at least 12 months of service with the Company before the leave begins (the 12 months need not be consecutive, but must have occurred in the last seven years, unless the break in service was to fulfill an employee's military service obligation under USERRA);
- Worked at least 1,250 hours during the previous 12 months prior to the date the leave begins; excluding vacation, personal days and sick days, with the Company during the twelve (12) month period preceding the FMLA commencement date unless the employee has fulfilled a military service obligation under USERRA and the hours which would have been worked but for the service obligation would add up to 1,250 hours; and
- Work at, or report to, a work site where at least 50 employees are employed within 75 miles.

Basic FMLA Entitlements - An eligible employee shall be granted up to 12 weeks of unpaid, job-protected leave during a 12-month period under any of the following circumstances:

- Incapacity due to pregnancy, prenatal medical care, or childbirth (includes fathers who take leave for their spouses' prenatal care and appointments);
- For the birth of a child and to care for the newborn child during the first 12 months following birth;
- For the placement of a child with the employee for adoption or foster care and/or to care for the newly placed child during the first 12 months following placement;
- To provide care for the employee's spouse, child (includes son or daughter of the same-sex spouse), or parent who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the essential functions of their job.

Serious Health Condition - The FMLA defines a serious health condition as an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Continuing treatment by a health care provider includes:

- A period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider; or
- One visit to a health care provider and a regimen of continuing treatment; or
- Incapacity due to pregnancy; or
- Incapacity due to a chronic health condition.

Other conditions may also meet the definition of continuing treatment.

Ordinarily, unless complications arise, the common cold, flu, earaches, upset stomach, ulcers, headaches other than migraines, routine dental problems, etc. do not qualify as serious health conditions. In addition, routine medical examinations are not considered serious health conditions, and neither are voluntary cosmetic treatments, unless inpatient care is required or complications develop. This list is not all inclusive.

Twelve-Month Period - The 12-month period used to determine eligibility for Basic FMLA leave is a rolling period measured backward from the date an employee uses any FMLA leave. Each time FMLA leave is taken, the Company will compute the amount of FMLA leave that has been used in the last 12 months and subtract it from the 12 weeks of available leave. The balance remaining is the maximum amount of FMLA leave still available.

Military Family Leave

Qualifying Exigency Leave - Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active-duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies are non-medical, non-routine activities. Qualifying exigencies may include attending certain military events and related activities, arranging for alternative childcare, addressing financial and legal arrangements, non-medical counseling sessions, and attending post-deployment activities. the Company and the employee can agree to consider any other event that may arise out of active duty or a call to active-duty status as a qualified exigency.

Military Caregiver Leave - Eligible employees may take up to 26 workweeks of FMLA leave in a single 12-month period to care for a covered service member with a serious injury or illness if the employee is the covered service member's spouse, parent, son, daughter, or next of kin.

A covered service member is:

- (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness;* or
- (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

* **Serious Injury or Illness for a Current Service Member** - FMLA defines a serious injury or illness for a current service member as:

- (i) an injury or illness incurred by a covered service member in the line of duty on active duty in the Armed Forces that may render the service member medically unfit to perform the duties of their office, grade, rank, or rating; or

- (ii) An injury or illness that existed before the beginning of the service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces.

Serious Injury or Illness for a Covered Veteran - A serious injury or illness for a covered veteran means an injury or illness incurred that was incurred or aggravated by the covered veteran in the line of duty on active duty in the Armed Forces and manifested itself before or after the service member became a veteran, and is:

- (i) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; or
- (ii) a physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and the need for military caregiver leave is related to that condition; or
- (iii) a physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; or
- (iv) an injury, including a psychological injury that is the basis for the veteran's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Notification Requirements - When the need for FMLA leave is foreseeable, an employee must submit a completed *FMLA Request Form* to the Office at least 30-calendar days prior to the requested start date of the leave. Failure to give the required notice with no reasonable excuse may result in the FMLA leave being delayed or denied. If unable to provide 30 days advance notice, an employee must request leave as soon as they become aware of the need for leave. Such notice must normally comply with the Company's call-in procedures (See the *Attendance* policy for additional information).

The employee must provide sufficient information to enable the Company to determine if the leave may qualify for FMLA. Sufficient information may include that the employee is unable to perform job functions, that a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to the Company's questions to determine if absences are potentially FMLA-qualifying. If employees fail to explain the reasons for FMLA leave, the leave may be denied.

In addition, the employee must also inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. An employee also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities - the Company will determine if the employee is eligible for FMLA leave and will notify the employee within five business days of receiving the employee's *FMLA Request Form* or verbal leave request. If approved, the employee will be provided with a written Notice of Rights and Responsibilities and will be notified of any additional information required by the Company and the amount of leave that will be counted against the employee's FMLA leave entitlement. If ineligible for FMLA leave, the Company will provide the employee with written notice indicating the reason for ineligibility.

Certification - Proper documentation will be required to support an employee's leave request. Medical certification from a health care provider or relevant government agency is required for leave requests due to an employee's or family member's serious health condition or the birth, adoption, or foster placement of a child. Employees requesting leave for a qualifying exigency must provide documentation of the military member's active duty orders indicating the dates of their service.

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

Use of Leave - Eligible employees may take FMLA leave in a single, continuous block of time, intermittently (in separate blocks of time), or by reducing the normal work schedule when necessary due to medical reasons or because of a qualifying exigency. However, leave may not be taken on an intermittent basis or on a reduced schedule when used to care for the employee's own child during the first year following birth, or to care for a child placed with the employee for foster care or adoption, unless the employer agrees to allow intermittent leave. Employees who require intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt business operations.

Status Reports - If the medical certification indicates a minimum duration for the period of incapacity, the Company will generally not request recertification until such period has expired. If the medical certification indicates the condition is expected to last for an extended period, medical recertification must be provided every six months. The Company reserves the right to request medical recertification more frequently if an employee requests a leave extension, circumstances have changed significantly, or the Company receives information that casts doubt on the reason for the absence.

Workers' Compensation, Disability and PFL - Leaves taken under workers' compensation, disability or PFL may run concurrently with FMLA if an employee meets the FMLA eligibility criteria outlined above and the Company appropriately designates the leave as FMLA.

Benefits During Leave - For the purpose of this policy, the following applies to employee benefits during a FMLA leave:

- **Use of Paid Leave** - If leave is running concurrently with workers' compensation, disability, or PFL, an employee must use their own available paid time off benefits (e.g., vacation and sick leave) to cover any mandated benefit waiting period imposed. After the waiting period, and if the Company agrees, an employee may have the option of using available paid time off benefits to supplement their wages. The combination of all benefits paid to the employee may not exceed the employee's regular weekly earnings. If an employee is not, or is no longer receiving pay from workers' compensation, disability, or PFL, the employee is required to use their available paid time off benefits during the unpaid leave period.
- **Accrual of Paid Leave Benefits** - An employee will not lose any employment benefit that he or she accrued prior to the start of the FMLA leave. An employee continues to accrue paid leave benefits during any portion of a FMLA leave that is paid. For the purpose of this accrual policy, paid leave is defined as leave during which the employee is using credited, unused vacation and/or sick leave.

- **Insurance Benefits** - An employee's group medical, dental, vision insurance will continue at the same level, terms, and conditions as if the employee was working. The employee is responsible for their portion of the medical insurance premium cost, if any. Failure to pay the employee portion of the health insurance premiums may result in the termination of coverage if not paid within the pre-determined grace period. If an employee is on a paid leave, the premiums will be deducted from their pay as usual. If some or all of an employee's leave will be without pay, the employee will be provided with information on how and when to make premium payments at the beginning of the leave. The employee will be given the opportunity to choose continuation coverage under the COBRA regulations if they have not returned to work at the end of the 12-week period.

Employment Restrictions - While on FMLA leave, an employee may not work for another employer during the same work hours that they are normally scheduled to work for the Company.

Early Return or Extension of Leave - If an employee intends to return to work earlier than anticipated or extend the leave beyond the time originally requested, the Office must be notified at least two business days from the date the employee became aware of the need to shorten/extend the leave.

Return-to-Work - At the conclusion of a FMLA leave, the following conditions apply:

- **Return Date** - If the employee's leave request indicated a specific return-to-work date, the employee should contact the Office at least two weeks prior to this date. If the return-to-work date was not known at the time leave was granted, the Office must be notified as soon as a return-to-work date has been established. Failure to return to work when scheduled may result in disciplinary action, up to and including termination;
- **Fitness-for-Duty Certification** - If the FMLA leave was due to the employee's own serious health condition, a fitness-for-duty certification from the employee's health care provider is required prior to returning to work. The certification must address the employee's ability to perform the essential functions of the job, indicate any work restrictions, and release the employee to return to work. In the event work restrictions are indicated, the Company reserves the right to evaluate if the restrictions can be reasonably accommodated (See the *Equal Employment Opportunity* policy). Failure to return the certification may result in delay or denial of reinstatement; and

Job Restoration - An employee shall be restored to the position held when the leave began or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment, provided they return to work within the time period allowed under the FMLA regulations. A key employee may be denied reinstatement rights if such reinstatement would cause substantial and grievous economic injury to Holland Farms.

Fraud - An employee who untruthfully or fraudulently obtains FMLA leave is subject to disciplinary action, up to and including termination.

Non-Retaliation - The FMLA makes it unlawful for employers to: 1) interfere with, restrain, or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. The Company will not retaliate against any employee who exercises their rights under the FMLA. If employees believe their FMLA rights have been violated, they should contact the Office immediately. The Company will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

708 **Other Leaves of Absence**

Policy Statement - An employee who does not meet the PFL or FMLA eligibility requirements (See the applicable policy for additional information) or who has exhausted those leave entitlements may request a leave of absence due to compelling medical, family, or personal reasons. The granting and duration of each leave of absence is determined by the Company and is not guaranteed.

An employee may request a leave of absence of up to four weeks due to medical, family, or personal reasons. The granting and duration of each leave of absence is determined by the Company, and is not guaranteed.

Eligibility - To be eligible for a leave of absence, an employee must have completed at least six months of continuous service and must be classified as a full-time or part-time employee.

Workers' Compensation, Disability, and NYPFL - An employee who is eligible for - or is receiving - workers' compensation, disability benefits and/or NYPFL will be The employee is therefore responsible for complying with the requirements of all policies that apply.

Notification Requirements – At least 30-calendar days' notice must be given to the office prior to the requested start date of the leave. When a leave is unforeseen, an employee must give notice as soon as the need for a leave is known. Permission or denial of the leave is normally communicated to the employee in writing within one week after receiving the request. Failure to give 30-days' notice with no reasonable excuse may result in the leave being delayed until 30 days from the date of notice.

Medical Certification - A medical certification issued by a health care provider is required to support an employee's request for a medical leave of absence due to the employee's own serious health condition. When required, the employee must provide the certification before the leave begins, or if the leave was unforeseeable, 15-calendar days from the date the certification was requested. Failure to submit the medical certification could jeopardize the employee's eligibility for a medical leave of absence and/or continued employment.

The medical certification must include:

- The date the condition began;
- The probable duration of the medical condition;
- Pertinent medical facts; and
- An assertion that the employee is unable to perform the employee's job function.

Holland Farms reserves the right to request a second opinion by another health care provider at the Company's expense. In the event of a conflict between the first and second opinion, Holland Farms may, again at its own expense, obtain a third opinion from a health care provider approved jointly by the Company and the employee. This third opinion is final and binding.

Benefits during Leave - For the purpose of this policy, the following applies to employee benefits during the leave:

- **Use of Paid Leave** - If leave is running concurrently with workers' compensation, disability, or paid family leave, an employee must use their own available paid time off benefits (e.g., vacation and/or sick leave) to cover any mandated benefit waiting period imposed. After the waiting period, and if the Company agrees, an employee may have the option of using available paid time off benefits to supplement their wages. The combination of all benefits paid to the employee may not exceed the employee's regular weekly earnings. If an employee is not, or is no longer receiving pay from workers' compensation, disability, or paid family leave, the employee is required to use their available paid time off benefits during the unpaid leave period.

- **Accrual of Paid Leave Benefits** - An employee will not lose any employment benefit that he or she accrued prior to the start of the leave. An employee continues to accrue paid leave benefits during any portion of the leave that is paid. For the purpose of this accrual policy, paid leave is defined as leave during which the employee is using credited, unused vacation and/or sick leave.
- **Insurance Benefits** - The Company does not contribute towards an employee's medical or dental insurance premiums during a medical or personal leave of absence.

All employee contributions, if any, must be paid on a timely basis in order to maintain the continuous coverage of benefits. Coverage will be cancelled if the employee's premium payments are not made within a 60-calendar day grace period of the due date. Premium payments and policy coverage are subject to change.

Status Reports - If an employee's request for a leave of absence does not indicate a specific return to work date or if an employee requests a leave extension, the employee must update the office as to the employee's status and intent to return to work every two weeks.

Extension of Leave - An employee may request an extension of a leave of absence by submitting a written request to the office at least two weeks prior to the end of the scheduled return-to-work date. In compliance with the Americans with Disabilities Act, Holland Farms may grant a leave extension if it does not impose an undue hardship on the Company. The Company reserves the right to deny any leave extension request.

Employment Restrictions - While on an approved leave of absence, an employee may not work for another employer during the same work hours that the employee is normally scheduled to work for Holland Farms.

Return-to-Work - At the conclusion of the leave, the following conditions apply:

- **Return Date** - If the employee's leave request indicates a specific return-to-work date, the employee should contact the employee's supervisor at least ten days prior to this date. If the ending date of the leave was not known at the time leave was granted, the employee must immediately notify the supervisor when a return-to-work date is established. If the Company determines that a position is available, the employee must report to work when scheduled;
- **Fitness for Duty Statement** - For a medical leave of absence, a health care provider's statement releasing the employee to return-to-work with or without work restrictions is required. An employee will not be allowed to work until such medical documentation is provided. In the event that work restrictions are indicated, the Company will evaluate whether the restrictions can be reasonably accommodated (See *Policy 501 Equal Employment Opportunity*); and
- **Job Restoration** - Holland Farms cannot guarantee jobs for employees who are on a leave of absence. When an employee is able to return to work, the Company shall attempt to return the employee to a position based on business needs and the availability of a position for which the employee is qualified.

709 ***Time Off to Vote***

Policy Statement - In accordance with New York State Election Law, an employee who is a registered voter and does not have sufficient time outside of their scheduled working hours to vote in a public election when the polls are open, will be given up to two hours off with pay at the beginning or end of the employee's shift to vote. An employee is deemed to have "sufficient time to vote" if they have four consecutive hours off either from the opening of the polls to the beginning of their work shift, or between the end of their work shift and the closing of the polls.

Any additional time off needed is without pay for non-exempt employees unless credited, unused accrued leave is used.

Time Off Requests - An employee who needs time off from work to vote must submit a time off request to the employee's supervisor no more than 10 nor less than two workdays before an election.

710 ***Time Off to Donate Blood or Bone Marrow***

Policy Statement - In accordance with New York State regulation, eligible employees are granted time off during regular work time to donate blood and/or to undergo a medical procedure to donate bone marrow.

Eligibility – An employee who works an average of 20 or more hours per week will be granted at least one leave of absence of up to three hours per calendar year during the employee's regular work hours to donate blood at an off-site location.

Time Off Requests - An employee must request time off at least three working days in advance. If the employee is donating blood for their own surgery or surgery of a family member, a shorter notice period will be accepted.

Verification of Absence – An employee is responsible for providing verification from a blood bank or similar organization showing that the leave of absence was to donate blood.

Donating Bone Marrow - An employee will be granted unpaid time off to donate bone marrow. The combined length of the absence shall be determined by the employee's health care provider, but may not exceed 24 work hours unless otherwise authorized by the employee's supervisor. ACAP may require verification by a physician for the purpose and length of each absence requested by an employee to donate bone marrow.

Use of Paid Leave Benefits – An employee may elect to use credited, unused vacation leave; otherwise, the time off is without pay. Exempt employees who have no accrued paid time available will not be docked for any partial-day absences.

711 ***Volunteer Emergency First Responders***

Policy Statement – Holland Farms understands the need for recognized volunteer community services and organizations to provide them. The Company may grant requests to employees who are volunteer firefighters or members of a volunteer ambulance corps to take reasonable leave to respond to declared states of emergency.

Declared States of Emergency - In the event the governor declares a state of emergency where the employee's volunteer fire department and/or ambulance service is called upon to respond, the employee must notify The Office of their intent to take leave and, if possible, provide an estimate of the duration of the absence. If the company determines that the employee's absence will not create an undue business hardship, the employee will be granted a leave of absence to respond to the declared emergency.

Local Emergencies - In the event there is a local emergency where the employee's volunteer fire department and/or ambulance service is called upon to respond, an employee may be excused without corrective discipline.

Authorization - An employee may not leave work to respond to a call without the written permission of The Office.

Verification of Service - Within three (3) business days of return to work, the employee must provide a letter from the head of the fire department and/or ambulance service confirming the dates and times of their volunteer service. Failure to provide this documentation will result in the tardiness or absence being regarded as unauthorized, in which case the employee will be subject to corrective discipline up to and including termination.

Compensation for Exempt Employees - An exempt employee who is on approved first responder leave for any partial workdays is paid the employee's regular salary for those workdays. An employee may request to use credited, unused vacation leave during any portions of the leave that are unpaid.

Compensation for Non-Exempt Employees - First responder leave is without pay for a non-exempt employee. An employee may request to use credited, unused vacation leave during the excused absence.

Prohibition on Termination and Discipline- No employer shall terminate or discipline an employee who is a volunteer emergency responder and, in the line of duty, has responded to a call prior to the time they were due to report for work resulting in an overlap with their normally scheduled shift/workday.

800 COMPENSATION

801 *Pay Rates and Pay Increases*

Pay Rates - Holland Farms' goal is to compensate each employee based on merit and consistent with the employee's job duties and responsibilities. The wages being paid for similar work in the community and the Company's overall financial condition is also considered.

Call-In Pay - Employees who are required or permitted to report to work and are then sent home prior to the end of their normal workday may be eligible for call-in pay in accordance with New York State labor regulations. An employee will be notified of their eligibility for call-in pay.

Merit Pay Increases - Merit-based pay increases may be awarded by the Company on an employee's anniversary date in an effort to recognize outstanding job performance. Any pay increase received is based on merit, productivity, quality of work, attendance, punctuality, work ethic, and financial capability of the Company.

802 *Overtime*

Policy Statement - To meet operational requirements, an employee may be required to work beyond the employee's normally scheduled work hours and/or work on a normally scheduled day off.

Authorization - A non-exempt employee must receive authorization from the employee's supervisor before working beyond the employee's scheduled work hours. A non-exempt employee who works overtime without prior authorization may be subject to discipline, up to and including termination of employment. It is expected that an exempt employee may need to work beyond the employee's scheduled work hours on an as needed basis. An exempt employee does not need prior supervisory approval to work overtime hours.

Compensation for Non-Exempt Employees – A non-exempt employee receives overtime compensation for all hours worked in excess of 40 during a workweek at 1½ times the employee's regular rate of pay. Only hours actually worked are used to compute an employee's overtime hours. Any other paid non-work time will not be considered hours worked for the purpose of determining overtime hours.

Credit for Paid Leave - Only actual hours physically worked are used to compute an employee's overtime hours. Paid vacation leave and jury duty leave are not considered time worked for the purpose of determining overtime hours.

Compensation for Exempt Employees -, An exempt employee is not eligible to receive additional or overtime compensation for any hours worked in excess of the employee's normal workday or workweek, including any hours worked over 40 during the workweek.

Mandatory Overtime - Employees are expected to work additional hours as needed to maintain optimal business operations. An employee's failure to work overtime hours that have been required or requested by the employee's supervisor may result in disciplinary action.

803 **Payroll Period and Payday**

Payroll Period - The payroll period begins on Monday and ends 14 calendar days later on Sunday.

Payday - Employees are paid biweekly on Thursday for the hours worked during the previous pay period. If a payday falls on a weekend or designated holiday, employees are normally paid on the preceding workday. The Company will notify employees in advance of any changes in pay days.

Direct Deposit - An employee may elect to have all of the employee's paycheck deposited directly into a checking and/or savings account at the employee's designated financial institution each payday. An employee must submit a signed, written authorization to the Company to initiate or change direct deposit.

Authorized Check Release - An employee's supervisor shall not release a paycheck to anyone other than the employee unless the employee has provided a signed, written authorization to the Company.

Pay Advances and Employee Loans - Holland Farms does not give pay advances or employee loans nor does it distribute paychecks earlier than the scheduled payday.

804 **Payroll Deductions**

Statutory and Voluntary Deductions - In compliance with government regulations, Holland Farms deducts the required portion of an employee's wages for federal, state, and social security taxes and Medicare taxes and court-ordered wage garnishments. In addition, an employee may voluntarily authorize payroll deductions for items that are for the benefit of the employee, such as insurance benefits, by submitting a written authorization to the Company. All statutory and voluntary payroll deductions are indicated on an employee's pay stub.

Deductions from Exempt Employees' Pay - In accordance with the Fair Labor Standards Act, state and federal employment regulations, exempt employees are paid on a salary or fee basis. Exempt employees receive a predetermined amount each pay period that is not reduced because of variations in the quality or quantity of their work. However, there are certain circumstances where deductions from exempt employees' pay are permissible. Such circumstances include:

- Absences from work for one or more full days for personal reasons other than sickness or disability when no accrued leave is available;
- Absences of one or more full days due to sickness or disability if the deduction is made in accordance with the Company's plan, policy, or practice of providing compensation for salary lost due to illness;
- To offset jury and witness fees or military pay;
- Unpaid suspensions of one or more full days for violations of workplace conduct rules;
- Penalties for infractions of safety rules of major significance;
- Weeks in which unpaid FMLA leave is taken; or
- During the initial or last week of employment if the employee does not work the entire workweek.

Improper Payroll Deductions - The Company prohibits any deductions from an employee's paycheck that are in violation of federal or state regulations. An employee who believes that an improper paycheck deduction has been made should contact the bookkeeper immediately. If it is determined that an improper deduction was made, the employee will be promptly reimbursed. An employee will not be subject to any form of retaliation for raising a concern over payroll or other issues concerning the calculation of their pay.

Overpayment - In the event an employee is overpaid due to a mathematical or clerical error, Holland Farms will make arrangements to collect the overpayment. Both the Office and the employee will sign an acknowledgment form signifying agreement to the correction.

Garnishments – Holland Farms is required to comply with any court ordered garnishment of employee wages. An employee is notified as soon as possible if the Company is required by court order to deduct any garnishments from the employee's wages.

Questions - Questions concerning paycheck deductions or how they were calculated should be directed to the bookkeeper.

805 *Pay Advances and Employee Loans*

Policy Statement - Holland Farms does not give pay advances or employee loans nor does it distribute paychecks earlier than the scheduled payday.

900 EMPLOYEE BENEFITS

901 *Employee Benefits Administration*

Policy Statement - Holland Farms offers employees a comprehensive benefits package. Eligibility for benefits is dependent upon several factors, including employment classification and length of service.

Plan Documents – Detailed information about insurance benefits is covered in greater detail in the applicable benefit plan documents. Employee benefits are administered according to applicable government regulation, insurance contract, certificate of coverage, plan document, and/or Company policy. The Company has discretionary authority to determine eligibility for benefits and to interpret the terms of each benefit plan. In the event of a discrepancy between the information presented in this employee handbook and the applicable government regulation or insurance document, the government regulation or insurance document takes precedence. In addition, the Company has discretionary authority to determine eligibility for benefits and to interpret the terms of each benefit plan.

Changes in Benefits - The Company reserves the right to add, modify, or terminate benefits for all current, former, and retired employees, to change carriers, and/or offer alternative insurance plans at any time. Further, all Company contributions are subject to change at any time. The Company also reserves the right to make determinations of eligibility for benefits in its sole discretion and to revise these eligibility requirements without notice.

Plan Administrator - The Owners are the Plan Administrator of the Company's benefit plans. The Plan Administrator is responsible for all employee communications and disclosures concerning Company benefits and is available to answer any questions.

Enrollment Information - An employee must complete the applicable insurance enrollment forms and payroll deduction authorization forms in order to receive insurance benefits.

Waiver of Benefits - An employee who is eligible to participate in an insurance plan but who declines coverage must sign a waiver declining such coverage.

Change in Employment Classification - If an employee's employment classification changes from part-time to full-time, the employee becomes eligible for full-time employee benefits on the first day of the month following 30 days. If an employee's employment classification changes from full-time to part-time, the employee shall be notified of any changes in Company benefits, including insurance coverage continuation, if applicable. The employee will retain any credited, unused vacation leave credited as a full-time employee for the remainder of the current benefit year, in accordance with the applicable policy.

The following is a brief overview of the benefits available to eligible employees. It is intended as a source of general information only. More detailed information on insurance benefits is available in the applicable plan document or government regulation.

902 **Medical Insurance**

Policy Statement - Holland Farms offers eligible employees group medical insurance coverage. The plan provides comprehensive coverage for a wide array of medical services, including doctor office visits, hospital care, preventive testing, prescription drugs, mental health and well child care.

Eligibility - Full-time employees, and those employees who average 30 or more hours per week, are eligible to participate in the medical insurance plan on the first day of the month following 30 days of employment, provided all eligibility requirements of the plan are met. Eligible employees may also enroll in the medical insurance plan during the annual open enrollment period or at the time of a qualified change in employment or family status, as defined by the Internal Revenue Service (IRS) and the insurance carrier. Part-time and temporary/seasonal employees are not eligible for medical insurance coverage.

Coverage - Eligible employees have the option of choosing between the different medical insurance plans that are offered. Other health coverage alternatives may be available to you through the Health Insurance Marketplace. For more information, visit www.healthcare.gov.

Premium Payment - Holland Farms contributes a percentage towards the premium for individual medical insurance coverage for each eligible employee. Employees are responsible for the remaining portion of the insurance premium for the plan selected.

Cancellation of Coverage - An employee who is not participating in the Section 125 pre-tax premium plan may elect to cancel the medical insurance coverage at any time. The appropriate insurance cancellation form may be obtained from the office. Cancellation becomes effective on the first of the month following the date the completed cancellation form is submitted to the office.

Continuation of Coverage - In the event a covered employee, spouse, and/or dependents lose their medical insurance coverage, they may be eligible to continue such coverage at their own expense under certain qualifying conditions (See *Policy 503 Continuation of Benefits*).

903 **Dental Insurance**

Policy Statement - Holland Farms offers dental insurance coverage for eligible employees. The plan provides coverage for most dental services, including preventive care, basic restorative services, major restorative services and orthodontia care.

Eligibility - Full-time employees are eligible to participate in the dental insurance plan on the first day of the month following 30 days of employment, provided all eligibility requirements of the plan are met. Eligible employees may also enroll in the dental insurance plan during the annual open enrollment period or at the time of a qualified change in employment or family status, as defined by the Internal Revenue Service (IRS) and the insurance carrier. Part-time and temporary/seasonal employees are not eligible for dental insurance coverage.

Coverage – Individual and family coverage are available.

Premium Payment - Employees are responsible for 100% of the premium for individual or family dental insurance coverage.

Cancellation of Coverage - An employee who is not participating in the Section 125 pre-tax premium plan may elect to cancel the dental insurance coverage at any time. The appropriate insurance cancellation form may be obtained from the Plan Administrator. Cancellation becomes effective on the first of the month following the date the completed cancellation form is submitted to the Plan Administrator.

Continuation of Coverage - In the event a covered employee, spouse, and/or dependents lose their dental insurance coverage, they may be eligible to continue such coverage at their own expense under certain qualifying conditions.

904 **Continuation of Insurance Benefits**

Policy Statement - The Consolidated Omnibus Budget Reconciliation Act, commonly referred to as COBRA, and New York State insurance regulation give employees and covered dependents the opportunity to continue their group health coverage at group rates after coverage would normally be lost due to any of the following qualifying events:

- Employee's separation from employment for reasons other than gross misconduct;
- Employee's reduction in work hours;
- Employee's military leave of absence;
- Employee's legal separation or divorce;
- Employee's entitlement to Medicare;
- A dependent's loss of dependent child status under the plan; or
- Death of the employee.

Eligibility - An individual who meets the definition of a "qualified beneficiary" is eligible for insurance continuation coverage. A "qualified beneficiary" is an individual who was covered under a group health plan on the day before a qualifying event as either a covered employee, the spouse of a covered employee, or a dependent child of a covered employee. A child who is born to, or placed for adoption with, the covered employee during a period of continuation coverage is also a qualified beneficiary.

Cost - A qualified beneficiary who elects continuation coverage is responsible for 100% of the cost of the insurance premiums. The Company may also charge a 2% administrative fee for COBRA coverage.

Marketplace Options - Instead of enrolling in COBRA continuation coverage, other health coverage alternatives may be available to you through the Health Insurance Marketplace where you may be able to get coverage that costs less than COBRA continuation coverage. For more information about health insurance options available through a Health Insurance Marketplace, visit www.healthcare.gov or call 1-800-318-2596.

Maximum Continuation Period for Group Medical Insurance - Each qualified beneficiary has the option of electing medical insurance continuation coverage for up to 36 months, regardless of the qualifying event.

Maximum Continuation Period for Group Dental Insurance - Each qualified beneficiary has the option of electing dental insurance continuation coverage for up to 18 or 36 months, depending on the specific qualifying event.

Change in Status - A covered employee or qualified beneficiary must provide written notice to the Plan Administrator when there is a legal separation, divorce, the employee becomes covered by Medicare, or a child's loss of dependent status. The Plan Administrator must also be notified of a second qualifying event or a Social Security Disability determination which could extend the continuation coverage period. Notification must generally be provided to the Plan Administrator no later than 30 days from either the date of the qualifying event/disability determination or the date the qualified beneficiary would lose coverage due to such event.

The Company is not responsible for errors in coverage that resulted to an employee's failure to provide timely notification to the Plan Administrator of such an event.

Questions - Full details regarding insurance continuation coverage is available in the plan's Summary Plan Description (SPD) or by contacting the Plan Administrator.

905 Section 125 Plan

Eligibility - Full-time employees may enroll in a Section 125 plan on the first day of the month following 30 days of employment, provided all eligibility requirements of the plan are met. Part-time and temporary/seasonal employees are not eligible for this benefit. The options offered under the Section 125 plan are summarized below.

Pre-Tax Insurance Premiums - An employee may elect to pay the employee's contribution towards the medical and dental insurance premiums with pre-tax dollars, which means deductions are taken from the employee's paycheck before federal, state, and social security taxes are calculated. This reduces the employee's taxable income and increases net wages.

Election Changes - Eligible employees may enroll in or decline coverage in the Section 125 Plan during the annual open enrollment period. Once a pre-tax election is made, it must remain in effect for the entire plan year. An employee may not drop coverage, change an election, or cease contributions at any time during the plan year unless there is a qualifying change in employment or family status, as defined by the IRS and the insurance carrier. An employee must make the appropriate change in coverage within 31 days of the date of the qualifying event.

906 PTO & Sick Leave

Policy Statement – Holland Farms grants time off to all employees as required by law and defined below. This time off may be used for both scheduled and unscheduled absences, provided the Company's notification policy is followed.

New York Paid Sick Leave Law - In accordance with New York paid sick leave regulations, all employees are entitled to up to 56 hours of paid sick and safe leave each benefit year. New York paid sick leave may be used for the following "sick and safe" reasons as described below:

1. Sick Leave: For mental or physical illness, injury, or health condition, or preventative care of the employee or the employee's family member, regardless of whether it has been diagnosed or requires medical care at the time of the request; and
2. Safe Leave: For certain needs related to the employee or the employee's family member being the victim of domestic violence, a family offense, sexual offense, stalking, or human trafficking. Examples include, obtaining services from a domestic violence shelter, rape crisis center, or other services program; participating in safety planning; temporarily or permanently relocating; meeting with an attorney or participating in legal proceedings; filing a report with law enforcement or meeting with a district attorney's office; enrolling children in a new school; or taking other actions to increase the safety of the employee or employee's family member.

Definition of Family Member - For purposes of this policy, family member includes an employee's child (biological, adopted, or foster child, legal ward, or child of an employee standing in loco parentis), spouse, domestic partner, parent (biological, foster, step, adoptive, legal guardian, or person who stood in loco parentis when the employee was a minor child), sibling, grandchild, or grandparent; and the child or parent of an employee's spouse or domestic partner.

Sick Leave for New & Part-Time Employees – Newly hired employees and employees who average under 30 hours of work a week, are awarded sick leave equal to 1 hour for every 30 hours worked to a maximum of 56 hours annually. This time is to be used only for sick or safe leave as defined above.

PTO Leave for Full-Time Employees – Employees who work, on average, 30 or more hours a week, and have completed at least one full year of service, will have their sick time converted to PTO on January 1 following their first full year of employment, to be used for any reason, as well as sick and safe leave. On January 1 following one full year of employment, PTO participants will receive the following A or B options:

A. For an average of 32-40 hours worked weekly in the previous year, PTO participants will receive 56 hours of PTO or

B. For an average of 30-31 hours worked weekly in previous year, PTO participants will receive 54 hours of PTO

The PTO to be used for the calendar year. On January 1 following two full years of employment, full-time employees will be frontloaded between 60-80 hours of PTO to be used for the calendar year. (A weekly average of hours worked in the previous year will be calculated and multiplied by 2 to receive the correct amount of PTO frontloaded hours to be used within the calendar year.)

Benefit Year – For new and part-time employees, the benefit year is the period starting on the date of hire. For full-time employees who have completed one full year of employment, their benefit year converts to a calendar year, beginning on January 1st and ending on December 31st.

PTO & Sick Leave Pay - A non-exempt employee is compensated at the employee's current base rate of pay for each hour of PTO and/or sick leave taken. An exempt employee receives the employee's regular salary for their time off. An employee cannot request advance pay for earned, but unused PTO or sick time.

Scheduling - PTO requests must be submitted in writing to the office at least 7 workdays in advance. Every effort is made to authorize PTO in accordance with employee requests, taking the date the request is received into account. In addition, the Company reserves the right to designate when some or all of an employee's PTO leave is taken. PTO requests are also taken on a first come, first serve basis, so it is encouraged to request your dates as early as possible before someone else requests those same dates.

Due to the nature of the business, all PTO must be taken before November 15th in a calendar year. An employee is not allowed to use PTO from November 16 – December 31st. ***There are exceptions between December 26th - December 31st on a first come, first served basis.

Use of Sick & PTO Leave – Sick leave and PTO may be used in 4-hour increments. An eligible employee may take a maximum of 80 hours of PTO leave consecutively.

Pay for Unused Sick Leave – Accrued Sick leave accrues at a rate of 1 hour for every 30 hours worked but can only be used to a maximum of 56 hours for a benefit year. Time earned beyond 56 hours carries over to the next calendar year, but again, its use, regardless of earning, is capped at 56 hours a benefit year.

Pay for Unused PTO– The employee must use all earned PTO during the benefit year or forfeit any remaining PTO at the end of the benefit year.

Separation from Employment - An employee's unused PTO is forfeited at the time of separation from the Company.

907 **Holidays**

Policy Statement - Because of the nature of our business, we do not close to observe holidays. Holiday revenues contribute extraordinary percentages to our business. Therefore, holiday work is required.

Christmas Day - Employees who work on Christmas Day will get paid at two times the employee's regular rate of pay for all hours worked. Employees can volunteer to work on Christmas Day, otherwise the time off is without pay.

908 **New York State Disability Coverage**

Policy Statement - New York State Disability benefits are available as a temporary benefit to eligible employees who are unable to work for a period of more than seven days due to a non-work related injury or illness.

Eligibility - An employee who has worked for the Company for at least four consecutive weeks or has recently worked for a "covered" employer and is at least 18 years old is generally covered by Holland Farms' disability plan. Minors who are currently attending elementary or high school are normally not covered.

An employee who is on an unpaid leave of absence for any reason other than the employee's own disability will remain eligible for New York State Disability insurance benefits for up to four weeks after the unpaid leave commences, should a qualifying injury or illness occur. After four weeks, an employee will no longer be eligible for New York State Disability benefits.

In the event that an employee collects both New York State statutory disability benefits and benefits under the New York State Paid Family Leave Benefits Law ("PFL") at different times during the same 52-week period, the maximum amount of time that can be taken for both statutory disability and PFL combined is 26 weeks.

Coverage - Eligibility for benefits is determined by the Company's disability insurance carrier. An eligible employee is covered for the period of disability specified by the employee's health care provider and approved by the insurance carrier, starting with the eighth day of the disability and continuing up to a maximum of 26 weeks. An employee generally receives 50% of the employee's average weekly wages based on the previous eight weeks of employment, up to a specified maximum per week. There is no coverage for medical care related to the disability.

Premium Payment - Employees contribute a small amount towards New York State Disability insurance. The Company pays the remaining portion.

Leave of Absence - The Family and Medical Leave Act policy or the Company's Leave of Absence policy may apply to an employee who is receiving New York State disability benefits. Please refer to these policies for information regarding leave requests, benefit continuation, job restoration, etc.

909 **AFLAC Insurance**

Eligibility - Full-time and part-time employees who are 18 years of age or older are eligible to participate in a Company-sponsored short-term AFLAC disability plan that provides income at the time of a qualifying injury or illness.

Coverage - Eligibility for and amount of short-term disability benefits is determined by the insurance carrier and the plan selected.

Premium Payment - Employees are responsible for 100% of the insurance premium.

910 **Workers' Compensation**

Policy Statement - Holland Farms pays for and maintains workers' compensation insurance for work-related injuries or illnesses at no cost to employees. If an employee is injured on the job, no matter how slightly, they are required to report the incident immediately to their supervisor. Not reporting incidents immediately may affect an employee's ability to receive benefits.

Coverage - The Workers' Compensation Board determines an employee's eligibility for benefits. If deemed eligible, an employee is covered for the period of disability specified by the employee's health care provider and the Workers' Compensation Board.

Benefits - Coverage is provided for all necessary medical care received that is directly related to the original injury or illness and the recovery from such disability. An employee who is totally or partially disabled and unable to work for more than seven days is eligible for cash benefits starting with the eighth day of disability. If the disability extends beyond 14 days, cash benefits are paid retroactively for the first seven days of the disability. Cash benefits are normally calculated based on two-thirds of an employee's average weekly wages during the previous year multiplied by the percentage of disability, up to a specified maximum.

Voluntary, Off-Duty Conduct - Holland Farms is generally not liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the Company.

Leave of Absence - The Family and Medical Leave Act Policy (*Policy 705*) or the Company's Leave of Absence policy (*Policy 706*) generally applies to an employee who is receiving workers' compensation benefits. Please refer to these policies for information regarding leave requests, benefit continuation, job restoration, etc.

Premium Payment - The cost of workers' compensation insurance is paid entirely by the Company.

911 **Unemployment Insurance**

Policy Statement - Unemployment insurance benefits provide short-term financial assistance to individuals who have lost their jobs due to no fault of their own and are ready, willing, and able to work.

Eligibility - Eligibility for unemployment insurance is determined by the appropriate State Department of Labor.

Cost - The cost of unemployment insurance coverage is paid entirely by the Company.

912 **Social Security**

Policy Statement - Social security benefits are available for retirement, survivor's benefits, and medical costs under qualifying conditions as determined by the Federal Social Security Administration Office.

Cost - The Company matches employee contributions to social security (FICA).

913 Employee Assistance Program

Policy Statement - The Company makes available an Employee Assistance Program (EAP) to provide free counseling services to employees and eligible family members. The EAP offers confidential counseling and referral services on a variety of personal issues, such as, but not limited to, financial concerns, alcohol and drug dependence, and marital and family conflicts.

Eligibility - Full-time, part-time, and temporary/seasonal employees, their spouses, and dependents are eligible to participate in the EAP as of the employee's first day of employment.

EAP Referral - If an employee is experiencing a work-related problem such as poor job performance or excessive absenteeism, the office may refer the employee to the EAP. Holland Farms will not retaliate or take negative action against an employee who refuses EAP services, except where mandated by law.

1000 PERSONAL CONDUCT

1001 *Personal Appearance*

Policy Statement - Holland Farms has developed dress and appearance standards for employees to promote a professional image to customers and the public. Each employee is expected to dress appropriately according to the work situation and to practice good grooming and hygiene. Acceptable personal appearance is a requirement of employment with the Company. Employees who have any questions about what constitutes appropriate attire should check with their supervisor or Human Resources.

Dress Standards for Office Employees - Employees who work in the office may wear business casual attire.

Dress Standards for Retail Employees - Employees who work in the store or have regular contact with customers are required to wear company provided t-shirts, aprons, hair restraints, and any other company provided clothing. Skirts and shorts must fall to the knee or below. Closed toe shoes with professional grade slip resistant standards must be worn at all times. In cold weather periods, plain white, red or blue turtlenecks or long sleeve shirts may be worn under the Holland Farms tee- shirt. (if wearing your Company-issued fleece, your apron is worn on the outside). No other fleece or personal clothing is allowed. Retail employees may not wear jewelry, except for wedding bands. This means you must be prepared, when clocking in or out, to conform to this policy.

Dress Standards for Production Employees – Production employees are required to wear company provided uniforms, t-shirts, hair restraints. Closed toe shoes with professional grade slip resistant standards must be worn at all times. Certain production employees who work with flour may request to wear other footwear. For safety and sanitary reasons, hair must be fully covered with a hair restraint or tucked completely under a hat. Jewelry may not be worn in the production areas except for plain wedding bands. Production employees going into the showroom must be neat and presentable. Soiled aprons or clothing should be changed prior to going into the showroom.

Name Tags – Name tags are provided for all showroom employees and must be worn at all times during your shift.

Alterations – Alterations to Company issued clothing is not permitted.

Inappropriate Attire - Employees are prohibited from wearing the following clothing at any time: suggestive, form fitting, or low-cut clothing; exposed undergarments; leggings; stirrup pants; strapless or halter tops; spaghetti-strapped shirts; tank tops or revealing shirts; athletic clothing; pajamas, beachwear; flip-flops; ripped, faded, or stained clothing; clothing with holes; hats unless required in observance of a religious custom or practice; shirts with inappropriate wording or pictures; or footwear without hosiery or socks. This list is not all-inclusive.

Grooming Standards - All employees are expected to maintain clean and appropriate oral and bodily hygiene. An employee's hair, (including facial hair) should be clean, combed, and well-groomed. Make-up should be tasteful for our work environment. An employer has the option of creating an image and may prohibit visible piercings or tattoos for certain positions. At the discretion of management, an employee may be required to fully cover a large tattoo. Excessive body piercings, tattoos, perfume, cologne, or body odor are not permitted. the Company reserves the right to require employees to conform to its standards of personal presentation and appearance. Employees shall be allowed to dress and groom themselves in a manner consistent with their race and religion. This may include, but is not limited to, religious clothing, coverings, and jewelry, as well as hair texture, protective hairstyles, facial and body hair as long as safety protocols can be maintained.

Radical departures from conventional dress (e.g., excessive body piercings or tattoos) or grooming and hygiene standards (e.g., excessive perfume or cologne, body odor) are not permitted. Holland Farms reserves the right to require employees to conform to its standards of personal presentation and appearance. Employees shall be allowed to dress and groom themselves in a manner consistent with their race and religion. This may include, but is not limited to, religious clothing, coverings, and jewelry, as well as hair texture, protective hairstyles, facial and body hair.

Reasonable Accommodation - Reasonable accommodation will be made for employees sincerely held religious beliefs and disabilities whenever possible, consistent with the business necessity unless it creates a safety concern or imposes an undue hardship on the Company. An employee should contact the office to request an accommodation.

Policy Violations - Failure to comply with the personal appearance standards may result in being sent home to groom or change clothes. A non-exempt employee is not compensated for any time lost from work to comply with this policy. Frequent violations may result in disciplinary action, up to and including termination of employment.

1002 Misrepresentation

Policy Statement – Holland Farms is committed to operating the Company honestly, with integrity, and in compliance with government regulations. All employees are expected to share this commitment.

Prohibited Conduct - Employees must refrain from any illegal, fraudulent, or dishonest business activity. Examples of conduct that is prohibited include, but are not limited to, preparing fraudulent accounting records or financial reports, fraudulently claiming an injury and seeking coverage, and billing customers for services not performed or goods not delivered or over/undercharging them. It also includes misrepresenting a Company product or service to our customers or intentionally giving false information.

Reporting Policy Violations - An employee is required to report any conduct that he or she reasonably believes violates this policy by notifying the Owner immediately.

1003 Substance Free Workplace

Substance Free Workplace - Holland Farms is committed to providing a safe and healthy workplace free from drug and alcohol abuse. The unlawful or improper presence or use of controlled substances or alcohol in the workplace presents a danger to everyone. Employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

Prohibited Behavior - An employee is prohibited from possessing, using, selling, purchasing, storing, distributing, or manufacturing alcoholic beverages, cannabis, illegal drugs, controlled substances, or narcotics on Company premises, at work sites, or at any location while representing the Company. An employee is also prohibited from having alcoholic beverages, cannabis, illegal drugs, controlled substances, or narcotics that may impair their ability to safely perform the duties of his/her job present in the employee's system when reporting to work, during working time, or at any time while conducting business-related activities. Drug paraphernalia, such as pipes and needles, is prohibited on Company premises, at work sites, and in vehicles being used for Company business unless the employee is able to provide a prescription showing medical necessity for health reasons.

Due to previous experience, this policy includes some legal, but behavior-altering beverages, as well, including highly caffeinated drinks such as Red Bull, Mountain Dew, Monster, Amp, Nos, Quick Start, and the like, based on their ability to cause erratic behavior and interfere with job performance. The purchase and/or consumption of such drinks are not permitted by any Holland Farms employee

before or during the employee's shift, nor is coming to work under the influence of these or other similar beverages. Violations of this policy will be subject to disciplinary action up to and including termination.

The Company prohibits the off-premises abuse of alcohol, cannabis, and controlled substances, as well as the possession, use, or sale of legal and illegal drugs, when these activities adversely affect job performance, job safety, and/or the Company's reputation in the community.

Business Functions - At certain times, the Company may designate that alcohol can be consumed on Company premises or during business activities that are conducted in a social setting (e.g., dinner meetings with customers, Company-sponsored office parties). Employees are expected to exercise moderation and good judgment at all times, and will be held to the same standards of behavior as otherwise required, regardless of the circumstances. An employee who becomes intoxicated, acts inappropriately, and/or violates one or more Company policies (e.g., anti-harassment/sexual harassment, attendance, driving on Company business) during these activities may be subject to disciplinary action, up to and including termination of employment.

Use of Prescription and Over-the-Counter Drugs - Prescription drugs must be in the possession of the individual to whom the prescription was written, taken in the dosage prescribed, and maintained in their original containers. An employee is not allowed to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. An employee must inform the employee's supervisor of any prescription or legal, nonprescription (i.e., over-the-counter) drugs, including medical marijuana, that are currently being taken if they could in any way affect or impair the employee's ability to perform the job safely. The legal use of prescribed and over-the-counter drugs, including medical marijuana, is only permitted on the job if it does not impair an employee's ability to perform the job safely and it does not affect the safety or well-being of other individuals in the workplace. While some states have legalized marijuana for medicinal or recreational purposes, the Company is not required to allow the use of marijuana in the workplace. Marijuana and its use are strictly prohibited on Company property. Any employee who fails a drug test for marijuana will be subject to disciplinary action, up to and including termination of employment.

An employee should not drive on Company business if the employee's ability to drive safely has been impaired by illness, fatigue, injury, prescription medication, illegal drugs, cannabis, or alcohol.

Reporting of Problems - Any observation or knowledge of an employee who is in a condition that impairs the employee's ability to perform job duties, presents a hazard to the safety and welfare of others, or appears to otherwise be in violation of the Company's substance free workplace policy should be reported to the office immediately.

Screening for Drug or Alcohol Use - An employee may be tested for alcohol, cannabis or illegal drugs where there is a reasonable suspicion that abuse, impairment, or a violation of this policy exists. Testing will be conducted in accordance with applicable state or municipal regulations and will generally follow Department of Transportation (DOT) regulations. An employee who is instructed to take a drug test must comply with all procedures at the testing facility. Failure to take a test or follow procedures will result in termination. Drug and alcohol tests are paid for by the Company and are the property of the Company.

An employee who tests positive to a confirmed test for alcohol or controlled substances will be subject to disciplinary action, up to and including termination of employment. An employee who violates this policy and is subject to termination may be permitted in lieu of termination, at Holland Farms's sole discretion, to participate in and successfully complete an appropriate treatment, counseling or rehabilitation program as recommended by a substance abuse professional, and be subject to periodic, unannounced drug and/or alcohol testing for a set time period as a condition of continued employment and in accordance with applicable federal, state, and local laws.

An employee who tests positive, admits to illegal drug use or related misconduct, or who voluntarily seeks assistance, and is not discharged, will not be allowed to return to work or continue working until the employee has been evaluated by a health care professional of Holland Farms's choice to determine if the employee can safely return to work.

Consistent with its EEO policy, Holland Farms maintains a policy of non-discrimination and reasonable accommodation with respect to recovering addicts and alcoholics, and those having a medical history reflecting treatment for substance abuse conditions. Holland Farms encourage employees to seek assistance before their substance or alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves or others. Holland Farms will attempt to assist its employees through referrals to rehabilitation, appropriate leaves of absence and other measures consistent with the Company's policies and applicable federal, state or local laws.

An employee's participation in a treatment program does not prevent Holland Farms from disciplining the employee for violations of this or other Company policies.

The Company further reserves the right to take any and all appropriate and lawful actions necessary to enforce this substance abuse policy including, but not limited to, the inspection of desks or other suspected areas of concealment, as well as an employee's personal property when the Company has reasonable suspicion to believe that the employee has violated this substance abuse policy.

1004 Outside Employment

Policy Statement - It is the policy of Holland Farms that an employee may engage in outside work as long as such outside work does not interfere with the employee's performance, pose an actual or potential conflict of interest, or compromise the interests of the Company. Outside employment that interfere with job performance constitutes a conflict of interest or compromises the interests of the Company is prohibited.

Performance and Work Schedule Requirements - An employee is judged by the same performance standards, regardless of any existing outside work requirements. An employee must meet all scheduling requirements of the Company, including business travel and overtime hours, and shall not receive authorization to report to work late or to leave work early in order to accommodate a second job.

Use of Paid Leave Benefits - An employee is not allowed to use vacation leave or to take time off without pay to work at another employer.

Restrictions - An employee may not work for another employer or be self-employed if such work is in direct competition with Holland Farms. An employee is not permitted to perform any work for the Company's customers during nonworking time if these services are normally available from and/or performed by Holland Farms. Further, an employee is prohibited from soliciting or performing any work for another employer, for the employee's own personal business, or for any other personal gain during working time. No Company-owned equipment, supplies, or confidential information or techniques may be used for furtherance of an employee's personal business or for another employer.

Notification of Outside Employment - An employee who is interested in obtaining outside employment must discuss the matter with the office prior to accepting the job to ensure that the above guidelines are maintained. Newly hired employees who are employed by another employer, own their own business, or partake in other work activities must disclose this information on their *Application for Employment Form*.

1005 *Driving on Company Business*

Policy Statement - Employees in certain positions may be required to drive Company or personal vehicles to conduct business on behalf of Holland Farms. Employees who drive on Company business must operate vehicles in a safe and responsible manner, and in compliance with all applicable motor vehicle and traffic regulations.

Driver's License - An employee who drives on Company business must possess a valid driver's license free from major infractions at the time of hire and throughout employment.

The driving records of final applicants and employees who apply for positions that involve driving as a part of job duties are checked following a conditional offer of employment. Thereafter, the Company conducts motor vehicle record checks on a periodic basis in accordance with the requirements of the state and federal regulations.

Driving While Impaired - An employee is prohibited from driving on Company business if the employee's ability to drive safely has been impaired by illness, fatigue, injury, prescription medication, illegal drugs, cannabis, or alcohol.

Change in Status or Loss of Driver's License - An employee who drives on Company business must immediately notify the employee's supervisor if a ticket is received while driving a Company vehicle or if a conviction is received for any traffic violation (except parking) during working or nonworking time. The employee's supervisor must also be notified immediately if the employee's driver's license is suspended, revoked, or cancelled, or if the employee becomes disqualified from operating or loses the right to operate a motor vehicle, including a commercial motor vehicle, for any period. An employee is not allowed to drive on Company business with a suspended or revoked license.

An employee's Company driving privileges may be suspended for receiving an excessive number of traffic citations, regardless of whether the citations were received while driving on Company business. If an employee's Company driving privileges are suspended and the employee's position requires regular use of a vehicle, the employee may be reassigned to another position, if available, or terminated for inability to perform the duties of the job.

Traffic Violation - The employee is responsible for paying the cost of any traffic or parking tickets, moving violations, or fines that result from driving on Company business.

Use of Personal Vehicle for Company Business - An employee who drives a personal vehicle to conduct Company business must have auto liability insurance (for both bodily injury and property damage) and proof of a statutory policy for liability coverage. Proof of such insurance is required upon hire and on an annual basis thereafter. If an employee's liability insurance lapses, the employee's supervisor must be notified immediately.

Company Liability - The Company does not assume any liability for injury to members of the public caused by the negligence of an employee who is driving a personally owned vehicle in the course of Company business. In addition, the Company is not responsible for any damage to an employee's personal vehicle or loss or damage to personal property contained within the vehicle.

Cell Phones/Wireless Devices - In accordance with New York State regulation, an employee is not allowed to make or receive calls on a cell phone while driving unless a headset or hands-free device is used. Reading, writing, and sending text messages and emails, surfing the internet, or playing games while driving is strictly prohibited. If an employee needs to engage in any of these activities while driving, they must pull over to a safe location and stop the vehicle prior to using any device.

Accident - An employee must notify the office immediately in the event of an accident, theft, or damage involving a vehicle being used for Company business, regardless of the extent of the damage or lack of injuries. A law enforcement officer should be summoned to the scene of any accident involving an employee or vehicle being used for Company business and an ambulance should be summoned if anyone appears injured. A copy of the Accident Report should be obtained from the police for submittal to the office.

Use of Company Vehicles - Company-provided vehicles may be assigned to employees for the purpose of conducting Company business. Only authorized employees are allowed to drive Company vehicles. Company vehicles should only be used for authorized Company business and may not be used for the personal use or private gain of an employee or to transport unauthorized individuals or materials.

Company Vehicle Maintenance - Employees are responsible for maintaining Company vehicles in a neat and clean condition at all times. Papers and garbage are to be removed from the vehicle at the end of each trip. Vehicles should be maintained in a safe and secure condition when not in use. It is the employee's responsibility to notify the office when a Company vehicle is in need of maintenance or repair work.

1006 Personal Conduct

Policy Statement - Holland Farms is committed to creating and maintaining a workplace environment which fosters mutual respect, integrity and professional conduct. Conduct that interferes with business operations or is offensive to coworkers, customers, or the public is not tolerated.

Employee Responsibilities - Appropriate employee conduct includes, but is not limited to:

- Performing all assigned job duties efficiently, to the best of the employee's abilities, and in accordance with established performance standards;
- Being fair, considerate, and honest with supervisors, coworkers, customers, vendors, and members of the public in connection with the performance of their duties for the Company;
- Reporting any suspicious, unethical, potentially violent, or illegal conduct by coworkers or any other persons with whom the employee conducts business on behalf of the Company; and
 - Cooperating with any Holland Farms investigation.

Prohibited Conduct - An employee may be subject to disciplinary action, up to and including termination for a violation of a policy, procedure, or rule outlined in this employee handbook or otherwise established by the employee's supervisor. In addition, an employee may be subject to disciplinary action for engaging in any of the following:

- Offensive or unprofessional conduct in connection with the performance of their duties for Holland Farms;
- Improper performance of job duties or repeated failure to perform assigned duties and responsibilities;
- Unauthorized expenditure or theft of Company funds;
- Being insubordinate, threatening, intimidating, disrespectful or assaulting a supervisor, co-worker, customer or vendor;
- Being insubordinate, threatening, intimidating, disrespectful or assaulting a supervisor, co-worker, customer or vendor;
- Refusing to sign a corrective discipline notice or any other requested acknowledgement form;

- The use of foul or abusive language, including racial slurs and epithets;
- Inappropriate or unapproved use of Company facilities, supplies or equipment for personal use;
- Theft of any kind;
- Sabotaging the work of a coworker;
- Dishonesty, falsification or misrepresentation on an employment application or other work records or Company documents, including requests for time off, timekeeping records or other information requested by or provided to the Company;
- Reporting for work, operating a vehicle, or working under the influence of alcohol, cannabis, illegal drugs, controlled substances, or non-prescribed prescription drugs while on Company business;
- Possession, use, sale, distribution, transfer, manufacture, or transportation of illegal drugs, controlled substances, non-prescribed prescription drugs, cannabis or alcoholic beverages on Company premises or while on duty;
- Possession of dangerous or unauthorized materials, such as explosives or firearms in the workplace;
- Leaving the premises or work location during scheduled work hours without permission;
- Illegal gambling while on duty;
- Any illegal activity while on duty; and
- Violation of employee eating and product purchase policy;

The above list is illustrative only and is not intended to limit the Company's right to impose discipline in other situations of inappropriate behavior.

1007 Corrective Discipline

Policy Statement – To ensure smooth and efficient operations, Holland Farms must have certain policies, procedures, and rules. Any conduct that interferes with operations or that discredits the Company will not be tolerated. The Company's disciplinary policy and procedures are intended to promote employee understanding of acceptable conduct and performance and to encourage corrective action to meet those standards. The Company strives to impose corrective discipline fairly, consistently, and in relation to the seriousness of the offense.

Forms of Discipline - Disciplinary action may include a verbal warning, written warning, suspension with or without pay, termination of employment, or other disciplinary measures, depending on the circumstances. The Company does not guarantee that one type of discipline shall precede another. Further, the Company reserves the right to suspend an employee with or without pay while an investigation is conducted.

Payment During Disciplinary Suspensions - In accordance with the state and federal employment regulations, an exempt employee may be suspended without pay in partial or full day increments for safety rule infractions of major significance or in one or more full day increments for violations of workplace conduct rules (e.g., violations of the Company's policies relating to sexual harassment, discrimination, violence, and substance testing). Unpaid suspensions for exempt employees for any other reason are generally in full week increments. Paid suspensions for exempt and non-exempt employees may be in partial day or partial week increments.

1008 *Fraternization*

Policy Statement - In order to avoid an actual or perceived conflict of interest, the Company prohibits dating and other similar romantic relationships between a supervisor and an employee if the employee directly or indirectly reports to that supervisor. Holland Farms believes that such relationships erode the supervisor's ability to be fair and impartial when supervising the employee, or that the supervisor will not be perceived by others to be performing duties in a fair and impartial manner. Further, complications can develop if or when the relationship ends.

Notification - In the event such a relationship commences, the supervisor must bring it to the attention of the Owner immediately so that steps can be considered, where possible, to adjust the reporting structure of the individuals involved. Failure to report the relationship may result in termination of employment. This policy is considered when assigning, transferring, or promoting an employee.

A problem arising as a result of employee fraternization may result in one or both of the employees being reassigned, transferred to another department, or terminated, at the Company's discretion.

1009 *Ethics*

Policy Statement - Holland Farms expects all employees to maintain the highest standards of professionalism and integrity in the performance of their job duties and while representing the Company. All work must be performed in an ethical manner and in accordance with government regulations and Company policy.

Prohibited Conduct - An employee should never use the employee's position with the Company or relationship with internal coworkers or external constituents for private gain. An employee is expected to refrain from any illegal, unethical and/or dishonest business activity. Examples of prohibited conduct include, but are not limited to:

- Directly or indirectly soliciting or accepting a bribe, kickback, loan, gift, service, or entertainment from a current or prospective vendor, supplier, customer, or competitor for the employee's personal gain in return for being influenced in connection with Holland Farms business;
- Directly or indirectly giving a bribe, kickback, loan, gift, service, or entertainment to a current or prospective vendor, supplier, customer, or competitor in return for influencing that individual or organization in connection with Holland Farms business; and
- Having a direct or indirect financial interest or a personal business relationship with any business or person that does business with Holland Farms without disclosure to and approval of the Company.

Employee Guidance - Because the Company is unable to list every example of conduct that may violate this policy, an employee should use good judgment and seek guidance and assistance from the employee's supervisor, if needed.

Gifts - An employee who is offered a gift, money, service, travel, entertainment, or other special consideration from any current or prospective vendor, supplier, or customer must politely refuse the gift, advising the giver of Holland Farms' policy that prohibits its acceptance. However, an employee may accept inexpensive marketing items of token value, such as calendars, pens, and magnets.

1010 Conviction Notification

Policy Statement - An employee must, as a condition of continued employment, inform Holland Farms of all criminal convictions. An employee is responsible for notifying The Office within three days of receiving a misdemeanor or felony conviction. Noncompliance with this requirement may result in termination of employment.

Notification Prior to Employment - An applicant must indicate any convictions on the Company's *Application for Employment Form* and/or indicate such convictions, if asked, during any employment interviews.

Employment Decisions Based on Conviction - A criminal conviction does not necessarily disqualify an applicant from employment consideration or result in termination of a current employee. Employment decisions based on such information take into consideration many factors, including but not limited to the extent to which the offense relates to the functions of the particular job, the seriousness of the offense, rehabilitation, and length of time since the conviction.

1100 COMPANY PREMISES AND WORK AREAS

1101 *Company Property*

Policy Statement - The purpose of Holland Farms' property is for the smooth and efficient operations of the Company.

Employee Responsibility - An employee is responsible for any items issued by the Company that are in the employee's possession and/or control. All equipment must be used appropriately, handled carefully, and maintained in good condition. An employee should not deliberately destroy, deface, or misuse Company property.

Removal or Damage to Company Property - The theft or unauthorized removal or possession of Company property is prohibited. If you notice equipment that is worn or defective in any way, you must immediately stop using it and report it to your supervisor immediately. An employee who accidentally breaks or damages a piece of equipment is required to report it. Damaged equipment is potentially hazardous to everyone.

Personal Use of Company Supplies, Property and Facilities - Employees are not permitted personal use of any Company supplies, such as postage, office supplies, credit cards, or stationary, or other property, used in the operation of the Company. An employee may not borrow or remove any Holland Farms property from the premises for personal use. Employees and private individuals are prohibited from conducting any type of personal business, entertainment or non-business related activity on Company premises.

Definition of Company Property - For the purpose of this policy, Holland Farm's property includes, but is not limited to, equipment, tools, supplies, keys, computers, smartphones, uniforms, vehicles, and this Employee Handbook. This list is not all-inclusive.

1102 *Personal Belongings*

Policy Statement - The Company discourages an employee from bringing valuable, unnecessary, or inappropriate personal property to work. Personal property that is brought onto Company premises must be appropriate for a business environment, should not be offensive to others, disrupt work, or pose a safety risk to other employees, customers, or visitors.

Personal Liability - Holland Farms is not liable for the personal belongings of employees. The Company will not repair, replace, or reimburse an employee for any damage to, or loss of, an employee's personal property. It is the employee's responsibility to safeguard their personal possessions. This includes personal items in Company or personal vehicles.

Music – Music devices are allowed in work areas as long as the volume is kept low and the choice of music is not offensive to coworkers or customers and does not interfere with the Company's operations. Personal radios, ear buds, or devices that prevent the employee from hearing, are not permitted. Violation of this rule will result in an employee's forfeiture of this privilege.

Restricted Items – Personal property such as large or over-sized handbags, purses, totes, grocery bags, duffel bags, etc., are not permitted in the building. Anything larger than a Holland Farms Italian Bread will not be allowed.

1103 **Work Areas**

Policy Statement - Holland Farms is dedicated to providing a safe, clean, and pleasant work environment for employees, customers, and visitors.

Work Areas - Work areas are to be maintained in a clean and orderly fashion. Equipment and supplies must be returned to their proper location after use. Coats, boots, and other personal items should be stored in designated locations.

American Flag – In accordance with New York State labor regulation, the Company allows an employee to display an American flag in the employee's work area as long as it does not substantially or materially interfere with the employee's job duties.

Food and Beverages - An employee should consume food or beverages at the lunch table or outside picnic table only to comply with state inspection laws.

Housekeeping/Recycling - Please put items in their proper location after each use, dispose of garbage in the appropriate trash cans, and wash and put away dishes. Office paper, cardboard, newspapers, and other items that can be recycled should be placed in the designated containers.

1104 **Parking**

Designated Parking - Employee parking is available in the back of the property. Employees should not park in designated handicapped or customer parking areas.

Damage to Vehicles - Holland Farms is not responsible for the security of, or damage to, employees' vehicles or their contents while parked on the premises or while on Company business. The office must be notified immediately of any accident, theft, or damage to a vehicle that occurs while on Company premises, regardless of the severity, so that the proper authorities may be notified.

1105 **Smoking**

Policy Statement - Holland Farms is dedicated to providing a safe and healthy work environment for employees. In compliance with New York State regulation, the Company maintains a smoke-free work environment. This policy covers the use of all tobacco and tobacco-like products, including but not limited to, cigarettes, electronic cigarettes, cigars, pipes, herbal tobacco products, chewing tobacco and the use of smokeless or "spit" tobacco, and vaping, and applies to both employees and non-employee visitors. The smoking and chewing of these products is prohibited throughout the entire workplace, including the store private and non-private offices, hallways, restrooms, in Company vehicles, outside on Company grounds, and in the parking lot.

Smoking Restrictions - The smoking and chewing of tobacco products is prohibited throughout the entire workplace and property, including the restrooms, and in Company vehicles.

Smoking Breaks - Employees are allowed to smoke outside in the designated smoking area behind the building at 100 Oriskany Blvd. during authorized meal and break periods. An employee is not allowed additional or special breaks for smoking purposes. Employees should be aware that smoking odors on personal clothing or breath is offensive to co-workers and customers. Therefore, smoking in one's car or other enclosed space, is not permitted. Employees may be asked to remove outer wear with an offensive odor, use breath mints or mouthwash, wash their hands prior to returning to work, or change their clothing altogether, should the odor of smoke be considered offensive (time to change will be done on the employee's time). If this policy is not followed, the Company reserves the right to enforce a smoking ban on all Company property.

Maintenance of Smoking Locations - Smoking areas should be kept litter-free. Cigarettes and matches should be completely extinguished after use and placed in the appropriate receptacle.

Policy Violations – Violations of this policy will result in disciplinary action up to, and including, termination.

1106 Charitable Solicitation and Distribution

Policy Statement - The Company is supportive of charitable causes in the community and recognizes the right of all employees to engage in solicitation and distribution activities during appropriate times. However, such activities must not interfere with the operation of our business. Accordingly, the Company has established rules, applicable to all employees, to govern solicitation and distribution of written material during working time and entry onto the premises and work areas. All employees are expected to comply with these rules.

1. No employee shall solicit or promote support for any cause or organization during their working time or during the working time of the employee(s) at whom the activity is directed; and
2. No employee shall distribute or circulate any written or printed material in work areas at any time.

Working Time - As used in this policy, “working time” includes all time for which an employee is paid and/or is scheduled to be performing services for the Company; it does not include break periods, meal periods, or periods in which an employee is not, and is not scheduled to be, performing services or work for the Company.

Employee Collections - Collections for coworker gifts, activities, or parties that are not sponsored by the Company should be kept to a minimum and require prior authorization from an employee’s supervisor.

Selling Non-Company Products or Services - An employee may not advertise, promote, or sell any non-Company products or services, such as cosmetics or kitchenware, on Company premises or while representing the Company.

Voluntary Participation - All charitable solicitations are completely voluntary; employees are not required to participate in any charitable solicitation or function asked of them by the Company or a coworker. Employees should be respectful of coworkers who choose not to participate in a charitable solicitation.

Non-Employees - Under no circumstances will non-employees be permitted to solicit Holland Farms employees or to distribute written material for any purpose on Company property.

Employee Collections – Occasional collections for coworker gifts, activities, or parties that are not sponsored by the Company are normally allowed with prior approval from an employee’s supervisor.

Voluntary Participation - All charitable solicitations are completely voluntary; employees are not required to participate in any charitable solicitation or function asked of them by the Company or a coworker. Employees should be respectful of coworkers who choose not to participate in a charitable solicitation.

1200 SAFETY AND SECURITY

1201 Safety Program

Policy Statement - Holland Farms is committed to providing a safe and healthy workplace. All machinery, equipment and devices are placed, operated, guarded, and lighted to provide reasonable and adequate protection to all persons. The objective of the Company's safety program is to reduce the number of workplace injuries and illnesses to zero. Accidents can often be prevented through the use of reasonable precautions and the practice of safe working habits.

Safety Officer – The Owner has been designated as the Company's Safety Officer.

Communication and Information - The Company provides workplace safety and health information to employees on a regular basis via staff meetings, training sessions, bulletin board postings, memos, and other written communications.

Employee Suggestions - Some of the best safety improvement ideas come from employees. Employees with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to contact their supervisor or the Safety Officer.

Safety Hazards - Any suspected safety hazard should be brought to the attention of a supervisor or the Safety Officer immediately. Examples of potential safety hazards include, but are not limited to, damaged or broken machinery or equipment, slippery floors, torn carpet, cords in aisles, and boxes located in walkways or blocking exit doors. Reports about workplace safety issues may be made anonymously if an employee chooses. An employee will not be retaliated against for reporting accidents, injuries, or illnesses, filing a safety-related complaint, or requesting to see injury and illness logs.

Investigations - The Safety Officer conducts an investigation of all job-related injuries, illnesses, and near misses to determine the cause and attempt to prevent a recurrence.

Policy Violations - Any employee who violates a safety policy or engages in unsafe work practices will be subject to disciplinary action, up to and including termination of employment.

1202 Accidents

Accident Procedures - In the event of a workplace accident, take the following steps:

1. Stop work;
2. Eliminate or isolate the immediate cause of the accident to prevent further injury;
3. Obtain aid for an injured person and summon assistance. If the injury appears serious, dial 911;
4. Call a supervisor immediately;
5. Take steps to prevent additional accidents; and
6. The employee must complete an *Accident Report* with full details of the accident and submit it to the office before the end of the current workday. When an accident occurs which involves a non-employee, notify the office immediately, no matter how minor the accident or injury may appear and even if no one was hurt.

First Aid Kit - A first aid kit is located outside the office door.

1203 Building Evacuation

Evacuation Procedures - An employee should be familiar with all exits in the building. In the event of a fire or other emergency that requires the building to be evacuated, the following procedures must be followed:

1. Leave the building by walking rapidly but calmly to the nearest exit door (do not run or push others), assisting customers along the way;
2. Immediately notify a supervisor or other designated person if anyone is having trouble leaving the building;
3. Do *not* take time to gather any Company property or personal belongings;
4. Assemble behind the building next door at 100 Oriskany Blvd., immediately after exiting the building.
5. Do not re-enter the building until a supervisor or other designated person gives authorization to do so; and
6. Do not leave the property unless permitted to by a manager or supervisor, for attendance purposes.

Supervisors are responsible for the orderly exit of all employees within their department. Each supervisor should be the last one out of the department and should make sure that all doors are closed. Once outside of the building, the supervisor should account for all department employees.

Fire Extinguishers - Fire extinguishers are located throughout the building. Employees should be familiar with the location and operation of fire extinguishers. A fire extinguisher should only be used by an individual who has received training in its use and only if the fire is containable (e.g., wastepaper basket, garbage bin). A coworker should be instructed to dial 9-1-1 simultaneously. Leave the building immediately if the fire does not go out; never attempt to use a second extinguisher or take other measures to try and contain the fire.

1204 Infectious Disease Control

Policy Statement – In compliance with the Health and Essential Rights Act (HERO Act), Holland Farms has adopted health and safety protocols to protect the workplace in the event of an infectious disease outbreak or declared pandemic.

Airborne Infectious Disease Exposure Prevention Plan - This policy is only a summary. Holland Farms has developed a separate written Airborne Infectious Disease Exposure Prevention Plan to address the health and safety of employees. The airborne infectious disease exposure prevention plan must go into effect when an airborne infectious disease is designated by the New York State Commissioner of Health as a highly contagious communicable disease that presents a serious risk of harm to the public health.

Should such a designation be made, and the airborne infectious disease plan be implemented, Holland Farms will:

- Review the exposure prevention plan and update the plan, if necessary, to ensure that it incorporates current information, guidance, and mandatory requirements issued by federal, state, or local governments related to the infectious agent of concern;
- Finalize and promptly activate the worksite exposure prevention plan;
- Provide to all employees a verbal review of the plan, related Holland Farms policies and employee rights; and
- Provide each employee with a copy of the exposure prevention plan, post it in a visible and prominent location at each work site, and ensure it is accessible to employees during all work shifts.

Holland Farms is committed to providing authoritative information about the nature and spread of infectious diseases, including symptoms and signs to watch for, as well as required steps to be taken in the event of an illness or outbreak. Employees may be required to pass wellness and temperature checks in order to work.

Preventing the Spread of Infection in the Workplace – Holland Farms will take all reasonable steps to provide a clean workplace, including the regular cleaning of objects and areas that are frequently used, such as bathrooms, breakrooms, conference rooms, copiers, door handles and railings, as well as shared tools and equipment. A committee will be designated to monitor and coordinate events around an infectious disease outbreak, as well as to create work rules that could be implemented to promote safety through infection control.

While we will implement various protocols to ensure your safety, it's up to you and your co-workers to execute these protocols daily. We ask all employees to cooperate by taking steps to reduce the transmission of infectious disease in the workplace. The best strategy remains the most obvious -- frequent hand washing with warm, soapy water; covering your mouth and nose whenever you sneeze or cough; and discarding used tissues in wastebaskets. It's important to note that these guidelines are subject to change based on state and local guidance, and the pandemic itself.

Unless otherwise notified, our normal attendance and leave policies will remain in place and/or will be modified as required by any federal, state or local ordinance, order or regulation that is enacted specifically for the infectious disease outbreak. If such policies do not address an employee's particular challenges, the employee should take steps to develop necessary contingency plans. For example, employees might want to arrange for alternative sources of childcare should schools close and/or speak with supervisors about the potential to work from home temporarily or on an alternative work schedule.

Personal Protective Equipment: Employees must comply with personal protective requirements. Holland Farms normally maintains adequate supplies of recommended personal-protective equipment, such as face masks and anti-bacterial hand sanitizers, throughout the workplace and in common areas.

Limiting Travel - All nonessential travel may need to be avoided until further notice. Employees who travel as an essential part of their job should consult with management on appropriate actions. Business-related travel outside the United States or to identified trouble spots, may need to be restricted or suspended until further notice. Personal travel to identified trouble spots may require quarantine upon return. Employees directed to quarantine will be required to isolate and/or work from home (if applicable) and shall not return to work until they have been cleared by test and/or released from quarantine from the health department. Employees should avoid crowded public transportation when possible.

Telecommuting - Telework requests will be handled on a case-by-case basis. While not all positions will be eligible, all requests for temporary telecommuting should be submitted to the employee's manager or human resources for consideration.

Staying Home When Ill - During an infectious disease outbreak, it is critical that employees do not report to work if they have knowingly been exposed to an infected person or while they are ill and/or experiencing symptoms associated with a currently prevalent virus or disease. (Examples may include fever, cough, sore throat, runny or stuffy nose, body aches, headache, chills and fatigue). The Company will follow the Centers for Disease Control and Prevention (CDC) guidelines and will communicate these guidelines to all employees. Employees who report to work ill will be sent home in accordance with these health guidelines. Employee health screening may also be conducted in accordance with applicable federal and state regulations.

Holland Farms will provide paid sick time and other benefits in accordance with federal and state regulations to compensate employees who are unable to work due to illness if applicable. If no paid leave is mandated, employees may use their accrued, unused sick and/or paid time off leave. If an employee has no paid leave available, unpaid leave will be granted.

Requests for Medical Information and/or Documentation - If you are out sick or show symptoms of being ill, it may become necessary to request information from you and/or your health care provider. In general, we would request medical information to confirm your need to be absent; to show whether and how an absence relates to the infection; and to know that it is appropriate for you to return to work. As always, we expect and appreciate your cooperation if and when medical information is sought.

Confidentiality of Medical Information - Our policy is to treat any medical information as a confidential medical record. In furtherance of this policy, any disclosure of medical information is limited to individuals on a need-to-know basis only. Disclosure will be made by the Office staff only with managers, first aid and safety personnel, and government officials as required by law.

Social Distancing Guidelines for Workplace Infectious Disease Outbreaks - In the event of an infectious disease outbreak, Holland Farms may implement these social distancing guidelines to minimize the spread of the disease among the staff. During the workday, employees are requested to:

1. Avoid meeting people face-to-face. Employees are encouraged to use the telephone, online conferencing, e-mail or instant messaging to conduct business as much as possible, even when participants are in the same building.
2. If a face-to-face meeting is unavoidable, minimize the meeting time, choose a large meeting room and sit at least six feet from each other if possible; avoid person-to-person contact such as shaking hands.
3. Avoid any unnecessary travel and cancel or postpone nonessential meetings, gatherings, workshops and training sessions.
4. Do not congregate with multiple persons in offices, conference rooms, kitchens, copier rooms or other areas where people socialize.
5. Bring lunch and eat at your workstation or away from others (avoid lunchrooms and crowded restaurants). Properly clean the area when finished.
6. If orders and/or materials must be exchanged, have them ready for fast pick-up or delivery.

Duty to Comply with Guidelines - It is expected that all employees will assist Holland Farms in upholding and enforcing guidelines established by local and federal government agencies for the health, and well-being of our employees, our customers, and our communities. Ignoring and/or

acting contrary to these guidelines and expectations could result in disciplinary action up to and including termination.

Non-Retaliation - The HERO Act makes it unlawful for employers to discriminate, threaten, retaliate against, or take adverse action against any employee for:

- Exercising their rights under this section or under the applicable airborne infectious disease exposure prevention plan;
- Reporting violations of the Labor Law, or a plan adopted under this section to any state, local, or federal government entity, public officer or elected official if they reasonably believe, in good faith, that a violation has occurred;
- Reporting an airborne infectious disease exposure concern, or seeking assistance or intervention with respect to airborne infectious disease exposure concerns, to their employer, state, local, or federal government entity, public officer or elected official; or
- Refusing to work where such employee reasonably believes, in good faith, that such work exposes him or her, or other workers or the public, to an unreasonable risk of exposure to an airborne infectious disease due to the existence of working conditions that are inconsistent with laws, rules, policies, orders of any governmental entity, including but not limited to, the minimum standards provided by the model airborne infectious disease exposure prevention standard, provided that the employee, another employee, or employee representative notified the employer, of the inconsistent working conditions and the employer failed to cure the conditions or the employer had or should have had reason to know about the inconsistent working conditions.

Employees who believe they have experienced discrimination and/or retaliation should immediately contact the Office.

1205 OSHA

Policy Statement – Holland Farms complies with the safety and health standards that have been issued by the Occupational Safety and Health Act (OSHA). In order to prevent occupational injuries and illnesses, the Company makes every effort to provide a workplace which is free from recognized hazards that could cause physical harm to employees. In order to help the Company maintain a safe workplace, employees are expected to abide by OSHA's rules and regulations. The OSHA standards that pertain to our industry are addressed in the Company's safety policies.

Hazard Communication - Holland Farms maintains SDS sheets to address the safe use of chemicals in the workplace. Employees may review the SDS binder maintained in the hallway near the showroom.

OSHA Inspection – The office is to be notified immediately if an OSHA inspector arrives.

1206 **Building Security**

Safety Precautions - In order to ensure employee safety, prevent disruptions to coworkers, reduce accidents and avoid contamination to raw and finished products, you must receive prior management authorization to enter or remain in the building before or after your scheduled shift. The only exception to this policy is if you remain or return to the showroom as a customer. In addition, there should be no loitering in the parking lot.

The store is equipped with a security system. Employees who are authorized to enter or remain in the building before or after normal business hours are given the security code.

Video Recording - Video surveillance equipment is used inside and outside the building for safety and security purposes. In accordance with New York State labor regulation, the Company prohibits video recording in the bathrooms and lactation rooms. An employee is prohibited from video or audio recording in the workplace unless pre-approved for business reasons.

Securing the Premises - The last person to leave the building at the end of the workday is responsible for locking all exterior doors and windows and ensuring that all security lights are turned on.

1207 **Name Tag**

Policy Statement – Store clerks are issued name tags that must be worn during all working time. An employee is not allowed to work without a name tag. A non-exempt employee shall not be paid for the time spent traveling to/from home to obtain the employee's name tag.

1208 **Visitors**

Visitors - Visitors must enter through the front store entrance and are not permitted beyond the showroom.

Non-Business Hours - For safety and security reasons, visitors are prohibited from being on Company premises before or after normal business hours.

Definition of Visitor - For the purpose of this policy, a visitor is defined as anyone who is not on the Holland Farms payroll.

Personal Visitors – An employee may have personal visitors on Company premises for brief visits as long as such visits do not interfere with operations or interrupt other employees who are still working. Personal visitors are not allowed in the production or warehouse area unless authorized by the office in advance. If someone is giving you a ride home, he or she should wait for you in the parking lot.

Employees are prohibited from waiting on or cashing out family members or visiting friends.

1209 **Restricted Areas**

Restricted Areas - Due to safety and security reasons, an employee, other than managers, supervisors and on-duty clerks are prohibited from entering the area behind the counters in the showroom.

Restricted Areas during Nonworking Hours - An off-duty employee is prohibited from entering work areas until the employee's next scheduled work shift unless checking their work schedule.

1210 **Workplace Violence**

Policy Statement - Holland Farms considers the safety of its employees, or any individual on Company property to be of paramount importance. The Company has zero tolerance for any type of workplace violence committed by, or against, an employee, including threatening, intimidating, or inferring violence against any person or property associated with the Company.

Notification of Threatening Behavior - An employee who is a victim of, witness to, or becomes aware of any potentially dangerous situation, aggressive or hostile behavior, or threats or acts of violence, must inform their supervisor or another member of management immediately. Any suspicious individuals or activity must also be reported immediately.

Investigations - Holland Farms treats any threat of violence seriously, and will take immediate appropriate action, including an investigation of the matter and the involvement of the police department.

Prohibited Conduct - The following conduct is prohibited at all times while on Company property or at any location while representing the Company:

- Fighting, provoking a fight, or threatening violence;
- Horseplay;
- Hostile behavior that creates a reasonable fear of harm to others or property; and
- Intentionally damaging Company or coworker property.

Firearms and Weapons – An employee, customer or visitor is prohibited from possessing firearms or weapons of any kind while on Company premises; in Company or personal vehicles while conducting business for Holland Farms; or customer locations, or any other location during working time or while representing the Company, regardless of whether the employee is licensed to carry the weapon. The only exceptions are law enforcement personnel and security guards.

Policy Violations - Violations of this policy will result in disciplinary action, up to and including termination and/or legal action.

1211 **Workplace Searches**

Policy Statement - To maintain security and protect against theft, Holland Farms reserves the right to inspect all Company and personal property brought onto Company premises or work sites at any time with or without notice, if there is suspicion by management of theft, illegal activity, or similar behavior that may violate Company policy or government regulation. This includes, but is not limited to, Company and personal vehicles, packages, briefcases, purses, desks, work areas, computers, USB drives, files, e-mails, phones, voice mails and file cabinets, even if locked. The inspection will normally be conducted in the presence of the employee. Employees have no right to privacy with respect to Company property or personal property brought onto Company premises.

Policy Violations - An employee who refuses to allow management to inspect the employee's Company or personal property may be subject to disciplinary action, up to and including termination. In addition, an employee who steals from the Company will be subject to disciplinary action, up to and including termination, as well as prosecution to the fullest extent of the law.

1300 COMMUNICATIONS AND TECHNOLOGY

1301 *Employee Questions and Concerns*

Policy Statement - Open communication between employees and management is essential to a productive and successful work environment. Holland Farms believes that open communication between employees and management is essential to a productive and successful work environment. It is the Company's intent to be responsive to employees' questions and concerns.

Complaint Procedure - An employee is encouraged to bring any questions or concerns to the attention of the employee's supervisor. Normally, employee issues can be resolved through conversations with the employee's supervisor. However, in the event that the supervisor does not resolve the issue to the employee's satisfaction or the concern involves the supervisor, the employee may contact the office. The office will review the situation and provide a timely response to the employee.

Complaint Procedure for Compliance Policies - If an employee's complaint involves any of the Company's compliance policies relating to harassment, sexual harassment, and/or discrimination, the employee should follow the complaint procedure outlined in *Policy 505*.

Retaliation - An employee will not be subject to retaliation or any adverse employment action that could affect the employee's job security or potential advancement because of bringing any work-related questions, concerns, or complaints to management's attention. An employee who believes that they have been retaliated against for filing a complaint should contact the office immediately.

1302 *Employee Communications*

Policy Statement - Company information is communicated to employees via a variety of communication channels, including memos, payroll attachments, staff meetings, and bulletin board postings.

Staff Meetings - Staff meetings are held periodically to report on issues of interest and open discussion on any concerns or problems you may wish to discuss. Staff meetings are mandatory unless an employee is excused by the office.

Bulletin Board - A bulletin board is in the hallway to the showroom and in the time clock area for the posting of Company announcements and information of general interest. An employee should review the bulletin board on a regular basis. An employee is prohibited from posting any personal or non-work-related materials on the bulletin board.

An employee is prohibited from defacing or removing items posted on the Company bulletin boards.

1303 *Use of Communications Systems*

Policy Statement - Holland Farms' communication systems and equipment are an integral part of the Company's business, and are provided to employees to aid them in the performance of their job duties and to promote efficient operations.

Definition of Communications Systems and Equipment - For the purpose of this employee handbook, the Company's communications systems and equipment include, but are not limited to, telephones, wireless devices (e.g., cell phones, smart phones, tablets, and mobile hotspots, photocopiers, fax machines, incoming/outgoing mail, video and audio taping devices, and computer systems (e.g., networks, hardware, software, Internet, Intranet, e-mail, text messaging, and computer files).

Company Property - All Company communications systems and equipment are the sole property of Holland Farms and are subject to review or access by the Company at any time. This includes the messages created, transmitted, stored, and downloaded on such systems and equipment.

Prohibited Uses - The following uses of Holland Farms' communications systems and equipment are prohibited. This list is meant to be illustrative and not exhaustive.

- Engaging in any illegal activity that violates copyright or other United States regulations, including piracy, blackmail, software licensing rules, and the copying or distributing of copyrighted materials without the express permission of the author;
- Transmitting confidential, proprietary, or trade secret information;
- Using verbal or written obscenities, vulgarities, or threats;
- Transmitting, retrieving or storing of any communications of a defamatory, discriminatory or harassing nature or materials that are obscene or X-rated.
- Transmitting messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference;
- Distributing chain letters;
- Accessing, or attempting to access, the computer files or e-mail, text, instant, or voicemail messages of a coworker without appropriate authorization from a supervisor;
- Reading, copying, modifying, or deleting a coworker's computer files or e-mail, text, instant, or voicemail messages without authorization from the coworker or a supervisor;
- Using or aiding in the unauthorized use of another person's password;
- Soliciting or advocating for commercial ventures, other employers, religious or political causes during working time;
- Transmitting messages under an assumed name or attempting to obscure the origin of any message;
- Attempting to remove or modify computer network equipment or software without proper authorization;
- Downloading or using non-business and entertainment software, such as games, puzzles, wallpaper, screen savers, and videos on Company computers or wireless devices;
- Harming or destroying software, data, files, or messages (other than editing or deleting information in the normal course of job duties); and
- Intentionally tampering with or disabling any computer system, anti-virus software, network, or security feature, or circumventing any system intended to protect the privacy or security of another user.
- Using Company e-mail to sign up for subscriptions or to register on websites, social networks, blogs, or other online tools utilized for personal use.

Company's Right to Monitor Communications Systems and Equipment - Holland Farms complies with the New York State Electronic Monitoring Law as detailed in Section 400 of this Employee Handbook. There is no guarantee of privacy when using Company-issued wireless devices and company-owned computers, email, Internet, networks, and related systems. The Company reserves the right to enter, search, and monitor the Company's communications equipment and files, with or without advance notice, and/or in the employee's absence, at any time in the normal course of business. This applies to all information, messages, and files that an employee creates, transmits, downloads, receives, stores, or deletes on such systems, including items that are password protected. The Company has the ability to monitor sites visited by an employee on the Internet, chat rooms, newsgroups, all voice mail messages, telephone calls and

every e-mail message and file transfer into and out of the Company's network as well as any information created or discussed on social media sites, blogs, or personal web sites. An employee's use of the Company's communications systems and equipment constitutes consent to the Company accessing, intercepting, monitoring, and disclosing any matter stored in, created, received or sent over those systems and equipment.

Virus Detection - Files obtained from outside sources, including disks brought from home; files downloaded from the Internet, newsgroups, bulletin boards, or other online services; e-mail attachments; and files provided by customers or vendors may contain dangerous computer viruses that may damage the Company's computer network. An employee may not download files from the Internet, accept e-mail attachments from outsiders, or use disks from non-Company sources, without first scanning the material with anti-virus software. Any suspicious e-mail or suspected virus infection must be reported to the Office immediately.

Personal Use - The Company's communications systems and equipment, including but not limited to, computers, laptops, tablets, cellphones, and the Internet are generally reserved for business purposes. Prior supervisory approval is therefore required before using the Company's computers, laptops, tablets, cellphones, or the Internet for personal use.

Inappropriate Web Sites and Computer Files - Sending, saving, or viewing inappropriate material is prohibited. An employee may not log on to any inappropriate or sexually explicit web sites. The Company reserves the right to delete any inappropriate files or material on Company-owned computers without notification to the employee.

Use of Audio and Video Recording Devices - Due to confidentiality and personal privacy concerns, the use of camera, wireless devices, tape recorders, and other audio and video recording devices are prohibited in any location where an employee would have a reasonable expectation of privacy (e.g., restroom, locker room, area designated for changing, lactation room, and restricted access areas).

An employee may not photograph, audiotape, or videotape any Company meeting or activity, property, coworker, customer, or anyone affiliated with the Company without permission. Advance authorization from any individual(s) being photographed is required.

1304 Computers and the Internet

Issuing of Computer Systems - The owners are responsible for issuing all computer hardware and software to authorized employees.

Computer Hardware and Software – All computer software must be licensed and registered to the Company. No unauthorized or unlicensed hardware or software may be used or installed on any Company-owned computer, laptop, or wireless device. An employee may not reproduce, transfer, download, modify, or share licensed or non-licensed software with any coworker, business, client, or for the employee's personal use. Non-business and entertainment software, such as games, puzzles, wallpaper, screen savers, and videos may not be downloaded or used on Company computers, or laptops.

User IDs and Passwords - An employee is responsible for all computer transactions made with the employee's user ID and password. When leaving your computer for an extended period of time, an employee should log off of the computer. IDs and passwords must not be shared with anyone except the owners.

Virus Detection – Files obtained from sources outside the Company, including disks brought from home; files downloaded from the Internet, newsgroups, bulletin boards, or other online services; files

attached to e-mail; and files provided by customers or vendors may contain dangerous computer viruses that may damage the Company's computer network. Employees should never download files from the Internet, accept e-mail attachments from outsiders, or use disks from non-Company sources, without first scanning the material with anti-virus software. The office should be contacted immediately if an employee receives a suspicious e-mail attachment or believes there is a virus on the employee's computer or laptop.

Professional Messages - All e-mail, text, and instant messages should be written in a professional manner.

Personal Use - The Company's computers, laptops, tablets, cellphones, and the Internet are reserved for business purposes. Personal use during working time is prohibited.

Inappropriate Web Sites and Computer Files - An employee may not log on to any inappropriate or sexually explicit web sites. If you unintentionally become connected to an inappropriate or sexually explicit web site, you should disconnect from the web site immediately. The Company will delete any inappropriate files or material on Company-owned computers without notification to the employee.

Blogging - The Company does not have – nor is an employee authorized to develop – a corporate blog. The Company respects an employee's right to blog using the employee's own personal computer during his/her personal time. However, if an employee indicates on a blog that he or she is a Holland Farms employee, it must clearly state that the views expressed are solely those of the employee and are not necessarily the views of the Company. Blogs should not include any defamatory or racial or sexually offensive material nor should they have negative comments about Holland Farms, our products, or competitors. In addition, the Company's confidentiality policy must be adhered to at all times.

Texting – Texting as a form of social communication should not take place during working hours. An employee should not be using personal or Company communication devices to perform any type of personal communication during working hours except in the case of an emergency. Employees may use their personal cell phones for personal communications during breaks and lunch only. All other Company time should be dedicated to performing work and engaging in professional communications with our clients. Any abuses to this policy will result in disciplinary action up to and including termination.

1305 Social Media

Social Media - For the purpose of this employee handbook, the term "social media" refers to any Internet-based media that facilitate activities such as professional or social networking, posting comments or opinions, and sharing photos, audio, video, or other content. Examples include, but are not limited to: Facebook, YouTube, LinkedIn, Instagram, SnapChat, MySpace, Twitter, TikTok, Flickr, personal websites, blogs, chat rooms, and Wikis.

Guidelines

- All Holland Farms policies, including the Company's discrimination, sexual/anti-harassment, equal employment opportunity (EEO), anti-bullying, ethics, and confidentiality policies, apply to the use of social media.
- An employee is prohibited from disclosing any trade secrets, products, processes, proprietary information, strategic business plans, or any similar or confidential information about the Company or its customers via social media. Respect copyright, trademark, fair use and financial disclosure laws.

- An employee may not post any information or engage in any online activity that violates applicable local, state or federal laws, or professional rules of conduct.
- If an employee indicates on any social media that he or she is a Holland Farms employee, he or she must clearly state that the views expressed are solely the personal views of the employee and that they do not represent those of the Company, customers, or suppliers. This applies to posts, blogs, and videos occurring on any computer during both working and nonworking time.
- An employee may not use Holland Farms email addresses to register on social networks, blogs or other online tools utilized for personal use. In addition, an employee may not infringe on the Company's logos, brand names, taglines, slogans or other trademarks.

Using Social Media At Work - An employee must receive prior authorization to develop, post to, or maintain a corporate blog or use social networking sites to conduct Holland Farms business. An employee who has received such authorization may post or blog during working time for business purposes only. Engaging in social networking at work for personal use during working time is strictly prohibited.

Using Social Media During Non-Working Time - Holland Farms respects an employee's right to self-expression, especially when using social media during nonworking time. However, employees are expected to be fair and courteous to the Company's employees, clients, customers, independent contractors, suppliers, and people who work on behalf of the Company. Keep in mind that an employee is more likely to resolve work-related complaints by speaking directly with management than by posting complaints to a social media outlet. Nevertheless, if an employee decides to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that disparages clients, customers, independent contractors, employees, associates, or suppliers, or that might constitute harassment or bullying.

Non-Retaliation - The Company will not retaliate against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Policy Violations - Employees are solely responsible for what they post online. Conduct that adversely affects job performance, the performance of coworkers, violates Company policy or otherwise adversely affects members, customers, or suppliers, may result in disciplinary action up to and including termination.

Social Media and Photography - From time to time, Holland Farms may take pictures of employees and post them on social media or in any of its publications, either internal or external, with or without informing the employees who may be in them. It is understood this policy is meant to allow the Company to build and involve employees in its social media presence. No personal information of employees other than their first name will be posted on social media websites without prior permission. The Company, nor the employee, will receive compensation for use of the image.

Waiver - An employee who does not consent to the use of photographic or video images of themselves on the Company's social media websites or in its publications must inform the Office and sign a disclaimer. The disclaimer will be kept in the employee's personnel file for reference.

1306 *Social Media and Photography*

Policy Statement - From time to time, Holland Farms may take pictures of employees and post them on social media or in any of its publications, either internal or external, with or without informing the employees who may be in them. It is understood this policy is meant to allow the Company to build and involve employees in its social media presence. Holland Farms reserves the right to post images and first names of employees on social media sites without prior permission. Employees who feel an image should be removed may contact the Owner to request that it be removed. Neither the Company nor the employee will receive compensation for using the image.

1307 *Artificial Intelligence*

Policy Statement - Artificial intelligence (AI) tools have the potential to automate tasks, improve decision-making, and provide valuable insights into our operations. This policy outlines best practices for use of artificial intelligence in the workplace, especially as it pertains to using sensitive data and proprietary Company and customer information in these tools. We are committed to protecting the confidentiality, integrity, and availability of all company and customer data. This policy requires all employees to use AI tools in a manner consistent with our security best practices.

Security best practices - All employees are expected to adhere to the following security best practices when using AI tools:

- **Evaluation of AI tools:** Employees must evaluate the security of any AI tool before using it. This includes reviewing the tool's security features, terms of service, and privacy policy. Employees must also check the reputation of the tool developer and any third-party services used by the tool.
- **Protection of confidential data:** Employees must not upload or share any data that is confidential, proprietary, or protected by regulation without prior approval from the Owner. This includes data related to customers, employees, or other business partners.
- **Access control:** Employees must not give access to AI tools outside the Company without prior approval from the Owner. This includes sharing login credentials or other sensitive information with third parties.
- **Use of Reputable AI tools:** Employees should use only reputable AI tools and be cautious when using tools developed by individuals or companies without established reputations. Any AI tool used by employees must meet our security and data protection standards.
- **Compliance with security policies:** Employees must apply the same security best practices employed by the Company that is in use for all Company and customer data. This includes using strong passwords, keeping software up-to-date, and following our data retention and disposal policies.
- **Data privacy:** Employees must exercise discretion when sharing information publicly. As a first step, employees must ask themselves the question, "Would I be comfortable sharing this information outside of the company? Would we be okay with this information being leaked publicly?" before uploading or sharing any data into AI tools.

Conclusion - Our organization is committed to ensuring that the use of AI tools is safe and secure for all employees and customers, as well as the organization itself. We believe that by following the guidelines outlined in this policy, we can maximize the benefits of AI tools while minimizing the potential risks associated with their use.

Policy Violations - Employees who do not follow AI protocol as described in this policy are subject to disciplinary action, up to and including termination of employment.

1308 Telephone/Wireless Device Usage

Policy Statement – Holland Farms understands that personal electronic communication devices, such as cell phones, smartphones and tablets, have become an important part of employees’ lives. Because personal telephone calls can negatively affect productivity and distract coworkers, employees are asked to limit personal phone calls during working time. This includes the use of both Company issued phones, wireless devices and employees’ personal wireless communication devices. Long distance, personal calls may not result in charges to the Company. Wireless devices include, but are not limited to, cell phones, smart phones, smart watches, tablets, and mobile hotspots.

Company Provided Cell Phones - The Company provides wireless devices to employees as appropriate to their duties and responsibilities. Wireless devices are for Company and business use only except for minor incidental or emergency personal use. Personal calls during working hours must be kept to a minimum and must not interfere with the employee’s performance of work. Employees in possession of a Company issued wireless device are expected to protect their equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee is to produce the device for return and/or inspection. Cell phone usage will be monitored and misuse may result in disciplinary action, up to and including termination.

Emergency calls are transferred to employees immediately or a message is taken and delivered so that an employee may return the call as soon as possible.

Personal Wireless Devices - An employee should not make or receive non-business-related calls on the employee’s personal wireless devices during working time, except in an emergency or during authorized break or meal periods. This includes sending or receiving and viewing text messages.

Excessive Use - If an employee’s personal calls become excessive, affect an employee’s job performance, and/or distract coworkers, the privilege of making personal phone calls or carrying a personal cell phone during working time may be revoked.

Handheld Video Games - Most of today’s handheld electronic devices make it easy to bring entertainment to the workplace. However, due to safety, productivity and efficiency reasons, video games are limited to break and meal periods.

1309 Mail

Personal Mail - An employee may place personal letters with the Company's outgoing mail for delivery to the post office as long as the employee's own postage is used.

Personal mail, including magazines and packages, should not be delivered to the workplace. The Company reserves the right to review all incoming mail, including mail addressed to individual employees.

Stationery and Business Cards - Business cards and personalized Company stationery may only be issued by Holland Farms. Company stationery may not be used for an employee's personal use nor should an employee's personal correspondence appear to be official communication from Holland Farms.

1310 Employee Suggestions

Policy Statement - Holland Farms values the suggestions and ideas of employees. An employee is strongly encouraged to inform the office of any suggestions that may be valuable to the Company's productivity and success. All suggestions are carefully reviewed and implemented, if feasible.

1311 Customer and Media Relations

Public Relations - Because Holland Farms is a service-oriented company, customers and the public should be assisted promptly and treated courteously and professionally at all times. Positive customer service can greatly enhance goodwill, while a negative experience can easily destroy a valuable customer relationship.

An employee who receives a verbal complaint from a customer, vendor, supplier, or member of the public should immediately report the complaint to the owners for a resolution.

Media Relations - Occasions may arise where immediate attention is drawn from the news media. It is crucial that a designated individual represents Holland Farms to convey an appropriate message and prevent the dissemination of misinformation in any media inquiry. Accordingly, all requests for information from the media (e.g., television, radio, and newspaper) regarding any aspect of Holland Farms must be referred to the owners of Holland Farms. Likewise, any official press releases or publications released to the media must be approved by the Office of Holland Farms.

**HOLLAND FARMS BAKERY & DELI
EMPLOYEE HANDBOOK ACKNOWLEDGMENT**

By signing below, I acknowledge that I have received or have ready-access (or online access) to a copy of Holland Farms's Employee Handbook and that I have read it, understand it, and agree to abide by the policies contained therein. I understand that any violation of the policies in this Handbook could result in discipline, up to and including termination. I am aware that if I have any questions regarding the contents of the Employee Handbook I should contact my manager or Human Resources.

I understand that the policies in this employee handbook may supersede, modify, or eliminate benefits, policies, procedures, or rules previously issued by the Company.

I understand that Holland Farms reserves the right to interpret, add, modify, or revoke any provision in the employee handbook with or without cause or notice. I also understand that the employee benefits, policies, procedures, rules, and regulations in this employee handbook will remain in effect until notified otherwise by the Company. I agree to retain my copy of the employee handbook for future reference and to update it with any policy additions or revisions that the Company issues.

I am aware that my copy of the employee handbook and any Holland Farms property in my possession must be returned to the Company upon my separation from employment or when requested by the Company.

I understand that I may be subject to reasonable suspicion substance testing as outlined in the Substance-Free Workplace Policy. I am aware that my refusal to consent to such a test or to test positive for alcohol or illegal drugs is a policy violation which will result in disciplinary action, up to and including termination.

Employment at Holland Farms is employment-at-will. Accordingly, this employee handbook is not intended to be a contract of employment, a warranty of benefits, or a limitation on the Company's ability to terminate employees. No one other than the President has the authority to enter into an agreement with an employee for a specified length of time or to alter or change the policies outlined in this Employee Handbook.

Refusal to sign this employee handbook acknowledgement may result in disciplinary action, up to and including termination.

Employee Name (Please Print)

Employee Signature

Date of Signature

Signature of Manager or Supervisor

Date of Signature