



# EMPLOYEE POLICY MANUAL

Effective: 06/01/2020

Furniture Mall of Texas &  
Austin's Couch Potatoes

## CONFIDENTIALITY AND NON-SOLICITATION AGREEMENT

During employment and after any resignation/termination of your employment for any reason, you agree that all of the technological innovations, trademarks, trade names, copyrights, customer lists, marketing programs, service programs, software programs, trade secrets and other proprietary rights (“Proprietary Information”) used or developed in Furniture Mall of Texas, Inc. business shall belong to and remain the property of Furniture Mall of Texas, & Austin’s Couch Potatoes and that you shall have no rights thereto.

You acknowledge that the Proprietary Information constitutes valuable, unique, proprietary and confidential property of Furniture Mall of Texas & Austin’s Couch Potatoes. You agree that you will not divulge or otherwise disclose, directly or indirectly, any Proprietary Information during employment or at any time thereafter while such information remains proprietary or confidential.

You agree upon resignation/termination of employment for any reason to immediately return to Furniture Mall of Texas & Austin’s Couch Potatoes, all materials or information concerning Furniture Mall of Texas & Austin’s Couch Potatoes, regardless of their nature.

You will not pursue or provide current Furniture Mall of Texas & Austin’s Couch Potatoes customers’ with any services either personal or third party related on business that Furniture Mall of Texas & Austin’s Couch Potatoes currently services.

You agree you will not recruit, hire or contract any employee for a period of one year from your resignation/termination of employment.

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

Date \_\_\_\_\_

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

## EMPLOYEE ACKNOWLEDGMENT REGARDING EMPLOYEE POLICY MANUAL

I acknowledge having read the Employee Policy Manual (the "Manual") of Furniture Mall of Texas & Austin's Couch Potatoes (the "Company"). I agree to abide by the rules and instructions contained in the Manual. I will familiarize myself with the information in the Manual, will seek verification or clarification where necessary, and will comply with the policies, benefit requirements, and procedures pertaining to the Company.

I understand and acknowledge that failure to abide by the policies contained herein, including changes, additions, modifications, and/or alterations could result in disciplinary action up to and including termination. I further understand and acknowledge that my continued employment is evidence of my acceptance to abide by any and all changes, additions, modifications, and/or alterations made in the future and presented to employees whether or not I have signed an acknowledgment of such changes.

I understand that the Manual is to be used as a guide to the various policies, benefits, and information pertaining to my employment. **I recognize that no part of the Manual should be construed as any type of contract - formal, informal, or implied.** I recognize the Company's right to make unilateral changes in the content, interpretation, or application of the Manual at any time the Company deems appropriate, even if the changes to be implemented have not been communicated, reprinted, or substituted in the Manual or elsewhere. Furthermore, **I understand and acknowledge that absent a written contract to the contrary, signed by the President or other authorized officer and me, my employment is terminable at the will of either the Company or me at any time for any reason or no reason and without notice.**

I agree that this Manual is Company property. I agree to return this Manual and all other Company property upon leaving the employ of the Company for any reason.

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

Date \_\_\_\_\_

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

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## 1.0 INTRODUCTION

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## 1.1 WELCOME

Furniture Mall of Texas & Austin's Couch Potatoes (the "Company") is pleased to present you with a copy of our Employee Policy Manual (the "Manual") to read. The Manual is designed to keep you informed of many of the policies of the Company. It is a summary of the principles we uphold and the responsibilities you assume as an employee.

The Company wants all employees to enjoy working here. That is one reason we provide equitable pay, good benefits and pleasant working conditions. **The Company is an at-will employer and employees should understand that employment is not offered, contracted, or promised for any specific length of time. Employees have the right to terminate employment at any time, with or without cause and with or without notice, and the Company has the same right.** This is just good business and legal practice for everyone.

THIS MANUAL SETS OUT GUIDELINES ONLY AND IS NOT A CONTRACT OF EMPLOYMENT. We are not able to foresee the future; therefore, the Company may need to supplement, modify, or eliminate one or more benefits, work rules, or guidelines described in this Manual. The Company reserves the right to exercise its discretion to unilaterally make deletions from or additions to this Manual. All such changes must be in writing and authorized by a company owner. Each employee's continued employment constitutes acceptance of such changes.

Please read the Manual carefully. Because the Manual is Company property, it will be electronically stored on the ADP web portal for all employees to view as well as the company intranet website. If you have any questions concerning the policies or benefits outlined, ask your manager about them.

It is our hope that adherence to the policies in this Manual will make your employment with the Company productive, enjoyable, and mutually rewarding.

We are excited to have you as part of our team!

## 2.0 COMPANY POLICIES

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## 2.1 EQUAL EMPLOYMENT OPPORTUNITY

### 2.1.1 Statement of Policy

The purpose of this policy is to ensure that Company personnel policies and practices are administered without regard to race, color, religion, sex, age, national origin, ancestry disability, genetic screening or testing information, veteran status, or any other protected class or status.

### 2.1.2 Guidelines

1. All employees and applicants are guaranteed equality of employment opportunity. The Company will not discriminate against employees or applicants on the basis of race, color, religion, sex, age, national origin, ancestry, disability, genetic screening or testing information, veteran status, or any other protected class or status.
2. All recruitment, selection, placement, training, transfer, termination, layoff, and other employment decisions made by the Company should be based solely on a candidate's job-related qualifications and abilities and the legitimate business needs of the Company. In some cases, seniority may be treated as a factor to be considered in the selection process.
3. Assuming that a job opening exists, the qualifications of a candidate for a promotion or transfer should be assessed solely on the basis of the individual's ability, merit (as demonstrated by the applicant's performance record), seniority, where applicable, as well as the legitimate business needs of the Company.
4. All other personnel policies and practices of the Company (including compensation, benefits, discipline, and safety and health programs as well as social and recreational activities) will be administered and conducted without regard to any individual's race, color, religion, sex, age, national origin, ancestry, disability, genetic screening or testing information, veteran status, or any other protected class or status.

5. Otherwise, qualified individuals with a disability will be granted a reasonable accommodation in accordance with applicable law.

### 2.1.3 Employee Responsibilities

1. To report any perceived violations of this policy to his or her immediate manager. If the immediate manager is unavailable or is involved in some manner with the perceived violation, employees should report perceived violations to the HR Manager. (See Grievance Procedures Policy.)
2. Employees with disabilities that are not immediately discernible, but who feel they are in need of a reasonable accommodation should speak with Human Resources.

### 2.1.4 Manager Responsibilities

1. All related employment activities must follow the Equal Employment Opportunity Policy as outlined by the Company policy.
2. Managers who receive a complaint of harassment should report the complaint to Human Resources.
3. Managers who receive a request for an accommodation should:
  - a. Consider the employee or applicant's ability to perform the essential functions of the job, with or without a reasonable accommodation, b. Consider the request for reasonableness, and c. Participate in an interactive process with the employee or applicant to identify an accommodation that is reasonable and achieves the goals that prompted the request for accommodation

## 2.2 COMPANY MANUAL POLICY

### 2.2.1 Statement of Policy

The Company views the success of its employees as an asset. This Manual is provided to all employees in writing to assist our employees in the performance of their duties and to communicate the Company's expectations regarding policies, procedures, regulations, and operations.

### 2.2.2 Guidelines

1. Each employee is required to read the Manual, sign and date an acknowledgment.
2. The Manual will be easily accessible to all employees who wish to refer to its contents.
3. Employees requiring assistance in locating or understanding information contained in the Manual should contact their manager or another member of management.
4. Failure to abide by Company policies or act in the best interest of the Company may result in disciplinary action up to and including termination of employment.

## 2.3 HARASSMENT POLICY

### 2.3.1 Statement of Policy

The purpose of this policy is to communicate the Company's determination to: Provide a working environment free of discriminatory intimidation. Identify complaint procedures available to employees. Outline disciplinary penalties that may be imposed for discriminatory or harassing conduct.

Harassment involves verbal or physical conduct that harms or shows hostility or aversion toward an individual because of his or her race, color, religion, sexual orientation, national origin, ancestry, age, disability, genetic screening or testing information, other protected class or status, or that of his or her relatives, friends, or associates and that:

- Has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
- Has the purpose or effect of unreasonably interfering with an individual's work performance.
- Otherwise adversely affects an individual's employment opportunities.

### 2.3.2 Guidelines

1. It is against Company policy for any employee, independent contractor, or other visitor to harass any employee of the Company through the use of disparaging or abusive words or phrases, slurs, negative stereotyping or threatening, intimidating, or hostile acts that relate to race, color, religion, sexual orientation, national origin, ancestry, age, disability, genetic screening or testing information, or any other protected class or status. This includes acts that are declared to be "jokes" or "pranks," but that might reasonably be perceived as hostile or demeaning.
2. Creation of an intimidating, hostile, or offensive work environment may include publishing or posting written or graphic material that criticizes or shows hostility or aversion toward an individual or group because of race, color, religion, sexual orientation, national origin, ancestry, age, disability, genetic screening or testing information, or any other protected class or status that is placed on walls, bulletin boards, or elsewhere on Company property or circulated in the workplace.

3. Unreasonable conduct will not be tolerated. This includes, but is not limited to, excluding employees from information regarding opportunities for advancement; denying access to information, people, or places; treating other employees as inferiors; or selecting one or a few members of a protected class for favorable treatment.
4. The Company will determine whether certain conduct occurred and/or whether it constitutes harassment based on a review of the facts and circumstances of each situation.
5. The Company will not condone harassment of employees. All employees, including managers, will be subject to severe disciplinary action up to and including termination for any harassing behavior.
6. Employees who believe they have been subjected to harassment should immediately report the alleged harassment to their manager. If the manager is the source of the alleged harassment, employees should report the problem to the manager's superior or Human Resources. (See Grievance Procedures Policy.)
7. Managers and/or Human Resources who receive a complaint of harassment should report the complaint to the President.
8. A prompt and careful investigation of the matter will be conducted. This may include questioning employees who may have knowledge of the alleged incident or similar problems. Both the complaint and the investigative actions and findings should be documented as thoroughly as possible.
9. Employees who are dissatisfied with an investigating manager's resolution of a harassment problem may file a complaint in accordance with the Company's grievance procedures. (See Grievance Procedures Policy.)
10. No employee should be subject to any form of retaliation or discipline for pursuing a claim of harassment.
11. The Company recognizes that the issue of whether harassment has occurred requires a factual determination based on all the evidence received.
12. The Company also recognizes that false accusations of harassment can have serious effects on innocent employees. We trust that all employees will act in a responsible and professional manner to maintain a pleasant working environment free of harassment.

13. The Company reserves the right to remedy inappropriate harassing conduct falling short of conduct subjecting the Company to legal liability, in a manner that is appropriate, fair, and legal up to and including termination and to report illegal acts to the proper authorities.

## 2.4 SEXUAL HARASSMENT POLICY

### 2.4.1 Statement of Policy

The purpose of this policy is to stress the Company's strong opposition to sexual harassment, to identify complaint procedures available to employees, and to outline disciplinary penalties that may be imposed for sexually harassing conduct.

Sexual harassment involves:

- Making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature a condition of employment.
- Making submission to or rejection of such conduct the basis for employment decisions.
- Creating an intimidating, offensive, or hostile working environment by such conduct.

### 2.4.2 Guidelines

1. It is illegal and against Company policy for any employee to harass another employee by making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature a condition of employment; by using an employee's submission to or rejection of such conduct as the basis for or a factor in any employment decision affecting the individual; or by creating an intimidating, hostile, or offensive work environment by engaging in such conduct.
2. The creation of an intimidating, hostile, or offensive work environment may include such actions as persistent comments on an employee's sexual preferences or the display of obscene or sexually oriented photographs or drawings. Discussing involvement with violent criminal activity either past or present which involves the employee and actual events perceived by others as a form of intimidation or manipulation. The Company will determine whether certain conduct occurred and/or whether it constitutes sexual harassment, or a hostile work environment based on a review of the facts and circumstances of each situation.
3. The Company will not condone any sexual harassment of employees. Moreover, the Company will not tolerate inappropriate conduct by independent

contractors or other visitors. All employees, including managers, will be subject to severe disciplinary action up to and including termination for any sexually harassing behavior.

4. Employees who believe they have been subjected to sexual harassment should immediately report the alleged harassment to their manager. If the manager is the source of the alleged harassment, employees should report the problem to the manager's superior. (See Grievance Procedures Policy.)
5. Managers who receive a sexual harassment complaint should report the complaint to Human Resources.
6. A prompt and careful investigation of the matter will be conducted. This may include questioning employees who may have knowledge of the alleged incident or similar problems. Both the complaint and the investigative actions and findings should be documented as thoroughly as possible.
7. Employees who are dissatisfied with an investigating manager's resolution of a sexual harassment problem may file a complaint in accordance with the Company's grievance procedures. (See Grievance Procedures Policy.)
8. No employee should be subject to any form of retaliation or discipline for pursuing a sexual harassment complaint.
9. The Company recognizes that the issue of whether sexual harassment has occurred requires a factual determination based on all the evidence received.
10. The Company also recognizes that false accusations of sexual harassment can have serious effects on innocent employees. We trust that all employees will continue to act in a responsible and professional manner to maintain a pleasant working environment free of discrimination.
11. The Company reserves the right to remedy inappropriate or offensive conduct of a sexual nature, regardless of scope or degree, in a manner that is appropriate, fair, and legal up to and including termination of employment. Employees who violate this policy are subject to civil damages and criminal penalties.

## 2.5 SMOKING/TOBACCO USE POLICY

### 2.5.1 Statement of Policy

It is the intent of the Company to provide a tobacco-free work environment for its employees and customers. With the current evidence that tobacco use is dangerous and injurious to a person's health, this policy will be vigorously enforced to comply with Company health and safety standards.

The Company respects a person's right to choose whether or not to use tobacco products during non-working time and in non-working areas as subject to an individual's choice. However, the Company has made a wellness commitment to work toward a totally tobacco-free environment. Therefore, Company policy precludes employees from using tobacco products while representing the Company to minimize health consequences to others.

### 2.5.2 Guidelines

1. It is against Company policy for employees to use tobacco products, e-cigarettes, or vaping devices in the workplace.
2. NO TOBACCO USE or vaping devices will be permitted for any reason in Company vehicles.
3. NO TOBACCO USE or vaping devices is permitted in any area within view of customers, in customers' offices, in customers' vehicles, or in customers' homes.
4. NO SMOKING or vaping shall be permitted for any reason in the warehouses or dock areas. This policy must be rigidly enforced to comply with the Company's fire, safety, and insurance requirements.
5. Signs will be posted in customer areas stating "Thank you for not smoking."
6. Smoking and vaping is allowed in designated areas may be restricted to meal and break times. These meal and break times may be strictly enforced.

## 2.6 DRUG AND ALCOHOL TESTING POLICY

### 2.6.1 Statement of Policy

As part of the Company's commitment to safeguarding the health of employees, providing a safe place for employees to work, and supplying our customers with the highest quality products and services possible, the Company issues this policy outlining its position on the use or abuse of alcohol, drugs, other controlled substances, or inhalants by employees.

Because substance abuse at work or away from work can seriously endanger the safety of employees and render it impossible to supply top-quality products and services, the Company has a program established under this policy to detect and remove abusers of alcohol, drugs, other controlled substances, or inhalants from its workplace where such abuse impacts job performance, or otherwise has a negative impact on the Company's business environment.

In implementing and enforcing this policy, the Company may test applicants and employees for the presence of drugs and/or alcohol. Employees must provide their own transportation to and from testing facilities when instructed to make an appointment at a designated testing facility. Employees must provide proper identification at the testing facility. Failure to provide proper identification at a testing facility is considered an act of non-compliance and may result in suspension or termination of employment with the company.

**CDL Licensing:** Drivers of a Commercial Motor Vehicle ("CMV") who are required to possess a Commercial Driver's License ("CDL") are subject to the provisions of 49 CFR Part 40 or DOT (Department of Transportation) agency regulations. If the Company provides or contracts for services that require CDL licensing, management must ensure that individuals participating in the applicable project are in compliance with DOT's alcohol and drug testing regulations that are separate from non-DOT tests in all respects.

**Access to Company Vehicles:** As required by the Texas DOT, company insurance carrier, or when applicable to certain job positions within the company, employees must complete a DOT physical assessment and drug screen. Minimum qualifications will be necessary in order to maintain employment or apply for employment with the company.

## 2.6.2 Guidelines

### 1. Definitions:

- a. *Alcohol or alcoholic beverage* - means any beverage that may be legally sold and consumed and that has an alcoholic content in excess of .5% by volume.
- b. *Drug* - means any substance (other than alcohol) capable of altering the mood, perception, pain level, or judgment of the individual consuming it and/or the metabolite of any such substance.
- c. *Prescribed drug* - means any controlled substance prescribed for the individual consuming it by a licensed medical practitioner. Controlled substance means that distribution of a substance (usually a drug) is subject to regulation by state or federal law (*i.e.*, it can only be prescribed by a licensed medical practitioner).
- d. *Illegal drug* - means any drug or controlled substance, the sale or consumption of which is illegal.
- e. *Specimen* - means urine, blood, breath, saliva, or hair.
- f. *Inhalant* - means any glue, paint, aerosol, anesthetic, cleaning agent, solvent, or other substance that, when inhaled or ingested, will cause a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulling of the senses and that contains chemicals including, but not limited to: toluene, xylene; hexane; acetone; methylene chloride; methanol; Freon(s); benzene; (iso) amyl nitrite; (iso) butyl nitrite; (iso) propyl nitrite; N-butyl nitrite; butane; propane; fluorocarbon, hydrocarbons; ethyl chloride; nitrous oxide; halothane; tetrachloroethylene; trichloroethane; trichloro-ethylene.

The Company reserves the right to test for the presence of the following drugs and alcohol at the levels indicated on the following chart: DRUG CLASS URINE - NG/ML HAIR - NG/GM

Alcohol 0.04% -  
 Amphetamine/Methamphetamine 1,000 500  
 Barbiturates 200 -  
 Benzodiazepines 200 -  
 Cocaine Metabolite 300 500  
 Marijuana Metabolite 70.6  
 Methadone 300 -  
 Methaqualone 300 -

Opiates 300 500  
Phencyclidine ("PCP") 25 300  
Propoxyphene Metabolite 300 -

2. Any individual whose test result indicates the presence of alcohol or drugs at or above the levels shown in any of the classes of drugs listed above will be considered to have a positive test.
3. No prescribed drug shall be brought on Company premises by any person other than the person for whom the drug is currently prescribed by a licensed medical practitioner and shall be used only in the manner, combination, and quantity prescribed.
4. The Company will not tolerate on-premises or on-duty use, possession, or distribution of illegal drugs or alcohol or the abuse of inhalants. Employees who use these substances off duty and report for work under their influence may be terminated.
5. The illegal use, sale, trade, or delivery of a drug or controlled substance or the illegal possession of same on or off duty is cause for termination.
6. At the request of the Company, based on reasonable suspicion or evidence of illegal sale, possession, or use of controlled substances, employees must submit to a search of items within the employee's work area and any personal vehicle brought on Company premises or work sites or used on Company business.
7. Applicant Testing: All persons who seek employment for any position may be required to submit to drug testing only after a conditional offer of employment has been made. Collection sites, laboratory locations, the Medical Review Officer ("MRO"), and record keeping will all follow the guidelines set forth in this policy.
8. Employee Testing: All employees may be required to submit to testing under the specific guidelines described in the Drug and Alcohol Testing Policy.
  - a. Post-Accident Testing: Drug and/or alcohol testing, concurrent with treatment for injury or as soon as practicable after non-injury property damage, will be required if the employee:
    - i. Has sustained a personal injury or caused a co-worker or any other person to be injured or

- ii. Has caused a work-related accident or was operating or helping to operate machinery, equipment, or a vehicle involved in a work-related accident or in damage to property.
  - b. Reasonable Suspicion Testing: Drug and/or alcohol testing may be required if an employer has a "reasonable suspicion," based on specific facts and rational inferences from those facts, that an employee:
    - i. Is under the influence of drugs or alcohol or
    - ii. Has violated the Company's written work rules against the use, possession, sale, or transfer of drugs, alcohol, or inhalants.
  - c. Random Testing: At the discretion of Company management, employees may be required to participate in random, spot-check drug screens. Drug tests are unannounced and every employee has an equal chance of being selected for testing.
  - d. Return-to-Duty/Follow-Up Testing: The Company may conduct follow-up testing as permitted and/or required by law. Any positive test during this period may result in termination without notice.
- 9. Testing Procedures:
  - a. Testing of employees will be conducted either during the employee's workday or immediately thereafter. Employees will be compensated for this time at their regular rate of pay.
  - b. The Company may use Breathalyzers or other testing procedures to detect alcohol use or influence by employees while on duty. If alcohol use or impairment is suspected, an employee should be treated in the same fashion as other employees subject to for-cause investigations.
  - c. All applicants and employees who are requested to submit to testing will be directed to report to a laboratory selected by the Company for the purpose of testing including, without limitation, providing a urine, blood, or hair specimen for testing.
  - d. Specimen collection will be performed by the laboratory's personnel and will be conducted in accordance with federal, state, and local requirements to guard the integrity of the specimens, maintain the chain of custody, and ensure the tests are treated as confidential and distribution limited to those having a "need to know."

- e. Testing of the specimen will be performed by a certified laboratory.
- f. Positive test results will be reviewed by the laboratory's MRO who will interpret and evaluate the test results together with the individual's medical history and any other relevant information. Applicants and employees will have the right to provide the MRO with any information the applicant or employee believes may affect the outcome of the test.
- g. All test results will be reported to the Company's designee.

10. Confidentiality:

- a. All test results and related information will be maintained and treated as confidential by the Company, with distribution limited to those having a "need to know."
- b. Such records are property of the Company, but may be made available to the applicant or employee upon his or her request for inspection or copying.
- c. The testing laboratory will not disclose to the Company any information revealed by the testing relating to the general health, pregnancy, or other physical or mental condition of the person tested or any other information if the disclosure is prohibited by federal, state, or local law.

11. Policy Violations and Consequences:

- a. Applicants who refuse to sign the Substance Abuse Screening Consent and Release or submit to testing or who adulterate, dilute, or otherwise tamper with a test specimen or have a positive test result that is confirmed in accordance with federal, state, and local rules and regulations may be denied employment.
- b. Employees who refuse to sign the Substance Abuse Screening Consent and Release or submit to testing or who adulterate, dilute, or otherwise tamper with a test specimen or have a positive test result that is confirmed in accordance with federal, state, and local rules and regulations may be subject to immediate termination from employment.
- c. Any employee who is terminated from employment in accordance with this policy is considered to have been terminated for misconduct and may not be eligible to collect unemployment compensation benefits.
- d. The Company will not take any action under this policy in violation of the Americans with Disabilities Act, or any other law.

- e. Employees who come forward to admit they have a substance abuse problem prior to the Company's initiation of investigative procedures may, at the Company's discretion, be granted leave for the purpose of obtaining appropriate counseling and treatment. Employees who seek appropriate treatment may be conditionally reinstated to their previous status provided they undergo Company- approved substance abuse counseling/treatment at their own expense, maintain the preventive course of conduct prescribed by their drug and alcohol counselor and doctors, and their work performance is not adversely affected by continued abuse of drugs and alcohol.
- f. Treatment for alcoholism and other drug addictions is regarded the same as treatment for any other illness or disability. Eligible employees may apply for these benefits in accordance with the terms of available coverage.
- g. **Employees who are granted the opportunity for treatment will have only one opportunity to go through counseling/treatment.** Employees who do not follow the prescribed preventive maintenance treatment by their drug counselor or who relapse or engage in drug or alcohol use affecting their job performance will be terminated.

12. Amendments:

- a. In accordance with federal, state, and local regulations, the Company has the right to make changes to this policy at any time.
- b. If any part of this policy is determined to be void or unenforceable under state or federal law, the remainder of the policy, to the extent possible, remains in full force and effect.

## **SUBSTANCE ABUSE SCREENING CONSENT AND RELEASE**

I, the undersigned, an applicant for employment with or an existing employee employed by the Company, hereby voluntarily consent to the taking of specimens for substance abuse screening as a condition of my initial and/or continued employment with the Company. I authorize the release of all results of such screening to the Company.

I release the Company, the testing laboratory, its physicians, nurses, technicians, and any other employees or agents involved with my tests from any and all liabilities, claims, or causes of action relating to such substance abuse screening including, without limitation, those that may result from administering such tests and/or the disclosure of test results.

I understand and freely and voluntarily agree that if the Company asks me to, I will submit to substance abuse screening. I understand that either refusal to submit to the substance abuse screen or a positive test result may result in revocation of a conditional offer of employment or termination of my employment, as applicable.

In the case of a breath alcohol test, I understand and agree that if the breath alcohol test level as determined by the test reflects an illegal level of intoxication, I will be unable to operate a motor vehicle and must use an alternative form of transportation operated by someone other than myself. If I refuse alternative transportation, I understand and agree law enforcement officials will be notified.

\_\_\_\_\_  
Employee/Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee/Applicant's Printed Name

## 3.0 EMPLOYMENT REGULATIONS, POLICIES, AND PROCEDURES

---

## 3.1 ORIENTATION POLICY

### 3.1.1 Statement of Policy

The purpose of this policy is to ensure that new employees are introduced properly to their co-workers and instructed in their job duties, responsibilities, and Company policies and practices.

### 3.1.2 Guidelines

1. The primary responsibility for arranging and conducting each new employee's orientation belongs to management.
2. Management should welcome new employees, give them a tour of the Company, introduce them to co-workers, explain their job duties and responsibilities, and inform them of important work rules, procedures, and requirements.
3. All new employees should receive a copy of the Manual to read during their orientation session.
4. Employees should sign a statement that they have read the Manual and agree to abide by its rules, terms, and provisions.
5. Management is responsible for ensuring that all necessary paperwork is completed by new employees, including tax withholding, payroll deduction, I-9, and any other form(s) required by law.

## 3.2 TRAINING PERIOD POLICY

### 3.2.1 Statement of Policy

New employees will serve a training period of ninety (90) calendar days. During this training period, employees will have an opportunity to get acquainted with their fellow employees, surroundings, and new duties. At the same time, employees' work, attendance, abilities, cooperation, and potential value to the Company will be consistently reviewed by their manager.

### 3.2.2 Guidelines

1. All new employees will serve a training period of ninety (90) calendar days.
2. All full- or part-time employees who are promoted may be required to serve a training period for a period of time to be determined by management.
3. A manager may approve up to two (2) consecutive thirty (30) day extensions of the training period for justifiable reasons, such as:
  - a. The manager has reason to believe that an employee whose performance has been marginal will, with additional training and experience, reach an acceptable level of performance; or
  - b. The employee has been absent for a period of time that adversely affects the manager's ability to evaluate the employee's performance.
4. Employees, who successfully complete their training period, depending on the work demand, may be offered continued employment with the Company.
5. The successful completion of the training period does not mean that an employee's employment will continue for any definite period of time. Rather, an employee who successfully completes the training period continues in the employment of the Company as an at-will employee.
6. Employees transferred at management's request during their training period may serve a new training period commencing with the effective date of transfer.
7. Extensions of the training period or transfers will not affect the commencement of benefits.

## 3.3 PERSONNEL INFORMATION POLICY

### 3.3.1 Statement of Policy

It is the policy of the Company to maintain personnel records for applicants, employees, and past employees in order to document employment-related decisions, evaluate and assess policies, and comply with legal record keeping and reporting requirements. The Company attempts to balance its need to obtain, use, and retain employment information with a concern for individual employee rights of privacy; therefore, all personnel information is closely controlled.

### 3.3.2 Guidelines

1. The Business Manager is responsible for overseeing record keeping for all personnel information and will specify what information should be collected and how it should be stored and secured.
2. It is the responsibility of the employee to keep Company personnel files updated. The following information must be provided at the time of employment and changes should be submitted promptly by the employee in writing:
  - a. Name.
  - b. Address.
  - c. Telephone number.
  - d. Marital status (for benefits and tax withholding purposes only).
  - e. Number of dependents.
  - f. Addresses and telephone numbers of dependents and spouse or former spouse for insurance purposes only.
  - g. Beneficiary designations for any of the Company's insurance, disability, pension, and profit-sharing plans.
  - h. Persons to be notified in case of an emergency.



7. The company will normally not release personnel information. After obtaining written consent from the current/ previous individual, the Company will release the date of hire, date of termination, title of last position, and eligibility for rehire. Exceptions may be made to cooperate with legal, safety, and medical officials who need specific employee information.
8. Generally, the Company will also cooperate with federal, state, and local government agencies investigating an employee if the investigators furnish proper identification and proof of legal authority to investigate. However, the Company may first seek advice of legal counsel. The Company may permit a government investigator to review a personnel file.

## 3.4 SECONDARY EMPLOYMENT POLICY

### 3.4.1 Statement of Policy

The Company's pay structure is designed to serve as the full-time employee's primary employment. Full-time employees should receive management approval to engage in any form of secondary employment.

### 3.4.2 Guidelines

1. All employees (*i.e.*, full-time, part-time, and temporary) are required to report additional and/or secondary employment to management.
2. Employees must not conduct or solicit secondary employment in any manner during working hours or in working areas.
3. Employees must not conduct or solicit secondary employment from the Company's customers or while using Company-owned equipment or supplies.
4. Employees may not work, directly or indirectly, for contractors, suppliers, or any other business that may be construed to be a conflict of interest.
5. An employee who is injured at other employment is not covered under the Company's occupational injury and illness plan. Employees granted a leave of absence may not use this time to work for any other employer or themselves.

## 3.5 TERMINATION OF EMPLOYMENT POLICY

### 3.5.1 Statement of Policy

Terminations are to be treated in a professional manner by all concerned and, to the extent practicable, confidentiality should be maintained. The Company endeavors to implement consistent termination procedures in accordance with the Company's equal employment opportunity statement.

### 3.5.2 Guidelines

1. In as much as employees may terminate their employment with the Company at any time and for any reason, the Company can terminate employees at any time and for any or no reason. The Company subscribes to the policy of "employment at-will." Continued employment with the Company is at the sole and exclusive option of Company management.
2. Resignation: An employee desiring to terminate employment should give (2) weeks advance notice. Should an employee resign to join a competitor or at the discretion of Company management, the employee may be required to leave the Company immediately rather than work during the notice period.
3. Permanent employment or employment for a specific term cannot be guaranteed or promised by any Company employee, officer, manager, or owner.
4. All employees leaving the Company will be given a final paycheck with the following terms: If the employee is terminated, they will be paid in full within six calendar days of their discharge. If the employee resigns, they will receive their final paycheck on the next regular pay period after their last day of employment. The final paycheck will include all earned pay and any expenses due the employee, minus authorized deductions and offsets.
5. Employees may receive an Exit Interview Form with their final paycheck.
6. Employees will receive COBRA paperwork for employees with Company Health Insurance.

### 3.5.3 Process and Procedures

1. Management should initiate a termination checklist.
2. All outstanding advances charged to the terminating employee may be deducted from the final paycheck, pursuant to each employee's written authorization.
3. On the final day of employment, the employee must return all Company property to Company management.
4. Management may conduct an exit interview with the employee.
5. All employees leaving the Company will be given a final paycheck with the following terms: If the employee is terminated, they will be paid in full within six calendar days of their discharge. If the employee resigns, they will receive their final paycheck on the next regular pay period after their last day of employment. The final paycheck will include all earned pay and any expenses due the employee, minus authorized deductions and offsets.

## 3.6 GRIEVANCE PROCEDURES POLICY

### 3.6.1 Statement of Policy

The Company's goal is to strive to identify and correct causes of employee dissatisfaction. Our goal is to ensure all employees receive fair and equitable consideration. In the course of an employee's employment with the Company, if a situation arises causing the employee to feel he or she has been treated unfairly, the employee has the right to present complaints or grievances under the provisions of this grievance procedure free of fear, restraint, interference, coercion, discrimination, or reprisal.

### 3.6.2 Guidelines

1. Employees are encouraged to first discuss the problem or complaint verbally with their manager. Employees are also encouraged to discuss the problem with Human Resources when the problem first arises, so that issues can be addressed as soon as possible.
2. When a problem or complaint personally involves a manager, who functions at any step in the grievance procedure, the employee may bypass that manager in the grievance process and go to the next step in the management chain.
3. If the matter is of such a nature that the employee does not wish to discuss it verbally at any step, the employee may write directly to the manager as the first step in the management chain and the President as the final step in the management chain. (See Employee Grievance Form.)
4. Employees may make immediate reports by telephone or in writing to:  
  
Travis Morgan  
6201 Bolm Rd., Ste. 104  
Austin, TX 78721  
512-886-1232
5. Problems or complaints brought to the attention of the manager or Human Resources, which do not involve the immediate manager, will generally be referred to the employee's manager.

## 3.7 EMPLOYMENT PROCEDURES POLICY

### 3.7.1 Statement of Policy

The Company provides equal opportunity to all applicants and employees on the basis of ability, experience, training, and potential. It is essential that all interviewing and management personnel be aware the Company is committed to upholding all federal, state, and local laws concerning Equal Employment Opportunity.

### 3.7.2 Guidelines

1. Defined tasks and stated qualifications will be the basis for screening applications. The telephone may be used for an initial qualifying interview. Each applicant must complete and sign the Company's application for employment.
2. All applicants will be provided equal employment opportunity under federal, state, and local laws.
3. Pre-employment assessments (DISC Personality Test, Wonderlic, and Skill Survey- Reference Checks) may be administered to all applicants for particular job openings. All applicants will be treated equally and will be required to take the same pre-employment assessments.
4. If an applicant requests a reasonable accommodation for purposes of the application process or to enable employment in a position, management will take the accommodation into consideration as required by the Company's Equal Employment Opportunity Policy. Any information provided will be kept confidential and be used solely in accordance with the Americans with Disabilities Act.
5. Managers should conduct structured interviews limited to job-related, historic work behavior questions designed to assess the candidate's experience and qualifications.
6. Offers of employment should be made to the candidate(s) with the overall best qualifications, experiences, and abilities.
7. Before extending an employment offer, and upon the candidate's prior agreement in writing that inquiries be made, at least three (3) references should

be checked. Inquiries should be made in a professional manner requesting only factual, verifiable, and job-related information.

8. Substance abuse screens may only be given to candidates to whom an employment offer has been extended. If a candidate qualifies for an offer of employment, the offer will be conditioned upon satisfactory substance abuse screening, if required. The substance abuse screen should be conducted in accordance with the Company's Drug and Alcohol Testing Policy.
9. The Company believes that the best candidates to fill our job openings may well be some of our present employees. Therefore, we may announce new positions within the Company as they occur. The Company reserves the right to fill job openings with the person best suited for the job, including outside candidates.
10. Job openings may be posted. All present employees are encouraged to review the requirements for each position and apply for those positions in which they are interested and for which they are qualified. Applications will be considered without regard to race, color, sex, age, disability, ancestry, religion, veteran status, genetic screening or testing information, or any other protected class or status.
11. Current and former employees applying for a new position within the Company may be required to follow the same hiring and pre-employment procedures as all new applicants.

## 3.8 EMPLOYMENT OF RELATIVES POLICY

### 3.8.1 Statement of Policy

The Company permits members of an employee's immediate family and close personal friends to be considered for employment and/or promotion on the basis of their qualifications.

### 3.8.2 Guidelines

1. For the purpose of this policy, "immediate family" means any person related to the employee by blood, marriage, or adoption in the following degrees: spouse, parent, child, grandparent, grandchild, brother, sister, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first-cousin.
2. This policy also includes close personal friends of employees.
3. Generally, immediate family or close personal friends may not be hired if it would:
  - a. Create a manager/subordinate relationship with a family member,
  - b. Have the potential for creating an adverse impact on work performance, or
  - c. Create either an actual conflict of interest or the appearance of a conflict of interest.
4. Relatives may not be hired or transferred to areas of employment requiring handling sensitive confidential information concerning a relative such as: personnel or research and development departments.
5. Employees who marry or establish a close personal relationship may be allowed to continue employment as long as the relationship does not result in any of the conditions described above. If one of the conditions described above occurs, attempts may be made to find a suitable position within the Company to which one of the employees may be permitted to transfer. If accommodations of this nature are not feasible, the employees may be permitted to decide which of them will remain employed.

## 3.9 EMPLOYMENT OF MINORS POLICY

### *Age Rules and Requirements*

#### 3.9.1 Statement of Policy

In order to comply with federal and state Child Labor Laws, hiring managers will be required to meet requirements of obtaining Employment Certifications for all employees of the classification of minor as classified by state Child Labor Laws.

#### 3.9.2 Guidelines

1. The Company will not employ individuals under the age of 16 years.
2. Employment applications ask the question: Are you under 18 years of age?
  - a. If the answer is yes, it is the hiring manager's responsibility to verify the applicant is 16 years of age or over and can provide proper work permits before continuing with this applicant in the hiring process. The work permits will be kept in the employees' file.
3. In determining the nature and hours of work for minors, the Company adheres to all applicable federal and state Child Labor Laws.

## 3.10 REHIRE OF FORMER EMPLOYEES POLICY

### 3.10.1 Statement of Policy

Individuals who voluntarily leave or are laid off from employment may be considered for rehire. Generally, an employee involuntarily terminated by the Company, regardless of reason for termination, is ineligible for reemployment.

### 3.10.2 Guidelines

1. Applications received from former employees, who are eligible under this policy to be considered for employment, will be processed using the same procedures and standards governing all direct applications.
2. The hiring manager may review the former employee's performance records and the circumstances surrounding the employee's departure from employment with the Company.
3. Former employees reapplying for employment are subject to compliance with all other employment policies in effect upon reapplication for employment.

## 3.11 IMMIGRATION REFORM AND CONTROL ACT POLICY

### 3.11.1 Statement of Policy

To comply with the Immigration Reform and Control Act of 1986 (the "IRCA"), all new employees must provide documentation approved by the Immigration and Naturalization Service (the "INS").

### 3.11.2 Guidelines

1. During orientation, new employees must complete and sign their portion of the INS I-9 form. The employee must:
  - a. Within three (3) business days after the employee's date of hire, provide proof of eligibility as required by the IRCA; or
  - b. Provide the Company with a receipt indicating the employee's application for the proper documents within three (3) business days after the date of the employee's hire if the employee does not have the documents; and within ninety (90) calendar days after the employee's date of hire, present the required documents to the Company for examination.
2. The Company will not discriminate against individuals on the basis of national origin or citizenship, or any other unlawful basis.
3. The Company will not require employees to produce documentation of their authorization to work in the United States beyond that required by or permitted by the INS.

## 3.12 PERFORMANCE EVALUATIONS POLICY

### 3.12.1 Statement of Policy

The purpose of this policy is to provide a system of formal documentation and evaluation of an employee's performance over a specified period of time and allow employees to be rewarded on the basis of individual performance. This policy provides a basis for charting developmental activities to draw upon an employee's strengths and to minimize weaknesses, thereby motivating employees to perform to the full extent of their capabilities and to make the maximum possible contribution.

### 3.12.2 Guidelines

1. Performance reviews for all employees may be completed after the employee's initial training period and annually each Sept. thereafter.
2. Additional performance reviews may be conducted, as management deems appropriate.
3. The Company adopts a "management by objectives" approach to performance appraisals. Each manager and employee should set the employee's individual written goals.
4. Performance reviews will be carried out based upon the needs of each job classification but will conform to the overall standards of the Company.
5. Salary increases may be recommended by the reviewing manager. Salary increases are neither automatic nor periodic. Salary is reviewed and increases are based upon demonstrated skills and performance.

## 3.13 CORRECTIVE AND DISCIPLINARY PROCEDURES POLICY

### 3.13.1 Statement of Policy

The purpose of this policy is to establish a consistent program of actions to help Company employees and their managers discuss and resolve employee misconduct or poor performance.

### 3.13.2 Guidelines

1. Violations of work rules, instances of unacceptable behavior or misconduct, and poor performance may be subject to disciplinary action up to and including termination.
2. Employees who fail to act in the best interest of the Company may be subject to disciplinary action up to and including termination.
3. Employees who believe they have been disciplined unfairly may follow the Company Grievance Procedures. (See Grievance Procedures Policy.)
4. Depending upon the circumstances, the Company may first issue a verbal warning. The verbal warning may be followed by a written warning, and/or other disciplinary action up to and including termination. Depending upon the circumstances, the Company, in its sole discretion, may bypass a verbal and/or written warning and/or a management/employee disciplinary meeting and proceed directly to more severe disciplinary action up to and including termination. For example, without limitation, employee acts of violence, gross misconduct, or other inappropriate conduct may be grounds for immediate termination.
5. Management/Employee disciplinary meetings may be conducted with another member of management or an appropriate employee present to act as a silent witness to the meetings.
6. Management/Employee Disciplinary Meeting Form should be completed at the time of the management/employee meeting regarding disciplinary actions.

## 4.0 FINANCIAL COMPENSATION

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## 4.1 HOW AND WHEN PAYMENT IS MADE POLICY

### 4.1.1 Statement of Policy

The Company wishes to reward employees on the basis of individual job performance and contributions to the Company's profit objectives.

### 4.1.2 Guidelines

1. Employees are paid every other Friday for work performed the prior two-week period ending on the last Sunday. If a Company holiday falls on a payday, employees will receive their direct deposit into their designated account(s) on the last workday prior to the holiday.
2. Pay advances are not allowed. However, an employee may, upon written request to the employee's manager, and upon authorization by the manager have the employee's paycheck routed to another employee in the employee's absence.
3. The following mandatory deductions will be made from every employee's gross wages: applicable federal income tax, social security tax (OASDI and Medicare portions of FICA), and applicable state and city taxes. Every employee must fill out and sign a federal withholding allowance certificate (IRS Form W-4) on or before the employee's first day of employment. If employees are participating in the health coverage for dependents and/or Individual Retirement Accounts, deductions may be made from their wages with their authorization. The Furniture Mall of Texas & Austin's Couch Potatoes will purchase an iPad (see "iPad agreement" form for current price) at current prices including tax. This deduction amount includes the iPad, cost for the case and wireless keyboard. One half the cost will be reimbursed back to the company from the employee by taking \$25 out of each subsequent paycheck until the balance is paid (13 pay periods). If an employee would like to use an iPad3 or better that they already own, the company will provide the case, keyboard, and reimburse the employee \$12.50 per pay period for 13 pay periods. If the iPad is kept by an employee upon leaving the company prior to the one year, the employee must reimburse the company for its contribution and the remaining balance (original price minus the employee contribution already paid) will be deducted from the last paycheck. If the iPad is

retained by the company, the employee will forfeit 50% of the employee contribution already paid. If the employee is using their own iPad and employment ends for any reason prior to the one year, all company reimbursements already made will be deducted from the last paycheck. No deductions will be made for other miscellaneous transactions without written approval from the employee. (See Form #401.)

4. Each employee is required by law to participate in the federal Old-Age, Survivor, and Disability Insurance ("OASDI") and Medicare programs at the rate set by the federal government, which is matched by the Company. State law also requires the Company to pay unemployment taxes.
5. Employees resigning will receive their final pay, minus applicable deductions, no later than the next regular pay period after their last day of employment.
6. All employees leaving the Company will be given a final paycheck with the following terms: If the employee is terminated, they will be paid in full within six calendar days of their discharge. If the employee resigns, they will receive their final paycheck on the next regular pay period after their last day of employment. The final paycheck will include all earned pay and any expenses due the employee, minus authorized deductions and offsets.
7. If the Company is unable to calculate all amounts owed within the above-referenced time periods (e.g., because all appropriate documentation has not been turned in through no fault of the Company), the unpaid amount will be paid as soon as the Company can reasonably calculate the amount owed.

## PAYROLL DEDUCTION AUTHORIZATION

Subject to applicable law, I the undersigned, authorize the Company to deduct from my compensation (including without limitation: paychecks, bonuses, expense reimbursement payments, commissions, wages, salary, and any other monies to be paid to me by the Company) the cost and/or value of:

1. Any unauthorized purchase of tools, supplies, and other items ordered by me for use in connection with my work for the Company, including all normal costs associated with the purchase, return, transportation, taxes, or other reasonable costs;
2. Supplies, tools, and iPads provided to me by the Company or on the Company's behalf on a loan basis and not returned when required;
3. My share of the cost of insurance or other benefits;
4. Time off from work taken by me and/or time paid for by the Company or on the Company's behalf, but unearned;
5. Items stolen or misappropriated or reasonably believed by the Company to have been stolen or misappropriated from the Company, the Company's customers, vendors, and/or the Company's employees, by me;
6. Any unauthorized or excessive expenses, including expenses inadvertently paid to me, or on my behalf, by or on behalf of the Company;
7. Any other debt or other amount I owe the Company;
8. Any amount of loss or damage I cause the Company and/or its customers and/or vendors and/or the Company's employees to suffer through any act or omission on my part, including negligent and intentional acts or omissions;
9. Any and all sums of money I owe the Company and/or the Company's uniform vendor(s) for purchase, rent, or cleaning of uniforms;
10. Any amount of overpayment of compensation or other monies or amounts reasonably believed by the Company to constitute overpayment of compensation or other monies, paid by the Company or on the Company's behalf to me; and

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

Date \_\_\_\_\_

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

Form #401

## 4.2 OVERTIME COMPENSATION FOR NON-EXEMPT EMPLOYEES POLICY

### 4.2.1 Statement of Policy

Overtime is defined as scheduled, approved hours worked beyond the non-exempt employee's normal workweek required to meet unusual demands or to meet usual demands under unusual circumstances.

### 4.2.2 Guidelines

1. Scheduled overtime will be paid for time worked by non-exempt employees in excess of the standard assigned forty (40) hour workweek, which begins Monday morning and ends the following Sunday night.
2. No overtime should be worked unless specific reasons are given and approved by an employee's manager.
3. Payment of wages for scheduled overtime meeting the above criteria will be computed at time and one-half an employee's base hourly pay or the applicable overtime premium.
4. Payment for overtime will be included in the paycheck for the period immediately following the one in which the overtime was worked.

### 4.2.3 Employee Responsibilities

The responsibilities and procedures of the employee in the instance of overtime are as follows:

1. Notify your manager immediately when you determine there will be a legitimate need for overtime to complete your assigned responsibilities.
2. Upon receiving permission from your manager to work overtime, keep careful and accurate records of actual time worked.
3. Submit a written record of each instance of overtime promptly to your manager upon completion.

#### 4.2.4 Manager Responsibilities

The responsibilities and procedures of the manager in regard to overtime are as follows:

1. Ascertain the real need for overtime prior to granting approval to an employee or assigning overtime to an employee.
2. Institute a method of monitoring that the overtime hours are actually worked.
3. Upon frequent need for overtime, investigate alternative measures to be taken to minimize this action.

## 5.0 EMPLOYMENT BENEFITS

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## 5.1 EMPLOYEE CLASSIFICATIONS POLICY

### 5.1.1 Statement of Policy

Positions within the Company generally require full-time employees. In certain functions and during some seasons, work schedules and Company needs may require other than full-time employees. There are three (3) classifications of employees: Full-Time, Part-Time, and Temporary.

### 5.1.2 Guidelines

1. Full-Time: An employee hired for an indefinite period in a position for an agreed upon number of hours per week. The minimum being 32 hours or more depending on the position/ agreement.
2. Part-Time: An employee hired for an indefinite period in a position for which the normal work schedule is at least twenty (20) hours, but less than thirty-two (32) hours per week.
3. Temporary: An employee who is a part- or full-time employee hired by the Company to work for the duration of specific projects or assignments. Temporary assignments generally do not extend beyond a twelve (12) month period, unless approved by the Company. Temporary employees may be salaried or hourly.

## 5.2 INSURANCE PLANS POLICY

### 5.2.1 Statement of Policy

The Company recognizes an employee's desire for financial protection in the event of unexpected and/or unfortunate circumstances. Providing adequate, cost-effective medical, dental, and life insurance protection is a concern of the Company. The plans selected by the Company are designed in an attempt to meet the employee's needs, yet be financially within the reach of the employee. Certain coverage may be offered at no cost to the employee subject to the terms and conditions of the respective plans.

### 5.2.2 Guidelines

1. The Company offers group medical, dental, vision and supplemental insurance for eligible, full-time employees. Employees must work thirty (30) days before enrolling in any healthcare benefits offered by the company.
2. The summary of the plan's description is provided to each eligible employee at the time of employment.
3. In accordance with HIPAA, the Company will assist in requesting a Certificate of Creditable Coverage from a healthcare benefits provider when an employee ceases to be covered by the Company's group health insurance plan.
4. Consolidated Omnibus Budget Reconciliation Act ("COBRA") provides for insurance coverage continuation in circumstances where coverage would otherwise be lost due to change in employment status (e.g., termination for reasons other than gross misconduct by the employee). The cost to the insured may not be more than 102% of the premium currently paid by the Company (150% for the 19th through 29th months of coverage for disabled individuals eligible for additional extended coverage on account of disability). The details of the requirements of this law will be explained by the Company at the time of termination of the employee's insurance eligibility.

NOTE: Generally, COBRA coverage is not available to employees working for an employer who normally employed fewer than twenty (20) individuals for the calendar year immediately before the year of the event that results in the loss of coverage for the employee.

5. Employees taking a leave of absence must make required premium payments on time or coverage may be cancelled retroactively to the last full payment.
6. Texas Insurance Continuation and Conversion apply to employees of companies with fewer than twenty (20) employees. Group policies providing hospital, surgical, or major medical coverage, or a combination of these coverages, provide that an individual whose coverage is terminated is entitled to continue coverage for eighteen (18) months. The employee must have been continuously covered for three (3) months prior to termination of coverage. At the end of the continuation period, the employee may have a separate health insurance policy issued.
  - a. Continuation and conversion privileges do not apply:
    - i. To insurance covering specific diseases or accidental injuries only;
    - ii. If termination resulted from employee's failure to pay the premium;
    - iii. If the terminated policy was replaced within thirty-one (31) days; or
    - iv. If the employee or dependent is entitled to coverage under another law or arrangement.
  - b. Continued coverage and issuance of a converted policy are subject to the following conditions:
    - i. Written application for conversion must be made, and the first premium paid, no later than thirty-one (31) days after termination of group coverage;
    - ii. The converted policy must be issued without evidence of insurability;
    - iii. The terminated employee must pay the premium for the eighteen (18) month continuation (the premium is the same as that applicable to employees remaining in the group);
    - iv. Premium payment frequency is that required by the insurer for the policy form and plan selected, provided that premiums cannot be required less frequently than quarterly;
    - v. The effective date of the converted policy is the day following termination under the group policy;

- vi. The converted policy covers the employee and any dependents who were covered by the group policy at the time of termination (insurer may, at its option, issue a separate policy for any dependent);
    - vii. The insurer is not required to issue converted policies to any person covered by another plan, including Medicare and other group insurance plans.
  - c. Continuation and conversion privileges are available to the surviving spouse of a deceased employee, if any, with respect to the spouse and any dependent children whose coverage terminates upon the employee's death. Similarly, if the spouse's coverage is terminated because the spouse ceases to be a qualified family member while the employee remains covered, continuation and conversion is available to the spouse. If a child's coverage ceases because the child is older than the limits specified in the policy, continuation and conversion apply.
- 7. Questions regarding coverage should be directed to the Business Manager

## 5.3 LEAVE VACATION POLICY

### 5.3.1 Statement of Policy

It is the belief of the Company that vacation time is our employees' opportunity to get away from their job responsibilities. It is a time that is beneficial to the employee, as well as the Company, in that it allows the employee to relax and come back to work refreshed.

### 5.3.2 Guidelines

1. **Eligibility:** All full-time employees are eligible to accrue vacation from their date of employment. Part-time and temporary employees are not eligible for vacation leave.
2. **Accrued Vacation:** Vacation is accrued by each eligible employee on an anniversary year basis who averages thirty-two (32) hours per week for the previous twelve (12) month period, hereinafter referred to as a benefit year, as follows:

#### Years of Service Vacation Per Year:

- a. After 1 full year of service - 5 working days
- b. After 2 full years of service - 10 working days
- c. After 3 full years of service - 1 additional vacation day is accrued after each additional full year of full-time service - up to a maximum total of 20 days or 160 hours.

### 5.3.3 Scheduling Vacations

1. All vacation must be approved in advance by the employee's manager.
2. Requests for vacation should be submitted to the employee's manager for approval at least fourteen (14) days in advance of the desired time off.
3. Vacations are provided for the purpose of encouraging rest and relaxation away from the normal work environment. Consistent with that goal, accrued vacation time should be taken. However, a maximum of 40% of the year's accrual rounded to the lowest full day increment may be carried over to the next benefit year. Any

other unused vacation will be forfeited and employees will not receive payment in lieu of time off.

4. The minimum amount of vacation time that can be used is in one-half (1/2) day.
5. The Company will attempt to schedule vacations as requested. However, employees must remember customer demands and other factors dictate when vacations are scheduled.
6. In case of a conflict between employees' vacation schedules, the first to request the vacation date may be given preference. If date requests are submitted at the same time, the senior employee may have first choice.
7. An employee who voluntarily leaves the Company and has given two (2) week notice and maintained satisfactory performance through the last day of employment will be paid for any available, but unused, vacation accrued during the previous benefit year.
8. An employee who is involuntarily terminated from employment with the Company will not be paid for any available, but unused, vacation accrued during the previous benefit year.
9. An employee who has been laid off and is in good standing with the Company regarding overall performance may be paid for any available, but unused, vacation accrued during the previous benefit year.
10. An employee may not use vacation time once notice of voluntary resignation or involuntary termination has occurred, even if vacation was approved prior to the notice of separation.
11. If an employee is terminated or resigns and has taken vacation time prior to being fully accrued, this amount may be deducted from the final paycheck as an overpayment.
12. Employees requesting extended medical leave may be required to use this benefit as part of their extended medical leave time. (See Extended Medical Leave Policy.)

### 5.3.4 Employee Responsibilities

1. Advise your manager in writing in advance of the dates you request vacation time.

2. Be aware of and considerate of Company activities and/or projects when requesting vacation and remain flexible.

### 5.3.5 Manager Responsibilities

1. Supply employees with Vacation Request/Leave of Absence forms.
  - a. Respond to Vacation Request/Leave of Absence form regarding approval for scheduling in a timely manner.

## 5.4 HOLIDAYS LEAVE POLICY

### 5.4.1 Statement of Policy

All full-time employees are entitled to paid holidays as scheduled each year according to Company policy. These holidays are designated and include scheduled holidays.

### 5.4.2 Guidelines

**Eligibility:** All full-time employees are entitled to paid holidays.

1. In order to receive payment for a holiday, an employee must work the scheduled hours the week that includes the holiday, have a scheduled vacation day with pay on the workday before and after the holiday, have made special arrangements with the employee's manager, or have actually worked on the holiday.
2. Full-time hourly employees who work on a holiday will be paid at their regular rate of pay. Salaried employees who have advance approval from their manager to work a scheduled holiday due to business requirements may take another day off in lieu of the holiday as long as the day off is scheduled in advance with the employee's manager.
3. Employees terminated by the Company will not be paid for any holidays not taken prior to the last day worked. Employees who resign and give advance notice may be paid for holidays falling within the notice period.
4. An employee on unpaid leave is not entitled to holiday pay.
5. Full-time Specialists holiday pay is calculated at their current hourly rate.
6. The Company will observe the following holidays: Easter Sunday (five hours), Thanksgiving Day (eight hours), and Christmas Eve (eight hours), Christmas Day (eight hours).

## 5.5 PERSONAL LEAVE POLICY

### 5.5.1 Statement of Policy

The Company recognizes the employee's need for income protection to reduce the financial burden during temporary periods of sickness, injury, or doctor and dental appointments. Therefore, it is the policy of the Company to provide full-time employees personal leave as financial protection equal to their rate of pay for the number of personal days they have accumulated during their employment.

### 5.5.2 Guidelines

**Eligibility:** Full-time employees will receive three (3) days personal leave per twelve (12) month period. Employees may carry over up to two (2) days of unused personal leave and accumulate no more than 40 hours. Part-time and temporary employees are not entitled to sick leave.

1. Eligibility to use personal leave begins after an employee's initial training period.
2. Employees are not paid for unused personal leave time when they separate from the Company and it may not be used once notice of separation has been given.
3. Accumulated personal leave may be taken for any reason without manager approval.
4. An employee taking personal leave for an entire day will be paid for the day. In case of a partial day absence, personal leave will be paid to hourly employees for minimum of one hour up to actual number of hours lost.
5. In the event of an employee's absence due to illness or injury, the Company may require the submission of a physician's statement.
6. Employees requesting extended medical leave may be required to use this benefit as part of their extended medical leave time. (See Extended Medical Leave Policy.)

## 5.6 EXTENDED MEDICAL LEAVE POLICY

### 5.6.1 Statement of Policy

Any regular full- or part-time employee who suffers a temporary illness or incapacitation for five (5) or more consecutive workdays, thus making the employee unable to perform assigned duties, may be granted extended medical leave in accordance with the provisions of this policy. It is the intent of this policy to provide leave for temporary illnesses or incapacitating conditions that normally have a reasonably predictable time frame, encompassing an onset and an end of the illness and/or condition.

### 5.6.2 Guidelines

1. Subject to leave granted elsewhere in the Manual and any state and/or federal laws to the contrary, an employee who has successfully completed his or her orientation period and who suffers temporary illness or incapacitation rendering the employee unable to perform assigned duties, may be granted extended medical leave without pay for the necessary period as stated by the employee's physician up to a maximum of twelve (12) weeks.
2. The Company may require the submission of a physician's statement to verify the employee's condition and prognosis.
3. **Anticipated Leave of Absence:** An employee who knows the probable date for surgery, maternity, or any other anticipated reason for extended medical leave should notify his or her manager of the date and the expected date of return to work and submit a request in writing thirty (30) days prior to the beginning of such leave. The request should be accompanied by a physician's statement, which includes anticipated beginning date, length of leave, and confirmation that the employee will be unable to work during the leave period.
4. **Continued Incapacity:** All requests for extended medical leave in excess of thirty (30) calendar days must be accompanied by a written physician's statement justifying the leave and estimating the period of leave necessary for recuperation and must be updated every thirty (30) days thereafter.
5. **Clearance to Return to Work:** Employees who have been on extended medical leave for thirty (30) days or more are required to submit a physician's statement

certifying their ability to return to their normal duties and indicating any restrictions.

6. Other Benefits:
  - a. While an employee is on extended medical leave and is using accrued sick or vacation leave, employer contributions for Company-provided benefits will continue. Where an extended medical leave is unpaid, employer contributions for Company-provided benefits will continue for the first thirty (30) days, after which the employee may keep the policies in force by paying the premiums directly.
  - b. An employee's seniority will not be affected by an extended medical leave, except that seniority will be adjusted for unpaid leave in excess of ninety (90) days.
  - c. Sick and vacation leave will not be accrued during an unpaid period of sick leave.
7. Return to Work: Employees should give the Company two (2) weeks advance notice in writing of the date they intend to return to work.
8. An effort will be made to keep the employee's position available, unless business necessity demands replacement of the employee. If it is not possible to keep the employee's job open or to temporarily fill it for reasons of business necessity, the employee may be offered a similar job for at least the same pay. Where no such job opening is available, the employee may be offered a lesser paying job.
9. An employee with continuing health problems who is not able to work regularly may be separated from employment.
10. An employee who is absent from work on a frequent or regular basis or who has attendance patterns that interfere with accomplishment of assigned job responsibilities is not entitled to the provisions of this policy.

## 5.7 FUNERAL LEAVE POLICY

### 5.7.1 Statement of Policy

The Company will provide time off for full-time employees to attend the funeral of family members. An employee's manager must approve whatever period of time is necessary and appropriate under the circumstances. Part-time and temporary employees are not entitled to funeral leave.

### 5.7.2 Guidelines

1. If the conditions warrant and the manager agrees, paid leave will be granted, but the amount of paid leave time will not exceed three (3) regular, working days at regular straight-time wages.
2. Such leave is in addition to all other paid leave time.
  - a. Typically, paid funeral leave is reserved for the death of immediate family members such as spouse, son, daughter, sister, brother, father, mother, grandfather, or grandmother; either natural, step, in-law, foster, or adopted.
  - b. Employees experiencing the loss of other loved ones should discuss the circumstances with their manager. Time off that is granted may be unpaid, but employees may use available vacation time.

## 5.8 JURY OR WITNESS DUTY, COMPULSORY PROCESS LEAVE POLICY

### 5.8.1 Statement of Policy

The Company believes participation in jury service and certain absences due to compulsory process are an important part of an employee's civic responsibility. Time off will be provided to all employees with a valid subpoena, summons, or court order to appear in a civil, criminal, legislative, or administrative proceeding.

### 5.8.2 Guidelines

1. Time off for jury or witness duty or as a result of a valid subpoena, summons, court order, or other compulsory process is excused.
2. To avoid financial loss from serving as a juror or witness or to accommodate compulsory process, full-time hourly employees will be paid their regular pay for the first two (2) days of service. After the first two (2) days of service, full-time hourly employees will be excused to serve the remainder of the service without pay. For the entire period of service, part-time and temporary employees will be excused to serve without pay.

EXCEPTIONS: Hourly employees do not receive paid witness leave to attend trials in which they are plaintiffs or defendants, or in which they are testifying for a fee as expert witnesses. In such cases, the employee must use vacation or take leave without pay. Salaried employees will not have pay deducted for any court appearance or jury duty lasting less than one (1) workweek. However, if employees receive outside compensation for testifying, the Company may offset their pay by the same amount. Salaried employees may not act as expert paid witness without Company approval.

3. Employees must give the Company as much advance notice as possible of the date they will be required to serve jury or witness duty or of the dates they must be absent from work due to compulsory process.
  - a. Employees are expected to contact their managers on a daily basis to keep them informed as to probable duration of service and anticipated date of return to work.

- b. Employees must report for scheduled work when it does not conflict with jury or witness duty or other appearances due to compulsory process.
- c. An employee will not be terminated or otherwise suffer discrimination for serving as a juror or witness or for absences necessitated by compulsory process protected by this policy.

## 5.9 MILITARY LEAVE POLICY

### 5.9.1 Statement of Policy

In compliance with the Uniformed Services Employment and Reemployment Rights Act ("USERRA"), the Company grants military leaves of absence to full- or part-time employees who enter any branch of the uniformed services, Reserves, National Guard, Public Health Corp, or any other category designated by the President in time of war or emergency as well as those who are called to duty or for training, absent for an exam to determine fitness for duty, or funeral honors duty.

### 5.9.2 Guidelines

1. Eligibility for military leave does not apply to temporary employees (*i.e.*, those in a "brief or non-recurrent position" with no expectation of continuing employment). However, seasonal and other temporary employees returning from military service are reemployed to the extent required by law.
2. Health Plan Coverage:
  - a. During an unpaid military leave of absence, the Company will continue to subsidize an employee's group health care benefits for up to thirty (30) days.
  - b. Employees absent on military leave for thirty-one (31) days or longer are eligible for family health benefit coverage from the military. However, employees who wish to obtain health coverage beyond that provided by the military may arrange to continue their coverage under the Company's group health plan for up to eighteen (18) months by paying the full applicable premium.
3. To preserve their reemployment rights, employees should notify the Company of their military obligations as soon as possible before leaving or, if this is not possible, as soon as practicable.
4. While absent on military leave, employees remain in good standing but do not receive pay or accrue annual leave. However, employees who have available, but unused, paid vacation leave may choose to apply that leave to their absence.

5. If qualified for the position, employees belonging to the military forces called to active duty during an emergency are entitled to:
  - a. Return to the same position they would have held if they had not been called to service, if the serviced-related leave lasts ninety (90) days or less, or
  - b. Return to the same or substantially equivalent position that they would have held if not called to service, if the service-related leave lasts more than ninety (90) days.
6. If the employee has a disability incurred in, or aggravated during, his or her military service, the Company will make reasonable efforts to accommodate the disability under the provisions of USERRA and the Americans with Disabilities Act ("ADA"). Employees not qualified to fill their positions because of service-connected disability will be placed in a position they can fill that is as close as possible in status and pay to their former position with or without accommodation according to ADA guidelines.
7. The Company may not be required to reemploy a service member if the Company's circumstances have so changed as to make such employment "impossible or unreasonable" or, in the case of a person who has a disability incurred in or exacerbated by military service, such reemployment would impose an undue hardship on the Company.
8. Reemployment rights apply only to veterans whose cumulative period of uniformed service does not exceed five (5) years while employed by the Company. In computing the cumulative five (5) year period, the Company does not count time spent in National Guard and reservist training, nor does it count involuntary extensions of service that result from the following:
  - a. An order to remain on active duty because of a war or national emergency (unless the extension is for training);
  - b. The veteran's inability to obtain release orders before expiration of the five (5) year period through no fault of his or her own;
  - c. An obligation to complete an initial period of service that is beyond five (5) years;
  - d. An order to fulfill additional training requirements certified in writing by the Secretary of Defense;
  - e. A call into federal service as a member of the National Guard; or

- f. An order to active duty, as determined by the Secretary of Defense, in support of certain operational or critical missions.
9. For employees called to active duty to be reemployed, they or an officer from their command must, as soon as is practical upon release from duty, give written or verbal notice of intention to return to employment.
  - a. For leaves of less than thirty-one (31) days, the employee should report to work by the beginning of the first full work period on the first calendar day after discharge from service, safe travel home, and eight (8) hours of rest.
  - b. For leaves between thirty-one (31) and one hundred and eighty (180) days, employees should apply for reinstatement no later than fourteen (14) days after discharge.
  - c. For leaves of more than one hundred and eighty (180) days, employees should apply for reinstatement no later than ninety (90) days after discharge. If the returning veteran is hospitalized for, or convalescing from, an illness or injury that was incurred in or aggravated by the period of service, the above reporting deadlines may be extended for up to two (2) years for any period of recovery.
10. In addition to making a timely reinstatement request, employees who were called to active duty must also meet the following general conditions in order to be considered qualified for reemployment:
  - a. The employee must have received an honorable discharge or have been discharged under honorable conditions.
  - b. The employee must not have voluntarily remained in the military beyond five (5) years.
  - c. The employee must be qualified to perform the essential duties of the position.
11. Employees not qualified to fill the positions to which they are otherwise entitled have the opportunity to receive the training they need to fill the positions.
12. Employees will be restored to full participation in the benefit plans as soon as they return from military service. Absence on unpaid military leave counts in computing an employee's length of service under a retirement plan and determining the rate at which an employee accrues vacation. Additionally, the

months and hours employees spend in active military duty count toward meeting the length-of-service eligibility requirements to take extended medical leave.

13. An employee returning from a military leave of absence will be reinstated at the rate of pay the employee would have received had the employee continued working during the period of leave. This means that employees returning from military duty will receive any non-performance related pay increases they would have received if they had not entered the military. To receive pay increases associated with promotions that require training, employees must first satisfy training requirements. In some cases, training can be provided on an accelerated basis.
14. Employees will be restored to full seniority based on date of hire and adjusted for any non-military breaks in service. Military leave is not treated as a break in service.

## 5.10 VOTING LEAVE POLICY

### 5.10.1 Statement of Policy

The Company encourages all employees to vote.

### 5.10.2 Guidelines

1. Full-time employees are entitled to take up to two (2) hours to vote without loss of pay unless they have two (2) or more hours between the time of opening and closing of the polls during which they are not on a meal period and/or employed on the job.
2. Request for time off to vote must be made to the employee's manager at least one (1) day in advance.
3. The Company is not required to give the employee time off to vote while the employee is working overtime hours that were voluntarily requested.
4. If the Company voluntarily permits the employee time off to vote during an overtime period, the employee is not entitled to be compensated for this time, either at the employee's regular rate or at the overtime rate.

## 5.11 EDUCATIONAL ASSISTANCE PROGRAM POLICY

### 5.11.1 Statement of Policy

The Company encourages and supports efforts by its employees to improve their skills and educate themselves for advancement by studying job-related subjects at an approved educational institution. Full-time employees with ninety (90) days of continuous employment may be provided with certain education-related expenses in accordance with the following guidelines and criteria. Part-time and temporary employees are not eligible to receive these benefits.

### 5.11.2 Guidelines

1. Application Procedure: Prior to registration for a course, seminar, or workshop, eligible employees must discuss its relationship to the job with their manager. Employees must fill out a Request for Educational Assistance form and have their manager approve and sign the form.
2. The Company makes no commitment to provide for all courses leading to a degree. Each course must be applied for separately and is evaluated on its individual merits and its job-relatedness in accordance with the application procedure. Undergraduate, graduate, and technical/engineering courses are covered by this procedure.
3. Courses or programs must be offered by an approved institution - for example, accredited school, college, university, or correspondence school. The determination of an approved institution is the responsibility of the Company.
4. Reimbursement Amounts and Procedures:
  - a. Reimbursement cannot exceed \$500 per calendar year.
  - b. Receipts for the costs of the course, seminar, or workshop must be submitted to an employee's manager within thirty (30) days of incurring the expense.
  - c. Upon completion of the Company-approved course, seminar, or workshop, the Company provides 50% of the cost of tuition up to \$500 per calendar year if an employee submits evidence of having received no lower than a B

grade. If no grading system is used, the employee must submit evidence of having satisfactorily completed the course or program.

## 5.12 EMPLOYEE DISCOUNT POLICY

### 5.12.1 Statement of Policy

As a benefit to all full- and part-time employees, a discount on all merchandise purchases will be extended.

### 5.12.2 Guidelines

1. Employees who have completed their training period with the Company are eligible for the employee discount.
2. The employee discount price will be the Company's landed cost of the item plus 10% to cover costs of receiving, storage, insurance, etc... Services like delivery will be charged at the regular rate.
3. The employee purchase must be a cash sale. No store credit will be extended for employee discount merchandise. Financing can be used with the employee paying the discount rate for chosen finance plan. We do not have a lay-away program.
4. The sale must have the prior approval of a Manager.
5. The employee discount is allowable only for the employee. Merchandise may be given as gifts, but may not be resold to anyone including relatives.
6. Return of any employee discount item must be approved by the Sales Manager. Out-of-season or previously discounted items will not be eligible for return.
7. Management reserves the right to inspect any and all merchandise or packages prior to the employee leaving the premises.
8. The employee must complete an "Employee Discount / Furniture Purchase" wufoo form and patiently wait for the admin staff to respond. This process can take on average 5-7 business days to create an invoice. If an employee needs the furniture sooner they must pay as a normal customer at full price.
9. Employees must pay for furniture and accessories in full before special orders are placed, or before picking it up from a company location.

10. The employee discount is a benefit. It is designed to make items available to employees at the lowest possible cost. Any abuse or violation of this benefit will be grounds for disciplinary action up to and including termination.

## 6.0 OPERATING POLICIES, REGULATIONS, AND PROCEDURES

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## 6.1 BUSINESS HOURS POLICY

### 6.1.1 Statement of Policy

Furniture Mall of Texas & Austin's Couch Potatoes

**Store locations are open from:**

Monday Thru Friday 10:00 a.m. to 8:00 p.m.

Saturday 10 a.m. to 6:00 p.m.

Sunday 12:00 p.m. to 5:00 p.m.

**Factory hours:**

Monday Thru Friday 8:00a.m. to 4:30p.m.

**Warehouse / D.C.**

Tuesday Thru Saturday 9:00a.m. to 6:00p.m.

### 6.1.2 Guidelines

1. It is the primary objective of the Company to serve its customers. To meet this objective, employees are sometimes asked to spend additional time to complete rush work. This is considered part of the normal working day. Meeting Company objectives may also require overtime work from time to time. Employees are expected to remain flexible and to discuss changes with management. Every effort will be made to attempt to keep additional work requirements to a minimum, but when such additional work is necessary, full cooperation of all employees will be expected. Schedules are subject to change at the discretion of your manager.
2. For all employees to work together satisfactorily, attendance and punctuality are very important.

## 6.2 TIMEKEEPING POLICY

### 6.2.1 Statement of Policy

To ensure employees are paid the correct amounts and leave and/or benefit accounts are accurately maintained, employees must use computer time keeping software, cell phone app, or fill out their time cards or time sheets as required by management according to the following guidelines.

### 6.2.2 Guidelines

1. Employees having questions regarding the instructions and requirements for using ADP to clock in or out; or filling out their time cards or time sheets should contact their manager for clarification.
2. Employees are responsible for recording their hours worked and ensuring that such information is accurately entered into the computer time keeping software, phone app, time clock station, or presented on their time cards or time sheets. Timekeeping information may not be entered into the computer device, website, phone app, or on time cards or time sheets by someone other than the employee without prior written approval from the employee's manager.
3. Employees must clock in and out to accurately reflect their work time, or submit time cards or time sheets to their managers by the prescribed deadline.
4. A manager who is responsible for reviewing weekly time sheets, should boldly write "Prepared by (manager's name)," if the employee is unavailable on the date it is due.
5. Employees should indicate absences due to vacation, personal leave, holiday, or other reasons on the leave request form and or as a note on time sheet or where appropriate on designated forms, website, or phone app.
6. Misrepresentation of time worked, falsification of entries or signatures, defacement or alteration of time cards or time sheets, and tampering with Company timekeeping equipment are serious offenses and will result in disciplinary action up to and including termination of employment.

## 6.3 ABSENTEEISM AND TARDINESS POLICY

### 6.3.1 Statement of Policy

The Company requires employees to give adequate notice as well as a justifiable excuse for absenteeism and tardiness. Arriving late or being absent without an acceptable excuse is a serious problem. Notice of absence and/or tardiness alone, without a good excuse and without a reasonable explanation of the reason for and extent of the absence or tardiness, does not fulfill the employee's obligation. Likewise, a good excuse does not necessarily justify lack of notice.

### 6.3.2 Guidelines

1. All employees are expected to report to work as scheduled and to work their scheduled hours and required overtime.
2. Employees will be charged with an "absence" when they fail to report for scheduled work and/or overtime work.
3. Employees will be considered tardy when they report to work after their scheduled starting time.
4. Excessive absences or tardiness will not be tolerated.
5. All employees who anticipate being late, or who are unable to report to work for any reason, must notify their manager of their absence or tardiness as soon as possible, and in no event (absent a compelling reason) later than thirty (30) minutes before their scheduled starting time. If the manager is not available, the employee should leave a message with the Company's receptionist or if the receptionist is unavailable, the employee must ensure that Company management is made aware of both the fact and extent of the employee's absence or tardiness. In providing this notification, employees should state a reason for their absence or tardiness and indicate when they expect to return to work.
6. Employees who are absent for one (1) workday without properly notifying the Company are subject to termination as a voluntary quit.

7. Subject to leave granted elsewhere in the Manual and any state and/or federal laws to the contrary, any employee on extended, Family Medical Leave Act (FMLA) excused absence from work must return no later than the 183<sup>rd</sup> day from the date the absence began. Any employee not returning to work by the 183<sup>rd</sup> day will be terminated. In order to be considered for future employment, the employee must apply for rehire with the Company. (See Rehire of Former Employees.)

NOTE: Returning in less than 183 days is not a guarantee of employment. All such cases will be reviewed on a case-by-case basis for compliance with state and/or federal laws and the policies in the Manual that may apply to that particular case.

## 6.4 MEAL AND BREAK PERIODS POLICY

### 6.4.1 Statement of Policy

The Company encourages and expects each employee to be ready to serve our customers in an efficient, effective, and courteous manner. Meal and break periods are designed to provide rest periods for our employees.

### 6.4.2 Guidelines

1. No food or beverages are to be consumed in customer areas.
2. Employees must observe the rights of others and eat only the food and beverage they bring. Do NOT take the property of other employees.
3. Meal and break periods will be coordinated by Company management to minimize disruption to Company business, while attempting to provide employees with meal and break periods.

### 6.4.3 Meal Periods

1. The normal work period per shift is from seven (7) to ten (10) hours. For every 6 hours worked you must take a daily 30-minute, unpaid meal period. It should be scheduled close to the midpoint of the employee's work shift, depending upon the scheduling needs of the Company.
2. Meal periods should be scheduled with the employee's manager.
3. Meal periods should remain flexible to adhere to the needs of our customers and Company business.
4. Meal periods are unpaid, unless employees are required to remain at their workstations and are available for work duties.
5. In order to avoid disruption of services, all employees must adjust their meal periods to ensure adequate staffing is maintained. Hourly employees' adjustments are subject to management approval.

#### 6.4.4 Break Periods

1. When possible, break periods may be scheduled by an employee's manager.
2. Two (2) breaks, one during midmorning and one in the afternoon, of fifteen (15) minutes each may be taken by the employee, depending upon the scheduling needs of the Company.
3. Break periods must remain flexible to adhere to the needs of our customers and Company business.
4. Customer services must not be postponed or delayed for the purpose of break periods.
5. Employees are not permitted to accumulate any unused break periods or use break periods as the basis for starting late, quitting early, or extending a scheduled meal period.

## 6.5 INCLEMENT WEATHER/NATURAL DISASTER POLICY

### 6.5.1 Statement of Policy

Employee safety is a Company's concern and priority. However, we are a provider of goods and services and it is generally necessary for the Company to be open during normal business hours to provide maximum service. In the event disabling weather, a natural disaster, or a Company- declared emergency occurs during non-working hours, employees should contact their immediate manager for instructions.

### 6.5.2 Guidelines

1. When a temporary inclement weather, natural disaster, or other emergency closing has been declared by the Company:
  - a. Employees will be notified with instructions to avoid coming to work, or instructions to return to work by the following methods: Company Communication Portals such as: Podium, company email, or current phone numbers of employees provided within ADP.
  - b. Salaried employees will receive their regular pay for the remainder of the affected workweek. However, salaried employees may be expected to carry on with work that can suitably be performed from home or in another available setting.
  - c. Hourly employees may use available vacation time in order to receive their regular pay for the hours they would have normally worked, exclusive of any scheduled or anticipated overtime hours.
2. When an emergency closing has not been officially declared by the Company, hourly employees who do not report to work will not be paid and lost time may not be compensated through the use of paid leave (e.g., vacation, personal). Salaried employees' pay may be subject to deduction if they have no paid leave from which to draw.
3. If an early closing is declared during a workday, all employees who report to work will be compensated for their normal workday, regardless of the number of hours actually worked. Employees who do not report to work will not be compensated.



## 6.6 RELEASE OF COMPANY INFORMATION POLICY

### 6.6.1 Statement of Policy

In the course of employment with the Company, employees may have access to confidential information regarding the Company, its customers, business, and/or vendors. Though employees may not be aware that information is sensitive or is of value to others, it is the responsibility of all employees to safeguard and maintain the confidentiality of all Company information.

### 6.6.2 Guidelines

1. Only authorized Company management personnel are permitted to give statements, oral or written, regarding the Company or its customers to any member of the media including, without limitation, the press.
2. If an employee receives a request for information from anyone who is not an employee or a manager known to the employee, the employee is to contact his or her immediate manager and report the request. Employees may give the person requesting the information their manager's name and provide the person with information regarding how to contact the manager or refer the person to the President.
3. No inquiries about the Company are to be answered by unauthorized employees electronically, in writing, on the telephone, in person, or by any other means. Some examples of people or entities that could conceivably contact an employee in an attempt to gain information are listed below, without limitation. The employee should refer third parties to his or her manager or to the President. Media: Television/ Radio/ Newspaper, Attorney's Offices, United States Department of Labor (including without limitation, its Directorate of Civil Rights, its Wage and Hour Division, or the Solicitor's Office) Local, State, County, or Federal Courts Local, State, or County Human Relations Commissions, Occupational Safety and Health Administration (OSHA), United States Equal Employment Opportunity Commission Prospective Employers Seeking Employment Verifications and References Credit Bureaus, Banks, Mortgage Companies, Other Financial Institutions Telephone Service and Other Vendors Police Departments Other Similar Agencies, Companies, or Individuals

4. Employees who have a question as to whether the information being requested applies under this policy must contact their manager for instructions. **DO NOT VOLUNTEER, PROVIDE, OR OTHERWISE DISCLOSE ANY INFORMATION TO THIRD PARTIES.**
5. Employees should be polite and exhibit professionalism, but refer the questions to their manager or to the President.
6. Price information procedures, policies, and any other information regarding the Company and its business is strictly confidential and proprietary and must not be shared with customers, competitors, vendors, their representatives, or other third parties. Discussing Company information in an indiscreet or careless manner, inside or outside the Company, displays poor judgment and undermines the confidence the Company has placed in its employees. Absent express Company management approval, employees may not discuss or otherwise disclose the Company's pricing policies, actual pricing, or any other Company information with anyone outside the Company. Talking about pricing, or otherwise disclosing pricing information, especially with or to competitors, may result in damage to the Company and/or a price fixing charge against the Company and/or other liability.
  - a. Nothing in this policy should be construed to interfere with the right of appropriate law enforcement or government agencies to conduct investigations, or the cooperation of employees in investigations, within such agencies' jurisdiction. Upon request, the Company will reasonably cooperate in investigations subject to the Company's right to be represented by counsel in such circumstances.

## 6.7 CONFIDENTIALITY POLICY

### 6.7.1 Statement of Policy

It is the responsibility of all employees to safeguard sensitive Company information. The nature of our business and the economic well-being of our Company is dependent upon protecting and maintaining business, proprietary, and/or confidential Company and employee information.

### 6.7.2 Guidelines

1. Continued employment with the Company is contingent upon compliance with this policy.
2. All managers bear the responsibility for the orientation and training of their employees to ensure enforcement of Company confidentiality standards.
3. Proprietary, confidential, and/or business information encompasses all trade secrets, which, if known to a competitor, could provide them with unfair competitive advantage and all information relating to the Company's legitimate business interests, including without limitation:
  - a. Sensitive information relating to the Company's products, processes, screening, training, staffing, strategies, philosophies, and know-how;
  - b. Customer and vendor information including customer and vendor lists, needs, preferences, expectations, as well as financial, family, health, or any other information obtained through the Company's work with customers and/or vendors;
  - c. Test data;
  - d. Sensitive marketing data, information, and plans;
  - e. Sensitive pricing information;
  - f. Wage and salary information regarding other employees or former employees;
  - g. Business plans and strategies; and



## 6.8 TIPS, GRATUITIES, GIFTS, AND PRIZES POLICY

### 6.8.1 Statement of Policy

The goal of the Company is to provide 100% customer service and satisfaction. Employees may not solicit tips or other gratuities from customers.

### 6.8.2 Guidelines

1. Soliciting tips or gratuities or charging additional amounts for normal customer services is not permitted.
2. Gratuities include things of value acquired during service or in return for service or anticipated service.
3. Employees who are offered tips or other gratuities are to decline such tips and/or gratuities and inform the person offering the tips or gratuities that it is the policy of the Company not to accept tips for service from our customers.
4. At the Company's discretion, gifts or prizes (in excess of \$50 in value) won as a result of an employment relationship may be considered Company property unless the gift or prize is considered a recognized and standard form of wage for the employee's position.

## 6.9 PROFESSIONAL CONDUCT POLICY

### 6.9.1 Statement of Policy

All employees have a direct impact on the image of our Company. The Company has established an image of professional service to our customers and expects our employees to reinforce this image.

### 6.9.2 Guidelines

1. Unacceptable conduct is defined as an action or behavior that is contrary to the best interest of the Company, co-workers, and professional relationships with customers.
2. Employees are expected to present a neat, business-like appearance on the job.
3. Employees shall respect the property of others and of the Company and use Company property, funds, and time for legitimate Company business only. Stealing or misusing Company funds, property, or confidential information is cause for immediate dismissal.
4. Every employee is expected to abide by Company policies, priorities, and directives in conjunction with the performance of job responsibilities.
5. If an employee engages in behavior that discredits the Company or shows a serious lack of dependability or good judgment, it may be appropriate to review that employee's responsibilities with the Company.
6. Bargaining tactics, giving misinformation, deceiving, or making promises about a product or service that cannot be upheld is not permitted by the Company.
7. An employee's manner of conversation and actions often leave an impression on the minds of others. Therefore, each employee is to maintain appropriate and courteous workplace behavior that fosters positive co-worker communication, interaction, and teamwork and encourages professionally rewarding relationships with customers and other third parties.
8. All employees are expected to show concern for the rights of others. Offensive language, physical or verbal abuse or threats, violence, sexual or other forms of

harassment, intimidation, or the subjection of another person to inappropriate, abusive, threatening, or demeaning actions are all subject to disciplinary action up to and including termination.

9. Employees who make comments to provoke others or otherwise engage in provocative conduct toward co-workers or other individuals are generally held at least equally culpable for any ensuing physical altercation, even if they do not strike the first blow or otherwise initiate a physical confrontation.
10. All customers and customer information are to be treated in a business-like manner, including guarding confidential customer information in casual conversations.
11. Employees are expected to act in the best interest of the Company.
12. Employees are encouraged to engage on social media with the Company. However, they need to be aware that their posts, comments, images, etc. posted on their own social media networks, as well as, those on the Company networks reflect upon the Company and should show concern for the rights of others (see above).

## 6.10 OFFICE ROMANCE/DATING POLICY

### 6.10.1 Statement of Policy

The Company recognizes its responsibility in promoting awareness and providing guidelines on the problems that may arise in the workplace as the result of employees' romantic and sexual relationships with other employees. This policy is not intended to discourage friendship between co-workers or between management and non-management personnel. It does not prohibit all consensual romantic relationships between employees. It does, however, prohibit romantic or sexual relationships between employees that may interfere with productivity. It also prohibits romantic or sexual relationships between employees that create or appear to create potential conflicts of interest or charges of sexual harassment.

### 6.10.2 Guidelines

1. The terms dating and romantic relationships, as used in this policy, include, but are not limited to: casual dating, serious dating, casual sexual involvement where the parties have no intention of carrying on a long-term relationship, cohabitation, and any other conduct or behavior normally associated with romantic or sexual relations.
2. The restrictions on romantic relationships and dating apply despite the sexual orientation of the employees involved. This policy applies equally to opposite-sex and same-sex relationships and will be implemented in a non-discriminatory manner. The Company will take any steps necessary to avoid disparate impact on either sex.
3. This policy applies only to consensual romantic or sexual relationships between employees. "Unwanted sexual attention" (including physical contact) and sexually-oriented behavior with the purpose or effect of creating an offensive environment is strictly prohibited. (See Sexual Harassment Policy.)
4. The Company strongly discourages management personnel from engaging in romantic or sexual relationships with non-management personnel. It would be improper for a manager to have any kind of romantic or sexual relationship with non-management personnel in his or her department and all such relationships should be fully disclosed to Company management.

5. Failure to make required disclosures or comply with a recommendation to resolve a conflict with this policy may result in disciplinary action up to and including termination of employment.

## 6.11 CONTRIBUTIONS AND SOLICITATIONS POLICY

### 6.11.1 Statement of Policy

The purpose of this policy is to establish guidelines for solicitations and requests for personal and corporate contributions.

### 6.11.2 Guidelines

1. No third parties are allowed on Company premises for the purpose of soliciting.
2. No employee is permitted to sell or solicit non-Company goods and/or services of a business nature to other employees or the Company's customers or vendors.
3. Company telephones and mail service are not to be used for the purpose of soliciting.
4. All solicitations are discouraged and any exceptions and requests for personal and corporate contributions must be approved and coordinated through the corporate office.

## 6.12 DRESS AND GROOMING POLICY

All Retail Sales positions and office administrative positions: APPROPRIATE ATTIRE FOR WORK-BUSINESS CASUAL.

Exceptions to this policy are warehouse, delivery, janitorial, factory, and porter positions.

### **Ladies- Modest Conservative:**

Blouse/Tops: Loose Fitting, No low-cut designs, Shell tops and tank tops need to be accompanied by a cardigan

Skirts and Dresses: 3 inches maximum above the knee, Dress must have sleeves or be accompanied with a cardigan

Pants: Business fit-no unstructured styles, No Jeans, No cargo pants or capris

Jackets: Optional in a suitable fabric, No hoodies

Footwear: No beach flip-flops, beach sandals, or slippers. Open-toed shoes must have a heel. Flats must be accompanied with the appropriate trouser sock or no sock.

Unacceptable items: Exposure of mid-drift, offensive body art, or offensive piercings.

### **Gentlemen-Modest Conservative:**

Dress shirts: Long or short sleeves

Pants: Business fit- No unstructured styles, No cargo pants or shorts, No jeans

Footwear: Professional footwear, No beach flip-flops, beach sandals, or slippers

Unacceptable items: Exposure of mid-drift, offensive body art, or offensive piercings.

## 6.13 STORE APPEARANCE POLICY

### 6.13.1 Statement of Policy

Store appearance is extremely important to our success. All employees are required to do their part to maintain the professional appearance of our store(s).

### 6.13.2 Guidelines

1. All employees are responsible for maintaining neat and clean work areas.
2. Personal decorative items in professional taste are acceptable.
3. Posters, cartoons, bumper stickers, screensavers, desktop wallpaper, calendars, and other materials presenting political, social, or other commentary are inappropriate. These types of items will be removed by management.
4. All employees are responsible for keeping our common areas, lounge, kitchen, rest rooms, etc., clean at all times.
5. To maintain the highest level of confidentiality and professionalism possible, any customer information should be filed at the end of the day and each employee will be responsible for the storage and maintenance of files, forms, and any other work-related material.
6. The store must be secured at the end of each business day to protect Company property.

## 6.14 CARE OF COMPANY EQUIPMENT AND SUPPLIES POLICY

### 6.14.1 Statement of Policy

The Company has invested in equipment and supplies designed to enable our employees to do their work effectively and efficiently. Cooperation in the care and use of equipment and supplies is necessary to maintain the equipment in good condition.

### 6.14.2 Guidelines

1. If any equipment is defective or is not suitable for the job, an employee's manager should be notified immediately.
2. All Company equipment and supplies will be used for Company business purposes only.
3. All Company equipment will be used in the manner consistent with its intent, design, and in accordance with the manufacturer's recommendations.

## 6.15 COMPUTER USE POLICY

### 6.15.1 Statement of Policy

Producing, exchanging, and retrieving information electronically by taking advantage of computer technology presents valuable opportunities for the Company. While employees are encouraged to use this technology, its use carries important responsibilities. Employees are expected to exhibit the same high level of ethical and business standards when using this technology as they do with more traditional workplace communication resources.

Computers, computer systems, iPads, and electronic media equipment (including computer accounts, telephone, facsimile, voice mail, laptop computers, printers, networks, software, electronic mail, Internet, and World Wide Web access connections) are provided for the use of employees for business-related use. It is the responsibility of all employees to see that these information systems are used in an efficient, ethical, business-related, and lawful manner.

The use of information systems is a privilege extended by the Company, which may be withdrawn at any time. An employee's use of computer systems may be suspended immediately upon the discovery of a possible violation of the policies contained in this Manual, or other possible wrongful conduct.

The following guidelines relate to the responsible use of computers, computer services, iPads, and electronic media resources at the Company.

### 6.15.2 Guidelines

1. These resources are Company property and are to be used solely for business purposes. Access by employees requires authorization from the President. This authorization can be revised, restricted, or revoked at any time.
2. Fraudulent, harassing, threatening, discriminatory, sexually-explicit, or obscene messages and/or materials are not to be transmitted, printed, requested, or stored. "Chain letters," solicitations, and other forms of mass mailings are not permitted.
3. Employees are responsible for protecting their own passwords. Sharing user IDs, passwords, and account access codes or numbers is discouraged. Employees may be held responsible for misuse that occurs through such unauthorized access.

4. The Company provides an electronic mail system and network connections for internal and external business communication and data exchange purposes. However, employees should be aware that, despite passwords, account access codes, and the like, the Company has the ability to, and expressly reserves the right to, review any and all information contained in its systems.
5. Use and access may be monitored and tracked by management at any time. Even though files, data, or messages may appear to be "deleted," procedures by the Company to guard against data loss may preserve material for extended periods of time.
6. In order to maintain and ensure Company access to Company data, no employee is permitted to use encryption devices on a Company computer without express written authorization. Any employee authorized to use encryption-coding devices and other security protection devices must provide the applicable keys and codes in a sealed envelope to the President where they will be retained in a secure environment.
7. Introducing or using software designed to destroy or corrupt the Company's computer system with viruses or cause other harmful effects is prohibited. Employees are required to use the Company-provided anti-virus software.
8. Any unauthorized downloading of Internet products could jeopardize the Company's network systems. Any downloading of Internet products must **first** be approved by the President.
9. The Company's information system is intended to serve all employees. Any activities initiated by an employee such as direct line Internet live feed that slows the server is prohibited.

## 6.16 INTERNET USE POLICY

### 6.16.1 Statement of Policy

The Internet can be described as a union of the telephone, mail, television, radio . . . in short, any type of remote communications can be carried out via the Internet. Even though there is no set of laws specifically regulating participation on the Internet (such as postal regulations), there is Netiquette. Netiquette describes the code of conduct all members of the Internet community expect from one another. Underlying all of them are three (3) primary tenets: don't break the law, be a good neighbor, and please use good judgment. Nothing in this policy should be deemed to prohibit an employee from conduct protected by state or federal law.

Activity based, in any part, on the Company's Internet connection should not be considered confidential. This also includes the possibility of inspection of any mail and/or files tagged with an employee's user identification. Internet activity may be monitored.

INTERNET ACCESS ORIGINATION AT THE COMPANY IS A PRIVILEGE EXTENDED BY THE COMPANY THAT MAY BE WITHDRAWN AT ANY TIME.

### 6.16.2 Guidelines

1. Use of the Company's Internet access is strictly limited to Company business. Employees are not to use Internet access for personal business at any time without the approval of management. Email and social networks (Facebook, Twitter, Houzz, Pinterest, Instagram, YouTube, LinkedIn) may be utilized only if they are in-regards to Company business.
2. When using the Company's Internet connection, employees are representatives of the Company in the Internet community. Please be aware of the dangers involved with the following actions:
  - a. Irresponsible use of system resources. Resources include bandwidth (the pipeline for the data both coming into the Company and going out of the Company) and storage (for downloaded files). A finite amount of data can travel across our network at any given time, downloading large files during business hours can compromise the performance of the entire system. Prior to working with large files, please consider the impact this will have on all



8. The basic rule of thumb is: If there is any doubt, don't.

## 6.17 E-MAIL USE POLICY

### 6.17.1 Statement of Policy

Use of electronic mail, commonly called "e-mail," is a privilege provided by the Company. The electronic mail system is the property of the Company and its use is solely restricted to legitimate business purposes. When using Company e-mail resources, employees are representatives of the Company. E-mail use and e-mail files are not confidential. Activity can and may be monitored. Company personnel will have access to an employee's internal and external e-mail. Electronic files can and may be monitored by management at any time and without notice. Even though messages can be deleted, they may be preserved for an extended period of time. Access to electronic files, including e-mail files, will also be provided to third parties, such as law enforcement officials, when requested.

### 6.17.2 Guidelines

1. E-mail use is prohibited in all the following situations:
  - a. Any communication that violates state or federal law, including, without limitation, communications such as libel, release of confidential information or trade secrets, harassment, or threats.
  - b. Any communication that could damage the Company's reputation or potentially put an employee and the Company at risk for legal proceedings by any party such as libelous or harassing communications. Remember that the message an employee sends to another co-worker in confidence can be transmitted to others.
  - c. Any communication that could be construed as an official response from the Company that does not have appropriate approval prior to transmission.
  - d. Communication of a commercial nature, solicitations, advertisements, and similar commercial postings for businesses or non-profit agencies that are not affiliated with the Company and for which solicitation has not been authorized.
  - e. Communication of the Company's proprietary information. Methods and materials developed by the Company, including marketing information, development plans, and technological development are examples of

- proprietary information that are not to be shared without prior management approval.
- f. Harassing, threatening, discriminatory, sexually-explicit, or obscene messages are not to be transmitted or stored. Employees who receive such a message must advise their manager immediately. In the event the manager is not available, contact another Company officer.
2. Use and access can be monitored and tracked by management at any time and without notice to employees. Even though messages may appear to be deleted, procedures by the Company to guard against data loss may preserve material for extended periods of time. Access to e-mail and e-mail records will also be provided to third parties, such as law enforcement officials, when requested.
  3. E-mail should not be used to communicate confidential or sensitive Company information. Employees should anticipate that an e-mail message might be disclosed to or read by individuals other than the intended recipient(s), since messages can be easily forwarded to other individuals and a variety of human and system errors have the potential to cause inadvertent or accidental disclosures of e-mail messages.
  4. The Company strongly discourages the retention of large numbers of e-mail messages whether they appear in the employee's "Inbox," "Sent Items," or "Deleted Items" files. Retention of messages can slow down system performance and messages may contain confidential information. Therefore, employees are to limit the number, distribution, and availability of such e-mail messages.
    - a. If a message does not require a specific action or response, it should be deleted after it is read.
    - b. If the content of a message needs to be saved for more than two (2) weeks, it should be archived to a separate computer file or diskette or printed out and saved to an appropriate file.
    - c. Employees should review their messages weekly and delete those appearing in any e-mail files that are not needed.
  5. Employees who have any questions concerning this policy must contact their managers prior to using e-mail.

## 6.18 WIRELESS DEVICE USAGE POLICY

This document sets forth The Furniture Mall of Texas & Austin's Couch Potatoes & Austin's Couch Potatoes (the "**Company**") policy governing wireless communications device use and applies to all Company employees. For purposes of this policy, the term "wireless device" means any handheld electronic device that can receive or transmit voice, text, or data messages without a cable connection (including cellular telephones, digital wireless phones, radio-phones, walkie-talkies, telephone pagers, personal digital assistants with wireless communications capabilities, or research-in-motion wireless devices). The Company may modify this policy at any time.

### 6.18.1 Use of Wireless Devices

**General Use at Work.** While employees are at work, they are expected to use the same discretion in using personal wireless devices as they use with company phones. Excessive personal calls, texts, and web browsing, or using software applications during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees should limit personal calls during work time, and use personal wireless devices only during scheduled breaks or lunch periods in non-working areas. Other personal calls should be made during non-work times when possible, and employees should inform their friends and family members of this policy. The Company is not liable for the loss of personal wireless devices brought into the workplace.

**Meetings.** As a matter of courtesy and efficiency, employees should not bring wireless devices into meetings. If there is an emergency or anticipated emergency that requires immediate attention, an employee may bring a wireless device to a meeting if it is placed on vibrate or similar mode. Meetings may not be recorded unless a company owner approves in writing.

**Confidentiality.** Because wireless devices are not secure, employees should use discretion while making sensitive or confidential calls.

**Unsafe Work Situations.** The Company prohibits employee use of wireless devices while employees are at a work site where operation of those devices could distract the user or create an unsafe environment. These work sites must be secured or the device used only by employees out of harm's way in those environments. This includes work inside of the factory area.

**Use While Driving.** Except for hands-free navigation purposes, the Company prohibits employee use of wireless for Company-related purposes while driving. This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking phone messages, or any other purpose related to Company employment, the Company, its customers, vendors, volunteer activities, meetings, or civic responsibilities performed for or attended in the name of the Company, or any other Company-related activities not named in this policy. Employees may not use wireless devices to receive or place calls, text messages, surf the Internet, check phone messages, or receive or respond to email while driving if they are in any way performing activities related to their employment. Employees must stop their vehicles in safe locations to use wireless devices.

### 6.18.2 Personal Use of Company-Owned Wireless Devices

**Work-Related Communications.** The Company may issue business wireless devices or downloadable apps for employee's personal devices for work-related communications. To protect the employee from incurring tax liabilities for the personal use of such equipment, these Company-issued devices may be used only for business purposes. Employees in possession of Company equipment (including wireless devices) shall protect that equipment from loss, damage, or theft. When an employee resigns or otherwise leaves the Company's employ, or at any time on request, he or she may be asked to produce the wireless device for return or inspection. If an employee cannot present the wireless device in good working condition within a reasonable time of this request, he or she may be expected to purchase a replacement. Employees who leave the Company with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action to recover these amounts.

**Overtime.** The Company's overtime rules apply to any work done after hours, including using a Company-owned wireless device to make business calls. Employees must request and receive approval of all overtime work in writing in advance. An employee who works overtime without permission is in violation of Company policy.

### 6.18.3 Company-Owned and Supplied Devices or Vehicles

An employee who uses a Company-supplied wireless device or a Company-supplied vehicle is prohibited from using a wireless device while driving, whether the phone call is personal or Company-related. This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose related to your employment, the Company, its customers, its vendors, volunteer activities, meetings, or civic responsibilities performed for or attended in the

name of the Company, or any other Company or personal activities not named here while driving. Use of Company-owned vehicles or wireless devices for personal business is discouraged.

#### **6.18.4 No Use of Camera Function**

The use of the electronic imaging function of wireless devices is strictly prohibited on Company premises. Transmission of any Company information, logos, data, and/or photos of the premises or of any employees, contractors, subcontractors, or visitors is strictly forbidden.

Employees may not take photographs and video, whether by camera phone or any other device, in “private” areas, including restrooms, locker rooms, cafes, offices, warehouses, vehicles, showrooms, manufacturing areas, and research and development department.

#### **6.18.5 Review of Monthly Charges**

The Company may monitor employees’ wireless device use on Company-issued devices. Signs of potential misuse will be brought to the attention of the employee’s manager, who will determine if reimbursement or other action is required.

#### **6.18.6 Special Responsibilities of Managerial Staff**

Management staff is expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy.

Managers should monitor employees to ensure that the presence of wireless devices in the work place provides optimum benefits in managing expenses for long distance telephone usage. Managers should be knowledgeable about the Company’s wireless plan/package to leverage the best use. For example, if there is a choice or an opportunity for savings, a land-based phone should be used for a local call instead of a wireless device. Managers should also address proper wireless-device etiquette with their employees. Managers should immediately implement pre-approved disciplinary measures for employees who violate safety procedures in the operation of wireless devices.

#### **6.18.7 Violations**

A violation of this policy may result in corrective action including confiscation of the device up to dismissal from employment of the Company or legal action.

## EMPLOYEE ACKNOWLEDGMENT WIRELESS DEVICE USAGE POLICY

I acknowledge that I have read and will abide by the Company's policy regarding wireless device usage. In particular, I understand that:

The equipment or downloadable applications (Phone apps) that have been issued to me is for business use only, and I may be required to reimburse the Company for personal and nonbusiness charges or fees;

Before the end of my employment with the Company, I will be required to return all Company-issued equipment and accessories before I will receive my final paycheck;

I am responsible for any damage, abuse, neglect, loss, or theft of any Company equipment that has been issued to me while it is in my care;

The Company may monitor my Company-issued wireless device usage on a routine or special case basis;

The Company may elect not to monitor and or strictly enforce its wireless device policy, but any such election or determination not to enforce the policy strictly may not be construed as a waiver of the Company's right to enforce its policy in any particular situation;

The use of a wireless device while driving is illegal in some places (including New York, New Jersey, Washington, D.C., and Chicago), and should be avoided as a general rule even when a hands-free feature is available;

I should:

- avoid using a wireless device (whether to place or take a call, or to check email) while operating a vehicle, especially in bad weather, unfamiliar areas, or heavy traffic;
- place calls from a stopped vehicle if possible;
- use a proper hands-free device (microphone and external speaker or earphone) when I am obligated to use a wireless device while driving; and
- be aware of local regulations governing wireless device usage while driving; and
- This signed form will be placed in my personnel file, and any violation by me of the Company's wireless device usage policy may result in a loss of access, disciplinary action (including termination), or other legal action.

## 6.19 TELEPHONE PROCEDURES POLICY

### 6.19.1 Statement of Policy

The Company conducts business by telephone and the telephone equipment is provided for the purpose of providing service to our customers.

### 6.19.2 Guidelines

1. Our telephone is important to our customer relations; therefore, we want to project a professional image. The person answering the telephone will answer in a friendly, courteous tone. Example: "Good morning/afternoon/evening. (Name of Company), (your name) speaking. How May I help you?"
2. The Company requests an employee's cooperation in limiting outgoing or incoming personal calls to a minimum. No one objects to the occasional personal telephone call; however, excessive use of the telephone for personal use will not be tolerated. Abuse of telephone privileges will not be tolerated. "
3. When taking a telephone message, please take the information in a clear, legible manner and route the message immediately to the employee for whom it is intended.
4. *When taking a telephone call for another person, make an immediate attempt to find the person for whom the call is intended. Do not leave the caller on hold for an extended period of time. After one (1) attempt to find the person, offer to take a message.*
5. The Company may periodically monitor an employee's telephone communications for the purposes of assessing and/or improving the quality of customer service and product knowledge and presentation skills.
6. The use of personal cell phones is prohibited during working hours except for emergency or reason approved by a manager.

## 6.20 COMPLETION OF PAPERWORK POLICY

### 6.20.1 Statement of Policy

Employees are responsible for completion of certain paperwork and submitting itineraries and projects for assistance in workflow preparation.

### 6.20.2 Guidelines

1. All employees are responsible for their respective paperwork.
2. If paperwork is submitted illegibly or incorrectly, it takes the time of another person to correct this error or it takes time and costs money if merchandise is delivered incorrectly. If it is a recurring problem, it will be dealt with according to costs.
3. Lack of attention to paperwork causing undue errors will be dealt with in accordance with their severity and cost to the Company.

## 6.21 STAFF MEETINGS POLICY

### 6.21.1 Statement of Policy

The Company holds regular staff meetings designed to further the professionalism of employees and to keep employees informed of all projects, policies, and procedures.

### 6.21.2 Guidelines

1. Employees who are expected to attend these meetings will be notified of the meeting in time to arrange their schedules.
2. Timely attendance at these meetings is mandatory.
3. Employees who cannot attend staff meetings in a timely manner should follow the procedures outlined in the Company's Absenteeism and Tardiness Policy.

## 6.22 PARKING POLICY

### 6.22.1 Statement of Policy

The Company provides parking facilities or designated spaces for its employees. These parking areas are on Company premises.

### 6.22.2 Guidelines

1. Employees must use only the area assigned for employee parking. In this way, the Company can provide adequate customer parking and ensure an uncongested traffic pattern.
2. For security reasons, all vehicles parked on Company property are subject to search upon request.
3. The company desires to provide a safe and secure parking area, but is not responsible for theft or damage.

## 6.23 24/7 MONITORING & RECORDING DATA POLICY

### 6.23.1 Statement of Policy

The company reserves the right to record and monitor at all times (24 hours a day, and seven days a week) audio and visual data, including web browsing activity for security and quality control purposes at any company location including company vehicle dash cams, and company owned electronic devices. The company may choose to share electronic records of audio and video with appropriate individuals such as insurance carriers, legal entities, and or law enforcement entities as needed.

### 6.23.2 Guidelines

Employees may not tamper with, relocate, or disable any company owned security or surveillance device including cameras, audio recorders, alarm sensors, alarm systems, electronic or data cables, lighting, software applications, or other structural security devices, or power sources.

## 6.24 DRIVER COMPLIANCE AND SAFETY POLICY

### 6.24.1 Statement of Policy

All employees operating Company-owned vehicles must meet the minimum qualifications set forth in this policy for drivers of Company vehicles and standards for vehicle operation.

### 6.24.2 Guidelines

1. Applicants must disclose their prior driving employment history, including information about traffic violations.
2. Applicants who apply for positions requiring a Commercial Driver's License ("CDL") must provide the Company with a complete listing of traffic violations (other than parking) during the last three (3) years. Applicants must also provide a detailed history of their commercial driving employment (including names and addresses of prior employers) over the last ten (10) year period.
3. Employees who wish to have access to a Company-owned vehicle during non-business hours for personal use must receive authorization from management and must hire an authorized employee of the Company to drive the vehicle and take responsibility for all rules and regulations for its use if not qualified to drive the vehicle in question.
4. Employees may operate a Company-owned vehicle only if they are:
  - a. Acting at the direction and with the explicit permission of the Company,
  - b. Fully insurable under the specifications set forth by the Company's insurance carrier,
  - c. A holder of no more than one (1) driver's license,
  - d. A holder of a valid license for the class of vehicle in question, and
  - e. Otherwise qualified under federal and state regulations to drive the vehicle in question.
5. Drivers must NOT:

- a. Have had any motor vehicle accidents in the last three (3) years;
  - b. Have a record of any major traffic violations in the last three (3) years;
  - c. Have had more than three (3) minor traffic violations in the last three (3) years;
  - d. Have received a felony revocation of driving privileges or felony or misdemeanor driver license suspension within the last twenty-four (24) months;
  - e. Have a Driving While Intoxicated ("DWI") or Driving Under the Influence ("DUI") violation on record for the last ten (10) years;
  - f. Drive a motor vehicle under the influence of alcohol, a controlled substance, or any drug that impairs driving ability or be under the influence of any intoxicating beverage within four (4) hours before on-duty status or operating a motor vehicle;
  - g. Transport a controlled substance unlawfully;
  - h. Use a motor vehicle in the commission of any felony; or
  - i. Leave the scene of an accident unlawfully.
6. The Company practices a "No Rider" policy; therefore, there should be no unauthorized person(s) driving or riding in or on Company vehicles. Riders should be in the vehicle only if authorized by management.
  7. Commercial Motor Vehicles: Employees operating a "Commercial Motor Vehicle" ("CMV") are subject to additional federal and state law requirements and are required to have a valid CDL if they must drive a vehicle that:
    - a. Has a gross combination weight rating or a gross vehicle weight rating of 26,001 or more pounds;
    - b. Is designed to transport sixteen (16) or more passengers, including the driver; or
    - c. Is of any size and carrying hazardous material that requires placarding.
  8. Employees in positions requiring a CDL must adhere to Federal Motor Carrier Safety Regulations as defined by U.S. Department of Transportation, Federal Highway Administration Parts 325, 382-387, 390-399, and 40 and state law requirements.

9. In case of an accident:
  - a. Check everyone involved for injuries. If anyone is unconscious or injured, request medical help, call 911. Administer first aid, if qualified.
  - b. To prevent further damage or injury, move the vehicle out of the way of traffic, if possible.
  - c. Block the scene of the accident using reflective triangles or flashers. Since flares pose a risk in case of fumes or spilled gasoline, allow law officers or rescue personnel to lay flares.
  - d. Stay at the scene. Stay near your vehicle.
  - e. Exchange information. Give the other driver(s) your name, insurance information, and driver's license number. Get the same information.
  - f. Collect vehicle registration numbers for all vehicles involved.
  - g. Get the names and addresses of any witnesses to the accident.
  - h. Take notes on the extent of damage to the other vehicles and the extent of injuries to people involved in the accident.
  - i. Record the name of the responding or investigating officer and the address and telephone number of the police department where the police report will be prepared.
  - j. **DO NOT MAKE ANY STATEMENT.**
  - k. Report the accident. Report all accidents to the police. Notify your manager as soon as possible, but no later than twenty-four (24) hours after the accident. (Note: in some instances, involving CMV accidents, the Regional Motor Carriers' Office must be notified within twenty-four [24] hours of the accident.)

If an accident results in a spill of diesel fuel or other flammable or hazardous chemical, notify the nearest law enforcement and fire departments immediately.

NOTE: A driver who is subject to post-accident testing shall remain readily available for such testing or be deemed as having refused to submit to testing. Nothing in the Company's policies should be construed to require the delay of necessary medical attention for injured people following an

accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

## 6.25 SECURITY POLICY

### 6.25.1 Statement of Policy

The Company has taken precautions in an attempt to make the facilities a safe and secure place. Unauthorized firearms or other weapons are prohibited. Locks have been installed in all points where security or privacy is required. Confidential records and files are kept in a secure, locked area.

### 6.25.2 Guidelines

1. Weapons:
  - a. The Company strictly prohibits unauthorized weapons of any type on Company property, in vehicles owned or controlled by the Company, and at any Company sponsored events. This includes visible and concealed weapons, even those for which the owner has obtained the necessary permits.
  - b. While this list is not all inclusive, weapons include firearms (whether loaded or unloaded), knives with a blade longer than 4", any explosive materials, or any other object that could be used to harass, intimidate, injure, or kill another individual.
2. Keys to Company facilities are issued to those employees who have need to access secure areas. Employees must return keys to their manager at the time of resignation or termination.
3. Only employees authorized by management to receive keys are to have them in their possession. The keys are not to be loaned to other employees or anyone else without the written authorization of management.
4. Management reserves the right to conduct a search of all Company-owned property, personal property on Company premises, or furnished items (desks, vehicles, lockers, packages, boxes, purses, briefcases, etc.) for business-related purposes. If necessary, a search may be conducted without prior notice.
5. At the discretion of the Company, based upon suspicions or evidence of a violation of this policy:

- a. The Company may, for business-related purposes, search any personal article brought on Company premises or work sites or possessed while on Company business.
  - b. The Company may seize any weapon found on Company property, in an employee's possession, or in any personal article brought on Company premises or work sites or possessed while on Company business.
  - c. The Company may search items within the employee's work area including any personal vehicle brought on Company premises or work sites or used on Company business.
6. Persons other than employees should always be escorted through our offices, not allowed to roam at will. If strangers who do not satisfactorily identify themselves are encountered, employees should notify their manager immediately.
  7. Generally, employees should not expect a level of privacy while using Company equipment or while on Company property.
  8. Visitors at Work:
    - a. For safety and security reasons, employees, including supervisors and managers, are not normally permitted to have visitors at work.
    - b. With the approval of the employee's manager or Company management, brief, informal visits may be permitted as long as such episodes are infrequent and do not disrupt or distract the employee's co-workers.

## 6.26 SAFETY PROCEDURES POLICY

### 6.26.1 Statement of Policy

The personal safety and health of each employee is of primary importance. The prevention of occupationally induced injuries and illnesses is of such consequence that, to the greatest degree possible, management will provide the facilities required for personal safety and health.

Our objective is ZERO accidents and injuries.

### 6.26.2 Guidelines

1. All employees are responsible for following common safety practices to protect themselves and fellow employees from injury. These include: Keeping mind and eyes on task, ensuring balance traction and grip, and staying out of the “line of fire”.
2. Employees must use all mechanical and personal safeguards provided.
3. Employees should avoid horseplay.
4. Walk, never run.
5. Do not use equipment improperly. Use the right equipment and tools for the job and use them correctly.
6. Do not smoke, except in designated smoking areas.
7. Never operate any machine unless properly trained and authorized to do so.
8. All tools and equipment are to be maintained in first-class, safe condition.
9. Aisles must be kept clear and materials properly stored and racked at all times.
10. When lifting objects from the floor, keep arms and back as straight as possible, bend knees, and lift with leg muscles.
11. Do not store combustible materials near heater units or water heaters.
12. Know the locations of fire extinguishers.

13. Use ladders, work stands, or step stools for reaching high shelves.
14. Keep long hair tied back when working around machinery.
15. Employees must report all unsafe conditions and all unsafe or defective equipment immediately to their manager.
16. Become familiar with all emergency exits as they provide a clear, safe way to evacuate the building in case of a crisis or disaster.

## 6.27 ACCIDENTS OR INJURIES ON THE JOB POLICY

### 6.27.1 Statement of Policy

The Company is committed to providing a safe working environment. The Company makes every effort to comply with relevant federal and state occupational health and safety laws and to develop the best feasible operations, procedures, technologies, and programs conducive to such an environment.

### 6.27.2 Guidelines

1. All employees are responsible for following common safety practices so as to protect themselves and fellow employees from injury. These include: Keeping mind and eyes on task, ensuring balance traction and grip, and staying out of the “line of fire”.
2. An employee who is injured on the job must report the incident to management immediately. Workers' compensation forms must be completed so claims can be submitted and bills paid.
3. Violation of safe working practices may subject employees to disciplinary action up to and including termination.
4. Get first aid for all minor cuts and scratches. There is a basic first aid kit in each office in case of a minor emergency.
5. Sterile surgical gloves are provided in the first aid kit and should be used if an employee volunteers to provide first aid.
6. Employees operating Company equipment must wear all required or recommended safety protection.
7. If an injury or illness is life threatening and requires an ambulance, call 911 immediately. The most senior member of the management team on the premises must also be notified promptly.
8. Employees must report any and all work hazards, injuries, and accidents immediately to their manager.

9. If an injury is serious but not life threatening, the employee will be taken to the nearest Company-approved health care provider or facility. Should the injury occur when the designated medical provider is closed or unavailable, the employee will be taken to the nearest emergency room. After the emergency room treatment, the employee should consult with the manager to determine whether he or she should go to the Company's designated medical provider.
10. Any employee requiring treatment for an injury will be required to take a standard substance abuse screening.
11. Failure to report any accident that results in an injury may result in the loss of some medical benefits.
12. Failure to report an accident, even if no injury or property damage results, may result in disciplinary action up to and including termination.

## 6.28 CUSTOMER INJURIES POLICY

### 6.28.1 Statement of Policy

In the case of an emergency involving personal injury to a customer, make no statements. Erroneous comments could impair or impede the rights of all involved.

### 6.28.2 Guidelines

1. Immediately assist in establishing a calm, orderly notification of management, police, fire department, or other necessary emergency services.
2. Quickly locate someone qualified to administer first aid, if required.
3. Discourage an injured customer from leaving the premises prior to reporting the injury to management.
4. Accurately record the facts of what happened, who was involved, where it happened, when it occurred, and how it occurred and who witnessed accident, and statement from customer. Have all involved sign documentation.

## 6.29 WORKERS' COMPENSATION POLICY

### 6.29.1 Statement of Policy

Workers' compensation provides medical, rehabilitation, and wage-replacement benefits to employees who sustain work-related injuries or illnesses that arise out of and are in the course of employment. Ordinary diseases of life are not covered unless such disease follows as a consequence of an occupational disease. The injury or disability must be clearly work-related.

### 6.29.2 Guidelines

1. Workers' compensation provides three (3) types of benefits:
  - a. Medical care to treat and relieve the effects of the injury. This includes doctor's fees, hospital costs, lab tests, X-rays, pharmacy charges, prosthetic devices, etc.
  - b. Rehabilitation services necessary to return to work. Often this is physical therapy, retraining, and vocational rehabilitation.
  - c. Payments based on lost wages. These payments are for "temporary disability" or inability to work and authorized by a physician. Payments may also be made if there is a permanent disability (e.g., the loss of an eye or the amputation of a finger or limb).
2. When a work-related injury or illness occurs, it is essential that prompt medical treatment be provided. Unless it is an emergency requiring immediate treatment, do not seek aid without first informing Company management and using authorized medical providers. If it is an emergency, seek initial treatment at the nearest hospital emergency room or medical clinic. Then, notify Company management.
3. Stipulations relating to benefits payable and compensation related to work-related injuries include:
  - a. A reduction in compensation and death benefits where injury is caused by the willful failure of the employee to obey established safety rules and/or use employer-provided safety equipment.

- b. A reduction in compensation and death benefits if the injury was sustained in conjunction with the use of alcohol and/or non-prescribed controlled or illegal drugs. A total forfeiture of benefits or compensation otherwise payable for death or disability will apply if it is determined that the use of alcohol and/or nonprescribed controlled or illegal drugs is the proximate cause of the injury that is in violation of the Company's rule or policy.
  - c. Forfeiture of benefits or compensation otherwise payable for injuries sustained while participating in a voluntary recreational activity.
  - d. No compensation shall be allowed for heart attack or stroke resulting in injury or death due to stress or exertion at work, including mental injury, unless evidence identifies such stress or exertion as being unusual in comparison to pressures and tensions experienced by the average employee in that employment.
- 4. Employees must immediately report all injuries or illnesses, regardless of severity, to their manager.
- 5. Managers are responsible for:
  - a. Ensuring injured employees receive necessary medical attention,
  - b. Preparing a First Report of Injury Form, and
  - c. Coordinating claims with the Company's Claims Administrator.
    - i. Every question must be answered on all forms in order to file the claim promptly with the insurance carrier.
    - ii. Original forms must be forwarded within twenty-four (24) hours to: Carol Hubbard, Business Manager or Jeff Winter, Furniture Mall of Texas & Austin's Couch Potatoes 1901 S.W. Wanamaker Road Topeka, KS 66604
- 6. Employees who are not able to work their scheduled hours as a result of a work-related injury or illness must advise their manager by telephone or letter of the expected date they anticipate returning to work and forwarding all doctor's reports to their manager.
- 7. The Company does not discriminate or retaliate against employees who have filed legitimate workers' compensation claims. Managers do not take or threaten any action to compel or persuade employees not to file a workers' compensation claim.

8. Filing a fraudulent workers' compensation claim or engaging in fraudulent representations with respect to workers' compensation claims or benefits are serious offenses. Employees found to have engaged in fraudulent activities are subject to disciplinary action, up to and including termination of employment. Employees who file fraudulent claims may also be criminally prosecuted.

## 6.30 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION ("OSHA") POLICY

### 6.30.1 Statement of Policy

The federal Occupational Safety and Health Administration ("OSHA") provides standards with which employers must comply to provide their employees with safe and healthy working conditions. To fulfill this obligation to our employees, the Company must be in compliance with the following requirements.

### 6.30.2 Guidelines

1. Posting Requirements:
  - a. The law requires that employees be informed of the basic safety and health protection afforded them.
  - b. To comply with this regulation, each location must post the Job Safety and Health Protection poster in a conspicuous place. This poster outlines the responsibilities of both employers and employees to maintain a safe and healthy working environment.
2. Record Keeping Requirements:
  - a. OSHA requires the Company to maintain OSHA Form #300, Log and Summary of Occupational Injuries and Illnesses. OSHA also requires the Company to maintain OSHA Form #301, the Supplementary Record of Occupational Injuries and Illnesses, for EACH injury and illness.
  - b. For ease of recording, the log and summary should be kept posted at all times.
  - c. The summary, with year-end totals, must be posted no later than February 1 of the following calendar year and must remain in place until April 30.
  - d. Each injury and illness deemed recordable, according to the guidelines on the back of Form #300, must be entered within six (6) working days after the incident.

- e. All injury and illness records must be retained and updated for five (5) years following the calendar year they cover.
3. **Serious Accident and Fatality Reporting:** All work-related employee deaths and/or serious accidents resulting in the hospitalization of three (3) or more employees must be reported to OSHA within eight (8) hours of the incident. The manager must also report the death or accident to the President of the Company. Injuries or accidents involving customers or third parties on company property must be properly documented using the electronic “Customer & Third-Party Injury Form” available on the company intranet website.
4. **Inspections:**
  - a. An OSHA inspector may visit a location at any time, usually during business hours, to confirm that the Company is within compliance with the above requirements.
  - b. A management representative should accompany the OSHA inspector during the walk-through inspection.
5. **OSHA Citation Policy:**
  - a. If an inspector from OSHA inspects the Company and/or if the Company receives an OSHA citation(s), contact the President immediately.
  - b. After reporting the inspection, please send a copy of the citation to the President. This should be done as soon as possible due to time limitations on responses to OSHA citation.
  - c. It is important to report OSHA-related citations to the President because of the impact such a citation could have on the Company.

## REQUEST FOR EDUCATIONAL ASSISTANCE

Course # \_\_\_\_\_

Course/Seminar Designation \_\_\_\_\_

Duration (From/To) \_\_\_\_\_

Tuition/Fees Other \_\_\_\_\_

Approve (Initial) \_\_\_\_\_

Deny (Initial) \_\_\_\_\_

I understand if I withdraw from an approved course of study, voluntarily leave the Company, or am terminated prior to completing an approved course of study, I am responsible for all expenses associated with that course. The amount contributed by the Company will be deducted as an overpayment from my paycheck.

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Manager's Signature

\_\_\_\_\_  
Date