

# Crew Member Handbook

## January, 2015

### AT-WILL EMPLOYMENT STATEMENT

These policies are intended to provide you with general information about STC, ENCE, NAV, and JENESIS, Inc. (also referred to as the "Company") employment policies, practices, guidelines and benefits. They are not intended to create legally enforceable obligations on the part of the Company or its employees. The policies herein supersede and replace all previous personnel policies, practices, and guidelines that are inconsistent with any of the provisions contained herein. The Company reserves full discretion to add to, modify or delete provision of this Employee Handbook at any time and without advance notice. Any words or phrases used in this Employee handbook shall be interpreted by the Company in its sole and exclusive discretion.

THIS HANDBOOK IS NOT INTENDED TO CREATE EITHER AN EXPRESS OR AN IMPLIED CONTRACT OF EMPLOYMENT. RATHER, IT IS INTENDED TO DESCRIBE THE COMPANY AND ITS PRESENT POLICIES AND PROCEDURES. YOUR EMPLOYMENT AND COMPENSATION IS VOLUNTARY AND "AT WILL", MEANING THAT YOU AND/OR THE COMPANY HAS THE RIGHT TO TERMINATE THE RELATIONSHIP AT ANY TIME, WITH OR WITHOUT CAUSE. EACH EMPLOYEE IS REQUESTED TO ACKNOWLEDGE IN WRITING THEIR RECEIPT OF THESE POLICIES, THEIR UNDERSTANDING OF THE FACT THAT THE HANDBOOK IS NOT INTENDED AS EITHER AN EXPRESS OR AN IMPLIED CONTRACT OF EMPLOYMENT, AND THEIR UNDERSTANDING OF THE FACT THAT THEY ARE EMPLOYED "AT-WILL".

No representative of the Company, other than the Owner/Operator, has the authority to enter into any agreement providing for your employment to be for a specified period or to make any agreement contrary to your "at will" employment status. Any agreement that deviates from your "at will" employment status must be in writing and signed by the Owner/Operator of the Company. No one has the authority to make any verbal statements which are legally binding on the Company with respect to altering your "at will" employment status.

### OPEN DOOR POLICY

We're glad to have you at McDonald's. As with any successful business, the success of the whole depends on each member doing his or her part. Every employee is important. Since our success depends on each person, it's our goal that we grow together. The key element to growth is communication. Without it an atmosphere of misunderstanding, distrusts, and low productivity prevails which in the end affects the most important person in our stores – the customer.

To avoid this from happening, you are strongly encouraged to discuss any concern you may have regarding your employment with McDonald's by using the following Open Communication Policy:

"If some aspect of your work or job function is causing you concern or in your opinion is unfair or unjust, you are encouraged to discuss that matter with your immediate supervisor. If you feel you need an accommodation of some kind to perform your job, please discuss this matter with your immediate supervisor. If after this discussion, you feel your problem is unresolved; you are encouraged to contact that person's supervisor for a frank discussion."

This is the sequence of communication or chain of command you should follow in your store:

1. General Manager
2. Area Supervisor or Human Resource Representative
3. Owner/Operator

Anything that you feel needs further attention or clarification, please follow the chain of command.

## **DISCIPLINARY STATEMENT**

Violations of policies will result in disciplinary actions. Disciplinary actions could include suspension or termination. It is impossible for McDonald's to anticipate every form of misconduct that may result in discipline up to and including termination. Discipline will vary according to the circumstances of a particular situation as determined solely by McDonald's.

In situations where serious offenses have occurred or are suspected to have occurred (theft, unlawful acts, gross misbehavior, intoxication, substance abuse, sexual harassment, insubordination, etc.), it may be necessary to use an investigation period. During this investigation period, you may be unscheduled. At the conclusion of this investigation, a disciplinary determination will be made. Depending upon the results of the investigation, prior work history, and the severity of the offense(s), the disciplinary action will range from a warning to a termination of employment.

## **GROOMING POLICY**

It is McDonald's policy to stress the highest standards possible in all phases of operations, including standards regarding cleanliness and neatness. McDonald's is a family restaurant and our employees must reflect this image. Extreme hair color, tattoos, or other fads are not part of this image.

- Piercings around the mouth will not be allowed. Nose piercing with any kind of hoop or ring is not allowed. The Area Supervisor must approve all other nose piercing. Eyebrow piercing must be small rings or studs and have the Area Supervisor's approval. Extreme stud piercing is not allowed. If you decide to get a new piercing and cannot take out the piercing, you will have to take time off work until you can come to work without the piercing.
- Extreme tattoos must be covered. This will be enforced at the discretion of the General Manager or Area Supervisor.
- Fingernails must be short and well manicured. Fingernail length will be determined by the ability to perform your job functions. This includes being able to touch the touch screen of the register with the flesh part of your finger. This determination will be made by the General Manager or Area Supervisor.
- Jewelry is permissible when worn in good taste and limited in size and amount. The Area Supervisor will make this determination. No bracelets or watches are allowed due to food safety issue. No large hoop or dangle earrings due to food safety issues. There will be a maximum of 3 pierced earrings allowed in each ear. Chains must be put inside of your uniform shirt.
- Hair length for male and female employees should not overlap the collar of the uniform shirt. If it does, it needs to be pulled up and secured during working hours. All hairstyles and hair colors (natural colors) should be of a business nature and reflective of the corporate image. Hats must be worn at all times. Do-rags are allowed under your crew hat, if they are black in color and the tails are tucked in.
- Moustaches that are well trimmed and do not overlap the upper lip are allowed. Beards are prohibited. Sideburns and goatees are permissible; however, they should not extend below the earlobe and should be groomed to avoid becoming overgrown.
- All employees must wear sturdy, black, polishable, non-slip shoes. Within 30 days, you must purchase or order proper shoes. All canvas, nylon, sandals, or open toed shoes are not to be worn for safety reasons. Socks must be worn. You may purchase "Shoes for Crew" and the full cost of your shoes will be deducted from your paycheck.
- Daily baths or showers are a very important part of personal hygiene, as is clean hair, brushed teeth and the use of deodorant. Moderate use of perfume cologne and cosmetics are essential.
- A complete uniform includes a hat, clean uniform shirt, proper shoes, name badge, socks or hose, and proper black pants. Pants cannot be yoga pants, sweat/athletic pants, tight-fitting pants, cargo pants or jeans. You will be responsible for coming to work in a clean and wrinkle free uniform. Pants may be altered to reach the top of the shoe, however, no alterations to the style of the uniform are allowed. Pants needing hemming should be brought to the office to be set out for repair at no cost to you. If you leave our employment, you must return all pieces of your uniform which would include 1 crew hat and 2 crew shirts.
- In the cold weather, long sleeved shirts either red, black or white can be worn under your uniform shirt.
- Reasonable accommodations to our grooming policies can be made to accommodate an employee's religious beliefs or medical restrictions. Please speak with your General Manager.

## **WORK SCHEDULE PROCEDURES**

### **1. Availability to work**

Your work schedule will be set up to meet your needs, other employees' needs, and the restaurant's needs. If your availability should change, please notify us in writing at least 2 weeks in advance of the change. Should your availability change, your rate of pay MAY decrease or increase accordingly. Your schedule will not change until the

proper form is completed and signed. New employees cannot change their availability for 6 months unless there is a specific circumstance that must be approved in writing by the Area Supervisor.

## **2. Time Off requests**

You can ask for time off by submitting a written request at least 14 days in advance.

## **3. Calling in procedures/emergencies**

If you are ill and will not be able to work, we ask that you call and speak to a Manager at least **2 hours in advance** of the start of your shift. This must be done verbally – A TEXT MESSAGE IS NOT ACCEPTABLE. If it is an early morning shift, we ask that you call the evening before and then in the morning again. This ensures that the message is delivered. Calling in without a 2 hour notice will result in written documentation. Calling in sick when you are not sick or for an emergency when there is none is a terminable offence. If calling off is a continuous problem, there will be written documentation and discipline will result. All employees who are off work with a doctor's note must have a doctor's note stating they are able to return to work. This also applies to maternity leaves. Requests for leave of absence must be in writing. See your General Manager for the correct form

## **4. Tardiness**

Being even a few minutes late places a burden on other employees. We know that there occasionally are reasons why an employee is late for work. Please be courteous and call when you know you will be late. If this is a continuous problem, there will be written documentation and discipline may result. Clocking in early for your shift without management approval will result in documentation and discipline.

## **5. Covering your shift**

Should you wish to change your shift once the schedule is posted, you must:

- A. find someone to work for you
- B. The person who replaces you must have been trained to work the same position
- C. You must make sure the change is **approved by the shift manager** for the shift you are replacing.

## **6. No Call, No Show Policy**

Should you fail to call in or report to work for a scheduled shift, it will be considered a no-call no-show. **A no-call no-show means you have abandoned your job.**

## **7. Work Schedule**

One of the greatest benefits at McDonald's is flexibility in scheduling. **McDonald's is primarily a part-time employer and does not guarantee hours. We recognize 30 hours a week as full-time employment.** From time to time, you may be asked to work on a shift when you are not scheduled. You will be paid a minimum of 3 hours for these shifts. However, your scheduled hours may have minimum of 2 hours. Your work schedule will be set up to fit your needs, but will be affected by your availability, the availability of other employees, the restaurant needs and your overall performance and versatility. The more you know and the more hours you are available, you increase your chances to be scheduled more hours.

## **NON-DISCRIMINATION & HARASSMENT POLICY**

**EEO Policy:** Above all, the Company values a diverse workforce. The Company's vision for diversity and inclusion is to leverage the unique talents, strengths, and assets of our employees in order to provide the world's best quick service restaurant experience. We continuously strive to maintain an environment in which everyone feels valued, accepted, and rewarded as an integral part of the team. The company is an equal opportunity employer and complies with all applicable federal, state and local fair employment practices laws. The company provides opportunities for recruitment, employment training, development, performance reviews, pay advancement, and any other aspect of employment based solely on individual abilities and job performance. This policy ensures a practice of equal employment opportunity regardless of race, sex, religion, national origin, age disability, veteran status, weight or any other status protected by Michigan, federal or local law.

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

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

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

**Non-Discrimination & Harassment Policy:** The Company strictly prohibits and does not tolerate discrimination against employees, applicants or any other covered persons because of race, color, religion, creed, national origin or ancestry, ethnicity, sex, sexual orientation, gender (including gender nonconformity and status as a transgender or transsexual individual), age, physical or mental disability, citizenship, past, current or prospective service in the uniformed services, genetic information, or any other characteristic protected under applicable federal, Michigan or local law. All employees and representatives are prohibited from engaging in unlawful discrimination. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, training, promotion, discipline, compensation, benefits and termination of employment.

**Unlawful Harassment:** All Company employees, other workers and representatives, including vendors, customers, and other restaurant visitors are prohibited from harassing employees based on that individual's sex or gender (including pregnancy and status as a transgender or transsexual individual) and regardless of the harasser's sex or gender.

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

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

The Company will not tolerate any form of sexual harassment, regardless of whether it is:

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

This list provides a few examples of conduct that may be considered harassment, but isn't a complete list.

The Company's anti-harassment policy applies equally to other forms of unlawful harassment, and all harassment is prohibited both at the workplace and at employer-sponsored events. The company strictly prohibits and does not tolerate unlawful harassment against employees or any other covered persons because of an employee's race, color, religion, creed, national origin or ancestry, ethnicity, sex, sexual orientation, gender (including gender nonconformity and status as a transgender or transsexual individual, pregnancy, childbirth, or related medical conditions), age, physical or mental disability, citizenship, past, current or prospective service in the uniformed services, genetic information, or weight any other characteristic protected under applicable federal, Michigan or local law.

**No Retaliation:** The Company strictly prohibits and does not tolerate unlawful retaliation against any employee by any employee. All forms of unlawful retaliation are prohibited, including any form of discipline, reprisal, intimidation or other form of retaliation for participating in any activity protected by law. Examples of protect activities include:

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

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

**Complaint Procedure:** The Company is committed to enforcing these policies. However, the effectiveness of our efforts depends largely on individuals telling us about inappropriate workplace conduct. If you feel as though you have been subjected to any conduct that you believe violates these non-discrimination, harassment, or retaliation policies, you must promptly contact your restaurant's General Manager, or if you feel uncomfortable doing so, your Human Resources Representative, Area Supervisor, or Owner/Operator as soon as possible after the offending conduct at 734-374-8080. If you have not received a satisfactory response after reporting any incident of what you perceive to be discriminatory conduct, please immediately contact the Owner/Operator at 734-374-8080. These individuals will ensure that a prompt investigation is conducted.

Your complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. The Company will directly and thoroughly investigate the facts and circumstances of all claims of perceived discrimination and will take prompt corrective action, if appropriate.

Any employee at the Shift Manager level or higher that observes retaliatory, harassing or discriminatory conduct as described above must report the conduct to the General Manager, Human Resources Director, or Owner/Operator, so that an investigation can be made and corrective action

taken, if appropriate. Failure to do so may result in disciplinary action up to and including termination. If you have any questions regarding this policy or questions about retaliation that are not addressed in this policy, please contact your Owner/Operator.

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

## SECURITY PROCEDURES

For security and safety on the job, we have established security procedures to be followed by all employees. Please review the procedures and comply with them at all times. Failure to follow these policies will lead to disciplinary action up to and including suspension or termination.

- All employees are to enter and leave through the front doors. **If other outside doors are open, you must still use the front doors.** These other doors are for deliveries or removal of trash. There are alarms that will go off if you try to open them.
- All individuals must have authorization from a manager to go behind the front counter. **This includes employees who are not working.**
- During open hours for business, employees must never open the back door or side door to strangers. All visitors to the restaurant must be greeted at the front counter by restaurant management. Identification must be requested and the visitor's identity ascertained before allowing persons into restricted areas.
- All opening and closing managers will use the staggered method. Your manager will explain this to you.
- Employees will not carry any firearms (or any illegal weapon), illegal substances, or alcohol while on McDonald's property, or concealing such items on the premises.
- Report any unusual incidents (cars circling or on lot for long period of time, people watching our activity for a long period, the safe left open, etc.) to the manager immediately. If you see some unusual action taken by any manager, you need to inform the General Manager.
- Any items found in the lobby, playplace, restrooms, lot, etc. must be turned into a manager immediately. Examples could be a purse, wallet or briefcase, etc. If a customer hands you something that they found, please ask their name or contact number or at least notice their vehicle license plate number.
- In the event of a robbery – **DO NOT RESIST** – FOLLOW THE DIRECTIONS OF MANAGERS AND THE OFFENDER. Also, be observant and calm. You are more important to us than any amount of money. Money can be replaced, YOU CANNOT!!!!

## CASH REGISTER SHORTAGES AND PROCEDURES

The possibility of shortages in our cash registers does exist. We realize that all people occasionally make mistakes. However, this is a serious matter. You will be instructed in the proper methods of handling cash during your training. Shortages can occur in cash or promo coupons used by customers. If you have a combined variance of \$3, plus or minus, written documentation and discipline will take place. This action will be progressive within 90 days for each employee. You will not be required to make up for any cash shortage.

- Reduced sales: Total all orders before assembling. Any reduction afterward must be communicated to a manager. Not notifying a manager could result in disciplinary action.
- Any unauthorized use of a manager's register code will lead to disciplinary action.
- You are responsible for the security of your assigned register. You must count down your register before using it.
- Only a Manager will approve or make change.
- Only a Manager will make change for a customer after the transaction has been completed. There are "quick-change" artists who use making change as a way to steal money.
- You should witness the count down of your register after your shift.
- When away from your register for other duties or on a break, make sure it is turned off.
- A Manager must approve all \$50 and \$100 bills.
- Bills \$20 or higher must be put under the drawer.
- All refunds and over ring slips must be kept in your cash drawer and signed by you and the Manager.
- Theft of company funds will result in termination.
- When a Manager takes a skim on your cash drawer, **you must first count the skim and hand it to the Manager.** The Manager will then verify the skim amount and seal it in an envelope which will then be put in the safe.
- No one is allowed on your cash drawer and you can stop someone from using it. However, with your permission, a manager will work your register if you need to use the restroom.

## **BREAK POLICY**

A 30-minute break may be given when working 3 ½ hours or more. All minors are required to take breaks when working 4 ½ hours or more. Minors must begin their break no later than 4 ½ hours after the start of their shift.

When asked to take a break, the employee must clock out first and adhere to the employee meal policy. The break must be no more or no less than 30 minutes. Due to an unusual circumstance, the Manager may ask you to clock in early from your break. If this happens, we will reissue another 30-minute break at a more convenient time. The portion of the break that you had already taken (if less than 15 minutes) will be taken off your timecard and you will be paid for that time.

## **SMOKE POLICY**

All of our restaurants are smoke free. In efforts to promote employee health and due to the new Michigan Smoking Law, we will no longer permit smoke breaks. While on your meal break, you may smoke, chew tobacco, or use electronic cigarettes in your vehicle or in the corral. Smoking, chewing tobacco, or using electronic cigarettes will not be permitted anywhere else on our property. Once the lobby doors are locked, you will not be allowed to go outside to smoke, chew tobacco, or use electronic cigarettes in your vehicle or in the corral.

Electronic cigarettes are not allowed due to food safety concerns.

Anyone under the age of 18 is not permitted to smoke or have tobacco products on McDonald's premises. This is according to Michigan State law and McDonald's policy.

## **EMPLOYEE MEAL POLICY**

After clocking out for your break, go around to the customer side of the front counter. A Manager will take your order and assemble it for you. You will receive a 50% discount on your meal. You may purchase up to \$8 at the menu price. The employee meal is intended for your consumption on the premises only unless a Manager has given you permission otherwise.

## **WORKPLACE BEHAVIOR**

- Being under the influence of drugs or alcohol will result in disciplinary action. If by your behavior we suspect you are under the influence of drugs or alcohol, you will be expected to accompany us to the clinic to be tested. Refusal will lead to termination.
- Anyone who receives treatment at our clinic for a job related injury may be tested for drugs and alcohol. Refusing this testing could result in disciplinary action up to and including termination. You will remain clocked in while you go to the clinic for initial treatment. You will need to schedule your follow-up care on your own time. You will not be paid for follow-up care.
- Use of abusive, obscene language, or profanity, or threatening customers, crew or managers will result in disciplinary action.
- McDonald's is a family restaurant. As such, we must act in a friendly and professional manner at all times.
- We maintain a respectful workplace. We do not tolerate any form of conduct that demeans or shows hostility toward any individual.

## **SPECIAL STORE RULES**

- It is recommended that you arrive no more than 15 minutes prior to starting your shift and stay no later than 15 minutes after your shift has ended.
- Any misuse of company files, reports, or property will result in disciplinary action.
- Vandalism, while working or off the clock, to McDonald's property will result in disciplinary action.
- Insubordination, knowingly going against authority, will result in disciplinary action.
- If you walk off the job, we understand that you are abandoning your job.
- Employees are not to loiter near the manager's desk area, safe or cabinets.

- Store phones may be used with the permission of the Manager if you are asked to stay later, leave early, or if there is an emergency.
- All personal bags (ex. Duffel bags, backpacks, large purses, etc.) are not recommended behind the counter and are subject to search by management.
- There are bulletin boards throughout the store. This is where new policies and information will be posted. Please check these on a regular basis.
- You may not pick up your check between the hours of 11am-2pm or 5pm or 7pm. These are very busy times. Remember customers come first so you may need to wait until a Manager is able to get your check. Do not ask for your check to be given early.
- If a manager has given you permission to get a drink, you must use a small size cup.
- When not working, crew members will receive a 10% discount on any food purchases.
- Cellular phones cannot be used, seen or heard in any way. If you are caught using one without permission while clocked in, disciplinary action will be taken. No pictures or video can be taken by any employee while on our property without written permission from the Owner/Operator. Doing so will result in disciplinary action which may include termination.
- Any type of electronic device cannot be used, seen, or heard in any way while you are clocked in for work. Ear buds or blue tooth devices cannot be used at any time while clocked in for work.
- Using company time or computers to be on an inappropriate website will result in disciplinary action.
- If you are involved in a Mystery Shop that scores less than 100% in friendliness, you will be counseled and documented. Three such documentations will lead to disciplinary action.
- Any rude customer concerns involving a crew member will be documented. Three such documentations will result in disciplinary action.
- You must make arrangements with your General Manager to pick up your final paycheck.
- If you think you have injured yourself while at work, you must report it to a Manager immediately that same day.
- Any crew person requesting time off under the Family Medical Leave Act must complete all necessary paperwork for approval. Please contact your General Manager to get the correct forms.
- If you notice a Manager doing something unusual, it is your responsibility to contact the General Manager or Supervisor. Some examples would be closing early, not allowing you to take customer orders in the Drive Thru, compromising food quality/safety, etc.
- You will be responsible for any costs incurred by the Company if you need to have your paycheck replaced.

### **MISUSE OF COMPANY PRODUCT AND/OR EQUIPMENT**

Misuse of Company products and/or equipment is a violation of McDonald's policy and will lead to disciplinary action. Misuse of company products includes, but is not limited to:

- A. Giving away food or promotional items to customers, friends, family or other McDonald's employees. This is considered theft.
- B. Consuming or taking food you have not purchased as your employee meal without management approval. This is considered theft.
- C. Taking food products (raw or completed) or promotional items off the premises without payment and/or management approval. This is considered theft.
- D. Throwing food at anyone.
- E. Theft of any kind from the company, employees or customers. Theft would also include taking a customer's personal information.

### **SOLICITATION AND DISTRIBUTION POLICY**

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



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

Solicitation by employees is prohibited on company property, including parking lots, during employees' working time or when the employee being solicited is on working time. Working time is the time employees are expected to be working and does not include rest, meal, or other authorized breaks. Solicitation by employees is also prohibited even when not on working time if such solicitation takes place in an area of the store frequented by customers.

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

## **CRIMINAL SEXUAL OFFENSE**

To continue to protect its customers and employees and, in particular, its customers and employees who are minors; it is the policy of this McDonald's Franchise:

1. to refuse to hire any applicant for employment or
2. to continue to employ any current employee

Who has been convicted of or pled guilty to any criminal sexual offense. This policy is subject to the limitations of applicable laws.

**McDonald's reserves the right to amend or modify any of the previous policies at any time without notice. These policies do not create any contractual obligations between McDonald's and its employees. At McDonald's, your employment is "at will". This means that you are free to terminate your employment at any time, for any reason, and McDonald's retains the same right.**

## **ONLINE COMMUNICATIONS POLICY**

If you participate in online conversations about any McDonald's, its employees, customers or products, it is important that you do it in a way that is safe, appropriate, and legal. The intent of this Policy is not to restrict the flow of useful and appropriate information, but to minimize the risk to you, your coworkers, the McDonald's brand, and STC, ENCE, NAV, JENESIS, Inc. Nothing in this policy should be construed as limiting employees from discussing wages, hours, and other terms and conditions of employment with other employees or outside parties.

Managers must exercise caution and sound judgment if interacting with subordinates on Facebook or similar media sites. Participating in such forums with subordinates may increase the potential to violate these rules and policies. For example, it may not be sound judgment for Managers to "friend" minor employees under the age of 18.

Managers should not use Facebook, or other external websites for work-related communications.

Do follow the policies discussed in this handbook, including the policies against harassment and discrimination.

Do respect your coworkers' privacy. Do not share in any online communications personal health information about your coworkers or any identifiable information that may raise a security issue. This does not prohibit you, however, from disclosing or discussing personal, confidential information with others, so long as you did not come into possession of such information as part of your formal company duties.

During working time, do not use your cell phone for personal use or to engage in personal online communications.

Do make it clear that your views and opinions are yours and not those of this and/or any other McDonald's when you participate in any online communications discussing McDonald's.

Do comply with all copyright, trademark, trade secret, right to publicity and other intellectual property laws in your online communications.

Do not disclose or post trade secrets or other confidential information of McDonald's. This may include, for example, methods or processes, sales figures, guest counts, business plans, how food or marketing promotions are doing, and any other similar internal business-related confidential information or communications.

Failure to follow this policy may result in disciplinary action, up to and including termination of employment.

## **EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT**

### Basic Leave Entitlement

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

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

### Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service-member during a single 12-month period. A covered service member is:

(1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or

illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

\*The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition”.

#### Benefits and Protections

During FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

#### Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months\*, and if at least 50 employees are employed by the employer within 75 miles.

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

#### Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

#### Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

#### Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer’s normal paid leave policies.

### Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

### Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

### Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.

## NEW HEALTH INSURANCE MARKETPLACE COVERAGE OPTIONS AND YOUR HEALTH COVERAGE

### PART A: General Information

When key parts of the health care law take effect in 2014, there will be a new way to buy health insurance: the Health Insurance Marketplace. To assist you as you evaluate options for you and your family, this notice provides some basic information about the new Marketplace and employment-based health coverage offered by your employer.

#### What is the Health Insurance Marketplace?

The Marketplace is designed to help you find health insurance that meets your needs and fits your budget. The Marketplace offers “one-stop shopping” to find and compare private health insurance options. You may also be eligible for a new kind of tax credit that lowers your monthly premium right away. Open enrollment for health insurance coverage through the Marketplace begins in October 2013 for coverage starting as early as January 1, 2014.

#### Can I Save Money on my Health Insurance Premiums in the Marketplace?

You may qualify to save money and lower your monthly premium, but only if your employer does not offer coverage, or offers coverage that doesn’t meet certain standards. The savings on your premium that you’re eligible for depends on your household income.

#### Does Employer Health Coverage Affect Eligibility for Premium Savings through the Marketplace?

Yes. If you have an offer of health coverage from your employer that meets certain standards, you will not be eligible for a tax credit through the Marketplace and may wish to enroll in your employer’s health plan. However, you may be eligible for a tax credit that lowers your monthly premium, or a reduction in certain cost-sharing if your employer does not offer coverage to you at all or does not offer coverage that meets certain standards. If the cost of a plan from our employer that would cover you (and not any other members of your family) is more than 9.5% of your household income for the year, or if the coverage your employer provides does not meet the “minimum value” standard set by the Affordable Care Act, you may be eligible for a tax credit.

Note: If you purchase a health plan through the Marketplace instead of accepting health coverage offered by your employer, then you may lose the employer contribution (if any) to the employer-offered coverage. Also, this employer contribution—as well as your employee contribution to employer-offered coverage—is often excluded from income for Federal and State income tax purposes. Your payments for coverage through the marketplace are made on an after-tax basis.

#### How Can I Get More Information?

The Marketplace can help you evaluate your coverage options, including your eligibility for coverage through the Marketplace and its cost. Please visit [HealthCare.gov](http://HealthCare.gov) for more information, including an online application for health insurance coverage and contact information for a Health Insurance Marketplace in your area.

#### PART B: Information About Health Coverage Offered by Your Employer

This section contains information about any health coverage offered by your employer. If you decide to complete an application for coverage in the Marketplace, you will be asked to provide this information. This information is numbered to correspond to the Marketplace application.

Employer Name: STC,NAV,ENCE,JENESIS Inc

Employer Address: 21421 Goddard Road Taylor, MI 48180

Employer (EIN): ENCE 20-2806866, JENESIS 38-3373332, NAV 38-3428544, STC 38-2388944

Employer Phone Number: 734-374-8080

Who can we contact at this job? Sue Gogola Email: [susan.gogola@us.stores.mcd.com](mailto:susan.gogola@us.stores.mcd.com)

