

●● Happy People Hospitality

EMPLOYEE HANDBOOK

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I. INTRODUCTORY POLICIES

WELCOME

Welcome to Happy People Hospitality!

Please take time to review the policies in this Handbook carefully. Management wishes to welcome you to Happy People Hospitality (the “Company”) and we hope your time spent with us is personally and professionally successful. This Handbook applies individuals working at any of the following Company restaurants: Covacha Nueva York; El Mitote Antojeria; and Ella Social.

If you have any questions about this Handbook, please bring them to the attention of management to discuss. Thank you and welcome to our team.

PURPOSE OF THIS HANDBOOK

This Handbook is a guide designed to acquaint you with Happy People Hospitality and to provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the Handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Happy People Hospitality to benefit you. Familiarity with the contents of this Handbook will be helpful in matters that relate to your employment. Please save this Handbook for future reference.

Nothing in this Handbook is intended to be interpreted as a promise or guarantee of future or continued employment nor does it constitute a promise of specific treatment in specific circumstances. This Handbook is not a contract of employment, or any other contract, express or implied, guaranteeing employment for any specific duration (or guaranteeing any benefits). Rather, its purpose is to describe and summarize Happy People Hospitality’s present policies and procedures and is intended only as a guideline. Other than the employment “at-will” relationship, these policies and procedures, which supersede all prior policies and procedures, may be changed from time to time at the sole discretion of Happy People Hospitality. Your employment with Happy People Hospitality is “at-will” which means that either Happy People Hospitality or you can terminate the employment relationship, with or without cause and with or without notice, at any time. No representative of Happy People Hospitality has the authority to enter into any agreement for a specified period of time or to make any agreement contrary to the foregoing unless it is signed in writing by both you and Cristina Castaneda (or her designee).

This Handbook supersedes all prior handbooks and policies inconsistent with those included in this Handbook. This Handbook reflects personnel policies and employee benefits in effect at the time of the general distribution of this Handbook. Changes may be made to the Handbook or any policy or benefits detailed herein from time to time, and Happy People Hospitality reserves the right to discontinue, modify, or change any of the policies or benefits summarized in this Handbook at the sole discretion of Happy People Hospitality.

On the last page of this Handbook, there is an acknowledgement form. Please review, sign and return it to Human Resources.

GENERAL INFORMATION AND OPERATING HOURS

Happy People Hospitality currently operates three (3) restaurants in New York City, New York.

Restaurant Name	Address	Operating Hours
Covacha Nueva York	368 Columbus Avenue, New York, New York 10023	<ul style="list-style-type: none">• Sunday: 11 a.m. – 9 p.m.• Monday - Thursday: 12 p.m. – 9 p.m.• Friday & Saturday: 12 p.m. – 10 p.m.
El Mitote Antojeria	208 Columbus Avenue, New York, New York 10023	<ul style="list-style-type: none">• Sunday – Monday: 11:30 a.m. – 10 p.m.
Ella Social	249 Columbus Avenue, New York, New York 10023	<ul style="list-style-type: none">• Sunday: 10 a.m. – 9 p.m.• Monday, Tuesday, and Wednesday: 11:30 a.m. – 9 p.m.• Thursday & Friday: 11:30 a.m. – 10 p.m.• Saturday: 11 a.m. – 10 p.m.

Nothing in this Employee Handbook is intended in any way to interfere with, coerce, or restrain any employee from exercising their rights under any federal or state labor law, including the National Labor Relations Act.

II. EMPLOYMENT BASICS

EMPLOYMENT AT-WILL

Your employment with Happy People Hospitality is considered to be “at-will.” This Handbook is not a contract, expressed or implied, guaranteeing employment for any specific duration. Although we hope that your employment relationship with us will be long term, either you or Happy People Hospitality may terminate this relationship at any time, for any reason, with or without cause or notice. No one other than Cristina Castaneda (or her designee) (“Ownership”) has the authority to alter this arrangement, to enter into an agreement for employment for a specified period, or to make any agreement contrary to this policy. Furthermore, any agreement that alters the “at-will” employment relationship must be in writing and must be signed by you and Ownership. This Handbook revokes and supersedes any and all prior policies, procedures and conditions of employment, whether oral or written. Nothing contained in this Handbook should be construed as a guarantee of continued employment.

IMMIGRATION COMPLIANCE

Happy People Hospitality will only employ those individuals who are lawfully authorized to work in the United States. In compliance with federal immigration laws, Happy People Hospitality must collect and review certain information concerning the employment authorization of all employees. Therefore, employees must complete a Form I-9 on the first day of employment with Happy People Hospitality, and must provide satisfactory evidence of identity and legal authority to work in the United States at the time of hire. There will be no exceptions made for failure to present such documentation on a timely basis.

The information presented will be used only for compliance with applicable federal immigration laws and will not be used for any employee-related decision by management or for any unlawful purpose. If an employee’s authorization changes or terminates at any time after the start date of their employment, the employee is required to inform Human Resources immediately.

Happy People Hospitality does not unlawfully discriminate on the basis of immigration/citizenship status or national origin.

EMPLOYEE ADMINISTRATION & PERSONNEL RECORDS

Employees should promptly notify Happy People Hospitality of any changes in personal information. It is extremely important that you keep Human Resources informed with up-to-date records to help Happy People Hospitality reach you in the following situations an emergency, forwarding your mail, W-2 mailing, maintaining your insurance and other benefits, and computing accurate payroll and tax deductions.

It is the responsibility of every employee to notify Human Resources of any changes in:

- Name
- Number of dependents
- Marital status
- Beneficiary designation(s) (for insurance and other benefit plans)

- Contact information, including address, telephone number, and email
- W-4 tax filing status and deduction allowances
- Emergency Contact(s)
- Immigration status, which would affect your employment

It is essential you notify Human Resources as soon as possible of such changes; failing to do so may jeopardize benefit or employment eligibility.

You may be granted access to your personnel files in accordance with applicable state and federal regulations. If you wish to review your personnel file, please submit a written request to Human Resources. Happy People Hospitality reserves the right to decline such requests.

INTRODUCTORY PERIOD

The introductory period for new employees is 60 days from the date of hire. During this time, new employees have the opportunity to evaluate us, learn their job responsibilities, and get accustomed to Happy People Hospitality. This time also provides management with an opportunity to evaluate you. At our sole discretion, we may extend the introductory period. Nothing herein is intended to alter the at-will status of any employee. We may still opt, at our sole discretion, to terminate your employment at any time, before, during, or after the introductory period, for any reason, with or without notice. Thus, completion of the introductory period is not a guarantee of continued employment for any fixed period of time.

Please note that during this introductory period, employees may be randomly tested on Happy People Hospitality's concept, food program, and beverages in both written and oral forms. Poor performance on these tests may result in termination.

III. FAIRNESS POLICIES

EQUAL EMPLOYMENT POLICY

Happy People Hospitality believes that all employees are entitled to Equal Employment Opportunity, and that the success of Happy People Hospitality is primarily dependent on you, our employees. We do not discriminate against employees or applicants for employment because of race (including hair texture and protective hairstyles), color, creed, religion, gender (including gender identity and expression), sex, sexual orientation, marital status, pregnancy, childbirth or related condition, sexual and reproductive health decisions, ancestry, national origin, citizenship, age, height, weight, disability, military or veteran status, genetic information or predisposing genetic characteristic, status as a victim of domestic violence, sexual violence, or stalking, or any other characteristic as protected under applicable federal, state and local law. This policy applies to all employment practices of Happy People Hospitality including, but not limited to, recruiting, hiring (or failure to hire), placement, promotions, transfers, training, compensation, fringe benefits, demotions, layoffs, and termination.

With respect to an employee's sexual and reproductive health decisions, Happy People Hospitality treats all employee medical records as confidential and prohibits accessing an employee's personal information regarding the employee's reproductive health decisions or those of the employee's dependents, without the employee's prior informed affirmative written consent. Further, Happy People Hospitality prohibits discriminating or taking any retaliatory action against an employee based on the employee's reproductive health decisions or those of the employee's dependents or requiring an employee to sign a waiver or other document which purports to deny the employee the right to make their own reproductive health care decisions. Any such discrimination or retaliation will result in disciplinary action, up to and including termination. Additionally, employees who feel they have been discriminated against or subject to retaliation for their sexual and reproductive health decisions may seek recourse by filing a civil action in court.

Similarly, Happy People Hospitality believes that all patrons are equally entitled to a courteous, prompt and enjoyable experience. As such, Happy People Hospitality does not in any way discriminate, nor does it permit its employees or others to in any way discriminate, against patrons based upon legally protected characteristics.

In support of this policy, Happy People Hospitality will not permit the use of racial, religious, age, height, or weight-related, sexual or ethnic epithets, innuendoes, slurs or jokes. Accordingly, epithets, innuendoes, slurs or jokes related to membership in any of the above listed categories are prohibited, even though that conduct may not itself be unlawful. All employees shall conduct themselves in a professional manner and shall refrain from sexual advances, verbal or physical conduct of a sexual nature, or requests for sexual favors.

Any employee who violates this policy and our commitment to equal employment opportunity shall be subject to discipline, up to and including unpaid suspension and/or termination of employment.

Any employee who believes they have been subjected to or has witnessed any form of discrimination in violation of this policy is encouraged and expected to follow the reporting procedures set forth below (see "Reporting a Violation," below). Happy People Hospitality does

not permit or tolerate retaliation of any kind. As such, Happy People Hospitality will not take adverse employment actions against any employee who reports a claim of conduct in violation of this policy. In addition, anyone who retaliates against another for reporting harassment or conduct in violation of this policy will be subject to discipline, up to and including termination. Any employee who believes that they experienced retaliation should immediately report the retaliatory action to Human Resources or Ownership.

ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

Happy People Hospitality is firmly committed to providing an environment free from unlawful discrimination and harassment. Accordingly, it is the policy of Happy People Hospitality that no employee shall be subjected to any form of harassment, discrimination, or retaliation by any other employee, supervisor, guest, vendor, or other visitor to our workplace. This includes harassment, discrimination, or retaliation on the basis of race (including hair texture and protective hairstyles), color, creed, religion, gender (including gender identity and expression), sex, sexual orientation, marital status, pregnancy, childbirth or related condition, sexual and reproductive health decisions, ancestry, national origin, citizenship, age, height, weight, disability, military or veteran status, genetic information or predisposing genetic characteristic, status as a victim of domestic violence, sexual violence, or stalking or any other characteristic protected by law (“Protected Categories”).

While Happy People Hospitality cannot regulate private thoughts or preferences, it cannot and will not permit any form of conduct, verbal, physical, written, or visual, which violates the rights of other employees to work in a harassment-free and discrimination-free environment. The conduct herein proscribed is not only strictly prohibited by Happy People Hospitality, but harassment or discrimination in employment because of any of the Protected Categories may be prohibited by state, local and federal law. Happy People Hospitality does not tolerate any form of harassment, discrimination, or retaliation, even when it does not rise to the level of a violation of law. This policy applies to any employee, supervisor, manager, co-worker, professional, customer, contractor, vendor, client, or any non-employee who conducts business with Happy People Hospitality. Employees who violate this policy may be subject to discipline up to and including termination.

This formal policy against harassment and discrimination is formulated to protect our employees against any form of conduct which a reasonable person, taking into account the sensitivities of the employee, may object to with respect to any of the Protected Categories. As to the prohibition against sexual harassment, this policy is formulated to protect all employees against unsolicited and unwelcome sexual overtures and conduct, whether physical, verbal, written, or visual in nature.

POLICY AGAINST SEXUAL HARASSMENT

Happy People Hospitality is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but Happy People Hospitality recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or

expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of Happy People Hospitality's commitment to a discrimination-free work environment.

Goals of this Policy:

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with Happy People Hospitality. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit <https://dhr.ny.gov/complaint>. To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

Sexual Harassment and Discrimination Prevention Policy:

1. Happy People Hospitality's policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with Happy People Hospitality. For the remainder of this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of Happy People Hospitality.
2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.

3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of Happy People Hospitality who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or Human Resources. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.
4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject Happy People Hospitality to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
5. Happy People Hospitality will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. Happy People Hospitality will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, Happy People Hospitality will act as required. In addition to any required discipline, Happy People Hospitality will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.
6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe or become aware of, to Human Resources.
7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and

all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

What Is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

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

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of Happy People Hospitality's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or

- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called *quid pro quo* harassment.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

Examples of Sexual Harassment

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

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
 - This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship;

- Subtle or obvious pressure for unwelcome sexual activities; or
- Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities:
 - Dress codes that place more emphasis on any specific person/group of people's attire;
 - Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy. **Harassers can be anyone in the workplace.** A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

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

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Retaliation

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of

work hours or disparaging someone on social media would be covered as retaliation under this policy.

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

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

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- Made a complaint of sexual harassment or discrimination, either internally or with any government agency;
- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

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

Reporting Sexual Harassment

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, manager or Human

Resources. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or Human Resources.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is attached to this policy if an employee would like to use it, but the complaint form is not required. Employees who are reporting sexual harassment on behalf of other employees may use the complaint form and should note that it is on another employee's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable. Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

Supervisors and managers have a responsibility to prevent sexual harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to Human Resources. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act. Supervisors and managers can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors and managers can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

Supervisors and managers will also be subject to discipline for engaging in any retaliation. While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Bystander Intervention

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

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;

4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not okay; and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

Complaints and Investigations of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Happy People Hospitality will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in harassment investigations.

Happy People Hospitality recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating. While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, Human Resources:

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, Human Resources will prepare a complaint form or equivalent documentation based on the verbal reporting;
2. Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. Human Resources will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
3. Will seek to interview all parties involved, including any relevant witnesses;

4. Will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - a. A list of all documents reviewed, along with a detailed summary of relevant documents;
 - b. A list of names of those interviewed, along with a detailed summary of their statements;
 - c. A timeline of events;
 - d. A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
 - e. The basis for the decision and final resolution of the complaint, together with any corrective action(s).
5. Will keep the written documentation and associated documents in a secure and confidential location;
6. Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
7. Will inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

Please refer to the Stop Sexual Harassment Act Factsheet included at Appendix A for more information regarding your rights under the law, resources for additional information and additional outlets for complaints of sexual harassment.

Employees wishing to file a complaint of sexual harassment may use the Complaint Form For Reporting Sexual Harassment annexed hereto as Appendix B to do so. Copies of this form are also available by requesting one from Human Resources via email.

Other Harassment in Violation of Company Policy

Happy People Hospitality prohibits all behavior that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Harassment is verbal or physical conduct that denigrates and/or shows hostility or aversion towards an individual because of any Protected Category.

Identifying harassment is challenging. For example, racial harassment includes (but is not limited to) harassment based on an immutable characteristic associated with race (e.g., skin color or facial features, hair texture and protective hairstyles such as braids, locks, and twists). Religious

harassment may include (but is not limited to) demands that an employee alter or renounce some religious belief in exchange for job benefits.

The following non-exhaustive list of behavior violates Happy People Hospitality's Harassment Policy, and may constitute unlawful harassment, where it relates to a Protected Category.

- Epithets, slurs, quips, or negative stereotyping;
- Threatening, intimidating or hostile acts;
- Written or graphic material (including graffiti) that is displayed and/or circulated anywhere on Happy People Hospitality's premises, including walls, bulletin boards, etc.;
- E-mails containing content, including, but not limited to, comments and/or racial slurs, that may be disruptive or reasonably offend any employee who is protected under applicable law (as set out above);
- "Jokes," "pranks," and/or other forms of "humor" that are demeaning or hostile with regard to any Protected Category;
- Abusive conduct (aka bullying), which is conduct, with malice, that a reasonable person would find unrelated to Happy People Hospitality's legitimate business interests;
- Bullying conduct that includes repeated infliction of verbal abuse, such as use of derogatory remarks, insults, or epithets;
- Bullying conduct that includes: Verbal or physical conduct that a reasonable person would find threatening, intimidating or humiliating;
- Bullying conduct that includes: The gratuitous sabotage or undermining of a person's work performance.

The behavior described above is unacceptable in the workplace, and in all other work-related settings, such as business trips and/or business-related social events.

Individuals Covered by this Policy

All employees are subject to Happy People Hospitality's Workplace Harassment Policies. Happy People Hospitality will not tolerate harassment perpetuated by any individual, including employees, supervisors, managers, owners, and/or non-employees with whom employees interact during the course of their employment (e.g., service providers, vendors, contractors, guests, or any visitor to our workplace).

Happy People Hospitality encourages the reporting of all incidents of harassment, regardless of who the offender may be. Managers and supervisors who know of issues in violation of these policies are expected to report it. Harassment often unfolds amongst employees of different seniority levels. Happy People Hospitality recognizes the unique power dynamics that characterize unequal workplace relationships, such as between a manager or supervisor and an employee.

Happy People Hospitality will severely reprimand anyone, including employees, managers, supervisors, owners, officers, guests, vendors, and/or visitors, who sexually harasses another. Such reprimand, depending on the circumstances, may include termination, cancellation of a contract, and/or exclusion from entering property.

Reporting a Violation

Happy People Hospitality encourages individuals who believe that they are the victim of discrimination, harassment, or retaliation to firmly and promptly notify the alleged offender that their behavior is unwelcome. However, we recognize that perceived power and status disparities between an alleged offender and a victim may make that confrontation difficult. Therefore, whether or not you discuss the incident with the alleged offender, we ask that individuals who believe that they have been subject to or witnessed discrimination, harassment, or retaliation to report the incident to their immediate Supervisor.

Alternatively, any employee who believes they are a victim of a form of harassment, discrimination, retaliation, or other offensive conduct may report the matter to Human Resources or Ownership as soon as possible after an incident occurs. The employee is not required to report through any particular chain of command, and certainly is not required to report or discuss the matter with any Supervisor engaging in improper conduct. If an employee does not feel comfortable reporting the matter to their Supervisor, they can report the incident to Ownership or Human Resources, who can be contacted at hr@happypeople.team. Employees may use the Complaint Form for Reporting Sexual Harassment annexed hereto as Appendix B or contact a Manager or Human Resources, for a copy of this form.

Employees may also report such conduct to the United States Equal Employment Opportunity Commission, the New York State Division of Human Rights, or the New York City Commission on Human Rights or file a judicial action based upon such conduct.

The New York State Division of Human Rights' main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400, www.dhr.ny.gov. You can also contact the New York State Division of Human Rights at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The Division of Human Rights also operates a Sexual Harassment in the Workplace Legal Advice Hotline for complaints of sexual harassment. Employees alleging sexual harassment may contact the Hotline at 1-800-HARASS-3 (1-800-427-2773).

Employees may contact the United States Equal Employment Opportunity Commission by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov, or via email at info@eeoc.gov.

Finally, employees may contact the New York City Commission on Human Rights Contact at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 3rd Floor, New York, New York 10007; call 311 or (212) 416-0167; or visit www.nyc.gov/humanrights.

Managers and Supervisors are required to report any complaint that they receive, or any discrimination, harassment, or retaliation that they observe or become aware of, to Ownership or Human Resources, who can be contacted at hr@happypeople.team. In addition to being subject to

discipline if they engaged in discrimination, harassment, or retaliation themselves, Supervisors and Managers will be subject to discipline for failing to report suspected discrimination, harassment, or retaliation or otherwise knowingly allowing discrimination, harassment, or retaliation to continue.

All allegations of harassment, discrimination, and/or retaliation will be promptly investigated by conducting a timely, impartial, and thorough investigation, including private interviews with the complainant and with any witnesses. The investigation will also interview the person alleged to have committed the discrimination, harassment, and/or retaliation as well as interview any of that individual's witnesses. An effective policy and thorough investigation requires the support of all personnel. Consequently, employees who engage in discrimination, harassment or retaliation or who fail to cooperate with the investigation into discrimination, harassment, or retaliation may be subject to discipline up to and including discharge. Happy People Hospitality will strive to maintain confidentiality throughout the investigatory process to the extent practicable and appropriate under the circumstances and ensure due process for all parties.

If Happy People Hospitality finds that inappropriate conduct occurred, we will act promptly to eliminate the offending conduct by taking appropriate remedial measures. The confidentiality and privacy of our employees and those involved will be respected to the fullest extent possible during the investigation.

Happy People Hospitality recognizes that false accusations of discrimination, harassment, or retaliation can cause serious harm to innocent persons. If an investigation results in a finding that the complainant knowingly, or in a malicious manner, falsely accused another person of discrimination, harassment, or retaliation, the complainant will be subject to disciplinary action up to and including discharge.

Anti-Retaliation

Happy People Hospitality strictly forbids retaliation against anyone who reports harassment or discrimination, or participates in any resulting investigation. Happy People Hospitality also prohibits retaliation against any individual who testifies or assists in any proceeding following a complaint of harassment or discrimination. Such conduct is unlawful. "Retaliation" can occur if any adverse employment action is taken against an employee because the employee made a complaint of discrimination or harassment or participated in Happy People Hospitality's investigation of a complaint. Retaliation can also include any action that may deter a person from complaining about discrimination or harassment. Such conduct will itself give rise to appropriate corrective action which typically results in termination.

Examples of strictly prohibited retaliatory action include, but are not limited to:

- Disciplining, changing the work assignments of, refusing to cooperate or discuss work-related matters with any employee because that employee has complained about or resisted harassment, discrimination, or retaliation; and
- Intentionally pressuring, falsely denying, lying about, or otherwise covering up or attempting to cover up conduct such as that described in any item above.

Retaliation is a serious violation of Happy People Hospitality’s policies and anyone who feels they have been subjected to any acts of retaliation should immediately report such conduct.

General Principals

This policy applies to all employees. To assure compliance with this policy, managerial employees must take timely and appropriate corrective action when instances of sexual or other prohibited harassment come to their attention. Disciplinary consequences will be enforced against managerial employees who fail to report or knowingly allow such conduct to continue.

Knowingly false complaints of sexual or other prohibited harassment, as opposed to complaints which, even if erroneous, are made in “good faith,” may be the subject of appropriate disciplinary action.

GENDER POLICY

Happy People Hospitality prohibits discrimination against and/or harassment of applicants, employees, and interns on the basis of their actual or perceived gender or actual or perceived status as an individual who is transgender, gender non-conforming or intersex. For purposes of this policy, gender includes gender identity, self-image, appearance, behavior or expression.

Employees who engage with the public as part of their job duties are required to do so in a respectful, non-discriminatory manner by respecting gender diversity and ensuring that members of the public are not subject to discrimination (including discrimination with respect to single-gender programs and facilities).

The following definitions may apply to Happy People Hospitality’s gender policy:

- *Cisgender* refers to a person who identifies as the same gender that they were assigned at birth.
- *Gender identity* refers to a person’s inner sense of gender, regardless of the gender assigned at birth. Gender identity isn't the same as a person's sexual orientation or gender expression.
- *Gender expression* refers to a person's gender-related behavior or appearance, whether or not it conforms to traditional gender stereotypes or to the sex assigned to them at birth. It can include manner of dress, grooming, mannerisms, and speech patterns. Gender expression isn't the same as a person's gender identity or sexual orientation.
- *Transgender* is an umbrella term that can be used to describe people whose gender identity and/or expression is different from their sex assigned at birth. Some people described by this definition don’t consider themselves transgender – they may use other words or may identify simply as a man or

woman. A person does not need to identify as transgender for our nondiscrimination policies to apply to them.

- *Non-binary* is a gender identity which falls outside of the gender binary. A person who is non-binary does not identify as strictly female or male, and may identify as neither male nor female, both, or somewhere in between.
- *Pronouns* are a shorthand way to refer to someone whose name may have already been mentioned. Examples include but are not limited to he/him/his, she/her/hers, they/them/theirs, and ze/hir/hirs.

1. Preferred Names, Titles and Pronouns

Happy People Hospitality allows employees to self-identify their names and genders and will use an individual's preferred name, gendered title (e.g., Mr./Ms.) and pronoun (e.g., he/him/his; she/her/hers; they/them/theirs; or ze/hir). Requests to be addressed by a certain name and/or pronoun do not require supporting documentation.

If an employee is unsure what name, title or pronoun another individual prefers, that employee can ask the person how the person would like to be addressed. An honest mistake is normally not a violation; however, the intentional or persistent refusal to respect an employee's gender identity (for example, intentionally referring to the employee by a name or pronoun that does not correspond to the employee's gender identity) can constitute harassment and is a violation of this policy.

2. No Single-Gender Facilities

Happy People Hospitality does not have any facilities (including restrooms and locker rooms) designated as single-gender.

3. Dress Code

Happy People Hospitality's dress codes and grooming standards are gender neutral, meaning they do not differentiate or impose restrictions or requirements based on gender or sex.

4. Reporting and Anti-Retaliation

Employees with questions or concerns regarding their safety, gender discrimination and/or a request for a reasonable accommodation or who feel they have been subjected to discrimination or improperly denied an accommodation, should contact Human Resources. Happy People Hospitality prohibits and does not tolerate retaliation against employees who report issues or concerns of gender discrimination pursuant to this policy in good faith.

REASONABLE ACCOMMODATIONS

1. Disability and Other Accommodations

Happy People Hospitality is firmly committed to complying with the Americans with Disabilities Act, as well as other federal, state, and local laws designed to provide equal employment

opportunities to qualified individuals with disabilities. Consistent with this policy and applicable law, Happy People Hospitality will provide reasonable accommodations to individuals with known physical and/or mental disabilities, or physical and/or mental disabilities Happy People Hospitality is reasonably aware of. Happy People Hospitality will also provide reasonable accommodations for childbirth, pregnancy, or related conditions, an employee's sincerely held religious beliefs, for issues related to gender identity and/or gender expression, and for victims of domestic violence, sexual offense, and/or stalking. Requests for such accommodations should follow the same protocol noted below.

Happy People Hospitality will provide a reasonable accommodation that would enable the employee to perform the essential functions of their job unless the accommodation would impose an undue hardship on Happy People Hospitality's business operations.

Employees requiring a reasonable accommodation to perform the essential functions of their job should contact Human Resources and specifically request the necessary accommodation. Requests for accommodations may be made verbally, in writing, or by submitting a Reasonable Accommodation Request Form, which is annexed as Appendix C. Copies of this form are also available from Human Resources. If an employee does not initially complete the Reasonable Accommodation Request Form, Human Resources will ask the employee to complete such form after receiving the employee's request, or if the employee declines, Human Resources will complete the form on the employee's behalf. Happy People Hospitality may require medical verification of both the disability and the need for the accommodation.

Happy People Hospitality will then engage in a good faith interactive process with the employee or applicant to determine effective and reasonable accommodations. This process involves engaging in a good faith dialogue between Happy People Hospitality and the employee regarding the employee's accommodation needs, potential accommodations, and any difficulties that the proposed accommodations could pose for Happy People Hospitality. At the conclusion of the cooperative dialogue, Happy People Hospitality will provide the employee with a written final determination identifying any accommodation that was granted or denied. Where necessary, all applicants and employees must fully cooperate with Happy People Hospitality in seeking and evaluating alternatives to the requested accommodations. Happy People Hospitality will grant reasonable accommodations that will not impose an undue hardship or pose a direct threat to the health and/or safety of the requestor and/or others. For example, pregnant employees and those recovering from childbirth may be entitled to extra bathroom breaks, breaks to facilitate increased water intake, periodic rest while standing for long periods of time, assistance with manual labor, changes to work environment, and unpaid medical leave.

Employees or applicants for employment who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact Human Resources.

2. Lactation Breaks and Accommodations

Happy People Hospitality supports employees who wish to express breast milk during their workday when separated from their newborn child for up to three years following the birth of the child. Any employee who is breastfeeding their child will be provided reasonable break times to express breast milk in accordance with applicable laws. Employees should advise their managers

if they need break time and an area for this purpose by completing a Lactation Room Request Form.

Employees will not be discriminated against or retaliated against for exercising their rights under this policy, and reasonable efforts will be made to provide a private room for lactation near the work area for this purpose.

If an employee needs to express breast milk at times other than during regularly scheduled breaks or meal periods, the employee may take an additional paid break of 30 minutes. If the employee needs additional time beyond that, the employee may take additional unpaid breaks.

Reasonable Effort and Privacy

Happy People Hospitality will make a reasonable effort to provide a room or other location (not a toilet stall or restroom) close to the employee's work area where they can privately breastfeed or express breastmilk. If this room is not a dedicated lactation room, Happy People Hospitality will provide a vacant office or other available room that is not accessible to the public or other employees while the nursing employee is using the room.

The private location will be sanitary, contain at minimum a chair and a small table or other flat surface, be well-lit at all times, have an electrical outlet, and have a lock or a sign for when the location is in use to ensure privacy.

If it is within Happy People Hospitality's ability to do so and does not pose an undue hardship, Happy People Hospitality will endeavor to provide a lactation room that is located near a sink with running water so that employees can wash their hands and rinse out breast pump parts.

Alternatively, employees may also breastfeed or express breast milk in their own private offices or in other comfortable locations agreed upon with their supervisor/manager.

Upon request, employees can store their breast milk in a refrigerator designated for breast milk storage in reasonable proximity to the employee's work area. However, employees must bring their breast milk home with them each evening or at the end of their shift.

Procedure for Requesting Use of a Lactation Room

Employees who need a lactation room should follow these steps:

- Submit a request for a lactation room to Human Resources. Happy People Hospitality will document each request for a lactation room.
- Happy People Hospitality will respond within a reasonable amount of time, but in no event will such response exceed five (5) business days.
- If Happy People Hospitality does not have a dedicated lactation room already, Happy People Hospitality will work with the employee to prepare a lactation room complying with the requirements set forth above.

- If a situation arises where two or more employees need to use the lactation room at the same time, employees must notify Human Resources, who will then work with the employees to find suitable arrangements.

Please note that, while Happy People Hospitality will endeavor to accommodate its employees' needs under this policy, if an employee's request for a lactation room poses an undue hardship on Happy People Hospitality, Happy People Hospitality shall engage in a cooperative dialogue with the employee to understand and explore ways to meet the employee's individual needs.

NON-DISCRIMINATION AND HARASSMENT TOWARD GUESTS, CONTRACTORS, VENDORS, CONSULTANTS, AND OTHERS DOING BUSINESS WITH HAPPY PEOPLE HOSPITALITY

Happy People Hospitality believes that all guests are equally entitled to a courteous, prompt, and enjoyable experience. As a provider of services to the public, we are very conscious of our obligations towards our guests, as well as our desire to foster an atmosphere of warmth and hospitality. Similarly, Happy People Hospitality believes that all individuals doing business with Happy People Hospitality should be able to do so in a welcome manner. Accordingly, Happy People Hospitality does not discriminate or permit its employees or third parties to discriminate against guests based upon any legally protected characteristic.

Employees must comply with Happy People Hospitality's commitment to maintaining a discrimination-free and harassment-free environment. Accordingly, employees may not discriminate against or harass any guest based on the guest's real or perceived race, color, creed, religion, gender (including gender identity and expression), sex, sexual orientation, marital status, pregnancy, childbirth or related condition, sexual and reproductive health decisions, ancestry, national origin, citizenship, age, height, weight, disability, military or veteran status, genetic information or predisposing genetic characteristic, status as a victim of domestic violence, sexual violence, or stalking, or any other characteristic that is protected by any applicable federal, state, or local law. Employees shall afford to all guests equal advantages, privileges, services, accommodations, and facilities of Happy People Hospitality.

In support of this policy, Happy People Hospitality will investigate any complaint that is made by a guest (or any other individual) to the greatest extent possible under the circumstances. Employees must report all such complaints to Human Resources or to your supervisor.

ACCOMMODATING GUESTS

Happy People Hospitality provides accommodations that are readily achievable to guests with disabilities. These accommodations may be provided to guests or other visitors to our property as may be necessary or warranted by the situation.

1. Accessibility

Our goal is to eliminate barriers that impede access to our establishment and to our services by persons with disabilities to the fullest extent possible and in compliance with applicable law. Accordingly, Happy People Hospitality provides accommodations that are readily achievable to guests with disabilities, as may be necessary or warranted by the situation.

Employees are instructed to ensure that: all pathways are clear for travel by mobility-impaired guests; bathroom amenities are operable and stocked; and accessible features both inside and outside the establishment, such as wheelchair accessible tables, are maintained in good working order. Additionally, a variety of auxiliary services may be provided to blind or visually impaired guests, such as assisting a visually impaired guest in reading or in counting and identifying currency.

Employees will be provided with appropriate training concerning accommodations for guests with disabilities, the manner in which guests with disabilities may need assistance at our establishment, and offering assistance, upon request, to persons with disabilities who may need assistance in using our services. Similarly, employees are trained to ensure that they have ready access to information about Happy People Hospitality's accessibility features so they are prepared to answer questions that our guests with disabilities may ask. This policy only serves as a general outline to Happy People Hospitality's commitment and policy concerning accommodations for guests with disabilities. Employees will receive additional information during their orientation and other training sessions.

If a guest requires an accommodation because of a disability and you are unsure what the establishment can do to accommodate the guest, please contact your manager immediately for assistance.

2. Special Dietary Needs

Guests may have special dietary needs due to food allergies or medical conditions. Upon request, employees must provide dietary information to such guests. It is essential to maintain communication between such guests and the kitchen and to provide clear and accurate information concerning ingredients to guests and any special instructions to the kitchen. If a guest inquires about dietary information and you are unsure of the answer to the guest's inquiry, please contact your supervisor or another manager immediately for assistance.

3. Verification and Treatment of Service Animals

Please remember that on certain occasions Happy People Hospitality may have guests who rely on service animals, such as dogs, who are trained to do work or perform certain tasks. Such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, and calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack.

Guests with disabilities may use service animals in all public areas of our establishment, including the dining rooms and restrooms, at no additional charge or condition. Service animals must be permitted in such public areas even if state or local health codes prohibit animals on the premises. Service animals should be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents them from using these devices.

Employees will receive training as to the proper manner for determining whether an animal qualifies as a service animal. Only if it is not obvious what service an animal provides, an employee may ask a guest the following two questions:

- Is the animal required because of a disability?
- What work has the animal been trained to perform?

Employees may not ask any other questions. Under no circumstances shall employees inquire about the guest's disability, require medical documentation, require a special identification card or training documentation for the service animal, or ask that the service animal demonstrate its ability to perform the work or task.

Only in very limited circumstances (e.g., the service animal is out of control and the handler does not take effective action to control it or the service animal is not housebroken) will Happy People Hospitality exclude a service animal in which case Happy People Hospitality will provide alternate methods for serving the guest with a disability, including offering the guest the opportunity to obtain goods or services without the animal's presence.

FRATERNIZATION

Employees at Happy People Hospitality are expected to treat each other with respect and in a professional manner at all times. Romantic, intimate, sexual or dating relationships between a person in a direct or indirect supervisory role and a supervisee in the workplace are strictly prohibited.

Consenting relationships among peers/colleagues in the same workspace may at some point lead to unforeseen disruption, complications and significant difficulties for all concerned. Accordingly, individuals involved in such relationships must disclose the relationship to their supervisor. We expect all involved to use their best judgment and to disclose any relationship that may present such a problem so that arrangements can be made to ensure that the workplace will not be adversely affected.

Happy People Hospitality recognizes the imprecision of and the variety of meanings that can be given to the terms "romantic" and "intimate." We hope that the parties to such a relationship will appreciate the meaning of the term as it applies to them and as it relates to this policy. If doubt exists, the parties should disclose the relationship as set forth above to enable Happy People Hospitality to determine what, if any, steps are appropriate.

FRIENDS AND FAMILY

We encourage you to recommend Happy People Hospitality restaurants to your friends and family. If you are a server, when your friends or family come in to eat, we suggest that they are seated in another server's section as this will keep you from being distracted from providing equal, exemplary service to your other customers. If your friends or family are seated in your section, make sure that EVERYTHING they order goes onto the check. You may be tempted to give friends and family a discount, but that is not acceptable, and if an unauthorized discount is offered, it will be considered theft of property; this is grounds for immediate termination.

If you have friends or relatives dining in the restaurant while you are working, you must notify management immediately.

EMPLOYMENT OF RELATIVES

We may employ relatives in positions where, in our sole discretion, such employment does not create or has the potential to create conflicts of interest, or affects or has the potential to affect safety, security, or work force morale. The term “relative” includes spouses, domestic partners, committed same-sex partners, parents, children and siblings.

GUEST SERVICE/GUEST COMPLAINTS

Guest satisfaction is crucial to the success of Happy People Hospitality. Happy People Hospitality strives to have 100% guest satisfaction excellent service in a clean and inviting atmosphere that our guests recognize as value. Our goal is to continuously demonstrate how important each individual guest is to our business.

Guests are to be treated at all times in a respectful, friendly and courteous manner. Whenever there comes a time that an employee is faced with a guest complaint that cannot be easily solved, the employee must immediately advise their manager and ask their manager for help in handling the situation. Only Ownership is authorized to offer or give refunds.

Remember, it is important to try to help them first before referring them to a manager. Your ability to help a guest correctly and quickly can make the difference in a guest having an exceptionally good experience.

Should an employee be faced with a guest that is difficult, disorderly, argumentative, or caustic, special care must be taken because of potential injury to employees and others. In the case of an unruly guest, an employee should immediately notify a manager at which time the manager will take over the discussions with the unruly guest.

While dealing with a difficult guest may make employees uncomfortable, the guest is still a guest of Happy People Hospitality and should be treated as such. A difficult guest may very well turn out to be a loyal member if the guest’s concerns or complaints are resolved satisfactorily.

OPEN DOOR POLICY

At Happy People Hospitality, we have created an environment in which open communication between employees and management can and does exist. We encourage you to communicate your ideas, suggestions, and problems to your manager on a daily basis. When people work together, we know that misunderstandings may occur. If such a situation or problem should arise, we encourage you to talk first with your immediate manager and give them an opportunity to work it out with you.

If you do not feel the response or actions taken in this first step are satisfactory, the following additional steps can be taken:

- Talk first with your immediate manager to discuss the issue. Your manager should listen and investigate the issue to find an agreeable solution in a timely manner. If needed, the discussion will include Ownership or Human Resources.

If you do not wish to bring this issue to your manager's attention for any reason, you may present your concern directly to Ownership or Human Resources.

IV. TIME AND ATTENDANCE

EMPLOYMENT CLASSIFICATIONS

Employees of Happy People Hospitality fall into the following classifications:

- **Regular Full-Time Employees:** An employee who consistently works a minimum of 30 hours per week.
- **Regular Part-Time Employees:** An employee who consistently works less than 30 hours per week.
- **Seasonal/Temporary:** Employees engaged to work full-time or part-time on Happy People Hospitality's payroll with the understanding that their employment will be terminated upon the completion of a specific season. A seasonal employee may be offered and may accept a new season assignment with Happy People Hospitality and thus still retain seasonal status. Such employees may be "exempt" or "non-exempt" as defined below.

These employees either are classified as either non-exempt or exempt:

- **Non-Exempt:** Employees who are paid on an hourly basis who are eligible for overtime compensation for all hours worked in excess of 40 hours in a workweek pursuant to applicable federal and state wage/hour laws. All employees must keep accurate records of hours worked as required by the provisions of state and federal wage and hour laws.
- **Exempt:** Employees who are paid on a salary basis and are not required to be paid overtime, in accordance with applicable federal and state wage/hour laws, and whose salary represents payment for all hours they may be required to work in any given workweek. Executives, professional employees, and certain employees in administrative positions are typically exempt.

Some employees are eligible to receive tips or participate in the tip pool/share at Happy People Hospitality. Employees will be advised of their eligibility to receive tips and/or participate in the tip pool/share by Happy People Hospitality.

Employees will be informed of their employment classification by Happy People Hospitality. Happy People Hospitality may review the above classifications from time-to-time to ensure that each employee is properly classified, and will inform employees of any change in their exemption status.

WORK SCHEDULE AND ATTENDANCE

The standard workweek for Happy People Hospitality will begin on Monday and end the following Sunday.

Schedules will be posted on the digital/web-based application utilized by your restaurant. The schedules are posted between Friday and Sunday for the following week. Should you need to change or exchange a schedule, you must first speak to your Manager. At no time may you alter the schedule without prior approval from your Manager.

Due to the nature of the business, Happy People Hospitality requires flexibility with scheduling and will notify employees of any changes in schedule as soon as possible. Happy People Hospitality is open and in operation seven days a week. Employees must be prepared to work the schedule prepared by their supervisor, which may include weekends and holidays. Any employee who has a conflict with that schedule should speak to their supervisor the same day that the schedule is posted to resolve the situation as soon as possible. If you do not discuss the situation with your supervisor, you are expected to be at work according to that schedule.

Your attendance and punctuality are extremely important as your fellow employees must bear the burden of your absence. Employees are expected to report to their assigned work locations, prepared to begin the workday at the designated starting time.

LATENESS AND ABSENTEEISM

We recognize that there may be times when your absence or tardiness cannot be avoided. If you are ill, injured or an unexpected emergency arises which prevents you from coming to work, you must verbally notify your supervisor with as much advance notice as possible under the circumstances, if possible, before the start of your scheduled workday. If your supervisor is not available, you should contact Human Resources. If you are physically unable to contact Happy People Hospitality, you should direct another person to make the contact on your behalf. Leaving a message (text, phone, email, or other) with a fellow employee is not considered proper notification.

When you call in absent, you are to advise Happy People Hospitality, starting with your supervisor, of your expected date of return. Happy People Hospitality reserves the right to require proof of illness, injury or accident, including a doctor's statement(s) or notice(s), as permitted by law. Unless you have made other arrangements with a manager, you should call a manager each day of your absence, prior to the beginning of your shift. Please provide notice of your absence as soon as possible and at least 2 hours prior to the beginning of your shift (if feasible).

Unacceptable attendance and/or tardiness, including any failure to adhere to these attendance and reporting guidelines, or abuse of Happy People Hospitality's leave policies, may lead to discipline, up to and including unpaid suspension or termination.

Typically, if you are absent for your shift and have not provided proper notification, Happy People Hospitality will have considered you to have abandoned your job and voluntarily resigned from Happy People Hospitality (unless otherwise prohibited by applicable law). In some circumstances, the Company will consider the explanation and its timing before determining if the voluntary resignation will be upheld.

TEMPORARY SCHEDULE CHANGES

Happy People Hospitality complies with the New York City Temporary Schedule Change law. Upon request, Happy People Hospitality will grant eligible employees' requests for a schedule change either two times per calendar year for up to one (1) business day per request or once per fiscal year for two (2) business days in a single request. Happy People Hospitality's calendar year is January 1 to December 31.

For purposes of this policy, a temporary schedule change is a limited alteration to an employee's usual schedule, including hours, times or work location. Alterations may include, but are not limited to: (i) using available paid time off; (ii) working remotely; (iii) swapping or shifting work hours; or (iv) using short term unpaid leave.

Happy People Hospitality may require employees to take unpaid leave in lieu of the employee's requested temporary schedule change and the unpaid leave will be counted as one of the employee's allotted schedule changes. Leave granted as a temporary schedule change will generally be unpaid for non-exempt employees. However, employees are allowed, but not required, to use any available, accrued paid leave.

Employees can request temporary schedule changes for the following personal events:

- To care for a minor child for whom the employee provides direct and ongoing care;
- To care for an individual with a disability who is the employee's family member or resides in the employee's household and for whom the employee provides direct and ongoing care to meet the needs of daily living (a "care recipient");
- To attend a legal proceeding or hearing for public benefits for the employee, a family member, the employee's child, or care recipient; or
- For reasons specified under New York City's Safe and Sick Leave Law.

For purposes of this policy, the term "family member" shall mean an employee's child, parent, spouse, domestic partner, sibling, grandparent, grandchild, the child or parent of an employee's spouse or domestic partner, any other individual related to the employee by blood, and any other individual whose close association with the employee is the equivalent of a family relationship.

"Parent" means a biological, foster, step or adoptive parent, or a legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child. "Child" means a biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.

1. Requesting Temporary Scheduling Changes

Employees who wish to request temporary schedule changes under this policy must notify their supervisor as soon as they are aware of the need for a temporary schedule change. This initial notification can be made orally or in writing, but must indicate that the requested change is due to

a personal event and must describe the requested temporary schedule change, unless the employee is only seeking leave without pay. Happy People Hospitality will respond to this initial request for a temporary schedule change as soon as possible.

If an employee's initial request was not in writing, the employee must, as soon as practicable and no later than the second business day after returning to work following the conclusion of the temporary schedule change, also submit the schedule change request in writing to Ownership or Human Resources, who can be contacted at hr@happypeople.team, indicating the date for which the change was requested and that it was due to the employee's personal event.

2. Other Schedule Change Requests

Employees are also allowed to request schedule changes (i.e., changes to the times, days and/or locations they are expected to work) in addition to those temporary schedule changes described above. Happy People Hospitality will, in its discretion, grant or deny the request. Employees who wish to make additional schedule change requests should follow the procedure described above.

3. Effect on Other Rights and Policies

Happy People Hospitality may provide other types of accommodation and other forms of leave under certain federal, state and municipal laws. In certain situations, time off allowed under this policy may run at the same time as leave available under another policy or under another federal, state or municipal law, provided eligibility requirements are met. However, unpaid leave provided as one or both of the two temporary schedule changes described in this policy is in addition to and will not run concurrently with leave provided under Happy People Hospitality's New York City Paid Sick and Safe Time policy. Employees are not required to exhaust their New York City Paid Sick and Safe Time before requesting a temporary schedule change in accordance with this policy.

4. Retaliation

Happy People Hospitality prohibits retaliation against an employee for requesting a schedule change, filing a complaint, communicating with others about the law, participating in an investigation or proceeding regarding an alleged violation of the law, mistakenly invoking rights under the law or otherwise exercising their rights under the law, even if the employee does not specifically reference the Temporary Schedule Change Law and even if the employee is not entitled to a schedule change.

TIME AND ATTENDANCE RECORDS

Accurately recording time worked is the responsibility of every employee. Federal and state laws require Happy People Hospitality to keep an accurate record of employees' time worked in order to calculate employee pay and benefits. Time worked is all time actually spent on the job performing assigned duties, including, but not limited to, time spent in mandatory staff meetings or attending training programs or other events, as might be sponsored or required by Happy People Hospitality.

Non-exempt employees are required to clock in and out at their daily starting and ending times. Employees should clock in no earlier than five (5) minutes before the scheduled start of their shift

and punch out no later than five (5) minutes after the end of the shift. Non-exempt employees should not start work before the scheduled start of their shift. Employees must accurately record the actual time that their work begins and ends as well as the actual time the meal break begins and ends. Employees are required to record their meal periods regardless of whether they leave the premises. If you miss a punch, be sure to inform your supervisor promptly so that your hours can be adjusted in order to ensure you are properly paid.

Time must be recorded as follows:

- Immediately before starting work.
- Immediately after finishing work before a meal break.
- Immediately before resuming work after a meal break.
- Immediately after finishing work.

Performing any work while you are not clocked-in is strictly forbidden and violations of this prohibition against off-the-clock work will result in disciplinary action up to and including termination of employment.

Non-exempt employees must report to their workstation no more than a few minutes prior to the scheduled start-time and not stay at their workstation more than a few minutes after the scheduled stop-time each business day without expressed, prior authorization from their manager. To ensure you are properly paid, employees are not to clock out unless their closing duties have been completed and a manager has explicitly dismissed them for the day.

Under no circumstances may any employee record another employee's time record or ask another employee to record their time record. Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination.

It is the employee's responsibility to certify the accuracy of all work time recorded. A member of the management team will review and approve each time record before submitting it for payroll processing. If corrections or modifications are made to a time record, both the employee and their manager must verify the accuracy of the changes by signing the time record.

REST AND MEAL BREAKS

Rest and meal periods will be provided in accordance with federal, state, and local laws.

Managers will schedule meal periods to accommodate operating requirements.

Non-exempt employees must clock out and back in for meal breaks. The failure to clock in or out may result in disciplinary action, up to and including termination. Employees will be relieved of all active job duties and responsibilities during meal periods and will not be compensated for that time. Employees are required to take a meal break, but are not allowed to wait until the end of the workday to take their meal break, take a shorter meal break or skip a meal break to leave early. Under New York State law, employees are not allowed to waive their meal break.

OVERTIME PAY

Depending on Happy People Hospitality's work needs, non-exempt employees may be required to work overtime when requested by their manager. Happy People Hospitality complies with all applicable federal and state laws with regard to payment of overtime work.

Employees will be notified when they are required to work overtime. Employees are not allowed to work overtime unless it has been authorized in advance by a manager. Employees working overtime without approval is a violation of Company policy that may lead to disciplinary action, up to and including termination.

Overtime will be paid in accordance with state and federal law. Non-exempt employees are typically paid at the employee's regular hourly rate for the first 40 hours in a scheduled workweek. If a non-exempt employee works in excess of 40 hours in one (1) workweek, all hours over 40 in the workweek are paid at a rate of 1.5 times the employee's regular rate. Only actual hours worked in a given workday or workweek will apply in calculating overtime. Time off for vacation leave, sick leave, a Company-observed holiday, or any leave of absence will not be considered as hours worked when computing overtime. Exempt employees are not eligible for overtime pay. Please consult your manager if you have specific questions regarding overtime pay eligibility.

SAFE HARBOR POLICY FOR EXEMPT EMPLOYEES

This policy applies to salaried exempt employees only. Exempt employees receive a salary which is intended to compensate them for all hours worked for Happy People Hospitality. While it may be subject to review and modification from time to time, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

Under federal and state law, your salary is subject to certain deductions. For example, absent contrary state law requirements, your salary can be reduced for the following reasons:

- Salaried, exempt employees will receive no salary for workweeks in which they perform no work.
- Proportional deductions from salary may be made when an employee is absent from work for one (1) or more full days for personal reasons, other than sickness or disability.
- Deductions from salary may be made for unpaid, disciplinary suspensions of one (1) or more full days imposed in good faith for violation of workplace safety rules of major significance.
- Proportional deductions may be made for whole-day absences due to sickness or disability (including accidents), unless covered by applicable law or Happy People Hospitality's policy of providing paid leave for such sickness or disability.

- Salary will be prorated for the week in which a salaried, exempt employee starts work or in which their employment is terminated if the employee does not work a full week during such week.
- Deductions should be taken in four (4) or eight (8) hour increments when an employee takes certain unpaid leave of absence, such as leave provided pursuant to the Family Medical Leave Act policy.

Your salary may also be reduced for certain types of deductions such as: your portion of health, dental or life insurance premiums; state, federal or local taxes, social security; or voluntary contributions to a 401(k), IRA or pension plan.

In any work week in which you performed any work, your salary will not be reduced for any of the following reasons:

- Partial day absences for personal reasons, sickness or disability.
- Your absence on a day because your employer has decided to close a facility on a scheduled workday.
- Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work.
- Any other deductions prohibited by state or federal law.

However, subject to state law, it is not an improper deduction to reduce an employee's accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability.

If you believe you have been subject to any improper deductions, you should immediately report the matter to your supervisor. If your supervisor is unavailable or if you believe it would be inappropriate to contact that person (or if you have not received a prompt and fully acceptable reply), you should immediately contact Human Resources.

Every report of improper deductions will be fully investigated and corrective action will be taken where appropriate, up to and including discharge for any employee(s) who violates this policy. In addition, Happy People Hospitality will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in Happy People Hospitality's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including discharge.

EXCHANGING SHIFTS

No employee is permitted to exchange shifts with another employee without their manager's prior authorization.

V. COMPENSATION

PAY PERIOD AND PAYCHECKS

For payroll purposes, the standard workweek will begin on Monday at 12:00 a.m. and end the following Sunday at 11:59 p.m. The designated pay period for all employees is weekly. Paychecks are distributed on Fridays. Wage statements will be provided with each paycheck and will contain detail as required by law.

Employees who do not use direct deposit may pick up their paychecks from Human Resources. If the regular payday occurs on a holiday, employees will be paid on the last working day before the holiday. Paychecks must be cashed within 180 days of issue. Checks not picked up in person within four (4) weeks of the payday will be mailed to the employee's mailing address of record in the employee's personnel file. Paychecks will not be given to anyone but the employee unless the employee expressly identifies, in writing, that another person should receive the paycheck.

Happy People Hospitality forbids retaliation against any employee for making a good faith complaint that they have not been paid wages in accordance with federal or state wage and hour law. Please review your paycheck promptly upon receipt and confirm that it is correct and that you have been paid for all hours worked. If there is any discrepancy, you must report it to Human Resources immediately so that any necessary corrections can be made.

PAYMENT OF WAGES – DIRECT DEPOSIT

Employees, at their option, may be paid by check or may voluntarily consent to be paid through direct deposit to their checking or savings account at their bank of choice. To activate direct deposit, obtain a Direct Deposit Authorization Form from your manager or Human Resources. All direct deposit forms must be turned into your manager to be submitted to the Company.

In the event of a lost paycheck, you should contact your supervisor immediately with the date of the lost check. You can request in writing that Happy People Hospitality issues a 'stop payment' on the lost check. After the bank verifies that the check has not been cashed, Happy People Hospitality will authorize a reissue of your paycheck with the next regular pay period.

PAYROLL DEDUCTIONS

Happy People Hospitality makes legally required deductions from employees' wages. Such deductions include social security, state, federal and local income taxes, and other legislatively-mandated taxes or deductions. With an employee's prior written authorization, other deductions may be taken at the request of employees. It is the policy of Happy People Hospitality to comply with the salary basis requirements of all federal, state, and local wage and hour laws and regulations. As part of this compliance, Company policy prohibits any improper deductions from the salaries of its employees. Employees with questions or concerns regarding deductions should notify their immediate supervisor. All such reports will be fully and promptly investigated by the Company. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed, and the corresponding payroll records will be amended accordingly.

PAY NOTICE

At the time of hire, all New York employees will receive written notice about pay rates, hourly and overtime rates for non-exempt employees, the method of calculation (e.g., hourly, shift, day, week, salary, piece, commission), minimum wage allowances (if any), the regular pay day, and Happy People Hospitality's contact information. Employees must sign a written acknowledgement of receipt, which will be kept for six years.

Employees working catered events at Happy People Hospitality may receive different rates of pay when working those events as opposed to when they work in Happy People Hospitality. The different rates of pay for such work shall be indicated on the employee's notice of pay rate and wage statements.

When changes are made to the above pay information, Happy People Hospitality will provide you with the changes in writing at least seven days prior to the effective date unless the changes are reflected in a new wage statement.

PAY ADJUSTMENTS

All pay increases are based upon merit and market factors. There will not be an automatic annual cost of living or salary adjustment to reflect current economic conditions.

Your pay also may be adjusted downward at the sole discretion of Happy People Hospitality and in accordance with the law. Salary and/or hourly wage decreases may take place when there is job restructuring, job duty changes, job transfers, or adverse business economic conditions and only in accordance with applicable federal, state and local laws.

PAY ADVANCEMENTS

Pay advances will not be granted to any employee.

UNDERSTANDING YOUR PAYCHECK

It is our policy and practice to compensate employees for all time worked and to do so in compliance with all applicable local, state, and federal laws. To ensure that you are paid properly for all time worked and that no improper deductions are made, you must correctly record all work time and review your paychecks promptly to identify and to report all errors. No one who is eligible for overtime should perform any work that is not authorized and recorded on their time clock. Additionally, failing to report pay overages is a violation of Company policy that could lead to disciplinary action, up to and including termination.

Pay codes and deductions are printed on payroll check stubs for individual record keeping. Bring any error or discrepancies in your paycheck to your manager's attention immediately. If you knowingly retain an overpayment or do not notify us of missing deductions, you may be subject to termination.

REPORTING PAYCHECK CONCERNS

If you have questions about deductions from your pay or your wages, please immediately contact your manager. If you believe you have been subject to any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter to your manager.

GRATUITIES

Hard work and good service is most often rewarded with a fair and generous gratuity for tipped employees; however, this may not always occur. Remember:

- The guest has the right to make the final assessment and leave whatever amount they choose.
- Under no circumstances should an employee speak to a guest in a critical manner regarding the gratuity left by the guest or in a manner that makes the guest feel uncomfortable about a gratuity.
- No employee shall count a gratuity near or in sight of a guest.

It is mandatory for employees to report the gratuity without any variation or deduction so as to not be unfair to other employees of Happy People Hospitality. Any such occurrences are grounds for disciplinary action up to and including termination.

TIP REPORTING

Happy People Hospitality complies with all federal and state income tax and Department of Labor laws. Since tips or gratuities are considered to be taxable income, all employees receiving tips are required by law to declare their net or “take home” tips, whether paid directly by guests or by Happy People Hospitality upon receipt of credit card tip amounts. Please be sure to carefully maintain records of your own tips for tax purposes, for which Happy People Hospitality may supply reporting sheets for your ease of record keeping. Failure to report accurate gratuity information could be deemed to be tax fraud by the employee and may also subject Happy People Hospitality to liability. Under Internal Revenue Service regulations, employees who receive \$30.00 a month or more in tips or gratuities during the regular course of employment must furnish the employer with a signed statement of tips received. Remember:

- Not reporting a gratuity is against the law.
- If you have any discrepancies regarding a tip, please bring them to the attention of your manager immediately.
- Any employee who is found to be under-reporting gratuities will be disciplined by Happy People Hospitality up to and including termination, and in addition may face action from federal and state authorities for income tax evasion.

Your accurate reporting of tips will also ensure your full benefits under provisions of the social security laws. Furthermore, should you apply for a credit card or a mortgage, income from tips not reported cannot be verified on your credit application by our payroll company and therefore you may be denied credit.

Tipping is left to the discretion of the guest. Service should never be curtailed or diminished because of the tip amount left by a guest. There is absolutely no tip solicitation allowed. An employee seen in discussion with a guest relating to a tip complaint will be subject to disciplinary action, up to and including termination. Employees may discuss their compensation, including their wages and gratuities, but may not do so where it is likely that a guest will overhear the conversation. You may approach a manager regarding a guest gratuity issue under extreme circumstances only. At times, a service/administrative/operations charge may be charged to guests in lieu of a gratuity. On those occasions, the guests (or private event host) will be advised in advanced and employees will be compensated accordingly.

TIP POOLING

Happy People Hospitality has the discretion to require food service workers to participate in a tip pool and may set the percentage to be distributed to each occupation from the tip pool. Only food service workers (e.g., bartenders, service bartenders, bar backs, runners) will receive distributions. In addition, all directly tipped employees such as bartenders and servers will be required to share their tips with other food service workers who participate in providing service to our guests. Management will inform you of the applicable tip share percentages relevant to your shift. Tip sharing will be administered by Happy People Hospitality in accordance w applicable law and regulation for the strict benefit of the service team members. Employees will be required to keep accurate records of all tips received, shared and pooled and must report them to Management on a daily basis. Where an administrative or other similar charge is used, employees will be so advised.

TIP CREDIT NOTICE

Pursuant to federal, New York, and any other applicable state or local laws, tips will be used as a credit against the minimum wage for all service employees who regularly and customarily receive tips during their employment with Happy People Hospitality, to the extent permitted by applicable law.

All rates of pay and tip credits below are subject to modification by Happy People Hospitality in its sole discretion at any time. Moreover, all rates of pay and tip credits below shall be modified automatically to conform with any legal changes to the minimum wage, overtime, and/or tip credit applicable to hospitality industry employers in New York City.

TIP CREDIT NOTICES UNDER FEDERAL AND NEW YORK LAW

Pursuant to Fair Labor Standards Act, 29 U.S.C. § 203(m) and the New York Hospitality Industry Wage Order §§ 146-1.3 & -2.2, please note that the then allowable tip credit will be applied to the hourly wages of any “Food Service” and/or “Service” employee (collectively “tipped employee”) of Happy People Hospitality in accordance with federal, state, and/or local laws. At no time will a tipped employee earn less than minimum wage when tips and direct wages are combined in a given pay period. If a tipped employee does not earn an average of at least the full minimum wage per

hour (and/or the full overtime wage per hour) after tips are included over the course of a week, additional wages are required and Happy People Hospitality will pay the balance to make up the difference.

In determining the wage that Happy People Hospitality is required to pay a tipped employee, the amount paid to the employee shall be an amount equal to:

- the cash wage paid such employee; and
- the amount of tips received by such employee, which shall at least equal the difference between the cash wage paid such employee and the minimum wage then in effect.

The above tip credit provisions shall not apply with respect to any tipped employee unless such employee has been informed by Happy People Hospitality of the provisions and requirements. All tips received by such employee have been retained by the employee, except for any contribution to a valid tip pool/share (or due to an appropriate credit card fee), which shall be limited to only those employees who customarily and regularly receive tips. The tip credit deducted from the employee’s tipped wages shall be based on the amount of tips that are actually received and will not exceed the value of the tips actually received by an employee.

NOTICE OF WAGE RATES AND TIP CREDIT FOR “FOOD SERVICE” EMPLOYEES

This section applies to all “Food Service” employees at Happy People Hospitality and Bar (including, but not limited to: servers, wait staff, counter personnel who serve food or beverages to customers, bussers, bartenders, service bartenders, barbacks, food runners, captains who provide direct food service to customers, and hosts who greet and seat guests). This section notifies you of your regular and overtime rates of pay, tip credits applied to your wages, and your cash tipped regular and overtime rates of pay (after tip credits).

“Food Service” employees are subject to the following regular rates of pay, tip credits, and tipped regular cash wage rates (after tip credits) for all hours up to 40 in any workweek, effective as of the dates identified below (assuming sufficient tips have been received in the workweek to cover the tip credit amount):

Effective Date of Rate/Tip Credit	Regular Hourly Rate	Hourly Tip Credit	Hourly Cash Tipped Rate (after tip credit)
January 1, 2024	\$16.00	\$5.35	\$10.65
January 1, 2025	\$16.50	\$5.50	\$11.00
January 1, 2026 (and thereafter)	\$17.00	\$5.65	\$11.35

“Food Service” employees are subject to the following overtime rates of pay, tip credits, and tipped overtime cash wage rates (after tip credits) for all hours over 40 in any workweek, effective as of the dates identified below (assuming sufficient tips have been received in the workweek to cover the tip credit).

Effective Date of Rate/Tip Credit	Overtime Hourly Rate	Hourly Tip Credit	Hourly Cash Tipped Overtime Rate (after tip credit)
January 1, 2024	\$24.00	\$5.35	\$18.65
January 1, 2025	\$24.75	\$5.50	\$19.25
January 1, 2026 (and thereafter)	\$25.50	\$5.65	\$19.85

NOTICE OF WAGE RATES AND TIP CREDIT FOR “SERVICE” EMPLOYEES

This section applies to all “Service” employees at the Restaurant (including, but not limited to: delivery, coat check, etc.). This section notifies you of your regular and overtime rates of pay, tip credits applied to your wages, and your cash tipped regular and overtime rates of pay (after tip credits).

“Service” employees will be subject to the following regular rates of pay, tip credits, and tipped regular cash wage rates (after tip credits) for all hours up to 40 in any workweek, effective as of the dates identified below (assuming sufficient tips have been received in the workweek to cover the tip credit).

Effective Date of Rate/Tip Credit	Regular Hourly Rate	Hourly Tip Credit	Hourly Cash Tipped Rate (after tip credit)
January 1, 2024	\$16.00	\$2.65	\$13.35
January 1, 2025	\$16.50	\$2.75	\$13.75
January 1, 2026 (and thereafter)	\$17.00	\$2.85	\$14.25

“Service” employees will be paid at the following overtime rates of pay, tip credits, and tipped overtime cash wage rates (after tip credits) for all hours over 40 in any workweek, effective as of the dates identified below (assuming sufficient tips have been received in the workweek to cover the tip credit).

Effective Date of Rate/Tip Credit	Overtime Hourly Rate	Hourly Tip Credit	Hourly Cash Tipped Overtime Rate (after tip credit)
January 1, 2024	\$24.00	\$2.65	\$21.35
January 1, 2025	\$24.75	\$2.75	\$22.00
January 1, 2026	\$25.50	\$2.85	\$22.65

(and thereafter)

In addition, “Service” employees will have no tip credit applied in any workweek where, on average, the then applicable hourly “tip threshold” is not earned by that Service employee over the

CREDIT CARD FEES

Where a credit card is used by a guest, Happy People Hospitality reserves the right, where permitted by law, to deduct from tips or gratuities a percentage charged by the credit card Company as a processing fee for those tips and gratuities before remitting the balance to the employee. In addition, Happy People Hospitality also reserves the right to put all tips left on credit cards on employees’ paychecks.

GIFTS FROM SUPPLIERS AND GUESTS

You may not solicit gifts or gratuities from suppliers or guests. You may not accept a gift from a supplier or guest since it can affect your objectivity. You must report any gift, refund, rebate offered to you directly or indirectly in cash, goods or services from a supplier or guest to both your immediate supervisor and to the Manager. Failure to do so will result in disciplinary action up to and including termination.

You may not give a business or personal gift to any of our guests or suppliers at any time.

VI. MISCELLANEOUS BENEFITS AND TIME OFF/LEAVE POLICIES

Happy People Hospitality offers a number of benefits to its employees. This Handbook briefly describes some of those benefits. The official details contained in the benefit plan or trust document govern in the event of any conflict or inconsistency with the details listed in this Handbook or with any other written or oral statements or representations. Happy People Hospitality may modify or rescind any benefits provided at its sole discretion. If you have any questions about your benefits, please contact Human Resources.

We also reserve the right to discontinue or modify our benefits at any time. We will do our best to keep you informed of any changes. To receive certain benefits, eligible employees may be required to meet participation requirements and pay required premiums and other contributions. The details of available benefits will change over time.

SICK AND SAFE LEAVE

Happy People Hospitality provides eligible employees with paid sick and safe time in accordance with the requirements of the New York City Earned Sick and Safe Time Act (ESSTA) and the New York State Paid Sick Leave Law.

1. Eligibility

All employees (whether full-time, part-time, or temporary) who work in New York are eligible to accrue paid sick and safe time pursuant to the terms and conditions set forth in this policy or as otherwise required by law.

2. Accrual of Sick and Safe Time

Eligible employees will begin to accrue paid sick and safe time on the employee's date of hire. Sick and safe time is accrued at a rate of one hour for every 30 hours worked in New York City, up to a maximum accrual of 40 hours in a single calendar year. Happy People Hospitality's calendar year starts on January 1 of each year. Employees may not accrue more than 40 hours of sick/safe leave time per year. The amount of sick and safe time received each year will be determined by the number of hours you actually work for Happy People Hospitality. Safe and sick time will not be earned during such times an employee is out on Short Term Disability, Long Term Disability, or any approved leave of absence (e.g., vacation).

Salaried exempt employees will be assumed to work 40 hours in a week unless the employee's regular work week is less than forty 40 hours, in which case sick and safe time accrues based upon that regular workweek.

Paid sick and safe time may be used in an initial increment of four hours and then in half-hour increments thereafter. An employee may not use more sick and safe time in a given day than the number of hours that employee was scheduled to work that day. Eligible employees may use up to a maximum of 40 hours of paid sick and safe time in any calendar year. Employees are not permitted to maintain a negative balance of sick and safe time.

3. Reasons Sick and Safe Time May be Used

Employees may begin using paid sick and safe time as soon as they have accrued such time. Eligible employees may use paid sick and safe time for the following reasons:

1. as a result of your or your family member's (defined below) mental or physical illness, injury, or health condition; or need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for preventive medical care (e.g., screenings, checkups, patient counseling to prevent health problems) regardless of whether such illness, injury or health condition has been diagnosed or requires medical care at the time that leave is requested;
2. for the diagnosis, care, or treatment of a mental or physical illness, injury or health condition, or need for medical diagnosis of, or preventive care for yourself or a family member; or
3. as a result of the closure of the employee's workplace due to an order of a public official due to a public health emergency, or the employee's need to care for a child whose school or childcare provider has been closed by order of a public official due to a public health emergency.
4. where you or your family member is the victim of domestic violence, a family offense matter, sexual offense, stalking or human trafficking and time off is needed to:
 - i. Obtain services from a domestic violence shelter, rape crisis center or other shelter or services program;
 - ii. Participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or family member;
 - iii. Meet with a civil attorney or other social service provider to obtain information and advice on, and prepare for or participate in, any criminal or civil proceeding, including but not limited to matters related to a family offense matter, sexual offense, stalking, human trafficking, custody, visitation, matrimonial issues, orders of protection, immigration, housing, discrimination in employment, housing or consumer credit;
 - iv. File a complaint or domestic incident report with law enforcement
 - v. Meet with a district attorney's office;
 - vi. Enroll children in a new school; or
 - vii. Take other actions necessary to maintain, improve, or restore the physical, psychological, or economic health or safety of the employee or family member or to protect those who associate or work with the employee.

A “family offense matter” is actual or threatened disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, strangulation, criminal obstruction of breathing or blood circulation, assault, identity theft, coercion or grand larceny, between spouses, former spouses, a parent and child or between members of the same family or household.

For purposes of this policy, the term “family member” shall mean an employee’s child, parent, spouse, domestic partner, sibling, grandparent, grandchild, the child or parent of an employee’s spouse or domestic partner, any other individual related to the employee by blood, and any other individual whose close association with the employee is the equivalent of a family relationship.

“Parent” means a biological, foster, step or adoptive parent, or a legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child. “Child” means a biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.

An employee’s use of sick and safe time will not be conditioned upon searching for or finding a replacement worker. Upon returning to work after using paid sick and safe time, employees will be restored to the position they held prior to the leave with the same pay and other terms and conditions of employment.

Happy People Hospitality may take disciplinary action, up to and including termination, against an employee who uses sick and safe time provided under this policy for purposes other than those described above. Indications of abuse of safe/sick leave may include, but are not limited to, a pattern of: (1) use of sick and safe time on or adjacent to weekends, regularly scheduled days off, holidays, or pay day, (2) taking scheduled sick and safe time on days when other leave has been denied, or taking sick and safe time on days when the employee is scheduled to work a shift or perform duties perceived as undesirable.

4. Requesting Sick and Safe Time/Documentation

Employees must provide seven days’ advanced written notice if the need for sick and safe time is foreseeable (i.e., expected or planned leave). When the need for sick and safe time is unforeseeable, employees should notify their managers about their intention to use sick and safe time as soon as possible. To provide notice of the need to use sick and safe time, employees should contact their supervisor or Human Resources.

As stated in the Lateness and Absenteeism section above (page 30), we recognize that there may be times when your absence or tardiness cannot be avoided. If you are ill, injured or an unexpected emergency arises which prevents you from coming to work, you must verbally notify your supervisor with as much advance notice as possible under the circumstances, if possible, before the start of your scheduled workday. If your supervisor is not available, you should contact Human Resources. If you are physically unable to contact Happy People Hospitality, you should direct another person to make the contact on your behalf. Leaving a message (text, phone, email, or other) with a fellow employee is not considered proper notification.

If sick and safe time is for more than three consecutive work days, Happy People Hospitality may request that employees provide supporting documentation establishing the need for and duration of sick and safe time. Work days are the days or parts of days employees would have worked had they not used sick and safe time.

Any information provided to Happy People Hospitality about an employee or an employee's family member shall be treated as confidential and shall not be disclosed except by the affected employee, with the permission of the affected employee, or as required by law. Happy People Hospitality cannot and shall not require that employees or a health care or service provider disclose personal health information or the details of the matter for which an employee requests safe leave. If requested, such documentation must be provided within seven (7) days of returning to work. Failure to provide required medical documentation may result in disciplinary action. If such documentation is requested, Happy People Hospitality will reimburse the employee for the cost of providing such documentation.

Employees are not required to search for or find a replacement worker to cover the hours during which such employee is utilizing sick and safe leave.

Happy People Hospitality may request that employees provide written confirmation that they used the time for a permissible purpose. A copy of the required form will be provided by management or otherwise is available here:

- <https://www1.nyc.gov/assets/dca/downloads/pdf/about/PaidSafeandSickLeave-EmployeeVerificationRegardingAuthorizedUseofEarnedSafeandSickLeave.pdf>

5. Rate of Pay and Overtime

Sick and safe time is paid based on the employee's regular rate of pay at the time the sick and safe time is taken. Sick and safe time is not considered time worked for the purpose of calculating overtime for the week in which the sick and safe time was taken. Employees will not receive overtime pay for sick and safe leave.

For salaried employees, sick and safe time shall be paid at the employee's regular wage rate as of the date of usage of your sick and safe time. For hourly paid employees, sick and safe time shall be paid at the employee's regular straight time hourly wage rate as of the date of usage of your sick and safe time. For tipped employees, sick and safe time shall be paid at the minimum wage then in effect. Employees will not be entitled to lost tips or gratuities. If employees work more than one job for Happy People Hospitality or if their pay fluctuates for one job, the rate of pay for sick and safe time will be the rate they would have been paid during the period of leave.

6. Leave Carryover

Employees who have accrued time remaining at the end of the year may carryover all accrued, unused time to the next calendar year. However, employees may not use more than 40 hours of sick and safe time in a calendar year.

Happy People Hospitality does not offer pay in lieu of actual sick and safe time and does not payout accrued, unused sick and safe time at the end of the calendar year. Employees will not be paid out for any accrued but unused sick and safe time hours upon separation of employment.

7. Confidentiality

Happy People Hospitality will keep confidential the health information of the employee or employee's family member, as well as information related to the employee's or family member's status or perceived status as a victim of domestic violence, family offenses, sexual offenses, stalking or human trafficking. When such information is provided solely for the purposes of using paid sick and safe time, it will not be disclosed except by the affected employee, with the written permission of the affected employee or as required by law.

Happy People Hospitality reserves the right to consider this information in connection with a request for sick and safe time or in connection with a request for a reasonable accommodation for a victim of domestic violence, stalking or a sex offense.

8. Effect on Other Rights and Policies

Happy People Hospitality may provide other forms of leave for employees to care for medical conditions or issues related to domestic violence, stalking or sex offenses under certain federal, state and municipal laws. In certain situations leave under this policy may run concurrently with (i.e., at the same time as) leave available under another federal or state law, to the extent permitted by law. Employees should contact Human Resources for information about other federal, state, and local leave options.

9. Separation from Employment

Compensation for accrued and unused paid sick and safe time is not provided upon separation from employment for any reason. If an employee is rehired by Happy People Hospitality within six months of separation from employment, previously accrued but unused sick and safe time will be immediately reinstated.

10. Notice to employee

Upon written or oral request, Happy People Hospitality will provide information to employees about the amount of sick and safe time they have accrued and used within three (3) business days. Additionally, Happy People Hospitality will ensure that its payroll records show the amount of sick and safe time provided to each employee for each week worked.

11. Retaliation

Employees have the right to request and use sick and safe time. Happy People Hospitality will not retaliate, or tolerate retaliation, against any employee who seeks or obtains sick and safe time under this policy or who makes a good faith complaint about a possible ESSTA violation, communicates with any person about such a violation or otherwise exercises any right afforded by the ESSTA. In addition, Happy People Hospitality will not retaliate against any employee who informs another person about the rights under the ESSTA.

PAID FAMILY LEAVE

The New York Paid Family Leave program (“NYPFL”) provides eligible employees with paid family leave for qualifying reasons.

This benefit is administered by Happy People Hospitality disability insurance carrier, which pays a portion of normal compensation consistent with the statutory caps in effect at the time the leave is sought. Happy People Hospitality’s disability insurance carrier is responsible for determining if an employee is eligible for this benefit, which is financed solely through employee contributions in an amount set by the State.

Eligibility

To be eligible for leave under the NYPFL, an employee must: (a) work a regular schedule of 20 or more hours per week, and have been employed for at least 26 consecutive weeks; or (b) work a regular schedule of less than 20 hours per week, and have worked for at least 175 days.

Leave Period

Eligible employees are entitled to NYPFL leave for a designated duration benefit period every 52 weeks. The designated duration benefit is 12 weeks. Leave may be taken in consecutive blocks of time or intermittently in daily increments.

Qualifying Reasons for Leave

Eligible employees may take NYPFL for the following reasons:

- to care for a child, sibling, spouse, domestic partner, sibling, parent, parent-in-law, grandparent or grandchild with a serious health condition;
- to bond with a newly born, adopted or fostered child or to deal with certain related legal proceedings associated with the adoption or foster placement of a child; or
- to relieve family pressure when an employee's spouse, child, domestic partner, or parent is on active military duty or has been notified of an impending call or order of active duty.

For purposes of this policy, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice or residential health care facility or continuing treatment or continuing supervision by a healthcare provider.

Notice to Happy People Hospitality

If an employee’s need for NYPFL is foreseeable, the employee must provide Happy People Hospitality with 30 days’ notice of the need for such leave. When the need for leave is not foreseeable, an employee must provide notice to Happy People Hospitality as soon as practicable. If NYPFL is taken intermittently, the employee must provide Happy People Hospitality with as much notice as is practicable under the circumstances before each day of such leave.

Employees on leave should maintain regular contact with their Manager during the time off of work so we may monitor your return-to-work status. In addition, employees should contact their Manager when they are ready to return to work. Employees who receive paid family leave benefits are entitled to job reinstatement to a comparable position, but have no greater right to job reinstatement than if they had been continually employed.

Health Benefits While On Leave

Health benefits will be continued for employees on leave for the duration of their leave under the same terms and conditions that were in effect at the time the leave commenced, except that any changes to Happy People Hospitality's benefits plans that would otherwise affect the employee on leave if he/she were not on leave will apply. Employees will be required to continue to make insurance premium contributions if they did so before the leave commenced.

Concurrent Benefits While on NYPFL

Any time off for family leave purposes under this section will run concurrently with other leaves of absence if applicable and permitted by applicable law.

Discrimination/Retaliation

Happy People Hospitality will not retaliate or otherwise discriminate against any person for availing themselves of the rights provided under the NYPFL.

For additional information, please contact a Manager and you will be given information about the NYPFL and how to apply for benefits. Employees may also contact the New York State Workers' Compensation Board for further information.

VACATION LEAVE

In addition to the above policies, we are pleased to offer Vacation Leave to every employee of Happy People Hospitality, beginning on the one-year anniversary of their date of hire (the "Anniversary Date"). This policy takes effect July 21, 2024.

On each Anniversary Date, all Full-Time Employees shall receive 40 hours of Vacation Leave. For example, if a Full-Time employee's Anniversary Date is September 1, 2023, on September 1, 2024, they would receive 40 hours (5 days) of Vacation Leave, which must be used within the following 12 months. If that same employee remained with Happy People Hospitality in a full-time capacity through September 1, 2025, they would receive an additional 40 hours of Vacation Leave to be used within the following 12 months.

On each Anniversary Date, all Part-Time Employees shall receive Vacation Leave in an amount consistent with their prior six (6) months of employment. For example, if in the six months preceding the employee's Anniversary Date the employee has worked, on average, 24 hours per week, then the employee shall receive a corresponding 24 hours of Vacation Leave, which must be used within the following 12 months.

All Vacation Leave must be taken in four (4) hour increments, not to exceed eight (8) hours in a day. All Vacation Leave must be used within 12 months of the employee's anniversary date. Any

Vacation Leave remaining/unused at the end of the subject calendar year will be forfeited. Accrued Vacation Leave is not paid out upon termination of employment.

Requests to use Vacation Leave must be submitted in writing to your manager. Requests for any extended Vacation Leave of more than three (3) days in length must be submitted to your manager in writing at least 30 days prior to the intended days off.

All requests for Vacation Leave must be approved by a manager. Happy People Hospitality will attempt to accommodate an employee's requests for days off. Management may request employees to take Vacation Leave during a specific time or for a specific duration. Vacation Leave days are normally greatly restricted, or at times not permitted, during peak business periods. Therefore, management has the right to grant, deny, or modify the Vacation Leave request.

FAMILY AND MEDICAL LEAVE

Happy People Hospitality is a covered employer under the Family and Medical Leave Act, as amended ("FMLA"). See Appendix D on this handbook for the full FMLA policy.

COVID-19 LEAVE POLICIES

In response to the COVID-19 pandemic, the federal government and New York State have passed various laws providing additional leave benefits for employees affected by COVID-19. Please see the COVID-19 Supplement annexed as Appendix E to this Handbook for Happy People Hospitality's COVID 19 leave policies.

PRENATAL LEAVE

Beginning January 1, 2025, Happy People Hospitality will provide employees with up to 20 hours of paid prenatal leave in a 52-week period. Employees may take this leave during pregnancy for reasons such as related medical appointments, procedures, tests, and discussions with healthcare providers. Employees may use prenatal leave in hourly increments, and prenatal leave will be available immediately upon hire. Employees will be paid their regular rate of pay when using this leave.

HOLIDAYS

Happy People Hospitality is closed on Thanksgiving, Christmas Eve (December 24), and Christmas Day (December 25). Such time away from work is unpaid for non-exempt employees.

HEALTH BENEFITS

Happy People Hospitality offers health benefits to certain eligible employees. Employees should consult the separate materials prepared by/on behalf of Happy People Hospitality's health care insurance company for details of the plan(s). The details of those plans are spelled out in the official plan documents, which are available for review upon your request from Ownership or Human Resources. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the Summary Plan Descriptions ("SPD"), for the plans (which may be revised from time to time at the discretion of the Happy People Hospitality).

COMMUTER TRANSIT BENEFIT

Happy Team Hospitality allows eligible employees to use the commuter benefits program to pay for public transportation and/or parking expenses needed to commute to their employment using pre-tax income. Once enrolled, the amount elected by the employee will be withheld, pretax. For more information on this program, please contact Human Resources.

WORKERS' COMPENSATION

Workers' Compensation is a critical benefit provided to employees based on certain qualifications. If you are injured on the job, you may be entitled to receive workers' compensation benefits. You should immediately report all accidents or injuries to your Supervisor so that a claim form can be completed. Failure to report an accident or injury – or to timely report such accident or injury – could result in a loss of benefits. This form must be submitted to both the Workers Compensation Board and our insurance carrier immediately after the accident. Happy People Hospitality also requires that you and any other employee who witnesses the accident or injury document what happened and record other related information.

Remember:

- If you are injured on the job, you must notify your Supervisor immediately and an accident report must be completed.
- It is critical that you comply with this requirement to protect the benefits you are entitled to under Workers' Compensation Insurance and to receive proper medical treatment if necessary.
- Report all accidents and injuries no matter how small.
- If an on-the-job injury results in lost time, you must notify your Supervisor as soon as you become aware that lost time will occur.

Retaliation against any employee who files a workers' compensation claim is strictly prohibited.

Happy People Hospitality will notify the workers' compensation insurance company if we have reason to believe an employee has supplied false or misleading information in connection with a claim and/or has filed a fraudulent claim. Workers' compensation fraud is a crime and may also be grounds for disciplinary action, up to and including termination of employment. In addition, employees are expected to comply with all lawful requests made by the employer and/or its workers' compensation insurance carrier as it pertains to their claim.

SHORT TERM DISABILITY

Depending upon where they work, employees who are absent for an extended period due to illness may be entitled to a continuation of a portion of their income from the state. Employees should contact Human Resources for the necessary forms.

UNEMPLOYMENT BENEFITS

Happy People Hospitality contributes to unemployment insurance to provide compensation to individuals who become unemployed by no fault of their own. Eligibility for this benefit is regulated by the law and depends on the reason for unemployment.

TIME OFF FOR VOTING

Happy People Hospitality provides employees who are registered voters with up to two hours of paid time off. Happy People Hospitality may require the employee to take the time at the beginning or end of the employee's shift, unless otherwise mutually agreed. Employees intending to take leave to vote must inform their Manager at least two, but not more than 10, working days prior to Election Day. The employee's Manager will designate when the leave should be taken (e.g., at the beginning or end of the shift).

MILITARY LEAVE

Happy People Hospitality will comply with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable state laws in granting military leaves of absence. Because the USERRA is detailed, comprehensive, and complex, you should contact your Manager regarding your rights and responsibilities under USERRA.

JURY DUTY

Happy People Hospitality encourages employees to fulfill their civic responsibilities serving jury duty when required. Employees will be allowed time off to perform jury service. If you are required to serve on jury duty at the federal, state, or local level, you must notify your supervisor within 48 hours of receipt of the jury summons and, upon return to work, you must submit court-issued proof of service to your supervisor. Either Happy People Hospitality or the employee may request an excuse from jury duty if it is determined that the employee's absence would create serious operational difficulties. If an employee regularly works Saturday and/or Sunday, the employee is expected to report for work on those days unless advised otherwise by their supervisor.

Happy People Hospitality will comply with all federal, state, and local laws regarding jury duty. Non-exempt employees who are called for jury duty will receive up to forty dollars (\$40.00) for the first three (3) days of jury duty service only (not to exceed their regular pay for the day). Thereafter, non-exempt employees will be paid by the Court. Exempt employees who are called for jury duty will be paid in accordance with Happy People Hospitality's obligations under state and federal law, as may be determined if they perform work for Happy People Hospitality during the workweek or do not perform any work whatsoever.

DOMESTIC VIOLENCE OR CRIME VICTIMS AND CRIMINAL PROCEEDING LEAVE

Employees who are crime victims, victims of domestic violence or subpoenaed to attend criminal proceedings as witness are eligible for unpaid leave to appear as witnesses, consult with the district attorney or exercise rights under the law. The employee also must provide notice of intention to take this leave as soon as possible. Victims include next of kin if the aggrieved party is deceased

as a result of the offense; victims' representatives; good Samaritans; or persons pursuing application/enforcement of protective orders.

BLOOD AND BONE MARROW DONATION LEAVE

Employees in New York who work 20 hours or more per week are entitled to take up to three (3) hours off work per calendar year to donate blood. The time off is unpaid, however, an employee may use accrued but unused vacation leave, if applicable. Happy People Hospitality will not retaliate against an employee for requesting or obtaining a leave of absence to donate blood.

Employees in New York who work 20 hours or more per week are entitled to take up to twenty-four (24) work hours of unpaid leave to donate bone marrow. Happy People Hospitality may require verification of the required leave by a medical provider. The time off is unpaid, however, an employee may use accrued but unused vacation, if applicable. Happy People Hospitality will not retaliate against an employee for requesting or obtaining a leave of absence to donate bone marrow.

FAMILY MILITARY LEAVE

An eligible employee in New York whose spouse or domestic partner is a military serviceman or servicewoman deployed during a period of military conflict may request up to 10 days of unpaid leave during the period the military spouse is on leave from deployment. To be eligible for such leave, an employee must work an average of 20 or more hours per week and the employee's spouse or domestic partner must be a qualified member of the United States Armed Forces, National Guard or Reserves deployed during a period of military conflict. The employee also must provide notice of intention to take Family Military Leave as soon as possible after receiving official notice that the employee's spouse or domestic partner will be on leave from deployment and documentation certifying that the employee's spouse or domestic partner will be on leave from deployment during the time the employee requests leave.

VOLUNTEER EMERGENCY RESPONDER LEAVE

An eligible employee in New York shall be permitted to take unpaid leave from work in order to perform their duties as a volunteer firefighter or volunteer ambulance personnel. While this time off is unpaid, an employee may use accrued but unused vacation, if applicable. In order to be eligible for such leave, the employee must provide Human Resources with written notice from the head of the employee's volunteer fire department or volunteer ambulance service notifying the

Company of the employee's status as a volunteer firefighter or member of a volunteer ambulance service. Upon returning from such leave, the employee must provide Human Resources with a notarized statement from the employee's volunteer fire department or volunteer ambulance service certifying the period of time that the employee responded to an emergency.

STAFF MEALS

On working days, employees are allowed one meal per shift ("Staff Meal") free of cost. Staff Meals are provided and eating times will be set by the manager and chef according to the requirements of the restaurant for that particular day. A menu for Staff Meals will be posted to reflect the weekly

rotation of offerings by the chef. Eating during non-authorized times and eating non-authorized food may result in termination of employment. Designated areas where employees may eat their meals are posted with the Staff Meal Menu.

If you wish to eat something from the menu, other than the offered by the chef, you are welcome to do so at the employee discount cost (see below), and during the provided eating times of your shift. Your meal must always be ordered through the restaurant POS system, by a co-worker, and you must pay for your meal at the time you order it. Your name is required to be written on your receipt.

EMPLOYEE DISCOUNT

Employees are not permitted to dine at any Happy People Hospitality restaurant without first having obtained prior approval from Management. If you would like to come as a guest to one of our restaurants for a meal, please speak to your manager ahead of time so that you may be given a reservation to do so during the appropriate hours of service. If you have been approved to come for dinner you will be eligible for a discount on food. It is your responsibility to leave an appropriate gratuity for your server.

All staff is entitled to receive a 30% discount on food only for yourself and one guest when coming to one of our restaurants. If you are bringing a group of 4 guests or more, in addition to yourself, to any of the restaurants, your party will not receive a discount but you will eat for free.

If you are working on your shift and you wish to eat something from the menu that is not on the list of “authorized staff meals,” you can order it as long as your manager allows it, eat it during “staff eating times,” and you will have to pay for it using your 30% employee discount.

No member of the staff, including managers are allowed to eat during the middle of a shift or during rush hours

VII. WORKPLACE SAFETY & SECURITY

SAFETY

Your safety, and that of those who work with you, is one of our greatest concerns. With an alert safety attitude, you can help eliminate painful and costly accidents. You can help by:

- Keeping work areas clean and clear;
- Reporting hazards or unsafe conditions;
- Smoking only in designated areas;
- Reporting all injuries, however minor, immediately, and;
- Never performing a job that you feel is unsafe.

WORK RELATED ACCIDENTS AND INJURIES & SECURITY

Happy People Hospitality is sincerely interested in the health, safety and well-being of our employees. Accordingly, all employees are required to comply with Happy People Hospitality's health and safety rules. In addition, employees are required to promptly report all work-related accidents, injuries, and illnesses to the nearest available management personnel and to comply with Happy People Hospitality's procedure regarding treatment for job related injuries and illnesses. All such accidents must be reported as soon as they occur.

SAFETY AND HEALTH POLICIES AND TESTING

Employees are required to comply with all federal, state and local laws concerning safety and health standards. Periodic employee testing of policies and legal requirements concerning safety and health standards may be required.

ACCIDENTS

Any accident involving a Company employee while working or while on Company premises (whether in personal or Company car), and regardless of whether it involves an injury to a person, must be reported by the involved employee to their supervisor within four (4) hours of occurrence or by the end of the involved employee's workday, whichever is earlier. The employee should also request and obtain a police report.

WORK RELATED INJURIES AND ILLNESSES

Any injury or illness incurred by a Company employee while working or while on Company premises must be reported to the employee's supervisor by the injured or ill employee within two (2) hours of the occurrence of the injury or the onset of illness or by the end of the affected employee's workday, whichever is earlier.

FAILURE TO REPORT

Employees who fail to report a work-related accident, injury, or illness, may be subject to discipline, up to and including termination.

SAFETY PRECAUTIONS

Employees must observe the following precautions:

- Employees must notify a supervisor of any emergency situation. If an employee is injured or becomes sick at work, no matter how slightly, they must inform a supervisor immediately.
- Employees may use, adjust and repair machines and equipment only if trained and qualified.
- Employees must get assistance when lifting or pushing heavy objects.
- Employees must understand their job fully and follow instructions. If an employee is not sure of the safe procedure, they should ask a supervisor.
- Employees must know the locations, contents and use of first aid and firefighting equipment.
- Employees must wear personal protective equipment in accordance with the job they are performing.

A violation of a safety precaution is in itself an unsafe act. Violations of this policy may result in disciplinary action, up to and including termination.

For purposes of this Handbook, the term “accident” is defined as an unintended event occurring at work, during working time or on Company premises which results in an injury to a person or damage to property. “Injury” is defined as physical, mental, or emotional harm to the person resulting from a work-related accident, mishap, or event (or series of mishaps or events) which gives rise to a requirement for medical attention beyond minor first aid. “Illness” is defined as sickness resulting from a work-related event or series of events which gives rise to a requirement for medical attention.

FOOD SAFETY

For the benefit of our guests and co-workers, it is essential to maintain an environment where safety and health is paramount. Food preparation must always be done within the proper regulatory and safety guidelines. We must make sure the food is free from contamination and that we strictly adhere to safe food maintenance and preparation practices.

Employees are expected to immediately report any perceived, potential, or known lack of compliance with any health department rule, regulation, or law or any Company food maintenance or preparation practice. All employees are required to follow applicable law, regulations and policies concerning food safety. Employees involved in food preparation and storage are expected to help assure that stored food products are cooled in compliance with health regulations.

While working, watch for and clean up debris, garbage, spills and ice on the floor that could easily lead to accidents and looks sloppy. Never stand on tables and chairs and politely ask customers not to either.

It is essential that the entire Company environment be free from any hazards, risks or threats to the safety of employees, guests or other visitors. Accordingly, it is essential that employees follow all applicable safety rules and regulations and strive to eliminate any potential for an accident, especially by reporting any potentially dangerous conditions.

HOUSEKEEPING

Good housekeeping must prevail always, and we require that you take this as your personal responsibility. It is extremely important for you to realize that you have a personal obligation for orderliness and cleanliness in all areas, and especially restrooms and employee break and changing areas. **In our homes as in our restaurant, we are judged by the cleanliness of our restrooms.**

We all have an obligation to make certain they are clean, well-stocked orderly. Please wash your hand frequently and thoroughly before starting and during your shift.

SECURITY

Happy People Hospitality has zero tolerance when it comes to violence in our workplace and in the environment we have created for our guests and visitors. We expressly prohibit any act or threat of violence, whether verbal or physical, by any employee, former employee, consultant, guest, vendor or other visitor to our workplace. If any employee is found to have engaged in any act of violence, threatened, perceived or actual, their employment will be terminated. Happy People Hospitality expects all of its employees to conduct themselves in an appropriate, non-threatening manner at all times. Failure to comply with this policy will result in disciplinary action up to and including termination.

It is very important that every employee understand that there is no such thing as an “empty” or “idle” threat. If you make a threatening statement or gesture (i.e., a raised fist or fingers pointed like a gun), Happy People Hospitality will not accept the defense that you “did not mean it” or you were “just kidding.” Nor will Happy People Hospitality tolerate “implied” threats such as “maybe I’ll take care of you later,” or, “I know where you live.” Happy People Hospitality will take it as a real threat and act accordingly.

Employees should notify Management if a restraining order related to them in anyway is in effect, or if a potentially violent non-work related situation exists that could result in violence in the workplace.

All supervisors, managers, officers and all employees have an obligation to report any person who exhibits threatening behavior towards another employee or poses a danger or threat to any employee, guest or other visitor to your supervisor or a member of management immediately. If you feel you are in imminent danger, please dial 911. Any threat reported to a supervisor should be brought to the attention of Management.

FIREARMS AND OTHER WEAPONS

Happy People Hospitality prohibits the possession of firearms and other weapons (including knives where not specifically job related) on any of its properties, during work hours and at all other times. Violations of this policy may lead to disciplinary action up to and including termination.

ELECTRONIC MONITORING POLICY

Happy People Hospitality uses video and digital cameras and/or recording devices to monitor its public areas, back of house, offices and all other non-restroom and non-changing facilities on its properties, both inside and outside, in order to maintain the security of our guests, employees, facilities and property.

While recognizing individuals' right to privacy in certain aspects of their lives, Happy People Hospitality may record all public areas of Happy People Hospitality, including, but not limited to, front-of-house and back-of-house, kitchen, storage space, offices and other work-related areas. Happy People Hospitality does not monitor restrooms and/or approved changing facilities.

Employees are strictly prohibited from interfering with the operation of the video/digital monitoring system. Any employee found to tamper with the system or otherwise to have violated this policy will be subject to immediate discipline, up to and including termination.

ALCOHOLIC BEVERAGES

The sale and consumption of alcoholic beverages in Happy People Hospitality is governed by strict laws and our procedures. Absolutely no one under the age of 21 is to be served beer, wine or alcoholic beverages of any kind. Only employees over the age of 18 may serve our customers such beverages.

Should a customer appear younger than 30 years of age, the customer must be asked to show "proof of age" which is a government issued ID, such as a Driver's License, which contains both the customer's picture and date of birth. In the event that the customer is not of the legal drinking age, employees are to decline to accept the order in a polite and courteous manner. In the event that the customer becomes unruly or argumentative, a manager should speak with the customer.

Any bartender found serving alcoholic beverage to an employee might face immediate termination of employment.

If a customer appears inebriated, the customer is not to be served with any alcoholic beverage. If an employee has any concern about serving a customer, the a manager should be immediately contacted.

VIII. STANDARDS OF CONDUCT & GENERAL WORKPLACE POLICIES

STANDARDS OF CONDUCT

Standards of conduct are important for the smooth operation of any business. Happy People Hospitality's business has very clear and specific rules of acceptable and unacceptable conduct. Indeed, it is Happy People Hospitality's policy that each employee should maintain the highest standard of conduct that is necessary to ensure the orderly operation of our business and the satisfaction of our guests. Mature common sense is the best guide to proper conduct. We outline some examples of the unacceptable for you here, which will not be condoned and which may lead to disciplinary action, up to and including immediate discharge.

In any given situation, Happy People Hospitality, in its sole discretion, may opt to impose one or more different types of discipline, including but not limited to, oral warnings, written warnings, and termination. The implementation of this policy, however, does not guarantee any type of progressive discipline or prevent, limit, or delay Happy People Hospitality from taking any type of disciplinary action, including termination without warning, where, in Happy People Hospitality's sole discretion, it deems such action appropriate.

This list is not intended to be definitive, exhaustive, or conclusive; rather, it serves as illustrations of conduct that will not be tolerated and will result in disciplinary action up to and including termination. In all cases, disciplinary decisions remain within the sole discretion of Happy People Hospitality:

- Any violation of any Company policy.
- Carrying or possessing a weapon of any kind on Company property, unless expressly permitted by law (For purposes of these rules, a "dangerous weapon" is defined as including any weapon or other instrumentality capable of being used to inflict death or serious bodily harm, such as a firearm, knife in a non-work capacity, or explosive device).
- Failure or refusal to comply with Happy People Hospitality alcohol and drug policy.
- Unauthorized use, possession, or sale of alcoholic beverages at work, or reporting for work under the influence of alcoholic beverages, or consuming alcohol during worktime or while on breaks; except, the consumption of alcohol by employees while working is permitted where it specifically required by the employee's position, provided that the employee does not become inebriated.
- Unauthorized use of, possession of, or trafficking in illegal drugs or controlled substances (as defined in the Drug/Alcohol Abuse Policy in this Handbook) during working time, while at work including during meal periods and breaks, or on Happy People Hospitality property. "Unauthorized use or possession" is defined as use or possession other than as prescribed by a licensed physician or other authorized medical practitioner or in the case of marijuana, lawfully purchased recreational marijuana. Regardless of the legal status of any drug, employees will be

deemed to have violated this policy if they are impaired during working hours.

- Gambling or soliciting gambling on Company property.
- Lewd, indecent or unlawful conduct.
- Horseplay or other disorderly conduct.
- Theft or attempted theft of any kind, including another employee's property or Company property.
- Vandalizing Company property.
- Violation of Happy People Hospitality's discrimination or harassment policy.
- Fighting, threatening, or aggressive or hostile behavior that creates a reasonable fear of injury to another person, or aggressive or hostile behavior that creates a reasonable fear of injury to another person, or subjecting another person to emotional distress.
- Use of abusive or threatening language.
- Creating hazardous or unsafe conditions and violation of safety regulations.
- Deliberate destruction of or damage to Company property or another employee's property.
- Careless waste of materials or mishandling of supplies or equipment.
- Littering or defacing walls, bulletin boards or other Company property.
- Failure to complete job assignments or to follow a reasonable job request.
- Sleeping on the job.
- Walking off the job.
- Failure to fully and truthfully disclose all facts related to an internal investigation, workers' compensation and/or insurance claims, and/or requests for leave of occurrence.
- Falsification of Company documents, including time sheets, employment applications, benefit sheet, or allowing another to sign or mark yours.
- Unauthorized disclosure, use or theft of Happy People Hospitality's confidential information.
- Unsatisfactory job performance, as determined by management.
- Excessive absenteeism or tardiness.
- Clocking in early without management approval.
- Clocking out late without management approval.
- Clocking in or out on behalf of fellow employee.
- Falsifying, deliberately making misleading statements in, or deliberately omitting pertinent information from, any Company records (including such items as tip reports, sales records, applications for leaves of absence, credit card receipts, employment application forms, or records of personal absence, illness, or hours worked).
- Insubordination, threatening, intimidating, being disrespectful to or assaulting a supervisor or representative of management, including without limitation, the failure to obey, follow, or perform work assigned or refusal or intentional failure to follow a legitimate directive of a supervisor or person in authority intentionally.

- Refusing or willfully failing to comply with Company security policies or procedures, including, but not limited to, reasonable searches of person or property for stolen property, contraband, or illegal drugs.
- Being discourteous or disrespectful to a guest or any member of the public while in the course and scope of Company business.
- Failing to work in a cooperative manner with management/supervision, coworkers, guests and vendors.

This list is not intended to be definitive, exhaustive, or conclusive; rather, it serves as illustrations of conduct that will not be tolerated and will result in disciplinary action up to and including termination.

In any given situation, Happy People Hospitality, in its sole discretion, may opt to impose one or more different types of discipline, including but not limited to, oral warnings, written warnings, and termination. The implementation of this policy, however, does not guarantee any type of progressive discipline or prevent, limit, or delay Happy People Hospitality from taking any type of disciplinary action, including termination without warning, where, in Happy People Hospitality's sole discretion, deem such action appropriate.

Any potentially dangerous situations must be reported immediately to a manager or Human Resources. Reports can be made anonymously. All reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately. Information will be disclosed to others on a need-to-know basis. All parties involved in a situation will be counseled. The results of the investigations will be discussed with them. Happy People Hospitality will actively intervene at any indication of a possibly hostile or violent situation.

Employees must also be respectful of our guests and their right to privacy. Employees may not take, distribute, or post pictures, videos or audio recordings of our guests during working time.

Nothing in this policy is intended in any way to interfere with, coerce, or restrain any employee from exercising their rights under any State or Federal labor law, including the National Labor Relations Act.

DRUG/ALCOHOL ABUSE POLICY

Happy People Hospitality is concerned about the use and possible use of alcohol and/or controlled substances (as defined under federal law) by our employees in the workplace, as well as outside the workplace in a manner that affects the workplace. In order to address these concerns, Happy People Hospitality is adopting this Alcohol and Drug Abuse Policy.

The illegal use, sale, possession, concealment, distribution, dispensing, transportation, or manufacture of a controlled substance by any of our employees would be a criminal act. Illegal use of such drugs and abuse of alcohol may also substantially increase the possibility of an employee's creating serious problems at work, including causing an accident. Important aspects of our work may be seriously affected by any employee who has taken or is otherwise involved with illegal drugs, or who uses, is under the influence of, or is impaired by alcohol or cannabis while at work.

Illegal Drugs and Controlled Substances

Happy People Hospitality prohibits the use, sale, possession, concealment, distribution, dispensing, transportation, or manufacture of any controlled substance or drug (as defined by federal law, including cannabis) and drug paraphernalia at any time during working hours including meal periods and breaks, while on the Restaurant's premises, or in any other work-related environment; except drugs prescribed by a licensed health care provider may be taken in the prescribed or authorized dosage, so long as the dosage is consistent with the safe performance of the employee's duties and the employee's work performance is not affected.

Alcohol

Happy People Hospitality prohibits the use, sale, possession, concealment, distribution, dispensing or transportation of any alcoholic beverage in the workplace at any time unless as required by the employee's job responsibilities. Employees are permitted to consume small amounts of alcohol on Happy People Hospitality's premises while working as required for their particular job (e.g., a sommelier, bartender or server tasting a new wine/cocktail). All employees must ensure that they are never drunk or otherwise impaired by alcohol or any other substance while working. Employees must maintain their full faculties and judgment while working and must perform their job duties safely and efficiently.

Employees are not permitted to bring outside, non-Restaurant alcohol beverages into the workplace, accept or consume alcoholic drinks from a guest or third party, or otherwise consume alcohol while on the premises for work purposes.

This prohibition does not include responsible consumption of alcohol after work or during special events; however, employees are prohibited from using or possessing any alcoholic beverage outside of the workplace while on break from work during the workday.

Employees who are under the influence of an illegal drug or alcohol on the job compromise Company interests, endanger the employees own health and safety and the health and safety of others, and can cause a number of other work-related problems, including absenteeism and tardiness, substandard job performance, increased workloads for coworkers, behavior that disrupts other employees, delays in the completion of jobs, inferior quality in our products, and disruption of customer relations. Any violations of this policy will be grounds for discipline up to and including termination.

Employees are responsible for being aware of any effects that prescription or over-the-counter medications may have on the performance of their job. Employees taking over-the-counter medication or prescription medication which might affect their ability to perform the job safely must promptly report that fact to Human Resources. Failure to do so may be considered a violation of Happy People Hospitality's policy regarding the use of drugs.

Happy People Hospitality maintains a policy of non-discrimination, and will endeavor to make reasonable accommodations where required by law to assist individuals recovering from substance abuse or alcohol dependencies, or those who have a medical history which reflects treatment for a substance abuse condition. We encourage employees to seek assistance before any substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs or

jeopardizes the health and safety of themselves and fellow employees. Employees may speak to Human Resources if they need assistance, without fear of reprisal.

PHYSICAL AND MENTAL HEALTH

For some, working in a restaurant is just a job. For others, it's where they find meaning and their place in life. But whether they work in a restaurant only to pay their bills, or it's their calling, it's a difficult job, working nights, weekends and holidays; in the weeds in hot kitchens; dealing with sometimes difficult guests; a fast-paced schedule; exacting bosses, etc. Your physical and mental health must be a priority. Taking time to rest and recover is very important. Seeking help and guidance during difficult and stressful times can make all the difference and may put you on a successful path to happiness and well-being. If you are concerned about depression, potential or active alcoholism, drug or other addictions, there is help out there. Talk to us, talk to a friend or family member, therapist or other professional.

SMOKING POLICY

For the health and safety of all employees, smoking and use of electronic cigarettes is not allowed in either public or nonpublic areas of Happy People Hospitality or Company offices. If you smoke or use electronic cigarettes, you must wash your hands before returning to work.

Happy People Hospitality supports all employees who want to quit smoking. Employees can call the New York State Quitline at 1-866-NY-QUITS, visit nysmokefree.com or call 311 for more information.

PERSONAL APPEARANCE – ATTIRE AND GROOMING GUIDELINES

It is essential for our employees to present a polished, professional, and well-groomed appearance. Please take pride and care in your personal appearance.

All employees are required to follow the dress and grooming standards established by Happy People Hospitality. Failure to comply with dress and grooming standards will result in disciplinary action, up to and including termination.

Employees must arrive at work dressed and ready to work their shift. Employees who arrive to work inappropriately dressed may be sent home and directed to return to work in proper attire. Under such circumstances, employees are not paid for time away from work. As repeated violations of this policy may result in disciplinary action, up to and including termination, employees should consult a supervisor if they have any questions as to what constitutes appropriate attire.

Happy People Hospitality believes that its existing personal appearance standards are sufficiently flexible to accommodate reasonable dress or grooming requirements arising out of a bona fide religious belief, gender identity or expression, or medical necessity. Nevertheless, any employee who believes that they have a bona fide religious, gender identity related, medical or other substantial need for relaxation or exception to this policy should address the matter with Human Resources.

Dress Code

Each Happy People Hospitality restaurant maintains its own specific uniform requirements.

Your Manager and/or Human Resources will provide you with additional information regarding uniform requirements upon commencement of your employment.

The following requirements apply to all Happy People Hospitality locations. All clothing must be in good condition (not torn, ripped, stained, or soiled) and it must fit appropriately. Appropriate dress, proper grooming and hygiene are essential to ensure Happy People Hospitality employees portray a positive and professional image of Happy People Hospitality.

Your personal appearance enhances the guest's impression of you and our restaurant. It is important to look your best at all times. The guidelines are as follows:

Hair and Facial Hair

- Hair must be neat, clean and appropriately styled at all times.
- Extreme or unusual hair colors are not permitted
- Long hair must be pulled up or tied back.
- No extreme hair accessories allowed.
- Beards, goatees and mustaches are permitted but must be neatly trimmed.

Personal Hygiene – Grooming

- Good hygiene is essential.
- Employees must bathe and use an underarm deodorant daily or as needed during the course of the day.
- Brush teeth daily.
- Use mouthwash and/or breath mints as necessary.
- Wash your hands often after handling food and money.
- Employees are required to wash their hands after blowing their nose, sneezing, coughing, using the restrooms, touching anything unsanitary including face, hair or other body parts.
- Open sores and cuts must be covered at all times
- Fingernails should be no longer than active length and properly cleaned.
- Kitchen employees are not permitted to wear nail polish.
- Extreme make-up colors and styles are not permitted.
- Strong perfumes, colognes or other aromatic scents that may distract or offend your co-workers and guests are not permitted.

Always Remember:

- Hands should be clean and free of dirt, cuts and sores.
- Fingernails should be short, free of dirt and well-manicured.
- Employees must wash their hands after using the bathroom, eating food or using tobacco products.

- No tattoos may be visible which depict violent, sexual, racist, discriminatory, illegal, or offensive conduct, ideas, thoughts, or emotions.
- For safety reasons, food handling employees are not permitted to wear any jewelry.
- Perfume/cologne and makeup must be kept at a minimum—it is the food that must impress.

Employees who arrive to work inappropriately dressed may be sent home and directed to return to work in proper attire. Under such circumstances, employees are not paid for time away from work. As repeated violations of this policy may result in disciplinary action, up to and including termination, employees should consult a supervisor if they have any questions as to what constitutes appropriate attire.

Happy People Hospitality believes that its existing personal appearance standards are sufficiently flexible to accommodate reasonable dress or grooming requirements arising out of a bona fide religious belief, gender identity or expression, or medical necessity. Nevertheless, any employee who believes that they have a bona fide religious, gender identity related, medical or other substantial need for relaxation or exception to this policy should address the matter with Human Resources.

If you have any questions, or believe that you require an accommodation, you should contact your supervisor or Human Resources.

RIGHT TO SEARCH/NO PRIVACY EXPECTATION

While Happy People Hospitality does not envision regularly conducting checks, Happy People Hospitality reserves the right to require employees while on Company property to agree to the inspection of their person, personal possessions and property, and work areas. This includes lockers, desks, cabinets, workstations, packages, handbags, backpacks and/or other personal possessions or places of concealment, as well as personal mail sent to Happy People Hospitality. Employees should have no expectation of privacy in connection with any of these listed places. Employees are expected to cooperate in the conduct of any search or inspection. Refusal to cooperate in such an inspection or search shall be grounds for disciplinary action, up to and including termination.

LOST AND FOUND

Happy People Hospitality is not responsible for the loss of any personal property of an employee or a guest. Please notify all guests of this policy. Any items that are lost and/or found should be given directly to a manager. If the property remains unclaimed, it will be handled in accordance with applicable law. The articles will be stored along with your name, and the date on which they were found, and any other pertinent details. Items remaining unclaimed after a period of three (3) months generally will be released to the individual involved in originally finding that item. An item considered to be “valuable” generally will be kept in the custody of the Restaurant for a period of a year and one-day.

PERSONAL BELONGINGS

Happy People Hospitality will not be responsible or liable for any personal property of an individual that is lost, stolen or damaged on the premises. The responsibility for safeguarding, replacing or repairing personal property lost, stolen or damaged while on Company premises is that of the employee. Further, employees should not leave personal belongings at Happy People Hospitality overnight.

PERSONAL PHONE CALLS, CELL PHONES & OTHER ELECTRONIC DEVICES

Outgoing personal phone calls and texting should not be made during working time, except on breaks, and then confined to non-guest areas and away from working areas.

All corporate office and restaurant employees should advise their friends and families that our phone lines are for guests only. However, incoming emergency phone messages will be directed to employees.

You are expected to organize your lives such that you do not need to receive calls while you are working. Please inform family and friends that personal phone calls for reasons other than emergencies are not allowed during working time. Employees are not permitted to wear or carry cell-phones, pagers, iPod, ear buds, emailers, or other electronic devices during working time. Any employee observed to be “texting,” emailing or on the phone during working time will be disciplined, up to and including termination. Our cell phones are dirty and are a breeding ground for harmful bacteria growth. If you use your cell phone, you must wash your hands before returning to work.

REMOVAL OF PROPERTY AND OFF-DUTY USE OF COMPANY EQUIPMENT

Employees may not remove any Company products or property from the premises without the written permission from management.

SOLICITATION AND DISTRIBUTION

It is our belief that employees should concentrate on their job while they perform their duties, therefore, it is our policy that no employee may engage in any solicitation during working time, or in distribution of paper literature in work areas at any time. Employees are not permitted to enter the facility or be in a work area without the express permission of management unless they are on duty or on a scheduled break. In addition:

- Any person who is not an employee, guest or otherwise a business invitee of Happy People Hospitality is not permitted on Company property for any purpose including without limitation, soliciting or distributing literature in support of any cause; canvassing employees in support of any cause; and selling chances or membership in any group, society or organization.
- Employees who are not working, other than if they are on a scheduled break, are not permitted on Company property for any purpose unless they are attending a Company-approved or sponsored function or are an invited guest.

- Employees are not permitted to post personal notices, documents or information on Company bulletin boards.

As used throughout this Handbook, “working time” or “work time” includes all time for which an employee is paid and/or is scheduled to be performing services for Happy People Hospitality; it does not include break periods, meal periods, or periods in which an employee is not, and is not scheduled to be, performing services or work for Happy People Hospitality.

Nothing in this policy is intended in any way to interfere with, coerce, or restrain any employee from exercising their rights under any federal or state labor law, including the National Labor Relations Act.

CONFIDENTIALITY

All employees are expected to comply with Happy People Hospitality’s policies regarding confidential information and inventions, as set forth below. If any doubts arise concerning whether or not specific information should be disclosed, an employee should contact their supervisor.

CONFIDENTIAL INFORMATION: All employees are required to safeguard and not disclose Happy People Hospitality’s confidential and proprietary information during employment and after employment has ended. You are also required to take reasonable security measures to prevent accidental disclosure of Confidential Information.

Confidential Information includes:

- Software
- Research and development
- Finances
- Patron credit card information
- Gross or net margins or losses, and assets or liabilities
- Future business and marketing plans
- Proposed corporate transactions (such as a lease or a merger, a new restaurant, etc.)
- Recipes unique to Happy People Hospitality
- Tax information
- Investor information
- Marketing lists, referral sources, guest lists, and pending projects, proposals, or plans, including for new services or dishes.

The contents of the computer and phone systems including disks, CD ROMs, e-mail and voice-mail are Happy People Hospitality property. The examples of Confidential Information do not include any information the sharing of which would constitute protected, concerted activity under the National Labor Relations Act.

Employees who have regular access to confidential information may be required to sign a non-disclosure agreement as a condition of employment or continuing employment. During and after employment with Happy People Hospitality, Confidential Information may not be disclosed to

outside individuals and may be shared with Happy People Hospitality staff only as needed to advance Happy People Hospitality's affairs. You may not, at any time, use this Confidential Information for your own benefit. Moreover, upon request at any time during your employment, all Confidential Information must remain at Happy People Hospitality or, if previously removed from our premises, promptly returned.

When your employment with Happy People Hospitality ends, for whatever reason, all documents, records, files, disks, CD ROMs or compilations containing, relating to the work performed by you at Happy People Hospitality, or derived from Happy People Hospitality's Confidential Information and all copies of same are to remain at, or be returned to, Happy People Hospitality; however, even though employment has ended, you are not relieved from safeguarding confidential and proprietary information. Any Confidential Information obtained while working for Happy People Hospitality must remain confidential.

Any breach of confidentiality is subject to disciplinary action. If you have any questions about whether information is considered confidential or the proper procedure for handling certain information, please contact a member of the management team.

Inventions: All inventions, designs, improvements, ideas, and discoveries (collectively referred to hereinafter as "Inventions") that result from any work performed solely or jointly by any employee, which that employee solely or jointly conceives, develops, or reduces to practice during and in the course of the employee's employment with Happy People Hospitality, whether now perfected or whether invented, improved, and/or discovered subsequent thereto, which relates to or pertains to the business of Happy People Hospitality, are the sole and exclusive property of Happy People Hospitality.

Employees shall promptly disclose all such matters to Happy People Hospitality and assist Happy People Hospitality in protecting any such Inventions under domestic and/or foreign statutory or common law. Furthermore, all employees, on their own behalf and on behalf of their executors, legal representation, and assignees, are expected to promptly assign, transfer, and convey to Happy People Hospitality, its successors, and assigns, and such Inventions.

MEDIA POLICY

Happy People Hospitality handles all media inquiries seeking a statement on Happy People Hospitality's behalf through Ownership. Under no circumstances is an employee to handle or interact with the media on Happy People Hospitality's behalf or as Happy People Hospitality's representative without the direct guidance and/or prior direction and permission of Ownership. All inquiries from the media or press seeking a statement on Happy People Hospitality's behalf or as Happy People Hospitality's representative are to be reported to Ownership immediately. Speaking or interacting with the media on Happy People Hospitality's behalf or as Happy People Hospitality's representative without the guidance and approval Ownership may result in disciplinary action up to and including termination.

This media policy should be followed for all situations, including any crisis/emergency events. General Media inquiries, including all product endorsement requests are to be forwarded to management.

Nothing in this policy is intended in any way to interfere with, coerce, restrain or prevent any employee from exercising their rights under any federal or state labor, including the National Labor Relations Act.

COMPUTER, E-MAIL & INTERNET POLICY

The purpose of this policy is to ensure that all employees have a clear understanding as to the proper use of Happy People Hospitality's computers and telecommunications resources and services. It is important that each employee read and understand this policy to minimize the risk inherent in the abuse or misuse of these resources. The use of Happy People Hospitality's computer resources implies an understanding and agreement of this policy.

COMPUTER AND E-MAIL USAGE

Computers, computer files, the E-mail system, public folders, and software furnished to employees are Company property intended for business use only during working time. Employees may not use a password, access a file, or retrieve any stored communication without authorization.

Happy People Hospitality strives to maintain a workplace free of discrimination and harassment and is sensitive to the diversity of its employees. Therefore, Happy People Hospitality prohibits the use of computers and the e-mail system in ways that are overtly threatening, harassing or discriminatory in violation of Happy People Hospitality's policies.

Happy People Hospitality's computers are to be used strictly, during working time, for Company business only. The use of the internet, e-mail system, word-processors, hard drive, and other programs, systems, and peripheral devices are not to be used for personal purposes during working time. Happy People Hospitality routinely monitors its computer systems and will immediately purge any non-work related documents and/or data at its discretion. Any personal use of Happy People Hospitality's computer system during working time is grounds for discipline, including immediate termination.

Happy People Hospitality reserves the right to inspect e-mail messages and search for messages that are relevant to Company business, a breach in security, or violations of the law or Company Policy.

All computer and e-mail resources and their content are Company property. It is very important that each employee understand that no employee shall have any expectation of privacy in connection with their use of Happy People Hospitality's computer and e-mail resources. This includes any data an employee may create, store, send or receive even if personal in nature.

E-mail should not be used for confidential messages since privacy cannot be assured. No message should be sent using e-mail that you would not be comfortable writing in a hard copy document. You are liable for what you write. Happy People Hospitality will not tolerate discriminatory, harassing or threatening language in e-mail messages.

Happy People Hospitality purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, Happy People Hospitality does not have the right to

reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines in accordance with the software license agreement. Happy People Hospitality prohibits the illegal duplication of software and its related documentation.

Employees should notify their supervisor upon learning of any violation of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

Nothing in this policy is intended in any way to interfere with, coerce, or restrain any employee from exercising their rights under any federal or state labor law, including the National Labor Relations Act.

INTERNET USAGE

Internet access to global electronic information resources on the World Wide Web is provided by Happy People Hospitality to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of Happy People Hospitality and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, obscene, threatening or harassing to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, color, creed, religion, gender (including gender identity and expression), sexual orientation, marital status, pregnancy, childbirth or related condition, sexual and reproductive health decisions, ancestry, national origin, citizenship, age, height, weight, disability, military or veteran status, genetic information or predisposing genetic characteristic, status as a victim of domestic violence, sexual violence, or stalking, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet, in an illegal manner, is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, has not gotten authorization for its use, or does not have the legal right to its use by any other means, it should not be put on the Internet.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by Happy People Hospitality in violation of law or Company policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of actions and activities that are prohibited and can result in disciplinary action up to and including termination:

- Sending or posting discriminatory, harassing, or threatening messages or images.
- Stealing, using, or disclosing someone else's code or password without authorization.
- Copying, pirating, or downloading software and electronic files without permission. Sending or posting Confidential Information, as previously defined, outside of Happy People Hospitality.
- Violating copyright law.
- Failing to observe licensing agreements.
- Participating in the viewing or exchange of pornography or obscene materials.
- Attempting to break into the computer system of another organization or person.
- Refusing to cooperate with a security investigation.
- Jeopardizing the security of the organization's electronic communications systems.
- Engaging in any other illegal activities.
- Deliberately propagating any virus, work or other code or file designed to disrupt, disable or otherwise harm Happy People Hospitality's computer systems or those of any other individual or entity.

Nothing in this policy is intended in any way to interfere with, coerce, or restrain any employee from exercising their rights under any federal or state labor law, including the National Labor Relations Act.

EMPLOYEE BLOGGING AND SOCIAL NETWORK USE

The term web log or "blog" generally refers to a frequently-updated website containing an online journal or diary. Blogs usually chronicle some aspect of the writer's life, such as favorite movies or television shows, and personal observations. "Social networking" relates to online communities such as Facebook, X (formerly known as Twitter), Instagram, TikTok or a variety of other networks. Whether a blog or social network, both provide outlooks to chronicle personal information and observations.

Happy People Hospitality provides equipment and electronic media to employees as business tools to facilitate timely and efficient conduct of business. For this reason, you are prohibited from writing or reading blogs/social networks during work time unless for a legitimate job-related reason, and have obtained permission to do so from your supervisor. Limited personal use of Company resources is permitted during non-work time, but you must comply with the below guidelines.

You also may choose to blog or engage in social networking from your home computer, and we simply ask that you understand and respect the following guidelines for responsible and productive blogging/social networking:

- Do not comment on Confidential Information, as previously defined, without the advance approval of your supervisor.
- Do not make negative comments about Happy People Hospitality’s customers. Respect copyright, trademark and similar laws and use such protected information in compliance with applicable legal standards.
- Do not use Happy People Hospitality’s logos, marks or other protected information or property for any business/commercial venture without express written permission from the President of Happy People Hospitality.
- Do not knowingly make false representations about your credentials or your work.
- Never harass (as previously defined), threaten, libel or defame fellow employees, clients, competitors or anyone else. In general, it is always wise to remember that what you say in social media can often be seen by anyone. Accordingly, harassing comments, obscenities or similar conduct that would violate Company policies is discouraged in general and is never allowed while using Company equipment or during working time.
- You should not use discriminatory, harassing, obscene or threatening language.

If you have any questions or concerns about a blog or this Employee Blogging and Social Network Use policy, please contact your supervisor or a member of management.

Nothing in this policy is intended in any way to interfere with, coerce, or restrain any employee from exercising their rights under any federal or state labor law, including the National Labor Relations Act.

VISITORS

Visitors, other than those persons having legitimate business with us at Happy People Hospitality, are not permitted in the non-public areas of Happy People Hospitality’s premises at any time. In addition, visitors who are not customers are not permitted in the public areas of Happy People Hospitality without permission of one of the managers. Please inform family and friends of this rule.

NOTICE OF DIGITAL WORKPLACE POSTERS

All federal, state, and local employment rights posters are physically posted in a conspicuous area on Happy People Hospitality premises. Additionally, employees can view each of these posters in a digital format. Digital copies of these posters will be provided to employees in accordance with New York law. Please contact Human Resources if you have any questions about these posters or their contents.

IX. SEPARATION OF EMPLOYMENT

NOTICE

If you should decide that you want to leave Happy People Hospitality, please talk it over with the manager. It may be possible to correct anything that might be a problem for you. If this is not possible, non-exempt employees are requested to provide a minimum of two (2) weeks' written notice of their intent to resign. Exempt employees are requested to provide a minimum of four (4) weeks' written notice. Your notice of resignation to voluntarily terminate employment with Happy People Hospitality should be submitted to your supervisor or a member of management. This notice should be in writing and should briefly state the reason for leaving and the anticipated last day of work.

EXIT INTERVIEW

Employees who leave Happy People Hospitality for any reason may be asked to participate in an exit interview. This interview is intended to permit terminating employees the opportunity to communicate their views regarding their work with Happy People Hospitality, including job duties, training, job supervision, and job benefits.

RETURN OF PROPERTY

Regardless of the nature or reason of the termination of an individual's employment, each employee will be asked to attend an exit interview with the employee's supervisor and Human Resources. Additionally, all employees must return all Company property including, but not limited to, keys, key fobs, identification badge, credit card, samples, tools, uniforms, computers, documents, software, data, files, i-Phone, cellular phone, PDA, and parking passes.

REFERENCE CHECKS

All inquiries regarding current or former employees must be referred to Human Resources. Under no circumstances should any employee release any information about any current or former employee over the telephone.

In response to an outside request for information regarding an employee or former employee, Human Resources, with written authorization from the employee, may furnish the employee's name, dates of employment, job title, and department.

FINAL PAYCHECK

Upon separation from Happy People Hospitality, employees will be paid their earned wages no later the next regular payday. Upon request, Happy People Hospitality will mail the employee's final paycheck to the address Happy People Hospitality has on file.

Employees will not be paid out for accrued but unused vacation and/or sick leave time pay upon separation of employment.

ADDRESS CHANGES

After you leave Happy People Hospitality, you are responsible for notifying Happy People Hospitality promptly of any address changes. Happy People Hospitality will need this information to make sure that you receive your year-end tax statement.

[END OF DOCUMENT – APPENDICES FOLLOW]

APPENDIX A

STOP SEXUAL HARASSMENT ACT FACTSHEET

All employers are required to provide written notice of employees' rights under the Human Rights Law both in the form of a displayed poster **and** as an information sheet distributed to individual employees at the time of hire. This document satisfies the information sheet requirement.

The NYC Human Rights Law

The NYC Human Rights Law, one of the strongest anti-discrimination laws in the nation, protects all individuals against discrimination based on gender, which includes sexual harassment in the workplace, in housing, and in public accommodations like stores and restaurants. Violators can be held accountable with civil penalties of up to \$250,000 in the case of a willful violation. The Commission can also assess emotional distress damages and other remedies to the victim, can require the violator to undergo training, and can mandate other remedies such as community service.

Sexual Harassment Under the Law

Sexual harassment, a form of gender-based discrimination, is unwelcome verbal or physical behavior based on a person's gender.

Some Examples of Sexual Harassment

- unwelcome or inappropriate touching of employees or customers
- threatening or engaging in adverse action after someone refuses a sexual advance
- making lewd or sexual comments about an individual's appearance, body, or style of dress
- conditioning promotions or other opportunities on sexual favors
- displaying pornographic images, cartoons, or graffiti on computers, emails, cell phones, bulletin boards, etc.
- making sexist remarks or derogatory comments based on gender

Retaliation Is Prohibited Under the Law

It is a violation of the law for an employer to take action against you because you oppose or speak

out against sexual harassment in the workplace. The NYC Human Rights Law prohibits employers from retaliating or discriminating "in any manner against any person" because that person opposed an unlawful discriminatory practice. Retaliation can manifest through direct actions, such as demotions or terminations, or more subtle behavior, such as an increased work load or being transferred to a less desirable location. The NYC Human Rights Law protects individuals against retaliation who have a good faith belief that their employer's conduct is illegal, even if it turns out that they were mistaken.

Report Sexual Harassment

If you have witnessed or experienced sexual harassment inform a manager, the equal employment opportunity officer at your workplace, or human resources as soon as possible.

Report sexual harassment to the NYC Commission on Human Rights. Call 718-722-3131 or visit NYC.gov/HumanRights to learn how to file a complaint or report discrimination. You can file a complaint anonymously.

State and Federal Government Resources

Sexual harassment is also unlawful under state and federal law where statutes of limitations vary.

To file a complaint with the New York State Division of Human Rights, please visit the Division's website at www.dhr.ny.gov.

To file a charge with the U.S. Equal Employment Opportunity Commission (EEOC), please visit the EEOC's website at www.eeoc.gov.

    @NYCCHR
NYC.gov/HumanRights

NYC Commission on Human Rights
BILL DE BLASIO Mayor
CARMELYN P. MALALIS Commissioner/Chair

APPENDIX B

HAPPY PEOPLE HOSPITALITY SEXUAL HARASSMENT COMPLAINT FORM

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to Human Resources. You will not be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, your employer should complete this form, provide you with a copy and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

For additional resources, visit: ny.gov/programs/combating-sexual-harassment-workplace

COMPLAINANT INFORMATION

Name: _____

Work Address: _____

Work Phone: _____

Job Title: _____

Email: _____

Select Preferred Communication Method: Email Phone In person

SUPERVISORY INFORMATION

Immediate Supervisor's Name: _____

Work Address: _____

Work Phone: _____

Job Title: _____

Email: _____

COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made about:

Name: _____

Work Address: _____ Work Phone: _____

Job Title: _____ Email: _____

Relationship to you: Supervisor Subordinate Co-Worker Other

2. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual harassment occurred: _____

Is the sexual harassment continuing? Yes No

4. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

The last question is optional but may help the investigation.

5. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

Signature: _____

Date: _____

APPENDIX C

REASONABLE ACCOMMODATION REQUEST FORM

THIS FORM AND ALL INFORMATION MUST BE KEPT CONFIDENTIAL.

Employee Information

Print Full Name: _____

Job Applicant Current Employee Other

Home or Work Address: _____

Phone Number: _____

Title: _____

Email: _____

Office Telephone Number: _____

Division: _____

Supervisor Name and Phone Number: _____

Location: _____

Identify the limitation(s) that impacts your ability to complete your assigned tasks or complete the application process. Please be specific. (Attach additional sheets of paper if necessary).

Is the condition for which you are requesting an accommodation?

Permanent Temporary Unknown

If temporary, anticipated date accommodation(s) no longer needed:

Describe the nature of the accommodation requested and how the accommodation will assist you to perform the essential functions of the job held or desired, or to enjoy the benefits and privileges of employment. Please be specific. (Attach additional sheets and present supporting documentation as appropriate.)

If equipment is requested, please specify preferred brand, model number and vendor, if known.

APPENDIX D

FAMILY AND MEDICAL LEAVE ACT

Happy People Hospitality is a covered employer under the Family and Medical Leave Act of 1993 as Amended (“FMLA”).

Under the FMLA, eligible employees of a covered employer may be entitled to a maximum of 12 weeks per year of unpaid leave for one of the following FMLA-qualifying reasons, or 26 weeks in the event the leave is taken to care for a covered service member, as defined herein:

1. the care of a child following the birth or adoption of the child, or the placement of a foster child; or
2. the care of a parent, child, or spouse with a serious health condition; or
3. the treatment of an employee’s own serious health condition which makes the employee unable to perform the essential functions of their job; or
4. incapacity due to pregnancy, prenatal medical care, or child birth; or
5. the care of a “covered service member,” which is defined as a 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, as a result of a serious injury or illness, when the eligible employee is the spouse, son, daughter, parent, or next of kin (i.e. nearest blood relative) of the covered service member, who was a member of the Armed Forces at any time during the five years preceding the date of treatment; or
6. any “qualifying exigency” arising because the employee’s parent, child, or spouse is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces in support of a contingency operation, or who is deployed in a foreign country on active duty.

A “serious health condition” is an illness, injury, impairment, or physical or mental condition that causes a period of incapacity resulting in:

1. the need for inpatient care in a hospital, hospice, or medical care facility, and any subsequent treatment in connection with such inpatient care;
2. absence from work, school, or other regular activities for more than three (3) consecutive, full calendar days and requiring continuing treatment or supervision by a healthcare provider at least once within seven days of the first day of incapacity and (i) requires either a regimen of continuing treatment initiated by the health care provider during the first treatment or (ii) a second in-person visit to the health care provider for treatment (the necessity of which is determined by the healthcare provider) within 30 days of the first day of incapacity;

3. the need for continuing treatment or supervision by a healthcare provider for a condition so serious that, if not treated, would likely result in a period of incapacity of more than three (3) calendar days and requires visits for treatment by a healthcare provider at least twice a year; or
4. the need for continuing treatment or supervision by a healthcare provider for prenatal care. The employee husband of a pregnant spouse is entitled to FMLA leave for prenatal care.

A “serious injury or illness” in the case of a covered service member means an injury or illness incurred by the service member in the line of duty, while on active duty in the Armed Forces, that may render the service member medically unfit to perform the duties of the member's office, grade, rank, or rating for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. This may also include an injury or illness that was incurred prior to the member’s active duty, but was aggravated by military service in the line of active duty.

A “qualifying exigency” is defined as: short notice deployment; attending military events and activities; arranging for alternative childcare or school activities; addressing financial and legal arrangements; attending counseling; rest and recuperation; parental care, attending post-deployment activities within 90 days following the termination of the covered military member’s active duty status; and, addressing other events which arise out of the covered military member’s active duty or call to active duty (provided that the Company and employee agree that such leave shall qualify as exigency, and agree to both the timing and duration of the leave). Employees should consult with management to determine whether an exigency qualifies for FMLA leave.

In general, leaves of absences granted under this policy are unpaid. However, those eligible for paid time off are required to use unused Vacation and Sick days during a leave as permitted by applicable law.

You are eligible for FMLA leave if you have:

1. worked for the Company for at least 12 months during the last seven years (unless the break in service is due to a National Guard or reserve military service obligation or a written agreement reflecting the Company’s intention to rehire you after the break in service); and
2. worked for the Company for at least 1,250 hours during the 12 months immediately preceding the leave date; and
3. work at a Company worksite that employs at least 50 employees within a 75-mile radius. An employee’s “worksite” is the site to which an employee reports to work or, if none, from which the employee’s work is assigned.

You are entitled up to a total of 12 work weeks of leave during a 12-month period or 26 weeks in a single 12-month period in the event the leave is taken to care for a covered service member, on a per-covered-service member, per-injury basis. The 12-month period is measured backward from the date you use any FMLA leave, or in the case of leave to care for a covered service member,

measured forward from the date the employee's leave to care for the covered service member began, unless otherwise required by applicable law. If you take military caregiver leave to care for more than one covered service member or to care for the same covered service member who has incurred a subsequent serious injury or illness, and if the single 12-month periods involved overlap with each other, you may take no more than 26 weeks of leave in each single 12-month period. If you do not take all of the 26 weeks of military caregiver leave during the applicable single 12-month period, the balance is forfeited and no carry-over is permitted.

During any single 12-month period, your total leave entitlement is limited to a combined total of 26 weeks for all qualifying reasons. All FMLA leave will run concurrently with other similar leaves mandated by state or local law, as permitted by applicable law, and all unused Vacation and Sick days will be included as part of the 12-work week period provided by this policy. If you need more than 12 weeks leave due to your own serious health condition, you may request an extended medical leave at the conclusion of 12 weeks, which will be at the sole discretion of the Company (reinstatement is not guaranteed).

It is unlawful to, and the Company will not, interfere with, restrain or deny the exercise of any right provided under the FMLA, or discharge or discriminate against any person for opposing any practice made unlawful by the FMLA, or for involvement in any proceeding under or relating to the FMLA. Employees who believe that their rights under the FMLA have been violated may file a complaint with the United States Department of Labor or bring a private lawsuit.

This policy statement on The Family and Medical Leave Act of 1993 is intended to summarize the basic provisions of the FMLA. It is not intended to address all situations which may arise under the FMLA. Employees should address specific questions to the Company.

Please contact Human Resources if you would like further information pertaining to this Policy. At any time, this Policy is subject to change within the provisions of the Family and Medical Leave Act.

FMLA Notice Requirements

You must provide 30 days advance notice if you are requesting FMLA leave or, if the leave is unanticipated, as much advance notice as practicable. Failure to do so may result in denial of leave until proper notice is given. If you are on leave for your own serious health condition or that of a family member, you must notify the Company every 30 days of the status of the condition and intent to return to work. You must notify your supervisor of your intent to return to work one (1) week prior to your return. In all cases, if you decide not to return to work, you must notify the Company immediately.

Intermittent or Reduced-Schedule leave to care for a family member or the employee's own serious health condition when medically necessary; to care for a covered service member; or in connection with a qualifying exigency as defined herein.

You may take leave where medically necessary for your own or a covered family member's serious health condition, to care for a covered service member, or in connection with any qualifying exigency as defined herein on a consecutive basis or intermittently, or you may request to be placed

on a reduced work week or reduced workdays. In addition, employees may take intermittent or reduced-schedule leave with the Company's approval for other qualifying reason.

Intermittent or reduced-schedule FMLA leave may not be taken in increments of less than one (1) hour. Reduced-schedule or intermittent leave time is calculated as a percentage of the employee's normal work week. Therefore, an employee who normally works 30 hours per week and takes 10 hours of FMLA leave in one (1) week, will have used one-third (1/3) of a work week of FMLA leave. For employees who work variable hours, the normal work week is determined by the average hours worked per week by the employee during the 12 weeks prior to the start of the employee's leave.

Non-Consecutive Periods of Leave

If you request an intermittent or reduced leave schedule, the Company may require you to transfer temporarily to an alternative position for which you are qualified, to better accommodate the recurring periods of leave you will require. If you are transferred to an alternative position for which you are qualified, you will receive equivalent salary and benefits.

If you request a leave for these purposes, you must make a reasonable effort to schedule the treatment, either for yourself, your child, spouse or parent, so as not to unduly disrupt the Company's operation.

Request for Leave

At the time leave is requested, you are required to complete the Company's Leave of Absence form and submit it to your supervisor. Employees must provide sufficient information for the Company to determine if the leave is FMLA-qualifying and must inform the Company if the requested leave is for a reason for which FMLA leave was previously taken or applied. Employees generally must comply with the Company's procedures for reporting absences when requesting leave for an FMLA-qualifying reason.

Certification Requirements

The Company requires certification from a health care provider substantiating your leave request (other than to care for a covered service member or qualifying contingency). Anytime you expect to be or are absent for more than five (5) consecutive workdays as the result of your own serious health condition (including pregnancy), you will be required to submit a medical certification.

Certification requirements differ according to whether the leave is your own serious health condition or that of a covered family member. The Company's medical certification form fully explains what information is required.

The Company may, after providing the employee with an opportunity to cure any deficiencies, contact the health care provider for verification or clarification of a medical certification. Failure to provide the required pre-leave medical certification may result in denial of leave until such certification is provided. You may also be required to provide periodic re-certification, as permitted by applicable law, and/or certification of fitness-for-duty, which must address your ability to perform essential job functions.

The Company may require a second or third medical opinion at its own expense.

If the leave is to care for a covered service member, the Company may require a certification from an authorized health care provider of the covered service member. The Company may seek verification or clarification of the certification pertaining to leave for a covered service member, as set forth herein, but may not seek second or third opinions of the certification.

The first time an employee requests leave because of a qualifying exigency, the Company may require the employee to provide a copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty status. Employees requesting leave for a qualifying exigency will be required to provide a certificate including a signed verification or description of appropriate facts sufficient to support the need for leave; the approximate date on which the qualifying exigency commenced or will commence; the beginning and end dates of the absence if on a continuous basis; an estimation of the frequency or duration of the exigency if on an intermittent or reduced schedule basis; and, if the qualifying exigency involves a meeting with a third party, the contact information and brief description of the purpose for the meeting.

The Company will advise employees requesting a leave of absence whether they are eligible for FMLA leave and whether the requested leave qualifies under the FMLA. If you are eligible and the leave qualifies, the Company will provide you with a notice of your rights and responsibilities and a calculation of the leave to be counted against your FMLA entitlement. If you are not eligible, or the leave does not qualify, the Company will advise you of the reason.

The Company also requires a fitness-for-duty certification indicating that you can return to work and perform the essential functions of your position with or without reasonable accommodation. The Company will make reasonable accommodations for any disability you may have as required by applicable laws. Medical certification is required for any claim that you are unable to return to work at the scheduled conclusion of the leave.

New York Paid Family Leave Interaction

If the reason the Team Member takes FMLA leave is a qualifying reason for leave under the New York Paid Family Leave Law, such leaves shall run concurrently.

If the reason the employee takes FMLA leave is a qualifying reason for leave under applicable state law, such leaves shall run concurrently if permitted.

Use of Paid Time Off Days (where applicable) and Short-Term Disability

While on an approved FMLA leave, you will be required to use all Paid Time Off (if applicable), unless otherwise required by law or in accordance with Company policy. Questions regarding the current Company policy regarding the use of Vacation/PTO/Sick days should be directed to Management. In addition, an employee requesting FMLA leave, will be notified in writing as to whether the use of Vacation/Sick days is required. Under such circumstances where Vacation/Sick days is required, Vacation/Sick days provided during the leave will run concurrently with the FMLA leave and will not reduce the total FMLA leave entitlement. For example, if an employee has two weeks' Vacation/Sick days available, they will receive pay for the first two weeks of

FMLA leave and the remaining ten weeks of FMLA leave will be unpaid. In order to apply Vacation/Sick days, you must conform to the terms and conditions of the applicable Company leave policy where permitted by applicable law.

Employment Protection

After taking leave under this provision, you are entitled to return to your former job or to an equivalent job with equivalent benefits, pay, and other terms and conditions of employment upon return from leave. However, you are not entitled under this policy to any right, benefit, or position other than that which you would have been entitled had you not taken leave. Thus, for example, if a layoff or reduction in force or some extenuating circumstance or business condition arises which affects your position, reinstatement may not be possible. In addition, you may be denied reinstatement from a FMLA leave if:

1. You are a “key employee” (one of the highest paid 10% of all employees within a 75-mile radius of the employee’s worksite) and your reinstatement would cause substantial and grievous economic harm to the Company’s operations; or
2. You fail to provide the Company with the required fitness-for-duty certification, as described herein.
3. If you are on an extended medical leave beyond your FMLA entitlement, reinstatement is not guaranteed.

Continuation of Benefits

During a FMLA leave, the Company will continue to provide coverage for any benefits offered under the same terms and conditions that apply to employees who are not on leave, provided that you pay your employee contribution of any applicable premium.

Both Spouses Employed by the Company

If both spouses are employed by the Company, the aggregate FMLA leave taken by both spouses for the same qualifying reason may not exceed 12 weeks, or 26 weeks in the event the leave is taken to care for a covered service member.

Employees Who Do Not Meet the Minimum Eligibility Requirements

If you are not eligible for FMLA leave you may still be eligible for a personal leave, in the Company’s sole discretion, or as required by state and federal law. Unless applicable state or local law require otherwise, reinstatement will not be guaranteed to you if you are ineligible for the Company’s FMLA leave policy.

Administration

This policy statement on the Family and Medical Leave Act is intended to summarize the basic provisions of the FMLA. It is not intended to address all situations which may arise under the FMLA. You should direct all questions regarding leaves of absence to your supervisor.

APPENDIX E

COVID-19 EMPLOYEE HANDBOOK SUPPLEMENT

This COVID-19 Employee Handbook Supplement (the “Supplement”) summarizes Happy People Hospitality’s current COVID-19 policies in effect as of June 2024. Happy People Hospitality will comply with all applicable federal, state and local laws including but not limited to health codes and privacy laws, and will continue to evaluate the guidance from government agencies and use this information to refine and revise our procedures as appropriate.

New York State Hero Act

In accordance with New York State law, Happy People Hospitality has adopted a HERO Act policy to protect employees against COVID-19. A copy of this policy is attached at Appendix E.

New York COVID-19 Sick Leave

Note: Happy People Hospitality’s COVID-19 Sick Leave Policy will expire on July 31, 2025

Following the outbreak of the COVID-19 pandemic, New York State passed an emergency sick leave law (“COVID-19 sick leave”). This policy outlines employee rights with respect to COVID-19 sick leave. Eligible employees who request and utilize available COVID-19 sick leave will not lose accrued but unused sick leave and/or paid time off.

Eligibility

All employees who are subject to a mandatory or precautionary order of quarantine or isolation issued by the state of New York, the department of health, local board of health, or any governmental entity duly authorized to issue such order due to COVID-19 are eligible for COVID-19 sick leave.

However, employees who are deemed asymptomatic or have not yet been diagnosed with any medical condition and are physically able to work while under a mandatory quarantine or isolation through remote access or other means are not eligible for COVID-19 sick leave. Further employees are not eligible for COVID-19 sick leave if they are subject to quarantine because: (1) the employee returned to the United States after traveling to a country for which the CDC has issued a level two or three health notice; (2) travel to that country was not taken as part of the employee’s employment or at the direction of Happy People Hospitality; and (3) the employee was provided notice of the travel health notice and the limitations of the State’s law prior to travel. Finally, employees are not eligible for COVID-19 sick leave if the employee takes a non-work related trip to a state with a positive test rate higher than 10 per 100,000 residents, or higher than a 10% test positivity rate over a seven-day rolling average (Employees can check states that meet this criteria by checking here). Such employees, however, will still be eligible to use other accrued leave available under Happy People Hospitality’s sick leave and/or paid time off policy or unpaid sick leave for the duration of the quarantine or isolation.

Amount of COVID-19 Sick Leave

All eligible employees (as defined above) are entitled to five (5) days of paid COVID-19 sick leave. After those days are used, employees may be eligible for a combination of New York Paid Family Leave and disability benefits.

Rate of Pay

Employees using COVID-19 sick leave will be paid the amount that the employee would have otherwise received had they been continuing to work for the period of leave based upon the amount that the employee was scheduled or would have been scheduled had Happy People Hospitality's operations continued in its normal due course.

For hourly paid employees, COVID-19 sick leave shall be paid at the employee's regular straight time hourly wage rate as of the date of usage of your COVID-19 sick leave. For salaried employees, COVID-19 sick leave shall be paid at the employee's regular wage rate as of the date of usage of your COVID-19 sick leave. For tipped employees, COVID-19 sick leave shall be paid at the minimum wage then in effect.

Job Protection/Discrimination/Retaliation

Employees returning from COVID-19 sick leave will be restored to their prior position with the same pay and terms of employment. Discrimination/retaliation based on any employee's taking or requesting a leave is prohibited.

Short Term Disability

In addition to traditional short term disability benefits, employees who are eligible for and exhaust their COVID-19 sick leave (discussed above) because they are unable to work or perform their regular duties as a result of a mandatory or precautionary order of quarantine or isolation issued by the state, the department of health, a local board of health, or any government entity duly authorized to issue such order due to COVID-19 may be eligible for disability benefits for the duration of the order of quarantine or isolation.

Paid Family Leave

In addition to the reasons outlined in the Employee Handbook for taking Paid Family Leave ("NYPFL"), employees may also take NYPFL for the following reasons:

- when an employee is subject to a mandatory or precautionary order of quarantine or isolation issued by the state, the department of health, a local board of health, or any government entity duly authorized to issue such order due to COVID-19; or
- to provide care for a minor dependent child of the employee who is subject to a mandatory or precautionary order of quarantine or isolation issued by the state, the department of health, a local board of health, or any government entity duly authorized to issue such order due to COVID-19.

Please note that NYPFL is not available for one of the above reasons if an employee is able to work remotely, even if the employee is subject to a mandatory or precautionary order of quarantine or isolation.

For employees seeking to use NYPFL due to a mandatory or precautionary order of quarantine or isolation, the employee must fill out an applicable request form and provide the completed form to Happy People Hospitality so that we can fill out our portion. Happy People Hospitality will return the form to you and it is your responsibility to submit it directly to our insurance carrier. The applicable forms can be found below:

- Request Form for NYPFL for yourself:
<http://docs.paidfamilyleave.ny.gov/content/main/forms/PFLDocs/scovid19.pdf>
- Request Form for NYPFL to care for a minor dependent child:
<http://docs.paidfamilyleave.ny.gov/content/main/forms/PFLDocs/ccovid19.pdf>

APPENDIX F

NEW YORK HERO ACT

WE ARE YOUR DOL **NY HERO ACT**
 Department of Labor **Model Airborne Infectious Disease Exposure Prevention Plan**

The purpose of this plan is to protect employees against exposure and disease during an airborne infectious disease outbreak. This plan goes into effect when an airborne infectious disease is designated by the New York State Commissioner of Health as a highly contagious communicable disease that presents a serious risk of harm to the public health. This plan is subject to any additional or greater requirements arising from a declaration of a state of emergency due to an airborne infectious disease, as well as any applicable federal standards.

Employees should report any questions or concerns with the implementation this plan to the designated contact.

This plan applies to all "employees" as defined by the New York State HERO Act, which means any person providing labor or services for remuneration for a private entity or business within the state, without regard to an individual's immigration status, and shall include part-time workers, independent contractors, domestic workers, home care and personal care workers, day laborers, farmworkers and other temporary and seasonal workers. The term also includes individuals working for digital applications or platforms, staffing agencies, contractors or subcontractors on behalf of the employer at any individual work site, as well as any individual delivering goods or transporting people at, to or from the work site on behalf of the employer, regard less of whether delivery or transport is conducted by an individual or entity that would otherwise be deemed an employer under this chapter. The term does not include employees or independent contractors of the state, any political subdivision of the state, a public authority, or any other governmental agency or instrumentality.

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I. RESPONSIBILITIES

This plan applies to all employees of Happy People Hospitality, and [all]/[the following work sites]:

(1) Covacha Nueva York; 368 Columbus Avenue, New York, New York 10023
(2) El Mitote Antojeria; 208 Columbus Avenue, New York, New York 10023
(3) Ella Social; 249 Columbus Avenue, New York, New York 10023

This plan requires commitment to ensure compliance with all plan elements aimed at preventing the spread of infectious disease. The following supervisory employee(s) are designated to enforce compliance with the plan. Additionally, these supervisory employees will act as the designated contacts unless otherwise noted in this plan:

Name	Title	Location	Phone
Cristina Castaneda	Owner	101 W. 69th St., Apt, 2d, NY,NY	212.729.9936
Milena Gernandt	Director of Operations	101 W. 69th St., Apt, 2d, NY,NY	212.729.9936

II. EXPOSURE CONTROLS DURING A DESIGNATED OUTBREAK

A. MINIMUM CONTROLS DURING AN OUTBREAK

During an airborne infectious disease outbreak, the following minimum controls will be used in all areas of the worksite:

1. **General Awareness:** Individuals may not be aware that they have the infectious disease and can spread it to others. Employees should remember to:
 - Maintain physical distancing;
 - Exercise coughing/sneezing etiquette;
 - Wear face coverings, gloves, and personal protective equipment (PPE), as appropriate;
 - Individuals limit what they touch;
 - Stop social etiquette behaviors such as hugging and hand shaking, and
 - Wash hands properly and often.
2. **“Stay at Home Policy”:** If an employee develops symptoms of the infectious disease, the employee should not be in the workplace. The employee should inform the designated contact and follow New York State Department of Health (NYSDOH) and Centers for Disease Control and Prevention (CDC) guidance regarding obtaining medical care and isolating.
3. **Health Screening:** Employees will be screened for symptoms of the infectious disease at the beginning of their shift. Employees are to self-monitor throughout their shift and report any new or emerging signs or symptoms of the infectious disease to the designated contact. An employee showing signs or symptoms of the infectious disease should be removed from the workplace and should contact a healthcare professional for instructions. The health screening elements will follow guidance from NYSDOH and CDC guidance, if available.

4. **Face Coverings:** When in use, face coverings must cover the nose and mouth, and fit snugly, but comfortably, against the face. The face covering itself must not create a hazard (e.g., have features could get caught in machinery or cause severe fogging of eyewear). The face coverings must be kept clean and sanitary and changed when soiled, contaminated, or damaged.

- **Effective February 10, 2022:** Employees will wear appropriate face coverings in accordance with guidance from State Department of Health or the Centers for Disease Control and Prevention, as applicable. Consistent with the guidance from the State Department of Health, if indoor areas do not have a mask or vaccine requirement as a condition of entry, appropriate face coverings are recommended, but not required. It is also recommended that face coverings be worn by unvaccinated individuals, including those with medical exemptions, in accordance with federal CDC guidance. Further, the State's masking requirements continue to be in effect for pre-K to grade 12 schools, public transit, homeless shelters, domestic violence shelters, correctional facilities, nursing homes, health care, child care, group homes, and other sensitive settings in accordance with CDC guidelines. New York State and the State Department of Health continue to strongly recommend face coverings in all public indoor settings as an added layer of protection, even when not required.

5. **Physical Distancing:** Physical distancing will be used, to the extent feasible, as advised by guidance from State Department of Health or the Centers for Disease Control and Prevention, as applicable.

In situations where prolonged close contact with other individuals is likely, use the following control methods: (Note to employer: Check off the controls you intend to use and add any additional controls not listed here.)

- restricting or limiting customer or visitor entry;
- limiting occupancy;
- allowing only one person at a time inside small enclosed spaces with poor ventilation;
- reconfiguring workspaces;
- physical barriers;
- signage;
- floor markings;
- telecommuting;
- remote meetings;
- preventing gatherings;
- restricting travel;
- creating new work shifts and/or staggering work hours;
- adjusting break times and lunch periods;
- delivering services remotely or through curbside pickup;
- **limiting physical contact**

- **staggered schedules**

- **promotion of good hygiene**

6. **Hand Hygiene:** To prevent the spread of infection, employees should wash hands with soap and water for at least 20 seconds or use a hand sanitizer with at least 60% alcohol to clean hands BEFORE and AFTER:

- Touching your eyes, nose, or mouth;
- Touching your mask;
- Entering and leaving a public place; and
- Touching an item or surface that may be frequently touched by other people, such as door handles, tables, gas pumps, shopping carts, or electronic cashier registers/screens.

Because hand sanitizers are less effective on soiled hands, wash hands rather than using hand sanitizer when your hands are soiled.

7. **Cleaning and Disinfection:** See Section V of this plan.

8. **“Respiratory Etiquette”:** Because infectious diseases can be spread by droplets expelled from the mouth and nose, employees should exercise appropriate respiratory etiquette by covering nose and mouth when sneezing, coughing or yawning.
9. **Special Accommodations for Individuals with Added Risk Factors:** Some employees, due to age, underlying health condition, or other factors, may be at increased risk of severe illness if infected. Please inform your supervisor or the HR department if you fall within this group and need an accommodation.

B. ADVANCED CONTROLS DURING AN OUTBREAK

For activities where the Minimum Controls alone will not provide sufficient protection for employees, additional controls from the following hierarchy may be necessary. Employers should determine if the following are necessary:

1. Elimination: Employers should consider the temporary suspension or elimination of risky activities where adequate controls could not provide sufficient protection for employees.
2. Engineering Controls: Employers should consider appropriate controls to contain and/or remove the infectious agent, prevent the agent from being spread, or isolate the worker from the infectious agent. Examples of engineering controls include:
 - i. Mechanical Ventilation:
 - a. Local Exhaust Ventilation, for example:
 - Ventilated booths (lab hoods);
 - Kitchen Vents; and
 - Vented biosafety cabinets.
 - b. General Ventilation, for example:
 - Dedicated ventilation systems for cooking areas, malls, atriums, surgical suites, manufacturing, welding, indoor painting, laboratories, negative pressure isolation rooms;
 - Increasing the percentage of fresh air introduced into air handling systems;
 - Avoiding air recirculation;
 - Using higher-efficiency air filters in the air handling system;
 - If fans are used in the facility, arrange them so that air does not blow directly from one worker to another; and
 - ii. Natural Ventilation, for example:
 - Opening outside windows and doors to create natural ventilation; and
 - Opening windows on one side of the room to let fresh air in and installing window exhaust fans on the opposite side of the room so that they exhaust air outdoors. *(Note: This method is appropriate only if air will not blow from one person to another.)*
 - iii. Install automatic disinfection systems (e.g., ultraviolet light disinfection systems).
 - iv. Install cleanable barriers such as partitions and/or clear plastic sneeze/cough guards.
 - v. Change layout to avoid points or areas where employees may congregate (e.g., install additional timeclocks).

Subject to changes based on operations and circumstances surrounding the infectious disease, engineering controls that are anticipated to be used are listed in the following table:

Engineering Controls Utilized/Location:
-Improving the ventilation system to increase the exchange of outdoor air and reduce the concentration of airborne pathogens
-Installing physical barriers such as plexiglass or plastic shields to reduce direct person-to-person transmission.
-Using advanced cleaning technologies, such as electrostatic sprayers or automated UV disinfection.
<p><i>Note to Employer: One of the best ways to reduce exposure to infectious agents is to improve ventilation. The aim is to deliver more "clean air" into an occupied area and exhaust the contaminated air to a safe location. In some cases, the air may have to be filtered before it enters the work area and/or before it is exhausted. Direct the contaminated air away from other individuals and from the building's fresh air intake ports. Consult your ventilation system's manufacturer or service company to determine if improvements are possible for your system.</i></p>

3. "Administrative Controls" are policies and work rules used to prevent exposure. Examples include:

- Increasing the space between workers;
- Slowing production speed to accommodate fewer workers at a time;
- Disinfecting procedures for specific operations;
- Not shaking out soiled laundry;
- Employee training;
- Identify and prioritize job functions that are essential for continuous operations;
- Cross-train employees to ensure critical operations can continue during worker absence;
- Limit the use of shared workstations;
- Post signs reminding employees of respiratory etiquette, masks, handwashing;
- Rearrange traffic flow to allow for one-way walking paths;
- Provide clearly designated entrance and exits;
- Provide additional short breaks for handwashing and cleaning;
- Establishing pods or cohorts working on same shift;

Subject to changes based on operations and circumstances surrounding the infectious disease, the following specific administrative controls are anticipated to be used:

Administrative Controls Utilized/Location:
Establishing clear policies and procedures for health and safety practices.
Implementing regular health screenings, such as temperature checks and health questionnaires.
Allowing employees to work from home (if their position allows it) to reduce on-site workforce and minimize contact.
Implementing staggered shifts and break times to reduce the number of employees on-site at any given time.
Increasing the frequency and thoroughness of cleaning and disinfecting high-touch surfaces and common areas.

4. 10. Personal Protective Equipment (PPE) are devices like eye protection, face shields, respirators , , and gloves that protect the wearer from infection. PPE will be provided, used and maintained in a sanitary and reliable condition at no cost to the employee. The PPE provided to an employee will be based on a hazard assessment for the workplace.

PPE Required - Activity Involved/Location:
Masks that cover the nose and mouth to reduce the spread of respiratory droplets.
Disposable or reusable gloves to protect hands from contact with contaminated surfaces.
Disposable covers to protect shoes from contamination.
Alcohol-based hand sanitizers and disinfectant wipes to maintain hand hygiene.
<p><i>1 The use of respiratory protection, e.g. an N95 filtering facepiece respirator, requires compliance with the OSHA Respiratory Protection Standard 29 CFR 1910.134 or temporary respiratory protection requirements OSHA allows for during the infectious disease outbreak.</i></p> <p><i>2 Respirators with exhalation valves will release exhaled droplets from the respirators. Respirators are designed to protect the wearer. Surgical masks and face coverings, which are not respirators, are designed to protect others, not the wearer.</i></p>

C. EXPOSURE CONTROL READINESS, MAINTENANCE AND STORAGE:

The controls we have selected will be obtained, properly stored, and maintained so that they are ready for immediate use in the event of an infectious disease outbreak and any applicable expiration dates will be properly considered.

III. HOUSEKEEPING DURING A DESIGNATED OUTBREAK

A. Disinfection Methods and Schedules

Objects that are touched repeatedly by multiple individuals, such as door handles, light switches, control buttons/levers, dials, levers, water faucet handles, computers, phones, or handrails must be cleaned frequently with an appropriate disinfectant. Surfaces that are handled less often, or by fewer individuals, may require less frequent disinfection.

The disinfection methods and schedules selected are based on specific workplace conditions.

The New York State Department of Environmental Conservation (NYSDEC) and the Environmental Protection Agency (EPA) have compiled lists of approved disinfectants that are effective against many infectious agents (see dec.ny.gov and epa.gov/pesticide-registration/selected-epa-registered-disinfectants). Select disinfectants based on NYSDOH and CDC guidance and follow manufacturer guidance for methods, dilution, use, and contact time.

B. Adjustments to Normal Housekeeping Procedures

Normal housekeeping duties and schedules should continue to be followed during an infectious disease outbreak, to the extent practicable and appropriate consistent with NYSDOH and/or CDC guidance in effect at the time. However, routine procedures may need to be adjusted and additional cleaning and disinfecting may be required.

Housekeeping staff may be at increased risk because they may be cleaning many potentially contaminated surfaces. Some housekeeping activities, like dry sweeping, vacuuming, and dusting, can resuspend into the air particles that are contaminated with the infectious agent. For that reason, alternative methods and/or increased levels of protection may be needed.

Rather than dusting, for example, the CDC recommends cleaning surfaces with soap and water before disinfecting them. Conducting housekeeping during “off” hours may also reduce other workers’ exposures to the infectious agent. Best practice dictates that housekeepers should wear respiratory protection. See cdc.gov for more guidance.

C. If an employee develops symptoms of the infectious disease at work, it is ideal to isolate the area in accordance with guidance issued by NYSDOH or the CDC, before cleaning and disinfecting the sick employee’s work area. This delay will allow contaminated droplets to settle out of the air and the space to be ventilated.

D. As feasible, liners should be used in trash containers. Empty the containers often enough to prevent overfilling. Do not forcefully squeeze the air out of the trash bags before tying them closed. Trash containers may contain soiled tissue or face coverings.

IV. INFECTION RESPONSE DURING A DESIGNATED OUTBREAK

If an actual, or suspected, infectious disease case occurs at work, take the following actions:

- Instruct the sick individual to wear a face covering and leave the worksite and follow NYSDOH/CDC guidance.
- Follow local and state authority guidance to inform impacted individuals.

V. TRAINING AND INFORMATION DURING A DESIGNATED OUTBREAK

A. **Ownership and/or the Director of Operations** _____ will verbally inform all employees of the existence and location of this Plan, the circumstances it can be activated, the infectious disease standard, employer policies, and employee rights under the HERO Act. (Note: training need not be provided to the following individuals: any individuals working for staffing agencies, contractors or subcontractors on behalf of the employer at any individual work site, as well as any individual delivering goods or transporting people at, to or from the work site on behalf of the employer, where delivery or transport is conducted by an individual or entity that would otherwise be deemed an employer under this chapter)

B. When this plan is activated, all personnel will receive training which will cover all elements of this plan and the following topics:

1. The infectious agent and the disease(s) it can cause;
2. The signs and symptoms of the disease;
3. How the disease can be spread;
4. An explanation of this Exposure Prevention Plan;
5. The activities and locations at our worksite that may involve exposure to the infectious agent;
6. The use and limitations of exposure controls
7. A review of the standard, including employee rights provided under Labor Law, Section 218-B.

C. The training will be

1. Provided at no cost to employees and take place during working hours. If training during normal work hours is not possible, employees will be compensated for the training time (with pay or time off);
2. Appropriate in content and vocabulary to your educational level, literacy, and preferred language; and
3. Verbally provided in person or through telephonic, electronic, or other means.

VI. PLAN EVALUATIONS DURING A DESIGNATED OUTBREAK

The employer will review and revise the plan periodically, upon activation of the plan, and as often as needed to keep up-to-date with current requirements. Document the plan revisions below:

Plan Revision History				
Date	Reviewed and Revised by	Major Changes		Approved By
July 2024	Ownership and the Director of Operations	Plan Adopted	Enter date the original plan is created.	Ownership
		Staff Trained	Enter date the plan is made available, posted, and staff trained	
		Plan Revised		
		Staff Trained	Enter date the revised plan is made available, and staff updated to changes	
		Plan Revised		
		Staff Trained	Enter date the revised plan is made available, and staff updated to changes	
		Plan Revised		
		Staff Trained	Enter date the revised plan is made available, and staff updated to changes	
		Plan Revised		
		Staff Trained	Enter date the revised plan is made available, and staff updated to changes	

WE ARE YOUR DOL



APPENDIX G

N.Y.C. WORKERS BILL OF RIGHTS

কর্মক্ষেত্রে আপনার অধিকার সম্পর্কে জানুন
Conozca sus derechos en el trabajo
了解您的职场权利
瞭解您的職場權利
Know your rights at work
Connaître ses droits au travail
Konn dwa w nan travay la
귀하의 직장 권리 알기
کام پر اپنے حقوق کو جانیں
Poznaj swoje prawa pracownicze
اعرف حقوقك في العمل
Знайте свои трудовые права



RECEIPT AND ACKNOWLEDGMENT

I acknowledge that I have received a copy of Happy People Hospitality’s Employee Handbook (the “Handbook”) on the date set forth below. I understand that the Handbook provides guidelines and summary information about certain Restaurant personnel policies, procedures, benefits, and rules of conduct. I also understand and agree to the following:

Initials:

_____ It is my responsibility to read, understand, become familiar with, and comply with the established standards which I understand may, from time to time and without prior notice, be supplemented, modified, deleted, or revised or as Happy People Hospitality deems necessary or appropriate.

_____ It is my responsibility to read, review and follow the Anti-Harassment and Equal Employment Policies as provided in the applicable sections of the Handbook.

_____ Either Happy People Hospitality or I may terminate my employment at-will, at any time, with or without cause. I also acknowledge that the at-will nature of my employment will continue throughout my employment with Happy People Hospitality and can only be modified by an express written agreement signed by me and Ownership.

_____ Happy People Hospitality provided me with a copy of the New York City Earned Safe and Sick Time Act Notice of Employee Rights, New York City Pregnancy and Employment Rights Notice, the New York City Commuter Benefits Participation Form, the Stop Sexual Harassment in NYC Act Notice, the New York City Workers Bill of Rights, and Happy People Hospitality’s HERO Act plan in English and in my primary language (if made available by the applicable government agency) on my first date of employment. I understand that I may contact Happy People Hospitality to receive copies of these and any other federal, state, or local employment rights posters in digital format.

_____ Happy People Hospitality provided me with a Complaint Form for Reporting Sexual Harassment.

_____ I voluntarily have entered into an “at-will” employment relationship with Happy People Hospitality which means that, provided I am not covered by a collective bargaining agreement, there is no specified term of my employment. Accordingly, I or Happy People Hospitality can terminate my employment at-will, at any time, for any reason, with or without cause, and with or without advance notice.

_____ I have read, and acknowledge, Happy People Hospitality’s Electronic Monitoring Policy set forth in the Handbook.

_____ For all tipped employees who regularly and customarily receive tips: I specifically acknowledge that I was advised, in accordance with 29 U.S.C. § 203(m) and the New York Hospitality Industry Wage Order that a tip credit will be claimed against my wages for any tips I may receive, and that I was specifically notified of the relevant provisions of 29 U.S.C. § 203(m) and the New York Hospitality Industry Wage Order. Despite the Company taking the tip credit, I understand that, at no time, will I earn less than the applicable minimum wage when tips and direct wages are combined in a given pay period and that I will retain all the tips I receive except for a valid tip pooling arrangement limited to employees who customarily and regularly receive tips.

[SIGNATURE PAGE FOLLOWS]

**ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE
HANDBOOK SIGNATURE PAGE**

Signature of Employee

Date

Print Name

[END OF DOCUMENT]