



# **Employee Handbook**

## **Mission Statement**

Our Mission at The Blue Door Pub is to offer comfort-food & craft beers paired with warm & genuine hospitality, in unique neighborhood based locations.

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# Welcome to The Blue Door Pub!

We are pleased to welcome you to employment with The Blue Door Pub!

Our philosophy is simple and ambitious. We strive to constantly set high standards for quality and guest service. We're proud of our reputation in the community and we know the only way to preserve and enhance that reputation is to continuously improve.

Every person at The Blue Door Pub has a personal stake in the success of the Company. We are all keenly aware that the only way to realize our own ambitions is to do an outstanding job of helping our guests enjoy their experience with us.

This Handbook will answer most of your questions about The Blue Door Pub, its policies, procedures and your role. Remember that it is your initiative and creative thinking which will define your success. Your ability to draw on your experience, use common sense, be flexible and adapt to our growing and changing environment will allow you to make significant contributions to our Company and enhance your personal success and fulfillment.

We are excited that you have chosen to join us and look forward to your many contributions to the continuing growth of The Blue Door Pub.

Thank you and welcome.

Jeremy Woerner  
President / Owner

# Our Values & Expectations

*We value each other.* Each employee, co-worker, guest, and vendor brings a great opportunity to build a long-term partnership. We treat all with respect and dignity. Through our actions we will honor each person and demonstrate our commitment to them.

*We strive to offer the best.* With our food, craft beers, and our service we will always strive to offer the best.

*We expect to improve daily.* Each day, in all we do, we strive to improve; be it execution to our guest, support of each other, or our daily operations and efficiencies. Through this we look to grow our business.

*We expect to be profitable.* By working smart, driving sales and controlling our costs we look to consistently create profit margins that help us move forward on our mission.

# The Four Basics

Much of the contents of this Employee Handbook and our practices at The Blue Door Pub can be summarized by what we like to call “The Four Basics”. They are a simplified summary of the basic values and approaches you need to adopt to be successful at our restaurants.

## **I. Be Ready**

- Be in proper uniform.
- Be on time.
- Come to work with the right attitude.
- Treat others as you would like to be treated.

## **II. Be A Team Player**

- Don't be a hero.
- Ask for help.
- Look to help.

## **III. Work The System**

- The general guidelines work so use them.

## **IV. Have A Fun Time!**

# Disclaimer

This Employee Handbook sets forth the general administrative policies of The Blue Door Pub (hereinafter also referred to as "the Company"). It applies to all employees, unless stated otherwise. When there is a change in a policy or procedure, we will update the Handbook as soon as we can.

The material covered in this Handbook represents a general statement of policy and is not exhaustive. Although we have attempted to cover matters of general applicability to employees, we know that it does not cover every situation that may arise from day-to-day.

The Blue Door Pub reserves the right to change, suspend, or eliminate any or all matters contained in this Handbook and all other policies, rules and procedures at any time without prior notice. The Company retains the sole discretion to interpret the provisions of this Handbook and to depart from those provisions or any other Company policies, rules, or procedures if The Blue Door Pub determines that such action is appropriate. Should any provision in this Handbook be found to be unenforceable and invalid, such finding does not invalidate the entire Handbook, but only that particular provision.

It is the intent of The Blue Door Pub to comply with all applicable federal, state and local laws. This Handbook replaces (supersedes) any and all other or previous Company Employee Handbooks, or other Company policies, procedures or documents, whether written or oral, distributed at any time prior to the effective date of this Handbook. All such previous handbooks, manuals, policies, rules and procedures are expressly revoked. You are responsible for reading and understanding this Employee Handbook. If anything is unclear, please discuss the matter with your Supervisor or the President/Owner.

**No provision in this Handbook (including any such modification to the Handbook) is intended to create a contract of employment, binding agreement or promise, either expressed or implied, between you and The Blue Door Pub and will not alter the employment at-will relationship. This Handbook is a general statement of policy, to be modified and applied by the Company at its discretion.**

## **EMPLOYMENT AT WILL**

**YOUR EMPLOYMENT RELATIONSHIP IS BASED ON THE MUTUAL CONSENT BETWEEN YOU AND THE COMPANY. ACCORDINGLY, YOUR EMPLOYMENT WITH THE BLUE DOOR PUB IS AT-WILL. THERE IS NO IMPLIED PROMISE THAT EMPLOYMENT WILL CONTINUE FOR A SET PERIOD OR THAT YOUR EMPLOYMENT WILL BE TERMINATED ONLY UNDER PARTICULAR CIRCUMSTANCES. YOU ARE FREE TO TERMINATE YOUR EMPLOYMENT WITH THE COMPANY AT ANY TIME, WITH OR WITHOUT CAUSE. LIKEWISE, THE COMPANY HAS THE RIGHT TO TERMINATE YOUR EMPLOYMENT, OR OTHERWISE DISCIPLINE, TRANSFER, OR DEMOTE YOU AT ANY TIME, WITH OR WITHOUT CAUSE OR ADVANCE NOTICE, AT THE SOLE DISCRETION OF THE BLUE DOOR PUB. NO ONE, OTHER THAN A COMPANY OFFICER HAS THE AUTHORITY TO MAKE REPRESENTATIONS, EITHER EXPRESSLY OR IMPLIED, THAT ARE INCONSISTENT WITH THIS POLICY AND DOES SO ONLY BY A WRITTEN AGREEMENT SIGNED BY AN AUTHORIZED OFFICER. A COMPANY OFFICER MAY AMEND THE POLICY IN A WRITTEN STATEMENT, AT ANY TIME. THIS POLICY SUPERSEDES ALL WRITTEN AND ORAL REPRESENTATIONS TO THE CONTRARY.**



# 1. Standards of Business Conduct

## 1.1 Equal Employment Opportunity

The Blue Door Pub is an equal opportunity employer. It is the policy of the Company to provide equal employment opportunity and to prohibit discrimination and harassment for everyone regardless of age, color, race, creed, gender, national origin or ancestry, religion, sexual orientation, marital status, familial status, veteran status, physical or mental disability, medical condition including genetic characteristics, status with regard to public assistance, or any other consideration made unlawful by federal, state, or local laws. The Company also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is employed with a person who has or is perceived as having any of those characteristics. All such discrimination and harassment is unlawful.

This policy applies to all Company employment actions including hiring, training, promotions, transfers and rates of pay, layoff and other forms of compensation. This policy applies to **all** persons involved in all operations of The Blue Door Pub and prohibits unlawful discrimination or harassment by or against any employee of the Company, including supervisors and coworkers.

If you become aware of a complaint or incident of possible discrimination or harassment, or if you believe you have been subjected to discrimination or harassment, you should immediately contact your immediate Supervisor or the President/Owner.

## 1.2 Disability Accommodation

The Blue Door Pub will provide reasonable accommodation to enable a qualified applicant to perform the essential functions of the job which he/she is seeking and to enable a qualified employee with a disability to perform the essential functions of a job currently held.

Modifications or adjustments may be required in the work environment, in the manner or circumstances in which the job is customarily performed, or in employment policies. The Company will make an accommodation that does not impose an undue hardship on the operation of the business. The Americans with Disabilities Act (ADA) defines an undue hardship as an action that requires significant difficulty or expense. Each accommodation request will be handled on a case-by-case basis and every effort will be made to comply with the ADA.

### Procedure for Requesting an Accommodation

Qualified individuals with disabilities may make requests for reasonable accommodation to the Supervisor. Upon receipt of an accommodation request, the Supervisor will meet with the requesting employee to discuss and identify the potential accommodation that the Company might make to help overcome designated limitations. Also, when appropriate, The Blue Door Pub may need permission from the employee to obtain additional information from the employee's physician and/or other medical rehabilitation professionals about the type of accommodation needed.

If necessary, management representatives identified as having a need to know will determine the feasibility of the requested accommodation. The Supervisor will inform the employee of the decision of the Company on the accommodation request and/or on how to make the accommodation.

# 1. Standards of Business Conduct

## 1.3 Prohibited Harassment and Non-Discrimination

The Blue Door Pub is committed to ensuring an employment environment where employees can work, learn and develop their full potential. Harassment, as well as offensive, degrading and inappropriate remarks and conduct, are not permissible and have no place in our work environment. Employees have the right to work in a healthy and safe environment free of harassment, offensive and derogatory behavior.

This policy is designed to further The Blue Door Pub's goal of a healthy, respectful and discriminatory free environment that promotes dignity and equality and to comply with federal and state laws. It is each employee's responsibility to maintain a workplace free of any form of harassment and discrimination.

It is also the policy of The Blue Door Pub to prohibit any form of workplace harassment against any employee or any applicant for employment because of age, color, race, creed, gender, national origin or ancestry, religion, sexual orientation, marital status, familial status, veteran status, physical or mental disability, medical condition including genetic characteristics, status with regard to public assistance, (each is referred to as a protected class), or other protected classes designated by federal, state and local laws, including harassment and discrimination prohibited by Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Genetic Information Nondiscrimination Act and the Minnesota Human Rights Act. The Blue Door Pub will not tolerate workplace harassment, whether committed by an employee, supervisor, guest, vendor, or contractor against anyone including managers, supervisors, co-workers, and guests.

### Policy Applies to Whom, Where and When

Those covered under this policy include all employees, guests, contractors, vendors, and visitors. The policy is in effect anytime employees are on The Blue Door Pub business including outside of the restaurant, for example - travel, meetings and other events. It may also include social gatherings if the behavior directed from one employee to another is egregious enough to negatively impact the work environment.

### Harassment Definition

Harassment may consist of, but is not limited to:

- Verbal harassment (e.g. epithets, derogatory statements, slurs and offensive comments or jokes based on an individual's protected class),
- Physical harassment (e.g. unnecessary or offensive touching) and
- Visual harassment (e.g. showing or distribution of offensive posters, web pages, cartoons, drawings, gestures, screen savers, clothing)

that is directed at an employee or group of employees because of their protected class and demeans or intimidates them. To constitute harassment, the behavior must be sufficiently severe and/or pervasive that it alters the terms and conditions of employment.

# 1. Standards of Business Conduct

## 1.3 Prohibited Harassment and Non-Discrimination (*continued*)

### Harassment Definition (*continued*)

Behavior which is appropriate in a social setting may not be appropriate in the workplace.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature:

1. Where giving in to or rejecting the behavior is used as the basis for employment decisions affecting the individual (e.g. getting hired if one submits to the sexual behavior; continuing employment depends on "going along" with harassing conduct, or "giving in" to sexual demands such as dates, 'late night meetings', or a sexual relationship, to name a few)
2. Which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment (please see examples below)
3. When demeaning, degrading and offensive behavior is directed towards one gender when the behavior may not necessarily be sexual in nature, but would not occur to that individual if not for her/his gender.
4. Sexual harassment also includes harassment between members of the same sex, (heterosexual or gay, lesbian, bisexual, or transgender) including harassment motivated by a belief that a co-worker does not conform to the stereotypes of his or her gender. Harassing behavior aimed at an individual because of their real or perceived sexual orientation will not be tolerated and is a violation of the law.

Harassment may be verbal, physical, written or visual. Conduct that may constitute harassment includes, but is not limited to, sexual or suggestive comments or jokes, sexual propositions, sexist remarks, unwanted sexual advances, patting or unnecessary touching, unwanted staring or leering, pressure for sexual favors in return for special treatment on the job, or unfavorable treatment or harassment not of a sexual nature directed toward an individual because of his or her sex, race, religion, or other protected characteristic.

**Unacceptable/Offensive/Degrading Conduct** may or may not constitute harassment. To be considered harassment, harassing behaviors must be so severe and/or pervasive that they alter the terms and conditions of employment from the perspective of a reasonable person. However, unacceptable/offensive behavior does not have to rise to the level of harassment for disciplinary action to be taken up to and including termination. Complaints received will be thoroughly investigated to determine whether the behavior and circumstances are against this policy and/or constitute harassment.

# 1. Standards of Business Conduct

## 1.3 Prohibited Harassment and Non-Discrimination (*continued*)

### Complaint Procedure

To the extent she/he feels safe and comfortable in doing so, the offended employee is encouraged to confront the offender, verbally or in writing and tell him/her to stop the offensive conduct because it is unwelcome. If the offended employee's concerns are not resolved satisfactorily by communicating with the offender, or if the offended person feels she/he cannot discuss the concerns with the offender, the offended employee should immediately report the facts of the incident to her/his Supervisor and/or the President/Owner.

The offended employee is encouraged to document the incident(s) as soon as it occurs in as much detail as possible, including: the nature of the incident(s); dates, times and places it has occurred; name of the offender; witnesses; their response to the incident(s); the effect/impact of the behavior on them. The offended person who contacts management with a complaint is encouraged to submit this documentation; however, complaints may be filed verbally.

These avenues of complaint are intended to be free from bias, collusion, intimidation, or reprisal.

Employees who believe that the actions or words of another employee, visitor, guest, contractor, or vendor constitutes harassment, or offensive, inappropriate or degrading behavior, or who have knowledge of any conduct of other employees, contractors, guests, visitors or vendors which may constitute such behavior, are encouraged to report the behavior as soon as possible to her/his immediate Supervisor or the Owner.

The offended employee is encouraged to report the behavior as soon as possible after the incident in order to be effectively investigated and resolved.

### Investigation Procedures and/or Resolution of the Complaint

The Blue Door Pub will promptly and thoroughly investigate complaints of harassment or other violations of this policy to determine whether improper conduct has occurred. Once a complaint has come to the attention of The Blue Door Pub, the Company will conduct an investigation even if the complainant says he/she does not want anything done.

The President/Owner is the decision making authority to review the investigative reports and to make a finding of whether the harassment policy has been violated based upon the investigation and to determine the appropriate action to be taken based upon the findings.

### Informal Resolution

A full investigation may not always be required for every complaint. An informal resolution is often an appropriate/alternative response depending upon the nature of the complaint. The goal of the informal resolution is to stop inappropriate behavior.

# 1. Standards of Business Conduct

## 1.3 Prohibited Harassment and Non-Discrimination (*continued*)

### Confidentiality

The Blue Door Pub will make every effort to protect the rights and concerns of the offended person, the offender and any witnesses. Respect for the privacy of all parties will be adhered to as much as possible. However, because an individual's right to confidentiality must be balanced with the Company's obligations to investigate and take necessary action to resolve a complaint, The Blue Door Pub retains the right to disclose the identity of any of the parties in appropriate circumstances and only to those with a need to know.

### Disciplinary Action

The Blue Door Pub will take appropriate remedial action based on the results of the investigation and will monitor the situation to ensure that the remedial action is effective. Individuals found to have violated this policy will be subject to disciplinary action which may include but are not limited to:

- Verbal warnings/reprimands
- Written warning/reprimand in employee file
- Written apology to the offended person
- Education and/or coaching on harassment by means of reading, DVD's, classes, 1:1 coaching
- Suspension
- Loss of promotion
- Loss of salary increase
- Termination

### Right to Reconsideration

Both the offended employee and the offender shall have the right to request that the President/Owner reconsider the decision within 10 working days after notification of the outcome of the investigation. The request shall be in writing and the President/Owner will respond in writing within 10 working days.

During the time of the reconsideration and review, disciplinary action taken as a result of the complaint will be enforced.

### Retaliation

The Blue Door Pub will not tolerate retaliation or intimidation of any kind against anyone making a report or complaint of harassment or offensive behavior. No employee who reports a violation of this policy in good faith will be subject to any adverse employment action because of the reporting.

# 1. Standards of Business Conduct

## 1.3 Prohibited Harassment and Non-Discrimination (*continued*)

### Retaliation (*continued*)

No supervisor, manager, or employee at The Blue Door Pub will retaliate against an employee because he or she has opposed discriminatory practices including: complaining of discrimination or harassment through the internal complaint procedures; filing a charge of discrimination with any equal employment opportunity agency; or participating in an investigation of a charge or complaint of discrimination or workplace harassment. Such retaliation and intimidation not only violates this policy but also violates state and federal law.

All parties involved have a right to be free of retaliation and intimidation. The Blue Door Pub shall bring swift and strict disciplinary action against any individual who retaliates against a person reporting harassment or who retaliates against a person who testifies assists or participates in an investigation proceeding or hearing in connection with a harassment complaint.

Examples of retaliation include but are not limited to: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, unfair performance review, not being informed/included about important events such as meetings or changes in policies, ridicule (public or private), name calling, refusal to meet with a person even though that person has a right to do so and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action up to and including suspension, and/or termination.

### Disclosure of Personal Relationships

Employees are discouraged from becoming involved in a relationship with any supervisor or subordinate that is in that employee's direct chain of command, where such a relationship is contrary to sound business judgment.

Each employee who becomes involved, or feels that they may become involved in such a relationship with a supervisor or subordinate must immediately report this relationship to their immediate Supervisor. Within two weeks of notifying their supervisor of the relationship, at least one of the employees involved must resign or transfer to another location.

The Blue Door Pub recognizes that personal relationships of an intimate nature can and do occur within the workplace. A personal relationship includes, but is not limited to the following activities: dating, sharing the same household or living together. Such relationships when they arise must be disclosed by both employees involved in the relationship to their Supervisor and/or the President/Owner when such employees' positions require that they work closely together, require one employee to supervise the other employee or when one employee has the ability to influence or affect the terms and conditions of employment of the other employee.

# 1. Standards of Business Conduct

## 1.3 Prohibited Harassment and Non-Discrimination (*continued*)

### Disclosure of Personal Relationships (*continued*)

This disclosure is essential to maintain the integrity of the workplace and to protect both the employees and the Company. Upon disclosure of this personal relationship, the Company will meet with the employees within two weeks of notifying their supervisor of the relationship, to determine an appropriate course of action regarding their job responsibilities, supervision and reporting requirements. Courses of action may include, but are not limited to, the transfer to another location, or the resignation of at least one of the employees. Failure to disclose a personal relationship will result in disciplinary proceedings up to and including termination.

### Employee Responsibility

Every employee is responsible for assisting in the prevention of harassment through the following:

- Refraining from participation in, or encouragement of, actions, comments and/or statements that could be perceived as harassment or offensive conduct.
- Refraining from making disparaging, discriminatory or defamatory comments or written statements when discussing the Company, or the employee's superiors, co-workers, guests and/or competitors.
- Reporting acts of harassment and/or offensive conduct that you experience or witness to your Supervisor and/or to the President/Owner.
- Encouraging any employee who complains of being harassed or discriminated against to report these acts to the Supervisor
- Informing the offender that his/her behavior is unacceptable, against policy and that he/she should stop the behavior
- Offering support to the offended employee

### Disclaimer

Nothing in this Policy is intended to alter the "at will" employment relationship between the Company and any employee. The Blue Door Pub reserves the right to change all matters contained in this Policy, to interpret the provisions of this Policy and to vary from this Policy when such variance is appropriate.

## 1.4 Communication and Technology Use

The telephones, voicemail, computers, network, Internet, e-mail, cell phones or smartphones, and all other electronic communication modes and systems are important communication tools for employee productivity at The Blue Door Pub. Access to these resources is provided as appropriate for your job responsibilities. However, all of these systems and modes of communication are property of the Company. Employees are expected to exercise care to ensure that information through these means is safe, confidential, accurate, appropriate, reliable and accessible only to authorized users. See the Supervisor regarding your level of authorized use.

These systems are to be used for work-related functions. Use for personal purposes is permissible only within reasonable limits.

# 1. Standards of Business Conduct

## 1.4 Communication and Technology Use (*continued*)

**Employees DO NOT have privacy rights regarding e-mail, voice mail, telephone systems, network, computer-generated communication, digital network communications, or any other communication however created, sent, received, accessed, or stored. All information, which is stored on any Company electronic system, remains the property of The Blue Door Pub. The Company reserves the right to monitor, print, listen to and/or read communications to assure that they are being used for appropriate business purposes.**

### **E-Mail Use**

Employees should be sensitive to the professionally communicated content of e-mails and other communications distributed either internally or via the Internet. Anonymous e-mails are prohibited. Employees should use the same care in drafting e-mails as they would for any other written communication. The display, transmission, retrieval, or storage of sexually explicit or pornographic images, messages, or cartoons, or any transmission or use of e-mail communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassing, threatening, or disparaging of others based on their race, national origin, sex, sexual orientation, age, disability, religion, political beliefs, or any other protected class status, is prohibited.

Employees should not access another employee's e-mail messages, documents and/or programs, or send messages from another employee's e-mail system without the latter's permission. In addition, employees should not alter, copy, or forward e-mail messages and/or documents to any other person or entity without permission of the sender.

As a good business practice, employees should delete all unnecessary e-mails. Employees should remember, however, that deleting an e-mail message does not necessarily destroy it, but merely marks it to be written over at a later date. The Company also reserves the right to purge the e-mail system on a routine basis to insure effective electronic business system operations.

### **Internet Use**

The Internet is provided and intended for business and in general, the Company allows the use of Internet communications as a means of providing services more efficiently and effectively. Employees must, at all times, use discretion in communicating sensitive information and should select communications methods that will protect such information.

Any messages or information sent by an employee by the Internet or otherwise posted in the Internet are statements that may be identifiable and attributable to The Blue Door Pub, as if the employee was sending a letter on Company letterhead.

The Internet may not be used for transmitting, retrieving or storing any communications of a discriminatory or harassing nature, or which are derogatory to an individual or group, or which are obscene, or which are of a defamatory or threatening nature, or for "chain letters" or for any other purpose which is illegal or is against Company policy or is contrary to the Company's interests.



# 1. Standards of Business Conduct

## 1.4 Communication and Technology Use (*continued*)

### Internet Use (*continued*)

Generally, the Internet may not be used to participate in Internet discussion groups, bulletin boards or other public forums except for approved Company business. Acceptable uses of the Internet access services from The Blue Door Pub include accessing information for Company business-related purposes, professional education and professional development. Internet access is provided primarily for you to retrieve information. Do not post information, comments or statements, except for pre-approved Company business, professional development or business development purposes.

An Internet site may request information about you in order to build a user profile or mailing list. Refuse any such requests. Respond "no" to any suggested download, upgrade, or enhancement of software. Do not make any purchases or access a web site that charges a fee, except for approved Company business purposes.

Employees have a responsibility to use all electronic communication programs, systems and tools in an informed and responsible way, conforming to professional etiquette, good business practice and common sense.

### Software Programs

The Blue Door Pub will provide all software to be used on Company computer systems. Installation of outside software is forbidden without prior approval from the Supervisor and the President/Owner.

### Copyright Protection

Employees should respect all copyrights and intellectual property rights of others' materials and may not copy, retrieve, modify or forward copyrighted, patented or trademarked materials except as permitted by the owner or as a single copy for reference use only.

### Social Media and Blogging Policy

The Blue Door Pub is committed to the safety and security of employees and to the protection of the Company, including the Company's information, business relationships and reputation. Improper postings to the Internet, including on social networking sites, can jeopardize these commitments and could expose the Company to liability. This Policy is intended to set the parameters of employees' online activity relating to or reflecting upon The Blue Door Pub.

The Company recognizes that employees may wish to publish content to the Internet (including, but not limited to, posting to blogs or bulletin boards or other social networking sites, e.g., Facebook, MySpace, LinkedIn, Twitter, YouTube, and other future social media sites) and respects employees' rights to do so during their personal time. Employees should remember that just as employees' conduct in and outside the workplace may reflect on the Company, so too may online content attributable to employees be connected to and/or reflect upon The Blue Door Pub.

# 1. Standards of Business Conduct

## 1.4 Communication and Technology Use (*continued*)

### Social Media and Blogging Policy

Employees are reminded that Company policies may still apply to employees' Internet postings. For example, employees are prohibited from disclosing The Blue Door Pub' confidential, proprietary and/or trade secret information, including but not limited to guests, vendors, suppliers and contractors, consistent with the Company's Confidential Information Policy (*See Section 1.5 Confidentiality of this Employee Handbook*). Employees also are prohibited from disclosing the confidential, proprietary and/or trade secret information of the Company's guests, suppliers, vendors, and contractors, consistent with the Company's Confidential Information Policy (*See Section 1.5 Confidentiality of this Employee Handbook*).

In addition, if you post any content online (including written, vocal, or visual) which could identify you as an employee of The Blue Door Pub, the Company expects you, in connection with that posting, to use good judgment and to conduct yourself appropriately and in a manner consistent with your obligations at The Blue Door Pub, including in accordance with other Company policies. For example, you are expected to refrain from posting content or communications containing sexually explicit or pornographic images or messages, ethnic slurs, racial epithets, or anything that may be construed as harassing, threatening, or disparaging of others is strictly prohibited.

You also are expected to respect copyright, trademark and other intellectual property laws. If you publish any information about the products and services offered by the Company, include a statement identifying yourself as an employee of The Blue Door Pub.

Unless specifically instructed otherwise by the President of The Blue Door Pub, employees are not authorized to speak on behalf of the Company and, therefore, must refrain from doing so and from creating the perception that they are doing so by discussing matters related to the Company.

Employees are prohibited from representing or suggesting that the online content they post is endorsed by The Blue Door Pub or its managers, or employees, including by the use of the Company's logos and trademarks. The Blue Door Pub encourages employees to include a disclosure statement in personal blogs or postings to ensure that readers are aware that the content of the blog does not represent the views of the Company.

Employees are personally responsible for their postings and online content. The Blue Door Pub will not assume any liability or risk for an employee's online posting. Failure to adhere to the Company's policies, including this Social Media and Blogging Policy, will be considered grounds for discipline, up to and including termination of employment. If you are or become aware of any online content posted by an employee that violates the policies of The Blue Door Pub, please report it immediately to the Supervisor or the President/Owner.

If you have questions concerning online content, or concerns about this policy or how this or other Company policies affect on-line postings, please consult with your Supervisor or the President/Owner.

# 1. Standards of Business Conduct

## 1.4 Communication and Technology Use *(continued)*

### Personal Electronic and Camera-Enabled Devices

The use of cell phone or smartphone cameras or camcorders, digital cameras or camcorders, or any other electronic device for recording purposes is prohibited. Unless properly authorized, employees should refrain from the use of any form of personal electronic cameras, camcorders, or recording devices during normal work hours. These devices may be used during breaks or when employees are at lunch.

Pictures of employees may be taken only on a limited basis at business-related social functions only with the prior approval of your Supervisor and/or the President/Owner. Posting or uploading pictures or images of employees on the Internet, to any social media site, or sharing employee photographs or images must be approved in advance by your Supervisor and/or the President/Owner.

### Job Productivity

It is expected that you spend your time at The Blue Door Pub working on Company business. Given the demands of our business, it may be necessary at times to use communication systems for personal use. However, personal use of communication and information technology must not lessen your productivity. The Supervisor will monitor your job productivity with input from others.

Violations of any portion of this policy will result in appropriate disciplinary action, up to and including termination.

## 1.5 Confidentiality

Protecting Company and guest information is critical to our success. Business information should not be discussed with anyone not employed by The Blue Door Pub except as may be required in the normal course of business.

Information designated as confidential is to be discussed with no one outside the organization and only discussed within the organization on a "need to know" basis.

As the result of employment with The Blue Door Pub, an employee will acquire and have access to confidential information belonging to the company of a special and unique nature and value, relating to such matters as the Company's trade secrets, business plans; guests and accounts; supply sources and resources; contracts; menus and recipes; price lists; accounting and bookkeeping practices; financial information, data, costs, records and reports; marketing and sales data; pricing and expense information; prospect names and lists; existing and potential business opportunities; operating plans and business processes; confidential reports; guest lists, names addresses and contact information; guest credit information; employee data, personnel and compensation information; procedures; Company policies, handbooks and/or manuals; office policies and practices; as well as potential and actual litigation and other legal matters.

# 1. Standards of Business Conduct

## 1.5 Confidentiality (*continued*)

This responsibility is not intended to impede normal business communications and relationships, but is intended to alert employees to their obligation to use discretion to safeguard the business operations of the Company.

Not all employees may have access to certain confidential information. Those employees authorized to have access to confidential information are responsible for its security and for not disclosing it to employees who do not have authority to receive the information.

An employee's inappropriate disclosure of confidential or proprietary information may result in discipline up to and including termination and appropriate legal action. In addition, as a condition of employment, employees agree not to divulge or disclose to anyone, except in the responsible exercise of his/her job, any such confidential information, whether or not it has been designated specifically as "confidential."

## 1.6 Conflict of Interest

Employees are prohibited from engaging in any conduct, activity, practice, or act which conflicts with, or appears to conflict with, the interests of The Blue Door Pub, its guests, suppliers, or vendors, including any conduct which is directly or indirectly, unethical, dishonest, disloyal, disruptive, competitive or damaging to the Company's interests.

All employees are expected to regulate their business conduct and business knowledge so as to avoid loss (either monetary or informational) to the Company that might arise from their influence on Company decisions or their knowledge of company business and plans. Employees are expected to:

1. Foster business conduct that reflects credit on the Company and its employees; and
2. Protect the Company from financial loss.

There must be no unreported business relationship with any enterprise that supplies, buys from, or competes with the Company. These relationships may include the receipt of gifts of money or other gifts or favors of more than nominal value from such an enterprise, particularly in situations where business judgment may be influenced.

Payments or services considered to be pay-offs, kickbacks, bribes, or otherwise illegal are unacceptable. These payments or services are generally substantially in excess of usual or customary charges.

### **Receiving and Giving Gifts and Other Favors**

Employees are not to receive or give monetary or non-monetary gifts, favors, entertainment, payments or anything of more than limited value from, or to or for the benefit of any competitor, guest, supplier, vendor, or other person seeking to do or doing business with the Company. Such gifts and the like can impair employees' abilities to perform their duties or exercise their judgment in a fair and unbiased manner.

# 1. Standards of Business Conduct

## 1.6 Conflict of Interest (*continued*)

### Receiving and Giving Gifts and Other Favors (*continued*)

Gifts, favors or other business courtesies may be received or given only under the following conditions:

1. They are of limited value and are received or given when no help or obligation is assumed. Monetary and/or non-monetary business gifts or favors with a value in excess of \$50 must be reported to your immediate Supervisor and the President/Owner. If and when the total value or business gifts or favors exceeds \$100 in a given calendar year, this must also be reported to your immediate Supervisor and the President/Owner.
2. They are legal, in accord with accepted business practices and do not contradict any policies of The Blue Door Pub.
3. Public disclosure of the receipt or giving of the gift, favor or business courtesy would not be embarrassing to The Blue Door Pub.

Employees may not use a business opportunity in which the Company has or might be expected to have an interest for an individual's personal benefit.

Employees are prohibited from making a direct or indirect contribution from corporate funds either to or on behalf of a political party, committee, candidate or official.

Examples of acceptable practices are as follows:

- a. Business oriented courtesies in the form of "tips", petty gifts or similar favors, of a usual and customary nature.
- b. Business courtesies such as usual and customary payments for meals or similar accommodation in connection with a business meeting.

Each employee is responsible for reporting any questionable activity to Company Management.

### Outside Employment

Employees are also prohibited from accepting full-time, part-time or temporary employment with any organization that does business with or is a competitor of The Blue Door Pub. This includes serving as an advisor or consultant to any such organization, unless that activity is conducted as a representative of The Blue Door Pub or otherwise authorized by Company Management.

## 1.7 Drug and Alcohol Policy

The Blue Door Pub is committed to protecting the health, safety and security of its employees and the guests that it serves. For these reasons, the Company has established as a condition of employment and continued employment the following Drug and Alcohol Policy. The use of alcohol, drugs and/or controlled substances by any employee during work hours is strictly prohibited.

# 1. Standards of Business Conduct

## 1.7 Drug and Alcohol Policy (*continued*)

Employees are prohibited from reporting to work or working while using illegal or unauthorized drugs. Employees are also prohibited from reporting to work or working when using legal drugs and medications, except when the use is pursuant to the orders of a licensed medical doctor and the doctor has advised the employee that the substance does not adversely affect the employee's ability to safely perform his or her job duties.

In addition, employees are prohibited from engaging in the unlawful or unauthorized manufacture, distribution, sale, possession, use, or dispensation of any drugs or controlled substances and/or alcohol in the workplace including: on Company paid time, on Company premises including the Company's parking lot, in Company vehicles or in private vehicles on Company property, or while engaged in Company activities. Employees are also prohibited from reporting for duty or remaining on duty with any alcohol in their systems. Employees are prohibited from consuming alcohol during working hours, including meal and break periods. This does not include the minor use of alcohol at Company sponsored functions or activities.

An employee will be considered to be "under the influence" when in the judgment of the Supervisor, a Manager, and/or the President, consumption of any alcoholic beverage has impaired or is likely to impair the employee's job performance.

### **Company-Sponsored Social Events**

When authorized by the Company, alcoholic beverages may be served at Company-sponsored social events. Only those individuals legally permitted to consume alcoholic beverages may be served at such functions. However, no employee is obligated to consume alcohol at such events. At Company functions, no employee should feel pressured to consume alcoholic beverages. If an employee chooses to drink alcohol during Company events, the employee does so at his or her own risk. All employees are expected to maintain a high standard of professional and personal conduct at any event sponsored by The Blue Door Pub.

The Company reserves the right to arrange transportation for any employee suspected of being intoxicated at a Company social event. The Company reserves the right to cease allowing alcoholic beverages to be served to any employee whom it suspects is intoxicated or who behaves inappropriately at such functions. Managers and Supervisors should remember that even at Company social events, they should set the standard for acceptable, responsible behavior.

Employment or continued employment with The Blue Door Pub is conditioned upon an employee's full compliance with all aspects of this Drug and Alcohol Policy. Any violation of this policy may result in disciplinary action up to and including discharge. Furthermore, any employee who violates this policy who is subject to termination may be permitted in lieu of termination, at the Company's sole discretion, to participate in and successfully complete an appropriate treatment, counseling or rehabilitation program as recommended by a substance abuse professional as a condition of continued employment and in accordance with applicable federal, state and local laws. The Blue Door Pub assures that any information concerning an individual's drug or alcohol use will remain confidential unless the employee shares this information with other employees.

# 1. Standards of Business Conduct

## 1.7 Drug and Alcohol Policy *(continued)*

The Company reserves the right to take any and all appropriate and lawful actions necessary to enforce this Drug and Alcohol Policy. Employees who violate this work rule are subject to disciplinary action up to and including termination. No provision in this policy is intended to alter the "at will" employment relationship between an employee and the Company.

## 1.8 Safe Alcohol Service

It is The Blue Door Pub policy to never serve alcohol to customers that display signs of intoxication. We want a relaxed atmosphere for social drinking, not intoxication. If you believe a guest is impaired, please bring this to the attention of your manager. For specific practices regarding situations of intoxication, refer to the "Alcohol Summary" section of the training manual.

## 1.9 Search and Inspection Policy

The Blue Door Pub reserves the right, at any time it deems necessary, to conduct searches and surveillance of employees, their work spaces, their personal belongings (including but not limited to purses, boxes, briefcases, backpacks, bags, etc.), vehicles, lockers, Company-owned property or furnishings, vehicles and equipment, including computers, company e-mail accounts, voice mail, Company cell phones or smartphones and any other electronic storage devices.

Searches of employees and their personal property may be conducted when there is reasonable suspicion to believe that the employee has violated Company policy or when circumstances or workplace conditions justify such a search.

**Employees should have no expectation of privacy while performing duties for The Blue Door Pub, while on Company premises (including parking lots) and/or while in a Company vehicle.**

Such searches may be conducted at any time with or without prior notice. Employees are expected to cooperate fully. An employee's consent to a search is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including termination.

## 2. Your Pay and Hours

### 2.1 Classifications of Employment

At the time of hire, every employee is classified to ensure compliance with the Fair Labor Standards Act (FLSA) and all applicable federal and state laws and regulations.

Employment classifications at The Blue Door Pub include:

**Full-time Employee** – An employee who is hired or promoted into a position to work a full-time work schedule of a minimum of **40 hours** per week on a regular basis. Such an employee may be “Exempt/Salaried” or “Non-Exempt/Hourly” as defined below.

**Part-time Employee** – An employee who is hired to work less than **40 hours** per week on a regular basis. Part-time status can be changed to full-time status only ***in writing*** signed by the Supervisor and/or the Owner. Such employees may be “Exempt/Salaried” or “Non-Exempt/Hourly” as defined below.

**Non-Exempt/Hourly** – Employees who are required to be paid overtime at the rate of time and one-half (i.e., one and one-half times their regular rate of pay) for all hours worked in excess of forty (40) in a workweek, in accordance with applicable state or federal wage and hour laws.

**Exempt/Salaried** – Employees who are not required to be paid overtime for hours worked in excess of forty (40) hours in a workweek, in accordance with applicable state or federal wage and hour laws.

If you have any questions on your classification, please contact your Supervisor.

### 2.2 Payday, Workweek & Hours

Distribution of paychecks at The Blue Door Pub will be bi-weekly. Each pay period will begin on a Monday and end on the second Sunday following. Paychecks will be distributed on the Thursday following the pay period end.

Any questions or problems regarding a paycheck should be directed to the management staff of your restaurant.

Because of the nature of our business, your work schedule will often vary depending on your job. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may often necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Check with your Supervisor if you have questions on your hours of work. Any variation in the regular work schedule of hours must be approved in advance by your Supervisor.



## **2. Your Pay and Hours**

### **2.3 Tips and Gratuity Distribution**

All tips received by you are taxable income to you. It is the requirement of both The Blue Door Pub and Federal and State of MN government that tipped employees report 100% of their tipped income.

Because your wage rate is equal to or in excess of the minimum wage, tips, however they are paid, are not included in determining your hourly rate for purposes of calculating overtime.

### **2.4 Time Reporting**

#### **Non-Exempt/Hourly Staff**

Accurately recording time worked is the responsibility of every Non-Exempt/Hourly employee. Federal and State of MN laws require the Company to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Non-Exempt/Hourly employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

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 of employment.

Non-Exempt/Hourly employees should report to work no more than 5 minutes prior to their scheduled starting time nor stay more than 5 minutes after their scheduled stop time without expressed, prior authorization from their Supervisor.

It is the employees' responsibility to certify the accuracy of all time recorded. The Supervisor will review and approve the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the Supervisor must verify the accuracy of the changes to the time record.

#### **Exempt/Salaried Staff**

Exempt/Salaried employees do not record time worked each pay period. The Blue Door Pub complies with all Federal and State of MN time reporting regulations.



## A GUIDE TO MINNESOTA'S LAWS ABOUT TIP CREDIT, TIP SHARING, TIP POOLING

### MINNESOTA EMPLOYERS ARE PROHIBITED FROM TAKING A TIP CREDIT AGAINST THE MINIMUM WAGE

- Minimum wage rates apply to all hours worked, whether part time or full time.
- Employers may not count tips received by an employee toward the payment of minimum wage.
  - » Example: Employees must receive the applicable minimum wage in addition to any tips they may receive.



### EMPLOYERS ARE PROHIBITED FROM DIRECTING EMPLOYEES TO POOL OR SHARE TIPS

- No employer may require an employee to contribute or share a gratuity received by the employee with the employer or other employees or to contribute any gratuity to a fund or pool.
- Tips are the sole property of the direct service employee. Employers cannot require employees to share their tips with indirect service employees.
  - » A direct service employee is one who performs direct service for a customer.
  - » Indirect service employees include, yet are not limited to, bus people, dishwashers, cooks or hosts.
- When more than one direct service employee provides direct service to a customer in a given situation such as banquets, money presented by customers as a gratuity and divided among the direct service employees is not a violation of Minnesota tip laws.



### EMPLOYERS MAY TAKE THE FOLLOWING ACTIONS REGARDING TIPS

- Upon the request of employees, an employer may safeguard gratuities to be shared by employees and disburse shared gratuities to employees who agree.
- An employer may report amounts received as gratuities as required for tax purposes.
- For credit card tips only, employers may deduct from the tip the same percentage deducted by a credit card service company.

### CONTACT INFORMATION

Department of Labor and Industry  
Labor Standards  
443 Lafayette Road N.  
St. Paul, MN 55155-4306

Phone: (651) 284-5070 • Toll-free: 1-800-342-5354  
Fax: (651) 284-5740  
dli.laborstandards@state.mn.us  
www.dli.mn.gov/laborlaw.asp



Notice: This flier is a brief summary of Minnesota law and is intended as a guide. It is not to be considered a substitute for Minnesota Statutes regarding tip laws.

This document can be provided in different forms, such as large print, Braille or audio, by calling (651) 284-5005.

Version: 1112

## 2. Your Pay and Hours

### 2.4 Time Reporting (*continued*)

#### Exempt/Salaried Staff (*continued*)

The Company prohibits deductions from the predetermined salary of Exempt/Salaried employees based upon variations in the quality or quantity of the work performed, except in the following circumstances:

- Absence from Work for one or more full days for personal reasons other than sickness or disability;
- Absence from work for one or more full days due to sickness or disability before the employee becomes eligible for or after an employee exhausts the use of vacation or sick/personal time;
- Absence from work for one or more full days due to a disciplinary suspension imposed for an infraction of written workplace conduct rules or policies;
- Absence from work that qualifies as FMLA Leave;
- A penalty imposed for an infraction of a safety rule of major significance; or
- Pro-rated salary during the first and last week of employment based on the number of days actually worked.

If an Exempt/Salaried employee believes that an improper deduction has been made from the employee's salary, the employee should file a written complaint with your Supervisor or the President/Owner within five (5) business days of being paid. The Company will investigate the complaint in an expeditious manner and will inform the employee of the results of the investigation. If The Blue Door Pub determines that an improper deduction was made, the Company will reimburse the employee for all amounts improperly deducted. The reimbursement will be paid on the first regularly scheduled payday that occurs five (5) business days or more after the determination of the improper payment has been made.

Employees with other concerns regarding a payroll check should contact their Supervisor. Any necessary corrections will be made on the next payroll check whenever possible.

### 2.5 Overtime

There will be times when you will need to work more than 40 hours a week so that we may successfully meet the operating needs of our business. The Blue Door Pub reserves the right to require mandatory overtime with little or no notice, however, whenever possible, advance notification of mandatory overtime assignments will be provided.

Non-Exempt/Hourly employees must have approval from the Supervisor prior to working any overtime hours. The Blue Door Pub complies with all Federal and State of MN overtime regulations. Any hours worked beyond 40 in a week for Non-Exempt/Hourly employees will be paid at the rate of 1½ times their normal hourly rate not including tips.

Overtime is based on actual hours worked. Bone Marrow Donation Leave and Voting time will not count as hours worked for purposes of calculating overtime.

## 2. Your Pay and Hours

### 2.6 Meal and Break Periods / Nursing Mothers

#### Break Periods

Non-Exempt/Hourly employees are allowed restroom breaks as needed during every 4 hour work shift. These periods are considered paid time and do not have to be recorded on your time record.

Employees are not allowed to combine break periods into one longer break, to use breaks or meal periods to make up missed time, to vary their regular workday hours (i.e., to skip breaks and leave early), to add the breaks to their meal periods, or to carry them over from one day to the next. Any variation in the work schedule must be approved in advance by your Supervisor.

#### Employee Meals

No other beverages are to be consumed by employees as staff beverages. Juices, milk and alcohol are not employee beverages.

Front of House Meals: Front of House staff are permitted to eat prior to their shift (off-the-clock).

- If you are scheduled for 8 consecutive hours of work; with Management Approval you may eat during your shift.
- Front of House staff are to pay the current discount level as outlined in the current discount level policy. One meal per day
- **Front of House staff are not to consume their meals at the back bar counter.**
- Consume your beverage then dispose of your cup.

Cooks Meals: Cooks are permitted to eat whenever they can, and these meals are free of charge. Cooks are permitted to eat whatever they like with the exception of specialty items that we bring in from time to time. Cooks are to eat in the Prep Kitchen or at the Bar.

#### Nursing Mothers

Employees who need to express breast milk for an infant child are entitled to a reasonable unpaid break time each day. The break time may run concurrently with any break time already provided to the employee. Reasonable efforts will be made to provide a room or other location in close proximity to the work area, other than a toilet stall, where the employee can express her milk in privacy.

## **3. Time Off / Leaves of Absence**

### **3.1 Bone Marrow / Organ Donation Leave**

The Blue Door Pub will provide all eligible employees, regardless of length of service, with a paid leave of absence of up to 40 hours to undergo a medical procedure to donate bone marrow. An "eligible employee" is one who works an average of 20+ hours per week.

Employees must submit a written request for Bone Marrow Donation Leave and must submit a doctor's statement verifying the purpose and length of the leave to their Supervisor.

### **3.2 Crime Victim Leave**

The Blue Door Pub will provide time off to an employee to attend judicial proceedings related to a crime, if that employee is a victim of crime. Time off for these purposes will be unpaid.

In addition, the Company will grant employees who are victims of domestic abuse violence or whose family member has been a victim of violence, reasonable leave to obtain medical treatment for himself/herself or a family member, or to obtain other services necessary to remedy a crisis of domestic violence.

The Blue Door Pub requires that where feasible, in advance of taking leave, that the employee provide a copy of the notice of the need for leave for each scheduled proceeding that is provided to the victim by the agency responsible for providing notice. If advance notice is not possible, the employee is required to provide the Company with a notice within a reasonable time.

### **3.3 Jury Duty/Witness Leave**

At The Blue Door Pub we grant a leave of absence without pay, for a necessary period, to any staff member who has been summoned for Jury Duty or when subpoenaed or requested by a prosecutor to be a witness in court.

The employee that is summoned needs to:

1. Immediately notify their direct supervisor of their summons and all pertinent information.
2. Regularly contact their direct supervisor to update on status and possible return to work dates.
3. Be available to return to work, if sufficient time remains in the work day, when presence as a juror is not required.

In the event that jury duty exceeds ten (10) days, an arrangement may be made with the employee on an individual basis pursuant to applicable law.

If an employee has been subpoenaed or otherwise requested to testify as a witness by The Blue Door Pub, he/she will receive paid time off for the entire period of witness duty.

Employees will be granted unpaid time off to appear in court as a witness when requested by a party other than The Blue Door Pub.

## 3. Time Off / Leaves of Absence

### 3.4 Medical/Parental Leave of Absence

The Blue Door Pub understands that balancing business and family obligations can be difficult and is committed to providing employees with flexibility in order to allow our employees to meet family obligations and the demands of our business more fully and effectively.

Following is more detailed information about the types of leaves of absence that fall under the Medical/Parental Leave of Absence policy. Please see your Supervisor or the Compliance Manager for specific details and information about application for, or use of, family or medical leave and for a complete copy of this policy.

#### Eligibility

In order to be eligible for Medical/Parental Leave of Absence, employees must satisfy the following conditions:

1. Have been employed by the Company for at least 12 months as of the date the leave is to commence; and
2. Have worked at least 1040 hours during the rolling 12-month period immediately preceding the commencement of the leave.

Employees with less than 12 months of service and less than 1040 hours of work are not eligible for Medical Leave.

#### Medical/Parental Leave of Absence Defined

Eligible employees may take up to 12 weeks of unpaid leave for the following events or conditions:

1. Pregnancy and related medical conditions for the birth and care of a new born child;
2. Non-medical leave for the birth and care of a new born child.
3. Non-medical leave for the placement of a child with an employee for adoption or foster care of a new born or child who is either under 18 years of age or is an adult dependent child;
4. Illness or injury of a child, where the employee's attendance with the child is necessary and consistent with the Company's sick leave policy, if applicable; or
5. A serious health condition that makes employee unable to perform the essential functions of his/her job;

A leave for the birth of the employee's child may begin not more than 12 weeks after the birth; except that, if the child must remain in the hospital longer than the mother, the leave may begin not more than 12 weeks after the child leaves the hospital. The leave for the adoption of a child must begin either before or at the time of the child's placement, at the employee's choice.

## 3. Time Off / Leaves of Absence

### 3.4 Medical/Parental Leave of Absence (*continued*)

#### Leave Request Procedure

To request a Medical/Parental Leave of Absence, an employee must submit a written request for Medical/Parental Leave to his/her Supervisor. Requests for Medical/Parental Leave must be approved in advance by the Company.

If the need for the leave is foreseeable, employees must provide the Company with at least 30 days advance notice before the leave is to begin. If the need is not foreseeable and 30 days' notice is not possible, notice, including medical certification, must be given within 15 calendar days prior to commencement of the leave, unless it is not practical under the circumstances to do so despite the employee's best efforts. Where this is not practical, notice should be given as soon as practical and within one or two days of learning of the need for the leave. In some cases, the leave may begin before The Blue Door Pub receives the medical certification.

All employees requesting a leave extension should do so in writing, two weeks prior to the end of their scheduled leave, if possible.

Whenever possible, an employee should make a reasonable effort to schedule the leave so as not to unduly disrupt the Company's operations. Employees are expected to consult with their Supervisor prior to scheduling leave in order to work out a schedule that best suits the needs of both the employee and the Company, subject to the approval of the employee's health care provider.

#### Medical Certification

Employees who request leave for their own serious health condition or to care for a child with a serious health condition must submit a written medical certification from a health care provider to support the leave request.

The medical certification should include at least the following information:

1. The date on which the serious health condition commenced;
2. The probable duration of the condition;
3. An estimate of the amount of time that the health care provider believes the employee needs to care for the individual requiring care; and
4. A statement that the condition warrants the participation of the family member to provide care during a period of treatment or supervision of the individual requiring care.

The Genetic Information Nondiscrimination Act (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of employees or their family members. In order to comply with this law, the Company asks that employees not provide any genetic information when responding to this request for medical information.

## **3. Time Off / Leaves of Absence**

### **3.4 Medical/Parental Leave of Absence (*continued*)**

#### **Medical Certification (*continued*)**

'Genetic information,' as defined by GINA, includes an employee's family medical history, the results of an employee's or family member's genetic tests, the fact that an employee or an employee's family member sought or received genetic services and genetic information of a fetus carried by an employee or an employee's family member or an embryo lawfully held by an employee or family member receiving assistive reproductive service.

If there is a dispute about the initial medical opinion as to the employee's own serious health condition, The Blue Door Pub may require a second opinion by another health care provider at its own expense. If a third opinion is necessary, a third health care provider may be selected by the employee, also at the expense of The Blue Door Pub.

All employees returning from a Medical/Parental Leave must provide medical certification of their fitness to return to work. The Blue Door Pub also requires periodic updates to support leaves in excess of 30 days and requests to extend leaves.

#### **Duration of Medical Leave**

Eligible employees will be entitled to a cumulative maximum of 12 weeks (paid and/or unpaid) of Medical/Parental Leave within a 12-month period. The 12-month period is measured backwards from the beginning date of an employee's current or requested medical leave. Paid leave will include any period of actual disability.

Employees on workers' compensation leave of absence will be granted leave consistent with workers' compensation laws. Additional benefits may be available under applicable workers' compensation law.

#### **Intermittent and Reduced Schedule Leave**

The Blue Door Pub generally requires that Medical/Parental Leave be taken in one consecutive period of time. Under certain circumstances and subject to the prior approval of the Supervisor and the President/Owner an employee may take leave intermittently or on a reduced work schedule.

If an employee takes an intermittent or reduced work schedule leave, The Blue Door Pub may temporarily transfer him/her to another position with equivalent pay and benefits in order to better accommodate the leave. If an employee requests such a leave due to medical necessity, he/she is required to submit certification from a health care provider stating the basis for the medical necessity and, if applicable, the anticipated schedule for treatment.

#### **Return to Work**

An employee returning to work from a Medical/Parental Leave must provide medical certification of their fitness to safely perform all of the essential functions of his/her position.



## 3. Time Off / Leaves of Absence

### 3.4 Medical/Parental Leave of Absence (*continued*)

#### Return to Work (*continued*)

Upon return to work from a Medical/Parental Leave of 12 weeks or less the employee will be returned to the same position held prior to the leave, or one that is equivalent in pay, benefits and the terms and conditions of employment.

#### Medical/Parental Leave Salary Continuation

Employees will be eligible for 12 weeks of unpaid time off for Medical/Parental Leave. Eligible employees may also elect to use available Vacation or Paid Time Off (PTO) for all or part of the 12 week Medical/Parental Leave of Absence. **(Is any other paid time off available to employees for Medical/Parental Leave?)**

If an eligible employee is actually disabled on account of pregnancy, childbirth, or related medical condition, or the employee's own serious medical condition, **the Company's Short Term Disability benefits, if applicable, may pay a percentage of monthly salary subject to the terms and conditions and limits of the policy then in existence. Short-term Disability leave may be taken by eligible employees, as needed, for all disabilities related to each pregnancy.**

When applicable, Workers' Compensation, Short-Term Disability and Long-Term Disability time off will be counted against (run concurrently with) the employee's Medical/Parental leave entitlement and cannot be used to extend an employee's Medical/Parental leave. If Short-term and/or Long-term disability benefits or other paid benefits are not available, the balance of the employee's Medical/Parental leave will be on an unpaid basis.

#### Continuation of Benefits during Medical/Parental Leave

If the employee had health insurance coverage prior to the leave, the Company will continue to make health care coverage available to the employee while he or she is on leave, under the same terms and conditions as health insurance coverage is provided to employees who are not on leave. The employee must continue to pay his or her own share of the premiums for such coverage while on leave.

Paid Medical/Parental Leave - The employee's portion of the applicable health insurance premium payments will continue to be withheld from the employee's paycheck, just as before the Medical/Parental Leave.

While on unpaid Medical/Parental Leave of up to 12 weeks, the employee will be responsible for continuing health coverage and other applicable benefits at his/her own expense for the duration of the unpaid leave. Failure to pay premiums may result in written notice to the employee and notice of eligibility for COBRA Continuation of benefits will be provided.

## 3. Time Off / Leaves of Absence

### 3.4 Medical/Parental Leave of Absence (*continued*)

#### Continuation of Benefits during Medical/Parental Leave (*continued*)

Unpaid Medical Leave – At the start of an unpaid Medical/Parental Leave of Absence an employee will be provided a Notice of Eligibility of Continuation of Benefits (COBRA) if applicable. An employee may elect NOT to continue health benefits while on leave of absence and be eligible to enroll for health benefits immediately upon return to work.

If an employee does elect to continue health benefits while on unpaid leave, the employee will be responsible for paying health insurance and other applicable contributions directly to The Blue Door Pub. An employee may elect one of the following options:

1. Have the health premiums that will accrue while on leave deducted from the last paycheck received prior to the beginning of the leave; or
2. Submit the health premium payment to the Company on a monthly basis while out on leave.

Employees will be allowed a 30-day grace period after the agreed upon date for payment within which the employee may pay premiums without affecting health benefit coverage. Failure to pay timely premium contributions may result in termination of coverage, at which time the employee would receive notice of eligibility of Continuation of Benefits (COBRA).

The Blue Door Pub may recover premiums it paid for maintaining health plan coverage while an employee is on unpaid Medical/Parental Leave if the employee fails to return to work after the employee's leave entitlement has expired, unless the reason the employee does not return to work is due to the continuation, recurrence or onset of a serious health condition that would entitle the employee to leave, or some other circumstances beyond the control of the employee.

#### **Promotion, Job Assignment and Seniority-related Benefits during Medical Leave**

During Medical/Parental Leave, an employee will retain his/her status within the Company. Medical/Parental Leave will not be considered a break in service for purposes of determining longevity or seniority or any benefit program. For purposes of promotion, job assignment and seniority-related benefits, Medical/Parental Leave shall have no effect.

#### **Re-Employment Privileges**

An employee will usually be returned to his or her former position (or a position of comparable duties, number of hours and pay), unless the employee's employment has been terminated during the leave for reasons unrelated to the leave. An employee returning from a Parenting Leave longer than one (1) month must notify Company at least two (2) weeks prior to returning from leave.

## **3. Time Off / Leaves of Absence**

### **3.4 Medical/Parental Leave of Absence (*continued*)**

#### **Re-Employment Privileges (*continued*)**

Employees who do not return to (show up for) work upon the expiration of their approved leave shall be considered to have abandoned their job and voluntarily resigned. The termination date will be the last day worked or paid prior to the start of the leave.

The Company is not required to guarantee a job beyond 12 weeks. If, after 12 cumulative weeks of Medical/Parental Leave for an employee's own serious illness or disability, the employee is unable to return to work, he/she will be considered to have resigned.

### **3.5 Family Medical Leave of Absence (FMLA)**

The Company complies with all federal and state regulations regarding leaves of absence. Once the Company has reached a level in which it employs 50 or more employees for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year, the Company will also comply with the Family and Medical Leave Act.

If The Blue Door Pub is not subject to the Family and Medical Leave Act, the policy in this section is void and does not apply. When it does apply, The Blue Door Pub, in compliance with the Family and Medical Leave Act of 1993 and Amendments (FMLA), Company's FMLA Policy, will allow eligible employees to take up to twelve (12) work weeks of unpaid leave for various family and medical reasons. Eligible employees may be entitled to take up to twenty-six (26) work weeks of unpaid leave to care for a Covered Service Member in a single 12-month period.

If you have any questions about whether The Blue Door Pub is subject to the Family and Medical Leave Act or whether you qualify for benefits under the Act, please see your Supervisor or the President/Owner. Once the Company is subject to the Family and Medical Leave Act, the policy in this section applies.

Please see your direct Supervisor for specific details and information about application for, or use of, family or medical leave.

### **3.6 Military Leave**

The Blue Door Pub will grant military leave as necessary in compliance with all applicable Federal Uniformed Services Employment and Reemployment Rights Act (USERRA) and State of MN Military Leave regulations.

Employees who are members of the Armed Forces of the United States, including the National Guard or reserve unit, will be allowed time off without pay for voluntary or involuntary active or inactive duty or training.

An employee requesting time off for National Guard or reserve training or if ordered to active duty or enlistment must immediately discuss the Military Leave with his/her Supervisor. Proof of military service may be required by the Company.

## **3. Time Off / Leaves of Absence**

### **3.6 Military Leave (*continued*)**

Information about continuation of benefits during a Military Leave of Absence is available from your Supervisor. Upon return from Military Leave an employee will be reinstated as required by Federal and State of MN regulations. Please see your Supervisor for more information.

#### **Send-Off or Homecoming Leave**

The Blue Door Pub grants Send-Off or Homecoming Leave to enable an employee with an immediate family member called to active military duty to attend the send-off or return ceremonies. An immediate family member is defined as an employee's grandparent, parent, legal guardian, sibling, child, grandchild, spouse, or fiancé.

All employees are eligible for Send-Off or Homecoming Leave. Employees may take up to one (1) day of unpaid time off in a calendar year to attend the send-off or return ceremonies of an immediate family member called to or returning home from active military duty. Send-Off or Homecoming Leave will be unpaid.

Where the need for Send-Off or Homecoming Leave is foreseeable, requests must be approved in advance by the Supervisor. Where possible, every effort should be made to schedule the leave so as not to unduly disrupt Company operations.

#### **Injured or Killed Soldier Leave**

The Blue Door Pub grants Injured or Killed Soldier Leave to employees with an immediate family member who has been injured or killed while on active military duty. An immediate family member is defined as the deceased servicemember's parent, child, grandparents, siblings or spouse.

All employees are eligible for Injured or Killed Soldier Leave. Employees are eligible to take up to ten (10) days of unpaid time off in the event of the injury or death of a family member who is on active duty in the military. Injured or Killed Soldier Leave will be unpaid.

Injured or Killed Soldier Leave must be approved by the Supervisor. Where possible, every effort should be made to schedule the leave so as not to unduly disrupt Company operations.

### **3.7 School Conference and Activity Leave**

The Blue Door Pub grants School Conference and Activity Leave to enable a parent to attend a child's special education, pre-school or school conferences or school-related activities if those conferences or activities cannot be scheduled during non-work hours. If the employee's child receives childcare services or attends a pre-kindergarten regular or special education program, the employee may use the leave to attend a conference or activity related to such services or program, or to observe and monitor the services or program, provided it cannot be scheduled during non-work hours.

## 3. Time Off / Leaves of Absence

### 3.7 School Conference and Activity Leave (*continued*)

**Eligibility** – All employees who have worked at least 20 or more hours per week for the previous 12 months are eligible for School Conference and Activity Leave. The 12-month period is measured on a “rolling 12-month” basis.

**Program** – A maximum of 16 hours annually of School Conference and Activity Leave is available for use by eligible employees. School Conference and Activity Leave will be unpaid.

Where the need for School Conference and Activity Leave is foreseeable, requests must be approved in advance by the Supervisor. Where possible, every effort should be made to schedule the leave so as not to unduly disrupt Company operations.

### 3.8 Unpaid Personal Leave

The Blue Door Pub may grant an Unpaid Personal Leave of Absence of up to a maximum of 30 days, for special, unique or extraordinary reasons that may not apply to the other types of Leaves of Absence. A request for an Unpaid Personal Leave of Absence will be considered only after all paid time off has been exhausted.

#### **Eligibility**

Full-time employees who have at least 1 year (12 months) of continuous service will be eligible to apply for an Unpaid Personal Leave of Absence.

#### **Approval for Unpaid Personal Leave of Absence**

A request for an Unpaid Personal Leave of Absence must be submitted in writing as far in advance as possible to your immediate Supervisor and must be approved by the President/Owner.

The decision to approve or disapprove an Unpaid Personal Leave of Absence will be based upon the circumstances, the length of time requested, the employee’s job performance, the reasons for the leave, the effect the employee’s absence will have on the workload in the Company and the expectation that the employee will return to work when the leave expires.

The Blue Door Pub reserves the right in its sole discretion to deny requests for Unpaid Personal Leaves of Absence.

#### **Continuing Benefit Plan Coverage**

While on an Unpaid Personal Leave of Absence, an employee must continue applicable medical benefits at his/her own expense.

Unemployment insurance benefits cannot be collected while on an Unpaid Personal Leave of Absence.

## **3. Time Off / Leaves of Absence**

### **3.8 Unpaid Personal Leave (*continued*)**

#### **Performance Appraisal and Salary Action**

The normal performance appraisal date of an employee on an Unpaid Personal Leave of Absence will be extended by the length of the leave. Any planned wage increase for an employee returning from an Unpaid Personal Leave of Absence will be deferred by the length of the leave.

#### **Return to Work After an Unpaid Personal Leave of Absence**

Upon the expiration of the leave, the employee may be returned to his/her former position if available. If the employee's position is not available, the employee may be offered another position, if available, for which he/she is qualified. If no position is available when the employee is able to return to work, the employee will be terminated and may apply for the next available position.

An employee who returns to work following an Unpaid Personal Leave of Absence will be considered as having continuous service. If an employee does not return from an Unpaid Personal Leave of Absence, the termination date is the last day work prior to the start of the leave.

If an employee does not show up for work upon expiration of the Unpaid Personal Leave of Absence, the employee will be considered to have abandoned his/her job and to have voluntarily quit.

Upon termination of employment, eligible employees will have the option to continue applicable benefits at their own expense in accordance with Continuation of Benefits (COBRA) regulations.

### **3.9 Voting Time**

Since election polling stations are normally open both before and after working hours, employees are encouraged to schedule their voting time outside of working hours if possible.

The Blue Door Pub provides employees with a reasonable amount of paid time off to vote on Election Day. Employees must submit a written request for time off to vote to their supervisor at least one day prior to Election Day to be eligible for paid time off to vote.

Time off to vote on Election Day does not count as hours worked for purposes of determining overtime pay.

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

### Basic Leave Entitlement

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

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

### Military Family Leave Entitlements

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

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.<sup>9</sup>

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

### Benefits and Protections

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

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

### Eligibility Requirements

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

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

### Definition of Serious Health Condition

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

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

a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### Use of Leave

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

### Substitution of Paid Leave for Unpaid Leave

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

### Employee Responsibilities

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

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

### Employer Responsibilities

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

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

### Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

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

### Enforcement

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

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

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



For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)

U.S. Department of Labor | Wage and Hour Division



WHD Publication 1426 Revised February 2013

## 4. How We Work

### 4.1 Access to Personnel Files

Employees will have the opportunity to review their personnel file upon written request, once every six months, unless the employee is separated from The Blue Door Pub. The Company will comply within seven (7) days if the personnel record is located within the state and within 14 days if the file is located out of State. A former employee may review the record once per year after separation for as long as the personnel record is maintained.

No material may be removed by you from your personnel record. After your review, you may request in writing a copy of your record and you may request information be added to your personnel record.

The record will be made available during The Blue Door Pub's normal hours of operation and at the employee's place of employment or other nearby location in the presence of a designated Company representative.

For more information or to request to review your personnel file notify your Supervisor.

### 4.2 Changes In Employee Data

We need to maintain up-to-date information about you so we would be able to aid you and/or your family in matters of a personal emergency.

Changes in name, address, telephone number, marital status, number of dependents or changes in next of kin and/or beneficiaries should be given to the Supervisor promptly. If you leave your employment at The Blue Door Pub, notify us of changes to your personal data so we can effectively communicate with you regarding W-2 forms and any other applicable benefits.

### 4.3 Attitude

The attitude with which you approach your work and co-workers at our restaurants is probably the single most important aspect of your employment. It is essential that you unfailingly practice:

- Courtesy, dignity and respect. It is every employee's responsibility and obligation to contribute to the overall morale by projecting a positive attitude and by dealing with frustration in a constructive manner.
- Hospitality. It is what pays our bills. We consider ourselves to be part of the hospitality industry, not just the restaurant business. We must constantly extend it to guests and co-workers alike.

### 4.4 Attendance: Dependability and Reliability

Attendance and punctuality are important factors for your success with The Blue Door Pub. To maintain a safe and productive work environment, the Company expects employees to be reliable and to be punctual in reporting for work. We work as a team and this requires that each person be in the right place at the right time. Absenteeism and tardiness place a burden on other employees and on The Blue Door Pub.



## 4. How We Work

### 4.4 Attendance: Dependability and Reliability (*continued*)

All employees are expected to be “on time” for their scheduled starting times. “On time” is defined as present, and in full uniform, ready to work. Employees are only allowed to clock in at their scheduled time, not before or after, unless prior arrangements have been made with their manager.

We do recognize that there may be times when your absence or tardiness cannot be avoided. In such cases, you are expected to notify a manager well in advance of your shift (several hours at least). Please be prepared to inform the manager if you are exhibiting any symptoms that we cause you to be excluded from working (vomiting or diarrhea). **Upon onset of symptoms of illness contact a manager.** Calling in sick without providing a substitute or leaving your supervisor enough time to find a substitute will be considered unacceptable.

If you are absent for three consecutive work shifts without notifying The Blue Door Pub, it is assumed that you have voluntarily resigned from your position with the Company and you may be removed from the payroll.

Employees with excessive incidents of absenteeism, tardiness and/or leaving early will be subject to disciplinary action up to and including termination.

### 4.5 Personal Hygiene and Grooming Standards

Personal appearance, grooming, personal hygiene and cleanliness standards contribute positively or negatively to the morale of all employees and affect the business image The Blue Door Pub presents to all guests, co-workers and visitors.

During work hours, employees are expected to present a clean and neat appearance, demonstrate positive personal hygiene and dress according to the requirements of their positions, which include but are not limited to:

- Hair (including beards) neatly trimmed. Hair that is shoulder length or longer pulled back off the shoulders.
- Clothing and uniforms which meet Company uniform guidelines and are maintained in a clean and neat fashion.
- Hands clean and free of open cuts and sores.
- Hands washed after using the bathroom, handling food, or using tobacco products.
- No heavy use of perfume or cologne.
- Clean fresh breath.

As a general rule, clothing and/or accessories that contain profanity, inappropriate pictures or images, are sexually provocative (i.e. short skirts, / low cut blouses /see-thru or mesh t-shirts) or are disrespectful to individuals, religious institutions or the government will be considered inappropriate.

## **4. How We Work**

### **4.5 Personal Hygiene and Grooming Standards *(continued)***

Employees whose personal appearance, grooming and/or personal hygiene/cleanliness are inappropriate will be asked to return home to make the necessary changes before returning to work. Time away from work for these reasons will be unpaid. Employees with repeated violations of these standards will be subject to disciplinary action up to and including termination.

### **4.6 Employment of Relatives**

It is the policy of The Blue Door Pub to allow family members and/or relatives to work together subject to certain limitations and exceptions, including situations in which the employment would or could:

1. Create or be likely to create either a direct or indirect Supervisor/subordinate relationship with the family member; or
2. Create either an actual conflict of interest or the appearance of a conflict of interest.

For purposes of this policy, "family members and/or relatives" include an individual's spouse, brother, sister, parents, children, step-children, grandparents, grandchildren, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law and any other individual related to an employee by blood, marriage, or legal guardianship, as well as any other member of the employee's household.

#### **Procedure**

If the above-stated situations do not exist, family members and/or relatives of a current employee may be hired with the approval of the supervisor and the President/Owner prior to extending an offer of employment.

Employees who marry or become members of the same household may continue employment as long as the above situations are not created, however employees who become related must notify the Company in writing within two weeks of the event. The Blue Door Pub will determine whether their relationship creates an actual or potential conflict of interest.

Should one of the above-stated situations occur the Company would attempt to find a suitable position within the organization to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the affected individuals will be permitted to determine which of them will transfer or resign. This decision must be made within thirty (30) days of such occurrence. In the event that the individuals do not make this decision within thirty (30) days, the decision will then be made by the President/Owner.

### **4.7 Open Door / Problem Resolution Procedure**

The Blue Door Pub believes that it is important for employees to have a procedure available so that concerns can be easily and quickly raised, reviewed by the Company and responded to promptly. For this reason, The Blue Door Pub has developed the following Open Door / Problem Resolution Procedure.

## **4. How We Work**

### **4.7 Open Door / Problem Resolution Procedure (*continued*)**

This Procedure offers all employees the freedom to discuss any concerns with management. We encourage you to use this Procedure when you have a concern. We cannot resolve your concern unless you first tell us about it. Use of the Open Door/Problem Resolution Procedure will not be held against you.

An employee should start at Step 1, unless the employee is uncomfortable discussing a particular concern with your Supervisor. Then, the employee is free to start at Step 2. No employee will be penalized for skipping Step 1.

#### **Step 1**

An employee should present the concern verbally or in writing to his/her Supervisor:

- Why you see this situation as a concern and
- How you want to resolve it.

The Supervisor will investigate the concern and will respond to the employee within five (5) working days.

#### **Step 2**

If the concern is not resolved at Step 1 for one of the following reasons:

- You do not feel the concern was satisfactorily resolved at Step 1. OR
- You are not comfortable addressing this particular concern with your Supervisor.

then an employee should present the concern in writing to the President/Owner.

The Blue Door Pub will conduct an independent review of the situation and will give the employee a response as soon as possible and not later than ten (10) working days from the date the Company was notified of the Step 2 concern. The Step 2 answer is final.

### **4.8 Performance Feedback and Wage Reviews**

The main reasons for performance feedback at The Blue Door Pub are to promote open communications between employees and supervisors and to improve individual, team and company performance. We are committed to your development and giving you the feedback you need to succeed.

Your performance will be reviewed from time to time, verbally and/or in writing, formally or informally. The primary reason for performance reviews is to identify your strengths, weaknesses and opportunities for improvement. The performance review process will help to reinforce your good habits and recommend ways for you to improve in your development areas.

## **4. How We Work**

### **4.8 Performance Feedback and Wage Reviews (*continued*)**

Guiding this path will require open two-way communication between all levels on the needs and goals of the individual. In order to fulfill this expectation, we will utilize the following:

- Training evaluation as you finish your specific position training.
- Twice annual written performance evaluations.
- Ongoing conversations involving encouragement, coaching, and constructive criticism.

At all times our doors are open to you for conversations on how we are best able to assist in your development and growth in your job

It is our objective to constantly evaluate and provide appropriate compensation for our employees. In order to fulfill this objective, we will conduct annual merit reviews on our employees for consideration for merit increases.

#### **The Blue Door Pub Kitchen Staff Review / Wage Increase Policy**

All Kitchen staff members will receive a 90-day review. This review will not be eligible for a wage increase. The purpose of this review will be to track progress and performance during the first 90 days of employment, create goals and planning for further development and to set a date for the annual review.

All Kitchen staff will receive a 1 year review on or near (but not past) their date of hire. All wage increases at this review will be based on a sliding scale derived from a listed set of criteria. Prior to the staff members review, the manager will provide an overview of the expectations and the sliding scale. All subsequent wage increases will happen on an annual basis.

Employees may at any time request additional reviews, but only annual reviews will warrant wage increases. Wage reviews are not a guarantee of a pay increase. Wage increases are provided solely within the discretion of The Blue Door Pub at a time designated by the Company.

If you have any questions on the performance feedback and/or wage review process, please see your supervisor.

### **4.9 Personal Business**

No personal business or visits on the premises during work hours.

### **4.10 Personal Calls, Cell Phone Use and Text Messaging**

The purpose of this policy is to promote a safe and productive work environment at The Blue Door Pub and to increase employee safety.

## **4. How We Work**

### **4.10 Personal Calls, Cell Phone Use and Text Messaging (*continued*)**

The use of personal communication devices can interfere with an employee's productivity and performance and cause disruption and/or distraction for employees and coworkers. In addition use of personal communication devices can create potentially unsafe working conditions.

You should not accept personal phone calls or text messages during business hours unless it is an emergency. Should an emergency arise, your family or friends should be directed to contact a manager, who will arrange for you to be notified.

Employees must not take, return, or receive calls on personally-owned communication devices during work hours or in work areas.

Employees with Company-provided cell phones or smartphones should be considerate of their coworkers and guests and ensure that their cell phones or smartphones do not ring in a manner that will distract or otherwise interfere with the ability to perform work productively. Cell phones shall be turned off or set to silent or vibrate mode during work hours, meetings, conferences and in other locations where incoming calls may disrupt normal workflow.

If an employee is operating a vehicle and receives a work-related call on a cell phone, the employee may answer if using a Bluetooth or hands-free device. If a hands-free device is not available, the employee may answer the call, but shall ask the caller to hold, put the phone down and pull to the side of the roadway, into a parking lot or other safe location to respond to the call. Failure to follow this policy may result in disciplinary action up to and including termination.

Violation(s) of this policy may result in disciplinary action up to and including termination of employment.

### **4.11 Personal Conduct**

As an employee you are a representative of The Blue Door Pub. In the eyes of the community and those guests who are familiar with you, this representation does not stop when you walk out the door. We request that you always keep this in mind and conduct yourself in a way that will enhance the reputation of our company.

### **4.12 Professional Conduct**

#### **Expectations**

Each employee is important to the success of The Blue Door Pub. We have some basic expectations of you as an employee. We expect employees to:

1. Be prompt and regular in attendance.
2. Treat co-workers and guests with respect and courtesy.

## 4. How We Work

### 4.12 Professional Conduct (*continued*)

#### Expectations (*continued*)

3. Work safely.
4. Work efficiently.
5. Follow Company rules and procedures.
6. Follow the instructions of the Supervisor.
7. Abstain from horseplay and/or abusive language or behavior.

#### Rules of Conduct

As an employee of The Blue Door Pub, you are also expected to conduct yourself as a "good citizen." Some of the rules that govern prohibited conduct and behavior at the Company include, but are not limited to, the following:

1. Discourtesy or a lack of hospitality towards a guest or a coworker.
2. A disregard for standard steps of service, hospitality, and standard expectations for your position. This may be observed by management or guests.
3. Theft or misappropriation of guest, employee or Company property. This includes the addition of tips to guest checks.
4. Unauthorized use, possession, sale, solicitation, or distribution of intoxicants, drugs or firearms on our premises or reporting to work under the influence of intoxicants or drugs.
5. Abusing, defacing, or destroying guest, employee or Company property.
6. Initiating or participating in any sexual harassment. Unlawfully discrimination against or harassing a guest or fellow employee or encouraging others to engage in such unlawful discrimination or harassment. The use of language or actions that is inappropriate in the workplace whether racial, sexual or of a general offensive nature.
7. Fighting or provocations leading to fighting.
8. Engaging in horseplay, scuffling or throwing things anywhere on Company property.
9. Dishonesty, including falsifying Company records, including but not limited to, falsifying any timecard or recording time for another employee or having another employee record time for you.
10. Failure to maintain and present a high degree of personal cleanliness at all times; failure to wear proper clothing; failure to follow restaurant dress, grooming and uniform codes.
11. Insubordination. Failure to carry out the instructions of a Supervisor and/or the Manager.
12. Excessive absenteeism or tardiness without a valid excuse. Leaving the Company before your day is over without notifying the Supervisor.

## 4. How We Work

### 4.12 Professional Conduct (*continued*)

#### Rules of Conduct (*continued*)

13. Failure to perform job or work assignments satisfactorily, safely and efficiently.
14. Discussing confidential Company or guest matters with unauthorized personnel and/or in public areas where guest can overhear the conversation.
15. Failure to conform to The Blue Door Pub policies, procedures and practices.
16. Failure to observe established fire, safety and health regulations and procedures.
17. Violating any federal, state or local laws or encouraging others to violate such laws while on Company property.

This list is not all inclusive because we aren't able to anticipate all the possible situations that may occur during work hours at The Blue Door Pub. Violations of these rules and unacceptable conduct may result in disciplinary action, up to and including termination of employment. The Blue Door Pub reserves the right to apply greater or lesser discipline for any infraction, whether published or unpublished, depending upon the circumstances.

Nothing in these rules may be construed to create a contract of employment. All employees are employed on an "at-will" basis and may be terminated with or without cause, notice or prior discipline.

### 4.13 Safety, Health & Sanitation

The Blue Door Pub is committed to providing a safe, healthy and secure work environment for all employees. Safety is a very important at The Blue Door Pub. Every employee must practice safety awareness by thinking defensively, anticipating unsafe situations and reporting unsafe conditions immediately.

Each and every one of us has a responsibility to maintain a sanitary, safe and healthy work environment at The Blue Door Pub restaurant. To ensure this, it is imperative that we all:

- Exercise common sense as our most valuable tool.
- Abide by all Safety and Sanitation procedures as set forth in the training manuals.
- Report to management any circumstance or condition which may pose a hazard to our employees or guests.

At The Blue Door Pub we strive to follow all Health Codes as outlined by the Minnesota Department of Health and the municipalities in which we are located. To that end we highlight the following:

#### Hygiene & Handwashing

Our employees are the most important link in preventing foodborne illness. Good personal hygiene, including frequent and proper handwashing is the best way to prevent foodborne illness.

## 4. How We Work

### 4.13 Safety, Health & Sanitation (*continued*)

#### Hygiene & Handwashing (*continued*)

Our employees are the most important link in preventing foodborne illness. Good personal hygiene, including frequent and proper handwashing is the best way to prevent foodborne illness.

Always make sure that your hands are washed and thoroughly dried before starting work, between tasks, and before working with food products, equipment and utensils, and linens. Correct handwashing includes cleaning the backs of hands, palms, forearms, between fingers, and under the fingernails using warm water, soap and a fingernail brush.

#### Proper Work Clothing

Please review the uniform guidelines provided by your manager for your specific position.

All employees who prepare or serve food or wash or sanitize equipment or utensils must wear clean outer garments (as defined in Uniform Guidelines). For Kitchen staff we provide clean apron's to be worn over your uniform.

We provide lockers and storage for you to place your spare personal clothing.

#### Restricted and Excluded Employees

Employees who are ill with vomiting or diarrhea are to be excluded from working. When calling in ill (as highlighted in Attendance: Dependability & Reliability section of this Handbook) please communicate to the manager on duty if you exhibit any of the symptoms noted above.

Employees are to be restricted from working with exposed food, clean equipment, utensils, linens, and single service or single use items if they have:

- A bacterial pathogen capable of being transmitted by food, including but not limited to Salmonella or E-Coli.
- Persistent sneezing, coughing, or a runny nose.

**There is a current copy of the Minnesota Food Code rules kept in the Managers office at all times.**

Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their Supervisor.

You should familiarize yourself with the location of fire extinguishers, first aid kits and emergency exits in the Company. Full and active support by each employee is essential to the achievement of safe practices at The Blue Door Pub.



## **4. How We Work**

### **4.14 Severe Weather During Work Hours**

To minimize the risk of injury during severe weather (tornadoes, high winds, and severe thunderstorms), The Blue Door Pub has identified safe areas inside the building where employees and guests should go during periods of severe weather. During severe weather, the local community tornado siren will sound. At that time, ALL EMPLOYEES AND GUESTS MUST REPORT TO THE DESIGNATED SEVERE WEATHER SHELTER.

#### **Safety Shelter Locations**

The severe weather shelter is located **in the restrooms of the building**. Your Supervisor or designated backup will ensure that employees and guests seek shelter during severe weather and will also communicate when it is safe to return to work.

### **4.15 Smoking**

The Company complies with all Federal and State Clean Indoor Air Act and Freedom to Breathe regulations regarding smoking in the workplace. It is the policy of The Blue Door Pub to maintain a smoke-free workplace. In keeping with that policy and in accordance with the applicable state law, we maintain a smoke free work environment. Employees may smoke in designated areas after communicating and seeking manager approval.

For purposes of this policy, e-cigarettes are considered smoking products and subject to the guidelines in the Policy.

### **4.16 Snacking and Drinking**

For purposes of health and sanitation, snacking will not be tolerated during work hours unless for a Menu Tasting designated by management.

Employees may not consume alcoholic beverages during the shift. Employees may not arrive to work intoxicated. See the Drug & Alcohol Policy section of this Handbook for more information.

### **4.17 Solicitation and Distribution**

To avoid disruption of operations, the Company restricts the solicitation and distribution of material on The Blue Door Pub's property (e.g., selling products, distributions, literature, etc.)

Employees of The Blue Door Pub may not solicit or distribute any non-company material during work time. Work time includes the work time of both the employee doing the soliciting or distributing and the employee to whom it is directed.

Persons not employed by The Blue Door Pub may not solicit or distribute material to employees on The Blue Door Pub property at any time, for any purpose.

## **4. How We Work**

### **4.18 Use of Company Property & Equipment**

The Blue Door Pub provides equipment and other items that are important tools for employees to be productive in their work. While they are issued for your use during your employment with The Blue Door Pub they remain Company property and must be maintained and returned upon leave of absence or termination of employment. Company owned property and equipment should be made accessible only to authorized users.

Employees are expected to exercise care to ensure that Company property, equipment and other items are in good condition and are repaired when necessary. If Company-issued property, equipment or other items are damaged, worn out, lost or stolen, it must be reported immediately to your Supervisor so that appropriate steps can be taken, including arranging for repair or replacement or filing of an appropriate insurance claim and/or filing a police report.

Company-issued property, equipment and other items are to be used for Company related business. They may not be used for personal work and activities. Removal of Company property and equipment from Company premises is prohibited unless it is approved for a job that specifically requires use of company equipment outside the physical facility. Any removal of Company property or equipment must be approved in advance in writing by the Supervisor or the President.

Employees may be required to reimburse The Blue Door Pub for any and all Company-issued property, equipment or other items not returned upon termination or returned in a broken or damaged condition.

Unauthorized or inappropriate use of the Company-issued property, equipment and other items may result in a withdrawal of the privileges for use.

### **4.19 Workers' Compensation**

It is the goal of The Blue Door Pub to provide a safe and healthy work environment and to attempt to prevent employee workplace injuries.

The Blue Door Pub is required by law to keep detailed records of all occupational injuries and illnesses. Therefore, it is MANDATORY that all occupational injuries/illnesses be reported to the Supervisor immediately when they occur. This is required regardless of the specific location of the occurrence and regardless of when the incident occurred. This information should be transmitted in writing to the Supervisor.

### **4.20 Workplace Violence**

The Blue Door Pub is committed to providing a safe work environment. Employees who engage in violent acts, violent gestures, or engage in behavior that threatens the safety of employees, management, guests, or vendors in the workplace may be subject to immediate disciplinary action, up to and including termination.

## 4. How We Work

### 4.20 Workplace Violence (*continued*)

#### Policy

Violent behavior of any kind or threats of violence either implied or direct, are prohibited on Company property and at Company-sponsored events. Such conduct by an employee will not be tolerated. An employee who exhibits violent behavior may be subject to criminal prosecution and shall be subject to disciplinary action up to and including dismissal. Violent threats or actions by a non-employee may result in criminal prosecution. The Blue Door Pub will investigate all complaints filed and will also investigate any possible violation of this policy of which we are made aware.

Retaliation against a person who makes a complaint regarding violent behavior or threats of violence made to him/her is also prohibited.

#### Prohibited Behavior

Violence in the workplace may include, but is not limited to the following list of prohibited behaviors directed at or by a co-worker, Supervisor or member of the public:

1. Direct threats or physical intimidation.
2. Implications or suggestions of violence.
3. Stalking.
4. Possession of weapons of any kind on The Blue Door Pub property, including parking lots, other exterior premises or while engaged in activities for The Blue Door Pub in other locations, or at The Blue Door Pub-sponsored events, unless such possession or use is a requirement of the job.
5. Assault of any form.
6. Physical restraint, confinement.
7. Dangerous or threatening horseplay.
8. Loud, disruptive or angry behavior or language that is clearly not part of the typical work environment.
9. Blatant or intentional disregard for the safety or well-being of others.
10. Commission of a violent felony or misdemeanor on The Blue Door Pub property.
11. Any other act that a reasonable person would perceive as constituting a threat of violence.

#### Reporting Acts or Threats of Violence

An employee who: 1) Is the victim of violence; or 2) Believes they have been threatened with violence; or 3). Witnesses an act or threat of violence towards anyone else shall take the following steps:

- If an emergency exists and the situation is one of immediate danger, the employee shall contact the local police officials by dialing 9-1-1 and may take whatever emergency steps are available and appropriate to protect himself/herself from immediate harm, such as leaving the area.
- If the situation is not one of immediate danger, the employee shall report the incident to his/her Supervisor and the President/Owner as soon as possible

## **4. How We Work**

### **4.20 Workplace Violence (*continued*)**

#### **Procedures – Future Violence**

Employees who have reason to believe they, or others, may be victimized by a violent act sometime in the future, at the workplace or as a direct result of their employment with The Blue Door Pub, shall inform their supervisor and the President/Owner so appropriate action can be taken.

Employees who have signed and filed a restraining order, temporary or permanent, against an individual due to a potential act of violence, who would be in violation of the order by coming near them at work, shall immediately supply a copy of the signed order to their supervisor and the President/Owner.

#### **Incident Investigation**

Acts of violence or threats will be investigated immediately in order to protect employees from danger, unnecessary anxiety concerning their welfare and the loss of productivity. Upon receiving notice of acts of violence or threats, The Blue Door Pub will promptly investigate the situation as appropriate. Once a complaint has come to the attention of The Blue Door Pub, the Company will conduct an investigation, even if the complainant says she/he does not want anything done.

When it is determined that an employee has violated this policy, the Company will take appropriate disciplinary action, up to and including termination of employment. When it is determined that a non-employee has violated this policy, The Blue Door Pub will take action reasonably calculated to stop the violence and/or threats.

A full investigation may not always be required for every complaint. An informal resolution may be an appropriate/alternative response depending upon the nature of the complaint. The goal of the informal resolution is to stop inappropriate threats and avoid violence.

In appropriate circumstances, The Blue Door Pub will inform the reporting individual of the results of the investigation. To the extent possible, the Company will maintain the confidentiality of the reporting employee and the investigation but may need to disclose results in appropriate circumstances; for example, in order to protect individual safety. The Blue Door Pub will not tolerate retaliation against any employee who reports workplace violence.

#### **Mitigating Measures**

Incidents which threaten the security of employees shall be mitigated as soon as possible following their discovery. Mitigating actions may include, but are not limited to: provision of emergency medical care in the event of any violent act upon an employee; post-event trauma counseling for those employees desiring such assistance; assurance that incidents are handled in accordance with this Workplace Violence Prevention policy; notification of law enforcement authorities when a potential criminal act has occurred; and/or requesting the Company's attorney file a restraining order as appropriate.

## **4. How We Work**

### **4.20 Workplace Violence (*continued*)**

#### **Non-Retaliation**

The Blue Door Pub will not tolerate retaliation or intimidation of any kind against anyone making a report or complaint of violence or threats in the workplace. No employee who reports a violation of this policy in good faith will be subject to any adverse employment action because of the reporting.

## **5. Leaving The Blue Door Pub**

### **5.1 Continuation of Benefits (COBRA) / Health Insurance Portability (HIPAA)**

If you terminate your employment with The Blue Door Pub and you are eligible for health care coverage, you and/or your qualified dependents may be eligible to continue your applicable health and life insurance coverage for a limited period of time at your own expense as provided by COBRA federal legislation. In addition, under the Health Insurance Portability Act (HIPAA), you may be eligible to carryover your existing health care coverage into a new plan for a period of time under certain conditions. Please see your Supervisor for specific details regarding your eligibility for these programs.

### **5.2 Employment At-Will**

Employment at The Blue Door Pub is at-will, meaning that you have the right to end your employment at any time, with or without notice or cause, for no reason or for any reason not prohibited by law and that the Company has the same right.

### **5.3 Employment References & Informational Requests**

When a request for information from another person or entity about you is received, either during your employment or after your employment has ended, The Blue Door Pub will provide only the following:

- Your dates of employment; and
- Your last job title.

In order for the Company to release information, an employee must provide a signed written authorization to release information. In general, it is the policy of The Blue Door Pub not to furnish any other information about your work performance or your employment.

### **5.4 Return of Company Property**

All Company property, including this Employee Handbook, must be returned upon termination. In the event that you do not turn in Company property at that time, The Blue Door Pub may take further action to recoup any replacement costs and/or seek the return of Company property through appropriate legal action.

### **5.5 Termination Notice**

If you plan to resign your employment, you are encouraged to submit to your Supervisor a written notice of resignation at least two weeks in advance, including last day to be worked.

## 6. Employee Handbook Acknowledgement

### Receipt of The Blue Door Pub Employee Handbook – Copy A

I have received the Employee Handbook for The Blue Door Pub and accept the following:

1. I am responsible for familiarizing myself with the information and responsibilities contained in the Handbook.
2. It is my responsibility to comply with all Company policies, procedures, programs, practices and responsibilities contained in the Handbook or as may be amended or modified from time to time.
3. Employment with The Blue Door Pub is "at will", meaning that employment may be terminated by the employee or the Company at any time, with or without notice or cause, for no reason or for any reason not prohibited by law.
4. No provision in this Employee Handbook is intended to create a contract between The Blue Door Pub and any employee. Any provision found to be invalid will not invalidate any other provision of the Employee Handbook.
5. The information in this Handbook is not exhaustive and is not a comprehensive list of all policies, procedures, programs and practices that apply to employees. It does not cover every situation that may arise from day to day. For this reason, The Blue Door Pub has the right to change, alter, rescind, delete, discontinue, supplement and/or deviate from the Handbook provisions and take whatever action, at any time, with or without notice and in its sole discretion that the Company deems appropriate.
6. Altering or duplication of the contents of the Employee Handbook is strictly prohibited.
7. Upon termination of employment for any reason, I will return the Employee Handbook to my Supervisor.
8. I understand it is my responsibility to maintain an updated Employee Handbook and incorporate all changes, additions and/or deletions provided by the Company so that it will remain a current and accurate reference guide.

Once you have read through your handbook, please sign this page and return Copy B to your direct Supervisor. Retain Copy A for your records.

Thank you.

\_\_\_\_\_  
Employee Name (*Please Print*)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

## 6. Employee Handbook Acknowledgement

### Receipt of The Blue Door Pub Employee Handbook – Copy B

I have received the Employee Handbook for The Blue Door Pub and accept the following:

1. I am responsible for familiarizing myself with the information and responsibilities contained in the Handbook.
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4. No provision in this Employee Handbook is intended to create a contract between The Blue Door Pub and any employee. Any provision found to be invalid will not invalidate any other provision of the Employee Handbook.
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Once you have read through your handbook, please sign this page and return Copy B to your direct Supervisor. Retain Copy A for your records.

Thank you.

\_\_\_\_\_  
Employee Name (*Please Print*)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date