Way To Go Merchandising & Staffing Employee Handbook

ABOUT THIS HANDBOOK/DISCLAIMER

We prepared this handbook to help employees find the answers to many questions that they may have regarding their employment with Way To Go Merchandising & Staffing. Please take the necessary time to read it.

We do not expect this handbook to answer all questions. Supervisors and Human Resources also serve as a major source of information.

Neither this handbook nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. Way To Go Merchandising & Staffing adheres to the policy of employment at will, which permits the Way To Go Merchandising & Staffing or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No Way To Go Merchandising & Staffing representative other than the CEO may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be signed and in writing.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate Way To Go Merchandising & Staffing documents. These Way To Go Merchandising & Staffing documents are always controlling over any statement made in this handbook or by any member of management.

This handbook states only general Way To Go Merchandising & Staffing guidelines. The Way To Go Merchandising & Staffing may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and the CEO.

This handbook supersedes all prior handbooks.

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Section 1 - Governing Principles Of Employment

1.1 Introduction

On behalf of Way To Go Merchandising & Staffing, let me extend a warm and sincere welcome to employees commencing with us.

For employees who have been with us, thanks for your past and continued service.

I extend my personal best wishes for success and happiness here at Way To Go Merchandising & Staffing. We understand that it is our employees who provide the services that our customers rely upon, and who will enable us to create new opportunities in the years to come.

Randy Whitley, Owner

1.2 Building For The Future

As with any business, revenues are an absolute necessity for maintaining jobs and building for the future. Rather than look at generating sales and revenue as an "undesirable task", we look at it as a "must" situation. How do we continue to generate revenues to ensure a secure future and continued opportunities for all employees? With teamwork. Together we must meet the challenges we face on a daily basis.

In general, we have mentioned benefits, responsibilities and operations. We have saved the most crucial component of this business for last -- You.

At all times, you represent the company, and it is up to each one of you to take this responsibility seriously. Our company exists with your joint efforts. Don’t underestimate your contribution to it. A great many people outside the business who invest their time, money and faith in us are part of that equation. They are our customers. They will determine how fast we grow, how many people we will employ, how much service we render and the profit we make. In order to retain these customers, we want to ensure that our good service continues by always giving our customers the best possible value and quality. Working together and working well provides us with a bright future and with the most important commodity, a good reputation.

1.3 Total Quality Management

Our company is committed to Total Quality Management (TQM). We feel that not only do our customers benefit from this effort but so do our employees. All employees are expected to participate in TQM. You are encouraged to offer ideas and/or constructive criticism to your supervisors or managers. We also

encourage you to take part in project teams or problem solving teams and cost reduction projects. Your participation in continuous improvement is essential to the success of the company.

1.4 Equal Employment Opportunity

Way To Go Merchandising & Staffing is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, pregnancy-related conditions, and lactation), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws and ordinances. Way To Go Merchandising & Staffing's management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs, and general treatment during employment.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Head of Human Resources. Way To Go Merchandising & Staffing will not allow any form of retaliation against employees who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact the Head of Human Resources. To ensure the workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

1.5 Non-Harassment

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information ,or any other characteristic protected by applicable federal, state, or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate any employee’s personal morality, but to ensure that no one harasses another individual in the workplace, including while on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises) or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding

involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or e-mails), or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that violate this policy include:

1. Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
2. Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. Obscene or vulgar gestures, posters, or comments;
4. Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
5. Propositions or suggestive or insulting comments of a sexual nature;
6. Derogatory cartoons, posters, and drawings;
7. Sexually explicit e-mails, text messages, or voicemails;
8. Uninvited touching of a sexual nature;
9. Unwelcome sexually related comments;
10. Conversation about a person's own or someone else's sex life;
11. Conduct or comments consistently targeted at a single gender, even if the content is not sexual; and
12. Teasing or other conduct directed toward a person because of the person's gender.

Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Head of Human Resources. If the employee is unable for any reason to contact this person or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the CFO. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

1.6 Drug-Free And Alcohol-Free Workplace

To help ensure a safe, healthy and productive work environment for our employees and others, to protect Way To Go Merchandising & Staffing property, and to ensure efficient operations, Way To Go Merchandising & Staffing has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for Way To Go Merchandising & Staffing.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances (including medical marijuana), drug paraphernalia or alcohol by an individual anywhere on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises) or while representing Way To Go Merchandising & Staffing, is strictly prohibited. Employees and other individuals who work for Way To Go Merchandising & Staffing also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, which may impact the employee's ability to perform their job or otherwise pose safety concerns, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or individual to report to work. However, this exception does not extend any right to report to work under the influence of medical marijuana or to use medical marijuana as a defense to a positive drug test, to the extent the employee is subject to any drug testing requirement, except as permitted by and in accordance with applicable law. Violation of this policy will

result in disciplinary action, up to and including discharge. Way To Go Merchandising & Staffing maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of any Way To Go Merchandising & Staffing employee, including themselves.

1.7 Workplace Violence

Way To Go Merchandising & Staffing is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to Way To Go Merchandising & Staffing and personal property.

Way To Go Merchandising & Staffing does not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, Way To Go Merchandising & Staffing specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, Way To Go Merchandising & Staffing does expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in Way To Go Merchandising & Staffing policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

Prohibited Conduct

Threats, threatening language or any other acts of aggression or violence made toward or by any Way To Go Merchandising & Staffing employee WILL NOT BE TOLERATED. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto Way To Go Merchandising & Staffing premises.

Procedures for Reporting a Threat

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be

maintained confidential to the extent maintaining confidentiality does not impede Way To Go Merchandising & Staffing's ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If Way To Go Merchandising & Staffing determines, after an appropriate good faith investigation, that someone has violated this policy, Way To Go Merchandising & Staffing will take swift and appropriate corrective action.

If the employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for Way To Go Merchandising & Staffing to be aware of any potential danger in its offices. Indeed, Way To Go Merchandising & Staffing wants to take effective measures to protect everyone from the threat of a violent act by employees or by anyone else.

1.8 Reasonable Accommodations & Interactive Dialogue

Way To Go Merchandising & Staffing is committed to complying with applicable federal, state, and local laws governing reasonable accommodations of individuals, including, but not limited to, the Americans with Disabilities Act (ADA) and the Pregnant Workers Fairness Act (PWFA). To that end, Way To Go Merchandising & Staffing will endeavor to make a reasonable accommodation to applicants and employees who have requested an accommodation or for whom Way To Go Merchandising & Staffing has notice may require such an accommodation, related to an individual's:

- Disability, meaning any physical, medical, mental, or psychological impairment, or a history or record of such impairment;
- Sincerely held religious beliefs and practices;
- Needs as a victim of domestic violence, sex offenses, or stalking;
- Needs related to pregnancy, childbirth, or related medical conditions; and/or
- Any other reason required by applicable law, unless the accommodation would impose an undue hardship on the operation of our business.

Reasonable accommodations can take many forms. For example, reasonable accommodations for pregnancy, childbirth, or related medical conditions include but are not limited to things such as the ability to carry or keep water near and drink, as needed; allowing the employee additional restroom breaks; allowing the employee whose work requires standing to sit and whose work requires sitting to stand; allowing the employee breaks, as needed, to eat and drink; accommodations related to lactation; time off to recover from childbirth; modification of equipment; appropriate seating; temporary transfer to a different position that the employee is able to perform; restructuring job duties; light duty; or a modified work schedule. Way To Go Merchandising & Staffing will work with the employee to determine what accommodation is appropriate for the employee, given the employee's unique circumstances, that does not impose an undue hardship on Way To Go Merchandising & Staffing.

Any employee who would like to request an accommodation based on any of the reasons set forth above should contact the Head of Human Resources. Accommodation requests can be made in writing using a form which can be obtained from the Head of Human Resources. If the employee who has requested an

accommodation has not received an initial response within five (5) business days, they should contact the President.

Unless otherwise required by law, Way To Go Merchandising & Staffing may request that the employee provide supporting documentation. Cooperating with Way To Go Merchandising & Staffing by returning requested information in a timely fashion is required.

After receiving a request for an accommodation or learning indirectly that the employee may require such an accommodation, Way To Go Merchandising & Staffing will engage in an interactive dialogue with the employee.

Even if employee has not formally requested an accommodation, Way To Go Merchandising & Staffing may initiate an interactive dialogue under certain circumstances, such as when Way To Go Merchandising & Staffing has knowledge that employee's performance at work has been negatively affected and a reasonable basis to believe that the issue is related to any of the protected classifications set forth above, in compliance with applicable law. In the event Way To Go Merchandising & Staffing initiates an interactive dialogue, it should not be construed as Way To Go Merchandising & Staffing's belief the employee requires an accommodation, but will serve as an invitation for the employee to share with Way To Go Merchandising & Staffing any information the employee desires to share, or to request an accommodation.

The interactive dialogue may take place in person, by telephone, or by electronic means. As part of the interactive dialogue, Way To Go Merchandising & Staffing will communicate openly and in good faith with the employee in a timely manner in order to determine whether and how Way To Go Merchandising & Staffing may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, Way To Go Merchandising & Staffing will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the employee. Way To Go Merchandising & Staffing is not required to provide the specific accommodation sought by the employee, provided the alternatives are reasonable and either meet the specific needs of the employee or specifically address the employee's limitations.

Way To Go Merchandising & Staffing will endeavor to keep confidential all communications regarding requests for reasonable accommodations and all circumstances surrounding the employee's underlying reason for needing an accommodation.

Way To Go Merchandising & Staffing will not allow any form of retaliation against employees who have requested an accommodation, for whom Way To Go Merchandising & Staffing has notice may require such an accommodation, or who otherwise engage in the interactive dialogue process.

Employees with questions regarding this policy should contact the Head of Human Resources.

Section 2 - Operational Policies

2.1 Employee Classifications

For purposes of this handbook, all Way To Go Merchandising & Staffing employees fall within one of the classifications below.

Full-Time Employees - Employees who regularly work at least 40 hours per week who were not hired on a short-term basis.

Part-Time Employees - Employees who regularly work fewer than 40 hours per week who were not hired on a short-term basis.

Short-Term Employees - Employees who were hired for a specific short-term project, or on a short-term freelance, per diem or temporary basis. Short-Term employees generally are not eligible for Way To Go Merchandising & Staffing benefits, but are eligible to receive statutory benefits.

In addition to the above classifications, employees are categorized as either "**exempt**" or "**non-exempt**" for purposes of federal and state wage and hour laws. Employees classified as exempt do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. Such salary may be paid less frequently than weekly. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

2.2 Your Employment Records

In order to obtain their position, employees have provided personal information, such as address and telephone number. This information is contained in their personnel file.

Employees should keep their personnel file up to date by informing the Head of Human Resources of any changes. Employees also should inform the Head of Human Resources of any specialized training or skills they acquire, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach employees in a crisis could cause a severe health or safety risk or other significant problem.

2.3 Working Hours And Schedule

Way To Go Merchandising & Staffing normally is open for business from 9am to 5pm, Monday through Friday.

Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the business, at some point Way To Go Merchandising & Staffing may need to change individual work schedules on either a short-term or long-term basis.

Employees will be provided meal and rest periods as required by law. A supervisor will provide further details.

2.4 Hazard Communication

Our company may use some chemicals (e.g., cleaning compounds, inks, etc.) in some of its operations. You should receive training and be familiar with the handling, use, storage and control measures relating to these substances if you will use or likely be exposed to them. Safety Data Sheets (SDS) are available for inspections in your work area. You must follow all labeling requirements.

Please consult with the designated safety coordinator prior to purchasing chemicals for the company or bringing them on to our premises. For additional information, please refer to our company's written Hazard Communication Program. If you have any questions, ask the Director of Human Resources or the safety coordinator.

2.5 Timekeeping Procedures

Employees must record their actual time worked for payroll and benefit purposes. Non-exempt employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason, on forms as prescribed by management.

Altering, falsifying or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

Exempt employees are required to record their daily work attendance and report full days of absence from work for reasons such as leaves of absence, sick leave or personal business.

Non-exempt employees may not start work until their scheduled starting time.

It is the employee's responsibility to sign time records to certify the accuracy of all time recorded. Any errors in the time record should be reported immediately to a supervisor, who will attempt to correct legitimate errors.

2.6 Your Paycheck

Employees will be paid weekly for all the time worked during the past pay period.

Payroll stubs itemize deductions made from gross earnings. By law, Way To Go Merchandising & Staffing is required to make deductions for Social Security, federal income tax and any other appropriate taxes.

These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in any employee's pay, the employee should bring the matter to the attention of the Payroll Manager immediately so Way To Go Merchandising & Staffing can resolve the matter quickly and amicably.

Paychecks will be given only to the employee, unless the employee requests that they be mailed or authorizes in writing that another person may accept the check.

2.7 Overtime

When Way To Go Merchandising & Staffing experiences periods of extremely high activity, additional work may be required. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations. Employees may work overtime only with prior management authorization. Any non-exempt employee who works overtime without authorization may be subject to disciplinary action, up to and including termination.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) their regular hourly wage for all time worked in excess of 40 hours each workweek, unless otherwise required by applicable law. Overtime pay is calculated based on actual hours worked. Paid time off, holidays, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations. For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Saturday and ends 168 hours later at 12 a.m. on the following Saturday.

2.8 Pay Raises

Depending upon your performance and our company's profitability, adjustments in your pay may be made when there has been an improvement in or sustainment of an already good performance during the review period.

2.9 Direct Deposit

Way To Go Merchandising & Staffing strongly encourages employees to use direct deposit. Authorization forms are available from the Payroll Manager.

2.10 On The Job Training

The initiation of all on-the-job training for employees within your department is the responsibility of the director of operations. This may include safety training, participation in off-site training and continuing education when necessary for job safety and work performance. Training will be conducted during

regular working hours whenever possible. The company will pay for any required training programs. Employees may be tested from time to time to evaluate the effectiveness of the training program. If you have any questions regarding training, please see the director of operations.

2.11 Care Of Customer Records

The impression that customers have of our company is based, in part, on the way we care for their records. If we are careless with their files and records, customers may conclude that we have the same attitude toward our technical work. As professionals, we must respect the confidence in which we are entrusted and ensure that customer files are handled with care. When possible, obtain all material from customer files and then return the material back to the files. Material should be returned in the same condition or better than when it was received. Under no circumstances will outside requests for customer material be fulfilled unless prior written permission is received from the director of operations.

When working with a customer, you may be asked to offer specific suggestions or comments regarding his or her practices. Prior to discussing any suggestions with a customer, your recommendations must first be approved by your supervisor.

2.12 Contact With The Company

The company should know your location at all times during business hours. Your supervisor will keep a record of your assignments, and (s)he should be notified of your whereabouts outside the company during working hours.

2.13 Travel/Expense Accounts

The company will reimburse employees for reasonable expenses incurred through pre-approved business travel or entertainment. All cash advances must be accounted for and expense receipts are required. The following business expenses will be reimbursed:

Travel Expense

Automobile/Mileage

Lodging

Tips

Business Meals (room service excluded)

This list is not all-inclusive. See the CFO regarding additional reimbursable business expenses.

Per Diem

For employees who travel regularly as part of their normal job functions, the company provides a weekly Per Diem allowance for ordinary and necessary business travel expenses, including automobile/mileage, lodging, tips and business meals.

The Per Diem allowance paid to employees is an advance for the amount of ordinary and necessary business expenses incurred while traveling away from home for the week. Employees are required to maintain a log of actual expenses incurred and maintain receipts for those expenses. Employees are required to return to the Company any portion of the weekly Per Diem allowance not used for ordinary and necessary business travel expenses. Any travel expenses incurred above and beyond the Per Diem allowance will NOT be reimbursed to the employee unless prior written approval is obtained from the CFO.

2.14 Workplace Searches

To protect the property and to ensure the safety of all employees, customers and the company, the company reserves the right to conduct personal searches consistent with state law, and to inspect any packages, parcels, purses, handbags, brief cases, lunch boxes or any other possessions or articles carried to and from the company's property. In addition, the company reserves the right to search any employee's office, desk, files, locker, equipment or any other area or article on our premises. In this regard, it should be noted that all offices, desks, files, lockers, equipment, etc. are the property of the company, and are issued for the use of employees only during their employment. Inspection may be conducted at any time at the discretion of the company.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy may not be permitted to enter the premises. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property or illegal substances, will be subject to disciplinary action, up to and including discharge, if upon investigation they are found to be in violation of the company's security procedures or any other company rules and regulations.

2.15 Severe Weather

Severe weather is to be expected during certain months of the year. Although driving may at times be difficult, when caution is exercised the roads are normally passable. Except in cases of severe storms, we are all expected to work our regular hours. Time taken off due to poor weather conditions while the business remains open is unpaid. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws. If extreme weather conditions require closing of the building, you will be notified by the director of operations.

Natural Disasters

Natural disasters, including earthquakes, hurricanes, mudslides, floods and fires are to be expected from time to time. Although driving may be difficult in some areas due to damaged freeways and streets, when caution is exercised the roads are normally passable or alternate routes are available. Except in severe cases, we are all expected to work our regular hours. Time taken off due to natural disasters while the business remains open is unpaid. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws. If extreme weather conditions require closing of the building, you will be notified by the director of operations.

2.16 Safe Harbor Policy For Exempt Employees

It is Way To Go Merchandising & Staffing's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Those classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours they may work for Way To Go Merchandising & Staffing. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing wage replacement benefits for such absences (deductions also may be made for the exempt employee's full-day absences due to sickness or disability before the employee has qualified for the plan, policy or practice or after the employee has exhausted the leave allowance under the plan);
- full-day disciplinary suspensions for infractions of our written policies and procedures;
- Family and Medical Leave Act absences (either full- or partial-day absences);
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last week of employment in the event the employee works less than a full week; and
- any full work week in which the employee does not perform any work.

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

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

- partial day absences for personal reasons, sickness or disability;

- an absence because Way To Go Merchandising & Staffing has decided to close a facility on a scheduled work day;
- absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any offsets as set forth above); and
- any other deductions prohibited by state or federal law.

However, unless state law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness or disability.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to a supervisor. If the supervisor is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), they should immediately contact Payroll Manager or any other supervisor in Way To Go Merchandising & Staffing with whom the employee feels comfortable.

2.17 Artificial Intelligence

Way To Go Merchandising & Staffing recognizes that the use of artificial intelligence (AI) tools can potentially assist employees with the performance of job duties. However, there are many risks. To ensure the protection of confidential information and the integrity of our operations, as set forth below, all employees who wish to use AI tools must receive management approval and, if granted, comply with the below best practices.

Evaluation of AI tools. Employees must evaluate the utility and security of any AI tool before using it. This includes reviewing the tool's security features, terms of service, and privacy policy. Employees also should review the reputation of the tool developer and any third-party services used by the tool. But most importantly, employees must receive management approval prior to using any AI tool after explaining the manner in which it will be used and the benefits to the business.

Protection of confidential data. In using any AI tool, employees must not upload or share any confidential, proprietary, or protected data without prior written approval from the Head of Human Resources. This includes data related to customers, employees, or partners. Similarly, employees must ensure any AI tool does not utilize confidential or copyrighted information of a third party.

Access control. Employees must not give access to any AI tools approved for business use to anyone outside Way To Go Merchandising & Staffing without prior approval from the Head of Human Resources and implementation of processes as required to meet security compliance requirements. This includes sharing login credentials or other sensitive information with third parties.

Compliance with security policies. Employees must apply the same security best practices we use for all Way To Go Merchandising & Staffing and customer data. This includes using strong passwords, keeping software up-to-date, and following Way To Go Merchandising & Staffing’s data retention and disposal policies.

2.18 Open Door Policy

All employees have the opportunity to express ideas and opinions to management. Way To Go Merchandising & Staffing believes that open communication is essential to a successful work environment, as well as to the Way To Go Merchandising & Staffing's success. All employees may express ideas and opinions directly to Way To Go Merchandising & Staffing management. Employees who would like to bring an idea or suggestion to the Way To Go Merchandising & Staffing's attention, or just simply wishes to discuss an issue not covered by a separate reporting procedure, are always welcome to send an email or make a call to Human Resources.

Section 3 - Benefits

3.1 Benefits Overview

In addition to good working conditions and competitive pay, it is Way To Go Merchandising & Staffing's policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, and insurance and other plan benefits. We are constantly studying and evaluating our benefits programs and policies to better meet present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

The next few pages contain a brief outline of the benefits programs Way To Go Merchandising & Staffing provides employees and their families. Of course, the information presented here is intended to serve only as guidelines.

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon request from the Head of Human Resources and/or the CFO. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this handbook.

Further, Way To Go Merchandising & Staffing (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement.

While Way To Go Merchandising & Staffing intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason.

If employees have any questions regarding benefits, they should contact the Head of Human Resources and/or the CFO.

3.2 Lactation Accommodations

Way To Go Merchandising & Staffing will provide a reasonable amount of break time to accommodate employees desiring to express breast milk for their child, in accordance with and to the extent required by applicable law. The break time, if possible and permitted by applicable law, must run concurrently

with rest and meal periods already provided. If the break time does not run concurrently with rest and meal periods already provided, the break time will be unpaid, subject to applicable law.

Way To Go Merchandising & Staffing may not be able to provide additional break time if doing so would seriously disrupt Way To Go Merchandising & Staffing's operations, subject to applicable law.

Way To Go Merchandising & Staffing will make reasonable efforts to provide employees with the use of a room or location in close proximity to the employee's work area, other than a bathroom, to express milk in private. This location may be the employee's private office, if applicable. Please consult the Head of Human Resources and/or the CFO with questions regarding this policy.

Employees should advise management if they need break time and an area for this purpose. Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

3.3 Workers' Compensation

On-the-job injuries are covered by Way To Go Merchandising & Staffing's Workers' Compensation Insurance Policy, which is provided at no cost. If employees are injured on the job, no matter how slightly, they should report the incident immediately to their supervisor. Failure to follow Way To Go Merchandising & Staffing procedures may affect the ability of employees to receive Workers Compensation benefits.

This is solely a monetary benefit and not a leave of absence entitlement. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

3.4 Jury Duty

Way To Go Merchandising & Staffing realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

Employees on jury duty leave will be paid for their jury duty service in accordance with state law; however, exempt employees will be paid their full salary for any week in which time is missed due to jury duty if work is performed for Way To Go Merchandising & Staffing during such week.

3.5 Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a statewide election, if required by state law, the employee may take off enough working time to vote. Such time will be paid if required by state law. This time should be taken at the beginning or end of the regular work schedule. Where possible, supervisors should be notified at least two (2) days prior to the voting day.

3.6 Insurance Programs

Employees_plural_smallcase## who work an average of at least 30 hours per week or 130 hours per month may participate in Way To Go Merchandising & Staffing's insurance programs. Under these plans, eligible employees will receive comprehensive health and other insurance coverage for themselves and their families, as well as other benefits.

Upon becoming eligible to participate in these plans, employees will receive summary plan descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan information. Of course, feel free to contact the Head of Human Resources and/or the CFO with any further questions.

3.7 Long-Term Disability Benefits

Full-time employees are eligible to participate in the Long-Term Disability plan, subject to all terms and conditions of the agreement between Way To Go Merchandising & Staffing and the insurance carrier.

This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

3.8 Salary Continuation

Way To Go Merchandising & Staffing provides enhanced monetary short-term disability benefits to full-time employees. These enhanced monetary benefits are inclusive of any monetary workers' compensation or statutory short-term disability benefits.

This is not a leave of absence provision. Employees who will be out of work must request a leave of absence. See the Leave of Absence sections of this handbook for more information. Employees will be required to submit medical certification as requested by Way To Go Merchandising & Staffing. Required medical certification under this policy may differ from the medical certification required for any leave of absence requested.

3.9 Employee Assistance Program

Way To Go Merchandising & Staffing provides the Employee Assistance Program, which offers qualified counselors to help employees cope with personal problems they may be facing. Further details can be

obtained through Human Resources.

Section 4 - Leaves Of Absence

4.1 Military Leave

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask management for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give management as much advance notice of their need for military leave as possible so that Way To Go Merchandising & Staffing can maintain proper coverage while employees are away.

4.2 Family And Medical Leave

The Leave Policy

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides employees information concerning FMLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA leave, they should contact the Head of Human Resources.

I. Eligibility

FMLA leave is available to "eligible employees." To be an "eligible employee," the employee must: 1) have been employed by Way To Go Merchandising & Staffing for at least 12 months (which need not be consecutive); 2) have been employed by Way To Go Merchandising & Staffing for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

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

II. Entitlements

As described below, the FMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration.

A. Basic FMLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a rolling 12-month period measured backward from the date the employee uses their family and medical leave. Leave may be taken for any one (1), or for a combination, of the following reasons:

- 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 (but not in-law) who has a **serious health condition**;
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one (1) or more of the essential functions of the employee's job; and/or
- Because of any **qualifying exigency** arising out of the fact that the employee's spouse, son, daughter or parent is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces for deployment to a foreign country in support of contingency operation or Regular Armed Forces for deployment to a foreign country.

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 employees from performing the functions of their 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 three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) 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.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

B. Additional Military Family Leave Entitlement (Injured Servicemember Leave)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a **covered servicemember** is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single-12 month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "**covered servicemember**" is 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 on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." **Covered servicemembers** also include a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five (5) years preceding the 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. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

C. Intermittent Leave and Reduced Leave Schedules

FMLA leave usually will be taken for a period of consecutive days, weeks, or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember. Qualifying exigency leave also may be taken on an intermittent basis.

D. No Work While on Leave

The taking of another job while on family/medical leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by law.

E. Protection of Group Health Insurance Benefits

During FMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

F. Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause Way To Go Merchandising & Staffing substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. Way To Go Merchandising & Staffing will notify employees if they qualify as "key employees," if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

G. Notice of Eligibility for, and Designation of, FMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from Way To Go Merchandising & Staffing telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) Way To Go Merchandising & Staffing's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

Way To Go Merchandising & Staffing may retroactively designate leave as FMLA leave with appropriate written notice to employees provided Way To Go Merchandising & Staffing's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, Way To Go Merchandising & Staffing and employee can mutually agree that leave be retroactively designated as FMLA leave.

III. Employee FMLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees who take FMLA leave must timely notify Way To Go Merchandising & Staffing of their need for FMLA leave. The following describes the content and timing of such employee notices.

1. Content of Employee Notice

To trigger FMLA leave protections, employees must inform the Head of Human Resources of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow Way To Go Merchandising & Staffing to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active duty status to a foreign country; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to Way To Go Merchandising & Staffing's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which Way To Go Merchandising & Staffing has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

2. Timing of Employee Notice

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, or the approximate timing of the need for leave is not foreseeable, employees must provide Way To Go Merchandising & Staffing notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with Way To Go Merchandising & Staffing and make a reasonable effort to schedule treatment so as not to unduly disrupt Way To Go Merchandising & Staffing's operations, subject to the approval of the employee's health care provider. Employees must consult with Way To Go Merchandising & Staffing prior to the scheduling of treatment

to work out a treatment schedule that best suits the needs of both Way To Go Merchandising & Staffing and the employees, subject to the approval of the employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, Way To Go Merchandising & Staffing may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, Way To Go Merchandising & Staffing may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise Way To Go Merchandising & Staffing of the reason why such leave is medically necessary. In such instances, Way To Go Merchandising & Staffing and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting Way To Go Merchandising & Staffing's operations, subject to the approval of the employee's health care provider.

C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three (3) types of FMLA medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide Way To Go Merchandising & Staffing with timely, complete and sufficient medical certifications. Whenever Way To Go Merchandising & Staffing requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after Way To Go Merchandising & Staffing's request, unless it is not practicable to do so despite the employee's diligent, good faith efforts. Way To Go Merchandising & Staffing will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven (7) calendar days to cure deficiencies. Way To Go Merchandising & Staffing will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, Way To Go Merchandising & Staffing (through individuals other than the employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide Way To Go Merchandising & Staffing with authorization allowing it to clarify or authenticate certifications with health care providers, Way To Go Merchandising & Staffing may deny FMLA leave if certifications are unclear.

Whenever Way To Go Merchandising & Staffing deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If Way To Go Merchandising & Staffing has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at Way To Go Merchandising & Staffing's expense. If the opinions of the initial and second health care providers differ, Way To Go Merchandising & Staffing may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by Way To Go Merchandising & Staffing and the employee.

2. Medical Recertifications

Depending on the circumstances and duration of FMLA leave, Way To Go Merchandising & Staffing may require employees to provide recertification of medical conditions giving rise to the need for leave. Way To Go Merchandising & Staffing will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide Way To Go Merchandising & Staffing with medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. Way To Go Merchandising & Staffing may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, Way To Go Merchandising & Staffing may require employees to provide: 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to covered active duty status and the dates of the military member's covered active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, Way To Go Merchandising & Staffing may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA

regulations, Way To Go Merchandising & Staffing may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

E. Substitute Paid Leave for Unpaid FMLA Leave

Employees may use any accrued paid time while taking unpaid FMLA leave.

The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with the employee's FMLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement.

F. Pay Employee's Share of Health Insurance Premiums

During FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless Way To Go Merchandising & Staffing notifies employees of other arrangements, whenever employees are receiving pay from Way To Go Merchandising & Staffing during FMLA leave, Way To Go Merchandising & Staffing will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA leave is unpaid, employees must pay their portion of the group health premium through a method determined by the Way To Go Merchandising & Staffing upon leave.

Way To Go Merchandising & Staffing's obligation to maintain health care coverage ceases if the employee's premium payment is more than 30 days late. If the employee's payment is more than 15 days late, Way To Go Merchandising & Staffing will send a letter notifying the employees that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse Way To Go Merchandising & Staffing for the cost of the premiums Way To Go Merchandising & Staffing paid for maintaining coverage during their unpaid FMLA leave. **IV. Exemption for Highly Compensated Employees**

Way To Go Merchandising & Staffing may choose not to return highly compensated employees (highest paid 10% of employees at a worksite or within 75 miles of that worksite) to their former or equivalent positions following a leave if restoration of employment will cause substantial economic injury to Way To Go Merchandising & Staffing. (This fact-specific determination will be made by Way To Go Merchandising & Staffing on a case-by-case basis.) Way To Go Merchandising & Staffing will notify employees if they qualify as a "highly compensated", if Way To Go Merchandising & Staffing intends to deny reinstatement, and of the employee's rights in such instances.

V. Questions and/or Complaints about FMLA Leave

If you have questions regarding this FMLA policy, please contact the Head of Human Resources. Way To Go Merchandising & Staffing is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain, or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact the Head of Human Resources immediately. Way To Go Merchandising & Staffing will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

VI. Coordination of FMLA Leave with Other Leave Policies

The FMLA does not affect any federal, state, or local law prohibiting discrimination, or supersede any State or local law that provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult Way To Go Merchandising & Staffing's other leave policies in this handbook or contact the Head of Human Resources.

Section 5 - General Standards Of Conduct

5.1 Workplace Conduct

Way To Go Merchandising & Staffing endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense, and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, in Way To Go Merchandising & Staffing's sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing, or defacing Way To Go Merchandising & Staffing property or a co-worker's property, and/or disclosure of confidential information.
3. Completing another employee's time records.
4. Violation of safety rules and policies.
5. Violation of Way To Go Merchandising & Staffing's Drug and Alcohol-Free Workplace Policy.
6. Fighting, threatening, or disrupting the work of others or other violations of Way To Go Merchandising & Staffing's Workplace Violence Policy.
7. Failure to follow lawful instructions of a supervisor.
8. Failure to perform assigned job duties.
9. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness, or unexcused absences.
10. Gambling on Way To Go Merchandising & Staffing property.
11. Willful or careless destruction or damage to Way To Go Merchandising & Staffing assets or to the equipment or possessions of another employee.
12. Wasting work materials.
13. Performing work of a personal nature during working time.
14. Violation of the Solicitation and Distribution Policy.
15. Violation of Way To Go Merchandising & Staffing's Harassment or Equal Employment Opportunity Policies.
16. Violation of the Communication and Computer Systems Policy.
17. Unsatisfactory job performance.
18. Any other violation of Way To Go Merchandising & Staffing policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and Way To Go Merchandising & Staffing reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. Way To Go Merchandising & Staffing will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a

given situation. However, Way To Go Merchandising & Staffing will endeavor to utilize progressive discipline but reserves the right in its sole discretion to terminate the employee at any time for any reason.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

5.2 Substance Abuse

The company has vital interests in ensuring a safe, healthy and efficient working environment for our employees, their co-workers and the customers we serve. The unlawful or improper presence or use of controlled substances or alcohol in the workplace presents a danger to everyone. For these reasons, we have established as a condition of employment and continued employment with the company the following substance abuse policy.

The company has implemented a drug testing program in compliance with local, state and federal laws. Employees are prohibited from reporting to work or working while using illegal or unauthorized substances. Employees are prohibited from reporting to work or working when the employee uses any controlled substance, except when the use is pursuant to a doctor's orders and the doctor 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 or possession of illegal or unauthorized substances and alcohol in the workplace including: on company paid time, on company premises, in company vehicles, or while engaged in company activities. Our employees are also prohibited from reporting for duty or remaining on duty with any alcohol in their systems. Employees are further prohibited from consuming alcohol during working hours, including meal and break periods. This does not include the authorized use of alcohol at company-sponsored functions or activities.

Your employment or continued employment with the company is conditioned upon your full compliance with the foregoing substance abuse 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 discharge, may be permitted in lieu of discharge, 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 Your employment or continued employment with the company is conditioned upon your full compliance with the foregoing substance abuse 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 discharge, may be permitted in lieu of discharge, 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.

Consistent with its fair employment policy, the company maintains a policy of non-discrimination and reasonable accommodation with respect to recovering addicts and alcoholics, and those having a medical history reflecting treatment for substance abuse conditions. We encourage employees to seek

assistance before their substance or alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves or others. The company will attempt to assist its employees through referrals to rehabilitation, appropriate leaves of absence and other measures consistent with the company's policies and applicable federal, state or local laws.

The company further reserves the right to take any and all appropriate and lawful actions necessary to enforce this substance abuse policy including, but not limited to, the inspection of company issued lockers, desks or other suspected areas of concealment, as well as an employee's personal property when the company has reasonable suspicion to believe that the employee has violated this substance abuse policy. This policy represents management guidelines. For more information, please speak to the director of HR.

5.3 Punctuality And Attendance

Employees are hired to perform important functions at Way To Go Merchandising & Staffing. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive and disruptive and place an unfair burden on fellow employees and supervisors. Way To Go Merchandising & Staffing expects excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

Way To Go Merchandising & Staffing does recognize, however, that there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify supervisors as early as possible, but no later than the start of the workday. Asking another employee, friend, or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the absence and its expected duration, every day of absenteeism.

Unreported absences of three (3) consecutive workdays generally will be considered a voluntary resignation of employment with Way To Go Merchandising & Staffing.

5.4 Use Of Communications And Computer Systems

Way To Go Merchandising & Staffing's communication and computer systems are intended primarily for business purposes; however limited personal usage is permitted if it does not hinder performance of job duties or violate any other Way To Go Merchandising & Staffing policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of Way To Go Merchandising & Staffing systems.

Way To Go Merchandising & Staffing may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when Way To Go Merchandising & Staffing

deems it appropriate to do so. The reasons for which Way To Go Merchandising & Staffing may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Way To Go Merchandising & Staffing operations continue appropriately during the employee's absence.

Further, Way To Go Merchandising & Staffing may review Internet usage to ensure that such use with Way To Go Merchandising & Staffing property, or communications sent via the Internet with Way To Go Merchandising & Staffing property, are appropriate. The reasons for which Way To Go Merchandising & Staffing may review employees' use of the Internet with Way To Go Merchandising & Staffing property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Way To Go Merchandising & Staffing operations continue appropriately during the employee's absence.

Way To Go Merchandising & Staffing may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

Way To Go Merchandising & Staffing's policies prohibiting harassment, in their entirety, apply to the use of Way To Go Merchandising & Staffing's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Further, since Way To Go Merchandising & Staffing's communication and computer systems are intended for business use, all employees, upon request, must inform management of any private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including discharge.

5.5 Use Of Social Media

Way To Go Merchandising & Staffing respects the right of any employee to maintain a blog or web page or to participate in a social networking on or through websites or services such as X (formerly Twitter), Facebook, Threads, LinkedIn, YouTube, Instagram, TikTok, SnapChat, or similar sites/services (collectively "social media"). However, to protect Way To Go Merchandising & Staffing interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not use social media during work time or at any time with Way To Go Merchandising & Staffing equipment or property.

All rules regarding confidential and proprietary business information apply in full to social media. Any information that cannot be disclosed through a conversation, a note, or an e-mail also cannot be

disclosed through social media.

When using social media, if the employee mentions Way To Go Merchandising & Staffing and also expresses either a political opinion or an opinion regarding Way To Go Merchandising & Staffing's actions that could pose an actual or potential conflict of interest with Way To Go Merchandising & Staffing, and it is either implicit or explicit that the poster is affiliated with Way To Go Merchandising & Staffing, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is a personal opinion and not Way To Go Merchandising & Staffing's position. This is necessary to preserve Way To Go Merchandising & Staffing's goodwill in the marketplace.

Employees may not use Way To Go Merchandising & Staffing's logos or trademarks for commercial purposes or to endorse any product or service.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through social media. For example, posted material that is discriminatory, obscene, defamatory, libelous, or violent is forbidden. Way To Go Merchandising & Staffing policies apply equally to employee social media usage.

Employees with any questions should review the guidelines above and/or consult with their manager. Failure to follow these guidelines may result in discipline, up to and including discharge.

5.6 Personal And Company-Provided Portable Communication Devices

Way To Go Merchandising & Staffing-provided portable communication devices (PCDs), including cell phones and personal digital assistants, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes, as permitted, the right to monitor personal communications as necessary.

Some employees may be authorized to use their own PCD for business purposes. These employees should work with the IT department to configure their PCD for business use. Communications sent via a personal PCD also may subject to monitoring if sent through Way To Go Merchandising & Staffing's networks, and the PCD must be provided for inspection and review upon request.

All conversations, text messages, and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a Way To Go Merchandising & Staffing-provided or personal device, employees must comply with applicable Way To Go Merchandising & Staffing guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use, and operation of vehicles. Using a Way To Go Merchandising & Staffing-issued PCD to send or receive personal text messages is prohibited at all times and personal use during working hours should be limited to emergency situations.

If employees who use a personal PCD for business resign or are discharged, they will be required to submit the device to the IT department for resetting on or before their last day of work. At that time, the IT department will reset and remove all information from the device, including but not limited to, Way To Go Merchandising & Staffing information and personal data (such as contacts, e-mails, and photographs). The IT department will make efforts to provide employees with the personal data in

another form (e.g., on a disk) to the extent practicable; however, the employee may lose some or all personal data saved on the device.

Employees may not use their personal PCD for business unless they agree to submit the device to the IT department on or before their last day of work for resetting and removal of Way To Go Merchandising & Staffing information. This is the only way currently possible to ensure that all Way To Go Merchandising & Staffing information is removed from the device at the time of termination. The removal of Way To Go Merchandising & Staffing information is crucial to ensure compliance with Way To Go Merchandising & Staffing's confidentiality and proprietary information policies and objectives.

Please note that whether employees use their personal PCD or a Way To Go Merchandising & Staffing-issued device, Way To Go Merchandising & Staffing's electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect.

Portable Communication Device Use While Driving

Employees who drive on Way To Go Merchandising & Staffing business must abide by all state or local laws prohibiting or limiting PCD (cell phone or personal digital assistant) use while driving. Further, even if usage is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while driving, and permitted by law, employees must use a hands-free option and advise the caller that they are unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a cell phone while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving are prohibited in all circumstances.

5.7 Inspections

To the maximum extent permitted by applicable law, Way To Go Merchandising & Staffing reserves the right to require employees while on Way To Go Merchandising & Staffing property, or on client property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on Way To Go Merchandising & Staffing or client property, and work areas. This includes lockers, vehicles, desks, cabinets, work stations, packages, handbags, briefcases and other personal possessions or places of concealment, as well as personal mail sent to Way To Go Merchandising & Staffing or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

5.8 Smoking

Smoking, including the use of e-cigarettes, is prohibited on Company premises and in all Company vehicles.

Also smoking of any type, including the use of e-cigarettes, on all customer property.

5.9 Personal Visits And Telephone Calls

Disruptions during work time can lead to errors and delays. Therefore, personal telephone calls must be kept to a minimum, and only be made or received after working time, or during lunch or break time.

For safety and security reasons, employees are prohibited from having personal guests visit or accompanying them anywhere in Way To Go Merchandising & Staffing facilities other than the reception areas.

5.10 Solicitation And Distribution

To avoid distractions, solicitation by the employee of another employee is prohibited while either employee is on work time. "Work time" is defined as the time the employee is engaged, or should be engaged, in performing their work tasks for Way To Go Merchandising & Staffing. Solicitation of any kind by non-employees on Way To Go Merchandising & Staffing premises is prohibited at all times.

Distribution of advertising material, handbills, printed or written literature of any kind in working areas of Way To Go Merchandising & Staffing is prohibited at all times. Distribution of literature by non-employees on Way To Go Merchandising & Staffing premises is prohibited at all times.

5.11 Bulletin Boards

Important notices and items of general interest are continually posted on Way To Go Merchandising & Staffing bulletin boards. Employees should make it a practice to review bulletin boards frequently. This will assist employees in keeping up with what is current at Way To Go Merchandising & Staffing. To avoid confusion, employees should not post or remove any material from the bulletin board.

5.12 Confidential Company Information

During the course of work, employees may become aware of confidential information about Way To Go Merchandising & Staffing's business, including but not limited to information regarding Way To Go Merchandising & Staffing finances, pricing, products, and new product development, software, and

computer programs, marketing strategies, suppliers, and customers and potential customers. Employees also may become aware of similar confidential information belonging to Way To Go Merchandising & Staffing's clients. It is extremely important that all such information remain confidential, and particularly not be disclosed to Way To Go Merchandising & Staffing's competitors. Any employee who improperly copies, removes (whether physically or electronically), uses, or discloses confidential information to anyone outside of Way To Go Merchandising & Staffing may be subject to disciplinary action up to and including termination. Employees may be required to sign an agreement reiterating these obligations.

5.13 Conflict Of Interest And Business Ethics

It is Way To Go Merchandising & Staffing's policy that all employees avoid any conflict between their personal interests and those of Way To Go Merchandising & Staffing. The purpose of this policy is to ensure that Way To Go Merchandising & Staffing's honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of Way To Go Merchandising & Staffing.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

1. Holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with Way To Go Merchandising & Staffing, by any employee who is in a position to directly or indirectly influence either Way To Go Merchandising & Staffing's decision to do business, or the terms upon which business would be done with such organization;
2. Holding any interest in an organization that competes with Way To Go Merchandising & Staffing;
3. Being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with Way To Go Merchandising & Staffing or which competes with Way To Go Merchandising & Staffing; and/or
4. Profiting personally, e.g., through commissions, loans, expense reimbursements, or other payments, from any organization seeking to do business with Way To Go Merchandising & Staffing.

A conflict of interest would also exist when a member of the employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

It is the employee's responsibility to report any actual or potential conflict that may exist between the employee (and the employee's immediate family) and Way To Go Merchandising & Staffing.

5.14 Confidentiality Of Customer Matters

Our professional ethics require that each employee maintain the highest degree of confidentiality when handling customer matters. To maintain this professional confidence, no employee shall disclose customer information to other customers, friends, or members of one's own family. Questions concerning customer confidentiality may be addressed with the director of operations.

5.15 Conduct At Customer's Location

The nature of our company may require that employees perform work connected with a customer's assignment at the customer's location. The importance of professional conduct when working in a customer's location cannot be emphasized enough. Professional conduct is a broad term that is open to many interpretations. The following guidelines describe appropriate conduct when working at a customer's location:

- Limit discussions with customer employees to matters that concern their department and level of responsibility. Long, personal discussions with customer personnel are discouraged during working hours at the customer's location. Such disruptions of work will only offend customer executives and customer employees.

- Do not discuss internal affairs with customer personnel during working hours at the customer's location.

- Avoid comments or criticisms involving other companies and their particular work or fees.

- Refrain from discussing shortcomings or idiosyncrasies of customer employees.

- Avoid conversations involving customer matters in all places that would violate customer confidentiality.

- Avoid discussing procedural problems with management while customer employees are present.

- Purchase items from a customer at regular sale prices.

- Do not borrow money from a customer unless the customer's business involves lending money.

- Do not solicit customers for charitable donations.

- Accept token gifts from customers only if they are non-monetary and valued at less than any amount. Gift offers that exceed any amount must be reported to the director of operations.

- Entertain customers only after first receiving approval from the director of operations.

5.16 Use Of Facilities, Equipment And Property, Including Intellectual Property

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

Employees should notify their supervisor if any equipment, machines, or tools appear to be damaged, defective or in need of repair. Prompt reporting of loss, damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Supervisors can answer any questions about the employees' responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of Way To Go Merchandising & Staffing's intellectual property, such as audio and video tapes, print materials and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge.

Further, Way To Go Merchandising & Staffing is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance approval for the employee to bring the personal property to work.

5.17 Health And Safety

The health and safety of employees and others on Way To Go Merchandising & Staffing property are of critical concern to Way To Go Merchandising & Staffing. Way To Go Merchandising & Staffing intends to comply with all health and safety laws applicable to our business. To this end, Way To Go Merchandising & Staffing must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to management immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on Way To Go Merchandising & Staffing's premises, or in a product, facility, piece of equipment, process, or business practice for which Way To Go Merchandising & Staffing is responsible should be brought to the attention of management immediately.

Periodically, Way To Go Merchandising & Staffing may issue rules and guidelines governing workplace safety and health. Way To Go Merchandising & Staffing may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines as strict compliance will be expected.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.

5.18 Each Employee's Responsibility To Safety

Safety can only be achieved through teamwork at our company. Each employee, supervisor and manager must practice safety awareness by thinking defensively, anticipating unsafe situations and reporting

unsafe conditions immediately. Please observe the following precautions:

1. Notify your supervisor of any emergency situation. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately.

2. The use of alcoholic beverages or illegal substances during working hours will not be tolerated. The possession of alcoholic beverages or illegal substances on the company's property is forbidden.

3. Use, adjust and repair machines and equipment only if you are trained and qualified.

4. Know the proper lifting procedures. Get help when lifting or pushing heavy objects.

5. Understand your job fully and follow instructions. If you are not sure of the safe procedure, don't guess; just ask your supervisor or the director of operations.

6. Know the locations, contents and use of first aid and fire-fighting equipment.

7. Wear personal protective equipment in accordance with the job you are performing.

Comply with OSHA standards and/or applicable state job safety and health standards as written in our safety procedures manual. A violation of a safety precaution is in itself an unsafe act. A violation may lead to disciplinary action, up to and including discharge.

5.19 Employee Dress And Personal Appearance

Employees are expected to report to work well groomed, clean, and dressed according to the requirements of their position. If employees report to work dressed or groomed inappropriately, they may be prevented from working until they return to work well groomed and wearing the proper attire.

Depending on the project you may be required to wear a company logo polo. You will be provided a sufficient number of uniforms for the project. You may be charged for the cost of this item and the cost deducted from your pay.

5.20 Personal Hygiene

Maintaining a professional, business-like appearance is very important to the success of our company. Part of the impression you make on others depends on your choice of dress, personal hygiene and courteous behavior. A daily regimen of good grooming and hygiene is expected of everyone. Please ensure that you maintain good personal hygiene habits. While at work, you are required to be clean, dressed appropriately and well groomed.

5.21 Publicity/Statements To The Media

All media inquiries seeking Way To Go Merchandising & Staffing's official position as to any issue of Way To Go Merchandising & Staffing must be referred to the Head of Human Resources. Only the Head of Human Resources is authorized to make or approve public statements on behalf of Way To Go Merchandising & Staffing. No employees, unless specifically designated by the Head of Human Resources, are authorized to make those statements on behalf of Way To Go Merchandising & Staffing. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of Way To Go Merchandising & Staffing must first obtain approval from the Head of Human Resources.

5.22 Operation Of Vehicles

All employees authorized to drive Way To Go Merchandising & Staffing-owned or leased vehicles or personal vehicles in conducting Way To Go Merchandising & Staffing business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately.

Employees must have a valid driver's license in their possession while operating a vehicle off or on Way To Go Merchandising & Staffing property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.

Way To Go Merchandising & Staffing-owned or leased vehicles may be used only as authorized by management.

5.23 Driver's License/Driving Record

Employees in positions where the operation of a motor vehicle is an essential duty of the position must present and maintain a valid driver's license and acceptable driving record to our insurer. Changes in your driving record must be reported to the director of HR immediately. Violations of this policy may result in immediate termination of your employment.

5.24 References

Way To Go Merchandising & Staffing will respond to reference requests through the Human Resources Department. Way To Go Merchandising & Staffing will provide general information concerning the employee such as date of hire, date of discharge, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to the Human Resources Department.

Only the Human Resources Department may provide references.

5.25 If You Must Leave Us

Should you decide to leave your employment with us, we ask that Supervisors provide at least four weeks' advance notice to the company. All other employees are asked to provide at least one week's advance written notice. Your thoughtfulness is appreciated and will be noted favorably should you ever wish to reapply for employment with the company.

Generally, we will confirm upon request our employees' dates of employment, salary history, and job title. All company property, including this Employee Handbook, must be returned at the end of employment. Otherwise, the company may take action to recoup any replacement costs and/or seek the return of company property through appropriate legal recourse.

You should notify the company if your address changes during the calendar year in which discharge occurs so that your tax information will be sent to the proper address.

5.26 Exit Interviews

Employees who resign are requested to participate in an exit interview with the Human Resources Representative, if possible.

5.27 A Few Closing Words

This handbook is intended to give employees a broad summary of things they should know about Way To Go Merchandising & Staffing. The information in this handbook is general in nature and, should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules and benefits described in this handbook, Way To Go Merchandising & Staffing, in its sole discretion, may always amend, add to, delete from or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook. Employees should not hesitate to speak to management if they have any questions about Way To Go Merchandising & Staffing or its personnel policies and practices.

Section 6 - Alabama Addendum

6.1 Alabama: Jury Duty Leave

The Company realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law without retaliation. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

The Company will provide full-time employees paid time off while summoned to jury duty, provided the employee shows their supervisor the summons. Employees will not be required to use accrued paid time off while serving on jury. Exempt employees will be paid as necessary to comply with federal and state wage and hour laws.

6.2 Alabama: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve as a volunteer of the fire department or emergency medical services. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated for taking time off pursuant to this policy.

6.3 Alabama: Time Off For Crime Victims

Employees may be entitled to unpaid time off to respond to a subpoena to testify in a criminal proceeding or participate in the reasonable preparation of a criminal proceeding if they are:

- the victim of the crime at issue in the proceedings; or
- the spouse, sibling, parent, child, or guardian of the victim if the victim has been killed or incapacitated.

Before an employee leaves work to respond to a subpoena or attend a criminal proceeding, the employee should provide a copy of the form they received from the applicable law enforcement agency

to Way To Go Merchandising & Staffing. The employee should also provide a copy of the notice for each scheduled proceeding that they attend.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy. No employee will be subject to discrimination or retaliation for taking leave under this policy.

6.4 Alabama: Parental Adoption Leave

In accordance with the Adoption Promotion Act, the company provides eligible employees up to 12 weeks of unpaid leave for both the birth or care of a child during the first year after the child's birth or placement of an adopted child with the employee.. Leave must be taken within one year of the birth or placement of the child and runs concurrently with any federally mandated leave. Leave may not be taken intermittently unless otherwise agreed upon between the employer and the employee.

Coverage under the Adoption Promotion Act mirrors the federal Family and Medical Leave Act. Employees are eligible for family leave under Alabama's law if they have both completed at least 12 months of employment and worked at least 1,250 hours during this period.

To be eligible for this leave, the employee must give notice of the anticipated date of departure and intention to return to work to the company at least 30 days in advance, or as soon as practicable if the delay is for reasons beyond the employee's control.

At the conclusion of a leave, the employees will be reinstated to their previous position or a similar position with the same rate of pay they received at the commencement of the leave, unless other employees of equal seniority or status in the same or similar position(s) have been laid off due to economic conditions or have been otherwise affected by changes in employment conditions during the period of leave.

Employees will not be discriminated or retaliated against for requesting or receiving leave pursuant to this policy.

Section 7 - Alaska Addendum

7.1 Alaska: Paid Sick Leave

Eligibility

Way To Go Merchandising & Staffing provides paid sick leave (PSL) to employees who work in Alaska. For employees who work in Alaska who are eligible for sick leave under the general Sick Days policy and/or any other applicable sick time or leave law or ordinance, this policy applies solely to the extent it provides greater benefits or rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time or leave law or ordinance.

Accrual

Employees begin accruing PSL pursuant to this policy on July 1, 2025, or at the start of employment, whichever is later. Employees will accrue one (1) hour of PSL for every 30 hours worked up to a maximum accrual of 56 hours of PSL in any year. Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case PSL accrues based upon that normal workweek. For purposes of this policy, the year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may begin using accrued PSL immediately. PSL may be used in the smaller of hourly increments or the smallest increment that Way To Go Merchandising & Staffing's payroll system uses to account for absences or use of other time. Employees may not use more than 56 hours of PSL in any year.

Employees may use PSL for:

1. The employee's mental or physical illness, injury, or health condition; the employee's need for medical diagnosis, care, or treatment; or the employee's need for preventative medical care;
2. Care or assistance to the employee's family member relating to the family member's mental or physical illness, injury, or health condition; the family member's need for medical diagnosis, care, or treatment; or the family member's need for preventative medical care; and
3. Absences necessary due to domestic violence, sexual assault, or stalking, provided the leave is to allow the employee to obtain for the employee or a family member; medical or psychological attention; services from a victim's aid organization; relocation or steps to secure an existing home; or legal services, including participation in any investigation or civil or criminal proceeding.

For purposes of this policy, "family member" means a spouse; domestic partner; another person cohabiting with the employee in a conjugal relationship that is not a legal marriage; a child, including a stepchild, adopted child, foster child, legal ward, or person to whom the employee stands in loco

parentis; a parent, including a foster parent, adoptive parent, legal guardian, or a person who stood in loco parentis when the employee was a minor child; a sibling; a grandparent; an aunt; an uncle; a parent or sibling of the employee's spouse; or any other individual related by blood or whose close association is the equivalent of a family relationship.

The employee's use of PSL will not be conditioned upon searching for or finding a replacement worker.

Unless the employee advises Way To Go Merchandising & Staffing otherwise, it will assume, subject to applicable law, that employees want to use available PSL for absences for reasons set forth above and employees will be paid for such absences to the extent they have PSL available.

Notice and Documentation

When the need for PSL is foreseeable, the employee must make a good faith effort to provide 10 calendar days' advance notice to Way To Go Merchandising & Staffing of the use of PSL and make a reasonable effort to schedule use of PSL in a manner that does not unduly disrupt Way To Go Merchandising & Staffing's operations. Notably, the employee must make a reasonable attempt to not schedule a medical appointment during peak business hours, when work is time-sensitive, or when a mandatory meeting is scheduled if the employee's absence would unduly disrupt business operations. Employees must inform Way To Go Merchandising & Staffing of a change in the expected duration of the PSL as soon as possible. If the need for PSL is unforeseeable, the employee must notify Way To Go Merchandising & Staffing before the start of the employee's shift or as soon as is possible, depending on the circumstances.

For PSL of more than three (3) consecutive workdays, Way To Go Merchandising & Staffing may require reasonable documentation that the PSL has been used for a covered purpose. Documentation signed by a health care professional indicating that PSL is or was necessary shall be considered reasonable documentation for reason (1) or (2) above, but Way To Go Merchandising & Staffing will not require that the documentation explain the nature or details of the illness or underlying health needs. In cases of domestic violence, sexual assault, or stalking, under reason (3) above, one (1) of the following types of documentation selected by the employee will be considered reasonable documentation: a police report; a written statement from a witness advocate affirming services from a victim's aid organization; a court document indicating relevant legal action; or a written, non-notarized statement from the employee affirming that PSL was taken for a qualifying purpose, but Way To Go Merchandising & Staffing will not require details related to domestic violence, sexual assault, harassment, or stalking that necessitated the employee's use of PSL.

Unless otherwise required by law, Way To Go Merchandising & Staffing will not require disclosure of the details of the employee's or the employee's family member's health or safety information as a condition of providing PSL and Way To Go Merchandising & Staffing will treat any health or safety information regarding the employees or the employees's family member as confidential medical records.

Payment

PSL will be paid at the employee's regular rate or the applicable minimum wage, whichever is greater. Use of PSL is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Employees may carry over accrued, unused PSL to the following year.

Unused PSL under this policy will not be paid at separation.

Enforcement and Retaliation

Retaliation, discrimination, or any other adverse action against employees who utilize, or attempt to utilize, their PSL as allowed under applicable law is prohibited.

Employees with questions concerning this policy should contact the Head of Human Resources and/or the CFO.

7.2 Alaska: Overtime

Like most successful companies, the company experiences periods of extremely high activity. During these busy periods, additional work is required from all of us. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Efforts will be made to provide employees with adequate advance notice in such situations.

Non-exempt employees generally will be paid overtime at the rate of time and one-half (1.5) times their normal hourly wage for all hours worked in excess of 40 hours in one (1) week, and, for employers with four (4) or more employees, hours worked in excess of eight (8) hours in one (1) day. In determining whether an employee has worked more than 40 hours, the number of hours worked must be counted without including hours that are worked in excess of eight (8) hours, which are compensated with overtime pay separately.

Employees may work overtime only with management authorization.

Paid time off, holidays or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Saturday and ends 168 hours later at 12 a.m. on the following Saturday.

7.3 Alaska: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a state primary or general election, employees may take off working time to vote. Sufficient time is considered to be two (2) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed voting leave on Election Day without loss of pay and without threat, influence or retaliation. Where possible, supervisors should be notified of the need for leave in advance.

7.4 Alaska: Time Off For Crime Victims

Employees may take unpaid time off to respond to a subpoena or request by a prosecuting attorney to attend a court proceeding for the purpose of giving testimony if:

- the employee is the victim of the crime at issue;
- the victim is a minor, incompetent or incapacitated, and the employee is:
    - living in a spousal relationship with the victim; or
    - the victim's parent, adult child, guardian, or custodian; or
    - the victim is deceased, and the employee (who has not been accused of committing the crime):
        - was living in a spousal relationship with the deceased victim prior to death; or
        - is the deceased victim's parent, adult child, sibling, grandparent, or grandchild, or has been legally designated as an interested person.

The Company may require proof of the employee’s participation in these activities. Whenever possible, employees must provide their supervisor with reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy. No employee will be subject to demotion, suspension, dismissal, or loss of pay or benefits (except pay and benefits that are directly attributable to the victim’s absence from employment to attend the court proceeding, report the offense to a law enforcement agency, or participate in a law enforcement agency investigation of the offense) for taking leave under this policy.

Section 8 - Arizona Addendum

8.1 Arizona: Earned Paid Sick Time

Eligibility

Way To Go Merchandising & Staffing provides earned paid sick time to employees who work in Arizona. For employees who work in Arizona who are eligible for sick time under the general Sick Days policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin accruing earned paid sick time pursuant to this policy at the start of employment. Eligible employees will accrue one (1) hour of earned paid sick time for every 30 hours worked, up to a maximum accrual of 24 hours each calendar year. Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case earned paid sick time accrues based upon that normal workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may use earned paid sick time on the 90th calendar day of employment. Earned paid sick time must be used in 1-hour increments. The employee may not use more than 24 hours of earned paid sick time in any calendar year.

Employees may use earned paid sick time for absences due to:

1. the employee's mental or physical illness, injury or health condition; the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; the employee's need for preventive medical care;
2. care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive medical care;
3. closure of the employee's place of business by order of a public official due to a public health emergency or the employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency, or care for oneself or a family member when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or family member's presence in the community may jeopardize the health of others because of their exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease; or

4. a covered purpose relating to domestic violence, sexual violence, abuse or stalking to allow the employee to obtain (for himself or herself or for a family member) medical attention, services from a victims' organization, counseling, relocation and/or legal services.

For purposes of this policy, family member includes (regardless of age): a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the employee stands in-loco-parentis or an individual to whom the employee stood in loco parentis when the individual was a minor; a biological, foster, stepparent or adoptive parent or legal guardian of the employee or the employee's spouse or domestic partner or a person who stood in loco parentis when the employee or employee's spouse or domestic partner was a minor child; spouse or domestic partner; a grandparent, grandchild or sibling (whether of a biological, foster, adoptive or step relationship) of the employee or the employee's spouse or domestic partner; or any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

The employee's use of earned paid sick time will not be conditioned upon searching for or finding a replacement worker.

Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available earned paid sick time for absences for reasons set forth above and employees will be paid for such absences to the extent they have earned paid sick time available.

Employees will be advised of their earned paid sick time balance information on their itemized wage statement.

Notice and Documentation

Employees are required to make a reasonable effort to schedule the use of earned paid sick time in a manner that does not unduly disrupt business operations. Requests to use earned paid sick time may be made orally, in writing or electronically (e.g., via email), and whenever possible, the request must include the expected duration of the employee's absence. When the use of earned paid sick time is foreseeable, the employee is required to make a good faith effort to provide notice of the need for such time to their Supervisor in advance of the use of the earned paid sick time. When the use of earned sick time is not foreseeable, the employee is required to provide notice to their Supervisor at least one (1) hour prior to the start of their workday or as soon as possible under the circumstances.

For earned paid sick time of three (3) or more consecutive work days, Way To Go Merchandising & Staffing requires reasonable documentation that the earned paid sick time has been used for a covered purpose. For reason #1 and #2 above, documentation signed by a health-care professional indicating that earned paid sick time is necessary is reasonable. For reason #4 above, any of the following types of documentation selected by the employee is reasonable:

- a police report indicating that the employee or the employee's family member was a victim of domestic violence, sexual violence, abuse or stalking;
- a protective order; injunction against harassment; a general court order; or other evidence from a court or prosecuting attorney that the employee or employee's family member appeared or is scheduled to appear, in court in connection with an incident of domestic violence, sexual violence, abuse or stalking;

- a signed statement from a domestic violence or sexual violence program or victim services organization affirming that the employee or employee's family member is receiving services related to domestic violence, sexual violence, abuse or stalking;
- a signed statement from a witness advocate affirming that the employee or employee's family member is receiving services from a victim services organization;
- a signed statement from an attorney, member of the clergy or a medical or other professional affirming that the employee or employee's family member is a victim of domestic violence, sexual violence, abuse or stalking; or
- the employee's written statement affirming that the employee or the employee's family member is a victim of domestic violence, sexual violence, abuse or stalking, and that the earned paid sick time was taken for one of the purposes described above.

Documentation provided to Way To Go Merchandising & Staffing should not explain the nature of the employee's or a family member's health condition or the details of the domestic violence, sexual violence, abuse or stalking.

Payment

Earned paid sick time will be paid at the same hourly rate the employee earns from their employment at the time the employee uses such time, but no less than the applicable minimum wage, unless otherwise required by applicable law. Use of earned paid sick time is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

The employee may carry over up to 24 hours of accrued, unused earned paid sick time to the following calendar year. Unused earned paid sick time will not be paid at separation.

Enforcement & Retaliation

Retaliation against the employee who requests or uses earned paid sick time is prohibited. The employee has the right to file a complaint if earned paid sick time as required by law is denied by an employer or if the employee is subjected to retaliation for requesting or taking earned paid sick time. The Arizona Industrial Commission’s contact information is as follows: 800 W. Washington Street, Phoenix, AZ 85007 / 602-542-4515 / www.azica.gov.

Questions about rights and responsibilities under the law can be answered by the Head of Human Resources and/or the CFO.

8.2 Arizona: Notification Of Constructive Discharge

Any employee is encouraged to communicate to Way To Go Merchandising & Staffing by contacting the Head of Human Resources whenever the employee believes working conditions may become intolerable to the employee and may cause the employee to resign. Under Ariz. Rev. Stat. § 23-1502, the employee may be required to notify Way To Go Merchandising & Staffing in writing that a working condition exists that the employee believes is intolerable, that will compel the employee to resign, or that constitutes a

constructive discharge, if the employee wants to preserve the right to bring a claim against Way To Go Merchandising & Staffing alleging that the working condition forced the employee to resign.

Under the law, the employee may be required to wait 15 calendar days after providing written notice before the employee may resign if the employee desires to preserve the right to bring a constructive discharge claim against Way To Go Merchandising & Staffing. The employee may be entitled to a paid or unpaid leave of absence of up to 15 calendar days while waiting for Way To Go Merchandising & Staffing to respond to the employee's written communication about the employee's working condition.

If employees have any questions regarding this policy, they should contact the Head of Human Resources.

8.3 Arizona- Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a primary or general election, employees may take off working time to vote. Sufficient time is considered to be three (3) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed voting leave on Election Day without loss of pay or retaliation. Supervisors must be notified of the need for leave in advance of Election Day. Supervisors may specify which hours the employee may be absent.

8.4 Arizona: Time Off For Crime Victims

Employees may take unpaid time off to be present at criminal proceedings if they work for an employer with 50 or more employees for each day during 20 or more calendar weeks in the current or preceding year and are:

- a victim of the crime at issue in the proceedings; or
- the spouse, parent, child, sibling, grandparent, second-degree relative, or other lawful representative of a victim that was killed or incapacitated.

Before an employee may leave work, the employee is required to provide Way To Go Merchandising & Staffing with proper documentation (for example, a copy of the law enforcement agency form provided to the employee or a court order the employee is subject to). Additionally, if applicable, the employee must provide Way To Go Merchandising & Staffing with a copy of the notice of each scheduled proceeding from the applicable agency.

Way To Go Merchandising & Staffing may limit an employee’s leave if it creates an undue hardship.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy. No employee will be terminated or otherwise subject to discrimination for taking leave under this policy.

Section 9 - Arkansas Addendum

9.1 Arkansas: Time Off For Crime Victims

Employees may take unpaid time off to participate in the preparation of a criminal proceeding at the prosecuting attorney's request or to attend a criminal justice proceeding if the attendance is reasonably necessary to protect the interests of the victim if they are:

- the victim of the violent crime (felony resulting in physical injury to the victim or involving the use of a deadly weapon, terroristic threatening, and stalking) at issue in the proceedings;
- a minor who is a victim of kidnapping, false imprisonment, permanent detention or restraint;
- the victim's spouse, child by birth or adoption, stepchild, parent, stepparent, or sibling; or
- an individual designated by the victim or by a court in which the crime is being or could be prosecuted.

Way To Go Merchandising & Staffing may require proof of the employee's participation in these activities. Whenever possible, employees must provide their supervisor reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for the leave under this policy. No employee will be subject to discrimination or retaliation for taking leave under this policy.

Section 10 - California Addendum

10.1 California: Time Off For Military Spouses

If the employee works, on average, at least 20 hours per week and their spouse is a qualified member of the United States Armed Forces, the National Guard or the Reserves, the employee is eligible to take leave for a period of up to 10 days while their spouse is home during a qualified leave period. When the employee is also eligible for military family member exigency leave, leave under this policy shall also count toward the employee's leave entitlement under the Family and Medical Leave Act (FMLA), where the time off meets the definition of FMLA military exigency leave.

Required Notice to Employer

Within two (2) business days of receiving official notice that the employee's spouse will be on leave the employee must provide notice to Way To Go Merchandising & Staffing of their intent to take military spouse leave.

Required Documentation

The employee must submit written documentation to Way To Go Merchandising & Staffing certifying that during the requested time off, the employee's spouse will be on leave from deployment during a period of military conflict.

Leave is Unpaid

Leave granted under this policy is unpaid.However, employees may substitute the following for any period of unpaid military spouse leave: However, employees may substitute the following for any period of unpaid military spouse leave:.

Definitions

For the purposes of this policy, the following definitions apply:

"Qualified Member" means any of the following:

- a member of the United States Armed Forces who is deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States; or
- a member of the National Guard who is deployed during a period of military conflict; or
- a member of the Reserves who is deployed during a period of military conflict.

"Period of Military Conflict" means any of the following:

- a period of war declared by the U.S. Congress; or
- a period of deployment for which members of the Reserves are ordered to active duty.

"Qualified Leave Period" means the period during which the qualified member is on leave from deployment during a period of military conflict.

10.2 California: San Francisco Military Leave Pay Protection Benefits

In accordance with San Francisco's Military Leave Pay Protection Act, Way To Go Merchandising & Staffing provides supplemental compensation to eligible employees who are on an approved military leave of absence. Eligible employees may receive up to 30 days of supplemental compensation in a calendar year under this policy.

Eligible Employees. To be eligible to receive supplemental compensation under this policy, an employee must:

- Work within the geographic boundaries of San Francisco;
- Be a member of the reserve corps of the United States Armed Forces, National Guard, or other uniformed service organization of the United States; and
- Be on approved leave for military duty.

Amount of Supplemental Compensation. An eligible employee shall receive supplemental compensation in an amount equal to the difference between the employee's gross military pay and the amount of gross pay the employee would have received from Way To Go Merchandising & Staffing had the employee worked their regular work schedule in San Francisco. Overtime hours (unless regularly scheduled) and hours scheduled to work outside of San Francisco do not count toward the employee's gross pay calculation. Supplemental compensation is paid in daily increments. Eligible employees may receive up to 30 days of supplemental compensation in a calendar year.

For employees who do not work a regular work schedule, supplemental compensation shall be determined by looking at the weekly immediately preceding the employee's leave, not including any pay periods during which the employee was on unpaid or partially paid leave. Way To Go Merchandising & Staffing will endeavor to provide the employee with the supplemental compensation no later than the payday for the payroll period when the employee's military leave began.

Benefits. Eligible employees will continue to receive all benefits as if they had worked their regular schedule during any period of time during which they receive supplemental compensation.

Documentation. Employees may be requested to provide their written military orders or a wage statement verifying the military gross pay they received or will receive to ensure accurate payment of supplemental compensation.

Repayment by Employee. Employees receiving supplemental compensation under this policy who can return to their position after completion of military leave but fail to return within 60 days of release from duty shall be required to repay any supplemental compensation received.

Coordination with Other Policies. Any supplemental compensation paid under this policy will be coordinated with and offset by amounts required to be paid under any other law or policy so that employees on military leave do not receive more in total pay then they would have received if they had worked their regular work schedule.

Employees with questions about this policy can contact the Head of Human Resources.

10.3 California: Working Hours And Schedule

Way To Go Merchandising & Staffing normally is open for business from 9am to 5pm, Monday through Friday.

Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the business, at some point Way To Go Merchandising & Staffing may need to change individual work schedules on either a short-term or long-term basis.

Rest Breaks

Non-exempt employees who work three-and-one-half (3.5) or more hours per day are authorized and permitted one (1) 10-minute rest break for every four (4) hours or major fraction thereof worked. For purposes of this policy, "major fraction" means any time greater than two (2) hours. For example, if employees work more than six (6) hours, but no more than 10 hours in a workday, they are authorized and permitted to take two (2) 10-minute rest breaks: one (1) during the first half of a shift and a second rest break during the second half of the shift. If employees work more than 10 hours but no more than 14 hours in a day, they are authorized and permitted to take three (3) 10-minute rest breaks, and so on.

Rest breaks should be taken as close to the middle of each work period of four (4) hours or major fraction thereof as is practical. Employees do not need to obtain their supervisor's approval or notify their supervisor when taking a rest break. Employees are encouraged to take their rest breaks; they are not expected to and should not work during their rest breaks. Non-exempt employees are paid for all rest break periods and do not need to clock out when taking a rest break.

Rest breaks may not be combined with another rest break or with the meal period. In addition, rest breaks may not be taken at the beginning or end of the work day to arrive late or leave early. Each rest break must be a separate break, meeting the requirements described above. If any work is performed during a rest break, or if the rest break is interrupted for any work-related reason, the employee is entitled to another uninterrupted paid rest break.

Way To Go Merchandising & Staffing also provides cool down rest and recovery periods as needed to prevent heat illness as required by law for employees who perform work: (1) outdoors when temperatures are 80 degrees or higher or (2) indoors where temperatures are 82 degrees or higher.

Meal Periods

Employees who work more than five (5) hours in a workday are provided an unpaid, off-duty meal period of at least 30 minutes. Employees are responsible for scheduling their own meal periods, but they should confirm them with their supervisor. Meal periods must begin no later than the end of the fifth hour of work. For example, the employee who begins working at 8:00 a.m. must begin the meal period no later than 12:59 p.m. When scheduling a meal period, employees should try to anticipate workflow and deadlines.

Employees who work more than 10 hours in a day are entitled to a second unpaid, off-duty 30-minute meal period. Employees entitled to a second meal period should schedule their second meal period so it begins no later than before the end of their tenth hour of work, meaning the meal period should begin after working no more than nine (9) hours, 59 minutes.

During meal periods, employees are relieved of all duty and should not work during this time. When taking a meal period, employees should completely stop working for at least 30 minutes. Employees are prohibited from working "off the clock" during their meal period.

Those employees who use a time clock must clock out for their meal periods. These employees are expected to clock back in and promptly return to work at the end of any meal period. Those employees who record their time manually must accurately record their meal periods by recording the beginning and end of each work period. Unless otherwise directed by a supervisor in writing, employees do not need to obtain a supervisor's approval or notify a supervisor when taking a meal period. Employees are to immediately notify Human Resources if they believe that they are prevented by the nature of their work from taking a timely and/or complete meal period.

Meal Period Waiver

If no more than six (6) hours of work will complete the day's work, employees may voluntarily waive the meal period in writing. Employees should see Human Resources to obtain this waiver form. If the employee works no more than twelve (12) hours, the employee can waive the second meal period, but only if the first meal period was received and not waived in any manner. Any waiver of the second meal period must be in writing and submitted before the second meal period. Employees should see Human Resources to obtain this waiver form. Employees who work more than 12 hours may not waive, and should take, their second unpaid, off-duty, and uninterrupted 30-minute meal period.

No Working During Rest Breaks and Meal Periods

Employees are completely relieved of all work duties and responsibilities during their rest breaks and meal periods. All rest breaks and meal periods must be taken outside the work area, such as in a break room. Employees may leave the premises during rest breaks and meal periods. Employees should not visit or socialize with employees who are working while they are taking a rest break or meal period. Employees, including those in a sensitive position like security or information technology, are not expected to remain “on call” or available to respond to messages, monitor radios, telephones, email, or other devices during meal periods and rest breaks.

Employees are required to immediately notify Human Resources if they believe they are being pressured or coerced by any manager, supervisor or other employee to not take any portion of a provided rest break or meal period.

10.4 California: Equal Employment Opportunity

Way To Go Merchandising & Staffing is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, religious creed, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, and related medical conditions), gender identity or

expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, protected medical condition as defined by applicable state or local law (such as cancer), reproductive health decision making, genetic information, , or any other characteristic protected by applicable federal, state, or local laws and ordinances. Way To Go Merchandising & Staffing's management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs, and general treatment during employment.

Way To Go Merchandising & Staffing will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual's: physical or mental disability; sincerely held religious beliefs and practices; needs as a victim of domestic violence, sex offenses, or stalking; needs related to pregnancy, childbirth, or related medical conditions; and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon Way To Go Merchandising & Staffing's business operations. Any applicant or employee who needs an accommodation to perform the essential functions of the job should contact the Head of Human Resources to request such an accommodation. The individual should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. Way To Go Merchandising & Staffing will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made. Way To Go Merchandising & Staffing will evaluate requested accommodations, and as appropriate identify other possible accommodations, if any. The individual will be notified of Way To Go Merchandising & Staffing's decision within a reasonable period. Way To Go Merchandising & Staffing treats all medical information submitted as part of the accommodation process in a confidential manner.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Head of Human Resources. Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact the Head of Human Resources. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

10.5 California: San Francisco Family Friendly Workplace Policy

Under the San Francisco Family Friendly Workplace Ordinance, San Francisco employees who regularly work at least eight (8) hours per week and have been employed for six (6) months or more may request, in writing, a flexible or predictable working arrangement to assist with caregiving responsibilities for:

- a child or children under the age of 18;
- a person or persons with a serious health condition in a family relationship with the employee; or
- a person age 65 or older in a family relationship with the employee.

A "family relationship" means a relationship in which a caregiver is related by blood, legal custody, marriage or domestic partnerships to another person as a spouse, domestic partner, child, parent, sibling, grandchild or grandparent.

"Flexible working arrangement" means a change in the employee's terms and conditions of employment that provides flexibility to assist with caregiving responsibilities. A flexible working arrangement may include but is not limited to:

- a modified work schedule;
- changes in start and/or end times for work;
- part-time employment;
- job-sharing arrangements;
- working from home;
- telecommuting;
- reduction or change in work duties; or
- part-year employment.

"Predictable working arrangement" means a change in the employee's terms and conditions of employment that provides scheduling predictability to assist that employee with caregiving responsibilities.

Employees who wish to request flexible or predictable working arrangements should contact the Head of Human Resources to obtain the necessary form to submit the request in writing.

Within 14 days of the employee's request, Way To Go Merchandising & Staffing will meet with the employee regarding the request. Within 21 days of the employee's request, Way To Go Merchandising & Staffing will issue a written response either granting or denying the request. If Way To Go Merchandising & Staffing denies the request, the written response to the employee will explain the basis for denial and invite the employee to engage in an interactive process meeting for the purpose of attempting, in good faith, to determine a flexible or predictable working arrangement that is acceptable to both the employee and Way To Go Merchandising & Staffing. Any notice denying an employee request for a flexible or predictable working arrangement will advise the employee of the right to request reconsideration and include a copy of the San Francisco posting about the San Francisco Family Friendly Workplace Ordinance.

If it is later determined that a flexible or a predictable working arrangement that was previously granted is causing an undue hardship, Way To Go Merchandising & Staffing will invite the employee to engage in an interactive process. If this interactive process is unsuccessful in determining a different flexible or predictable working arrangement, Way To Go Merchandising & Staffing may revoke any existing arrangement with 14-days written notice.

10.6 California: Overtime

When Way To Go Merchandising & Staffing experiences periods of extremely high activity, additional work may be required. Supervisors are responsible for monitoring business activity and requesting

overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations.

Non-exempt employees generally will be paid overtime at the rate of time and one-half (1.5) times their regular rate of pay for all hours worked in excess of eight (8) hours in one (1) day or 40 hours in one (1) week, or for the first eight (8) hours on the seventh (7^{th}) consecutive day in the same workweek.

Non-exempt employees generally will be paid double-time for hours worked in excess of 12 in any workday or in excess of eight (8) on the seventh (7^{th}) day of the workweek.

Employees may work overtime only with management authorization.

For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Saturday and ends 168 hours later at 12 a.m. on the following Saturday.

10.7 California: Sick And Safe Time

Eligibility

Pursuant to the Healthy Workplaces, Healthy Families Act, Way To Go Merchandising & Staffing provides paid sick leave to employees who work for Way To Go Merchandising & Staffing in California for 30 or more days within a year. For employees who work in California who are eligible for sick time under another policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than any other policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin accruing paid sick leave at the start of employment. Paid sick leave will accumulate at the rate of one (1) hour for every 30 hours worked, up to a total maximum accrual of ten (10) days or 80 hours. Employees who are exempt from overtime pursuant to the executive, administrative, and professional exemptions under California law are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case paid sick leave accrues based upon that normal workweek. For purposes of this policy, the year is the consecutive 12-month period beginning January 1 and ending December 31.

Usage

Employees can use accrued paid sick leave beginning on the 90th day of employment. Paid sick leave may be used in minimum increments of two (2) hours. Employees may use up to five (5) days or 40 hours of paid sick leave in any year.

Paid sick leave may be used for the following reasons:

1. For diagnosis, care, or treatment of an existing health condition of or preventive care for, the employee or the employee's family member;

2. To serve on an inquest jury or trial jury;
3. To appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding;
4. To attend judicial proceedings related to certain felonies or other covered crimes that the employee or the employee's family member was a victim of, including, but not limited to, any delinquency proceeding, a post-arrest release decision, plea, sentencing, postconviction release decision, or any proceeding where a right of that person is an issue;
5. For any employee who is a victim or whose family member is a victim of a qualifying act of violence:
   a. To obtain or attempt to obtain any relief for the family member, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the family member of the victim;
   b. To seek, obtain, or assist a family member to seek or obtain medical attention for or to recover from injuries caused by a qualifying act of violence;
   c. To seek, obtain, or assist a family member to seek or obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of a qualifying act of violence;
   d. To seek, obtain, or assist a family member to seek or obtain psychological counseling or mental health services related to an experience of a qualifying act of violence;
   e. To participate in safety planning or take other actions to increase safety from future qualifying acts of violence;
   f. To relocate or engage in the process of securing a new residence due to the qualifying act of violence, including but not limited to, securing temporary or permanent housing or enrolling children in a new school or childcare;
   g. To provide care to a family member who is recovering from injuries caused by a qualifying act of violence;
   h. To seek, obtain, or assist a family member to seek or obtain civil or criminal legal services in relation to the qualifying act of violence;
   i. To prepare for, participate in, or attend any civil, administrative, or criminal legal proceeding related to the qualifying act of violence; or
   j. To seek, obtain, or provide childcare or care to a care-dependent adult if the childcare or care is necessary to ensure the safety of the child or dependent adult as a result of the qualifying act of violence; or

6. Any other reason required by applicable law.

For purposes of this policy, family member means a child (including biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis, all regardless of age or dependency status); spouse; registered domestic partner; parent (including biological, adoptive, or foster parent, stepparent, or legal guardian of the employee or the employee's spouse or registered domestic partner or a person who stood in loco parentis when the employee was a minor child); grandparent; grandchild; sibling; or a designated person. Employees are limited to selecting one (1) designated person per 12-month period for paid sick days.

For purposes of this policy, "qualifying act of violence" means any of the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:

- Domestic violence;
- Sexual assault;
- Stalking; or
- An act, conduct, or pattern of conduct that includes any of the following:
    - An individual causes bodily injury or death to another individual;
    - An individual exhibits, draws, brandishes, or uses a firearm or other dangerous weapon with respect to another individual; or
    - An individual uses, or makes a reasonably perceived or actual threat to use, force against another individual to cause physical injury or death.

Unless the employee advises the Head of Human Resources otherwise, Way To Go Merchandising & Staffing will assume employees want to use available paid sick leave for absences for reasons set forth above and employees will be paid for such absences to the extent they have paid sick leave available.

Employees will be notified of their available paid sick leave on each itemized wage statement.

Notice and Documentation

Notice to the Head of Human Resources may be given orally or in writing. If the need for paid sick leave is foreseeable, the employee must provide reasonable advance notification. If the need for paid sick leave is unforeseeable, the employee must provide notice of the need for the leave as soon as practicable.

Payment

Eligible employees will receive payment for paid sick leave at the same wage as the employee normally earns during regular work hours, unless otherwise required by applicable law, by the next regular payroll period after the leave was taken. Use of paid sick leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Accrued paid sick leave carries over from year to year, but is subject to the accrual cap of 10 days or 80 hours. Once the accrual cap is reached, paid sick leave will stop accruing until some paid sick leave is used.

Accrued but unused paid sick leave under this policy will not be paid at separation.

Enforcement and Retaliation

Retaliation or discrimination against any employee who requests paid sick days or uses paid sick days or both is prohibited and employees may file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against any employee.

If employees have any questions regarding this policy, they should contact the Head of Human Resources.

10.8 California: Berkeley Sick And Safe Time (Including The HWHFA)

Eligibility

Way To Go Merchandising & Staffing provides paid sick leave to employees who perform at least two (2) hours of work in the City of Berkeley in a calendar week. For employees who work in Berkeley who are eligible for sick time under the general Sick Days policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin accruing paid sick leave at the start of employment. Paid sick leave accrues at the rate of one (1) hour for every 30 hours worked, up to a maximum accrual of 80 hours at any time. Employees who are exempt from overtime pursuant to the California executive, administrative, and professional exemptions are assumed to work a 40-hour workweek unless their normal workweek is less than 40 hours, in which case, paid sick leave accrues based upon that regular workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees can use accrued paid sick leave on the 90th day of employment. Paid sick leave must be used in a minimum increment of two (2) hours.

Paid sick leave may be used for the following reasons:

1. When the employees are physically or mentally unable to perform their duties due to illness, injury, pregnancy, or a related medical condition;
2. To obtain a professional diagnosis or treatment of the employee's medical condition or undergo a physical examination;
3. To aid or care for a family member or designated person who is ill, injured, or receiving medical care, treatment, or diagnosis;
4. To serve on an inquest jury or trial jury;
5. To appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding;
6. To attend judicial proceedings related to certain felonies or other covered crimes that the employee or the employee’s family member was a victim of, including, but not limited to, any delinquency proceeding, a post-arrest release decision, plea, sentencing, postconviction release decision, or any proceeding where a right of that person is an issue;
7. For any employee who is a victim or whose family member is a victim of a qualifying act of violence:
   a. To obtain or attempt to obtain any relief for the family member, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the family member of the victim;

b. To seek, obtain, or assist a family member to seek or obtain medical attention for or to recover from injuries caused by a qualifying act of violence;
c. To seek, obtain, or assist a family member to seek or obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of a qualifying act of violence;
d. To seek, obtain, or assist a family member to seek or obtain psychological counseling or mental health services related to an experience of a qualifying act of violence;
e. To participate in safety planning or take other actions to increase safety from future qualifying acts of violence;
f. To relocate or engage in the process of securing a new residence due to the qualifying act of violence, including but not limited to, securing temporary or permanent housing or enrolling children in a new school or childcare;
g. To provide care to a family member who is recovering from injuries caused by a qualifying act of violence;
h. To seek, obtain, or assist a family member to seek or obtain civil or criminal legal services in relation to the qualifying act of violence;
i. To prepare for, participate in, or attend any civil, administrative, or criminal legal proceeding related to the qualifying act of violence; or
j. To seek, obtain, or provide childcare or care to a care-dependent adult if the childcare or care is necessary to ensure the safety of the child or dependent adult as a result of the qualifying act of violence; or

8. Any other reason required by applicable law.

For purposes of this policy, "family member" means child (including a child of a domestic partner and a child of a person standing in loco parentis), parent, legal guardian or ward, sibling, grandparent, grandchild, spouse, or registered domestic partner under any state or local law, or a designated person. These relationships include not only biological relationships but also relationships resulting from adoption, step-relationships, and foster care relationships. Employees are limited to selecting one (1) designated person per 12-month period for paid sick days.

For purposes of this policy, "qualifying act of violence" means any of the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:

- Domestic violence;
- Sexual assault;
- Stalking; or
- An act, conduct, or pattern of conduct that includes any of the following:
    - An individual causes bodily injury or death to another individual;
    - An individual exhibits, draws, brandishes, or uses a firearm or other dangerous weapon with respect to another individual; or
    - An individual uses, or makes a reasonably perceived or actual threat to use, force against another individual to cause physical injury or death.

Unless the employee advises otherwise, Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available paid sick leave for absences for reasons set forth above and employees will be paid for such absences to the extent they have paid sick leave available.

Employees will be notified of their available paid sick leave on each itemized wage statement.

Notice and Documentation

Employees are required to provide reasonable notification of an absence taken under this policy. In the case of foreseeable absences, Way To Go Merchandising & Staffing requests reasonable advance notification, and what is reasonable will generally depend on the specific situation. In the case of unforeseeable absences, the employee must provide notice of the need for the leave as soon as practicable. Way To Go Merchandising & Staffing may also take reasonable measures to verify that employees' use of paid sick leave is lawful, to the maximum extent permitted by applicable law.

Payment

Eligible employees will receive payment for paid sick leave, at the same rate of pay as the employee normally earns during regular work hours, unless otherwise required by applicable law, by the next regular payroll period after the leave was taken, and in no event will the rate of pay be less than the Berkeley or California minimum wage, whichever is higher. Use of paid sick leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Accrued paid sick leave carries over from year to year but is subject to the maximum accrual (accrual cap) of 80 hours. Once the accrual cap is reached, paid sick leave will stop accruing until some paid sick leave is used. Accrued but unused paid sick leave under this policy will not be paid at separation.

Enforcement and Retaliation

Retaliation or discrimination against the employee who requests paid sick days or uses paid sick days, or both, is prohibited, and employees may file a complaint with the California Labor Commissioner or the City of Berkeley against an employer who retaliates or discriminates against the employee.

If employees have any questions regarding this policy, they should contact the Head of Human Resources and/or the CFO.

10.9 California: Emeryville Sick And Safe Time For Non-Exempt Employees (Including The HWHFA)

Eligibility

Way To Go Merchandising & Staffing provides paid sick leave to non-exempt employees who perform at least two (2) hours of work per week in Emeryville. For non-exempt employees who work in Emeryville who are eligible for sick time under another policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than any other policy and/or any other applicable sick time/leave law or ordinance.

Exempt employees should refer to the California: Sick and Safe Time policy.

Accrual

Employees begin accruing paid sick leave at the start of employment. Paid sick leave will accumulate at the rate of one (1) hour for every 30 hours worked, up to a maximum accrual of 80 hours. For purposes of this policy, the year is the consecutive 12-month period beginning on January 1 and ending on December 31.

Usage

Employees can use accrued paid sick leave beginning on the 90th day of employment. Paid sick leave may be used in a minimum increment of two (2) hours. The employee may use up to 48 hours of paid sick leave in any year.

Paid sick leave may be used for the following reasons:

1. For diagnosis, care, or treatment of an existing health condition of or preventive care for, the employee or the employee's family member;
2. To serve on an inquest jury or trial jury;
3. To appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding;
4. To attend judicial proceedings related to certain felonies or other covered crimes that the employee or the employee's family member was a victim of, including, but not limited to, any delinquency proceeding, a post-arrest release decision, plea, sentencing, postconviction release decision, or any proceeding where a right of that person is an issue;
5. For any employee who is a victim or whose family member is a victim of a qualifying act of violence:
   a. To obtain or attempt to obtain any relief for the family member, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the family member of the victim;
   b. To seek, obtain, or assist a family member to seek or obtain medical attention for or to recover from injuries caused by a qualifying act of violence;
   c. To seek, obtain, or assist a family member to seek or obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of a qualifying act of violence;
   d. To seek, obtain, or assist a family member to seek or obtain psychological counseling or mental health services related to an experience of a qualifying act of violence;
   e. To participate in safety planning or take other actions to increase safety from future qualifying acts of violence;
   f. To relocate or engage in the process of securing a new residence due to the qualifying act of violence, including but not limited to, securing temporary or permanent housing or enrolling children in a new school or childcare;
   g. To provide care to a family member who is recovering from injuries caused by a qualifying act of violence;
   h. To seek, obtain, or assist a family member to seek or obtain civil or criminal legal services in relation to the qualifying act of violence;
   i. To prepare for, participate in, or attend any civil, administrative, or criminal legal proceeding related to the qualifying act of violence; or
   j. To seek, obtain, or provide childcare or care to a care-dependent adult if the childcare or

care is necessary to ensure the safety of the child or dependent adult as a result of the qualifying act of violence;
6. To aid or care for a guide dog, signal dog, or service dog (as those terms are defined under applicable state law) of the employee or the employee's family member; or
7. Any other reason required by applicable law.

For purposes of this policy, family member means a child (including biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis, all regardless of age or dependency status); spouse; registered domestic partner; parent (including biological, adoptive, or foster parent, stepparent or legal guardian of the employee or the employee's spouse or registered domestic partner or a person who stood in loco parentis when the employee was a minor child); grandparent; grandchild; sibling; or designated person. Employees are limited to selecting one (1) designated person per 12- month period for paid sick days.

For purposes of this policy, "qualifying act of violence" means any of the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:

- Domestic violence;
- Sexual assault;
- Stalking; or
- An act, conduct, or pattern of conduct that includes any of the following:
    - An individual causes bodily injury or death to another individual;
    - An individual exhibits, draws, brandishes, or uses a firearm, or other dangerous weapon, with respect to another individual; or
    - An individual uses, or makes a reasonably perceived or actual threat to use, force against another individual to cause physical injury or death.

Unless the employee advises the employee's supervisor otherwise, Way To Go Merchandising & Staffing will assume employees want to use available paid sick leave for absences for reasons set forth above and employees will be paid for such absences to the extent they have paid sick leave available.

Employees will be notified of their available paid sick leave on each itemized wage statement.

Notice and Documentation

Notice to the employee's supervisor may be given orally or in writing. If the need for paid sick leave is foreseeable, the employee must provide reasonable advance notification by phone or email. If the need for paid sick leave is unforeseeable, the employee must provide notice of the need for the leave as soon as practicable. In the case of unforeseeable absences, Way To Go Merchandising & Staffing generally requests advanced notification of at least two (2) hours prior to the start of the employee's shift or, if such notice is not possible, as soon as practicable. Way To Go Merchandising & Staffing may also take reasonable measures to verify that employees' use of paid sick leave is lawful, to the maximum extent permitted by applicable law.

Payment

Eligible employees will receive payment for paid sick leave, at the same wage as the employee normally earns during regular work hours, unless otherwise required by applicable law, by next regular payroll

period after the leave was taken. Use of paid sick leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Accrued, unused paid sick leave carries over from year to year but is subject to the maximum accrual (accrual cap) of 80 hours. Once the accrual cap is reached, paid sick leave will stop accruing until some paid sick leave is used.

Accrued but unused paid sick leave under this policy will not be paid at separation.

Enforcement and Retaliation

Retaliation or discrimination against the employee who requests paid sick days or uses paid sick days or both, is prohibited and employees may file a complaint with the Labor Commissioner or the City of Emeryville against an employer who retaliates or discriminates against the employee.

If employees have any questions regarding this policy, they should contact the Head of Human Resources.

10.10 California: Los Angeles Sick And Safe Time For Non-Exempt Employees (Including The HWHFA)

Eligibility

Way To Go Merchandising & Staffing provides paid sick leave to non-exempt employees who work in the City of Los Angeles for Way To Go Merchandising & Staffing for 30 days or more within a year from the commencement of employment and who, in a particular week, perform at least two (2) hours of work per week for Way To Go Merchandising & Staffing in the City of Los Angeles. For non-exempt employees who work in the City of Los Angeles who are eligible for paid sick time under another policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than any other policy and/or any other applicable sick time/leave law or ordinance.

Exempt employees should refer to the California: Sick and Safe Time policy.

Accrual

Employees begin accruing paid sick leave at the start of employment. Paid sick leave accrues at the rate of one (1) hour for every 30 hours worked, up to a maximum accrual of 80 hours. For purposes of this policy, the year is the consecutive 12-month period beginning on January 1 and ending on December 31.

Usage

Employees can use accrued paid sick leave on the 90th day of employment. Paid sick leave must be used in a minimum increment of two (2) hours. Employees cannot use more than 48 hours of paid sick leave per year.

Paid sick leave may be used for the following reasons:

1. For diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or the employee's family member;
2. To serve on an inquest jury or trial jury;
3. To appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding;
4. To attend judicial proceedings related to certain felonies or other covered crimes that the employee or the employee's family member was a victim of, including, but not limited to, any delinquency proceeding, a post-arrest release decision, plea, sentencing, postconviction release decision, or any proceeding where a right of that person is an issue;
5. For any employee who is a victim or whose family member is a victim of a qualifying act of violence:
   a. To obtain or attempt to obtain any relief for the family member, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the family member of the victim;
   b. To seek, obtain, or assist a family member to seek or obtain medical attention for or to recover from injuries caused by a qualifying act of violence;
   c. To seek, obtain, or assist a family member to seek or obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of a qualifying act of violence;
   d. To seek, obtain, or assist a family member to seek or obtain psychological counseling or mental health services related to an experience of a qualifying act of violence;
   e. To participate in safety planning or take other actions to increase safety from future qualifying acts of violence;
   f. To relocate or engage in the process of securing a new residence due to the qualifying act of violence, including but not limited to, securing temporary or permanent housing or enrolling children in a new school or childcare;
   g. To provide care to a family member who is recovering from injuries caused by a qualifying act of violence;
   h. To seek, obtain, or assist a family member to seek or obtain civil or criminal legal services in relation to the qualifying act of violence;
   i. To prepare for, participate in, or attend any civil, administrative, or criminal legal proceeding related to the qualifying act of violence; or
   j. To seek, obtain, or provide childcare or care to a care-dependent adult if the childcare or care is necessary to ensure the safety of the child or dependent adult as a result of the qualifying act of violence; or
6. Any other reason required by applicable law.

For purposes of this policy, "family member" means a child (including biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis, all regardless of age or dependency status); spouse; registered domestic partner; parent (including biological, adoptive, or foster parent, stepparent, or legal guardian of the employee or the employee's spouse or registered domestic partner or a person who stood in loco parentis when the employee was a minor child); grandparent; grandchild; sibling; designated person; or any individual related by blood or affinity whose close association with the employee is equivalent of a family relationship. Employees are limited to selecting one (1) designated person per 12-month period for paid sick days.

For purposes of this policy, "qualifying act of violence" means any of the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:

- Domestic violence;
- Sexual assault;
- Stalking; or
- An act, conduct, or pattern of conduct that includes any of the following:
    - An individual causes bodily injury or death to another individual;
    - An individual exhibits, draws, brandishes, or uses a firearm or other dangerous weapon with respect to another individual; or
    - An individual uses, or makes a reasonably perceived or actual threat to use, force against another individual to cause physical injury or death.

Unless the employee advises the employee's supervisor otherwise, Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available paid sick leave for absences for reasons set forth above and employees will be paid for such absences to the extent they have paid sick leave available.

Employees will be notified of their available paid sick leave on each itemized wage statement.

Notice and Documentation

Notice to the employee's supervisor may be given orally or in writing. If the need for paid sick leave is foreseeable, the employee must provide reasonable advance notification. If the need for paid sick leave is unforeseeable, the employee must provide notice of the need for the leave as soon as practicable. In the case of unforeseeable absences, Way To Go Merchandising & Staffing generally requests advanced notification of at least two (2) hours prior to the start of the employee's shift or, if such notice is not possible, as soon as practicable. Way To Go Merchandising & Staffing may also take reasonable measures to verify that employees' use of paid sick leave is lawful, to the maximum extent permitted by applicable law.

Payment

Eligible employees will receive payment for paid sick leave, at the same rate of pay they normally earn during regular work hours, unless otherwise required by applicable law, by the next regular payroll period after the leave was taken, and in no event will the rate of pay be less than the Los Angeles or California minimum wage, whichever is higher.

Use of paid sick leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Unused paid sick leave carries over from year to year but is subject to the maximum accrual (accrual cap) of 80 hours. Once the accrual cap is reached, paid sick leave will stop accruing until some paid sick leave is used.
Accrued but unused paid sick leave under this policy will not be paid at separation.

Enforcement and Retaliation

Retaliation or discrimination against the employee who requests paid sick leave or uses paid sick leave, or both, is prohibited, and employees may file a complaint with the California Labor Commissioner or the appropriate city designated administrative agency against an employer who retaliates or discriminates against the employee.

If employees have any questions regarding this policy, they should contact the employee's supervisor.

10.11 California: Lactation Breaks

Way To Go Merchandising & Staffing supports the legal right and necessity of employees who choose to express milk in the workplace. This policy establishes guidelines for promoting a breastfeeding-friendly work environment and supporting lactating employees for as long as they desire to express breast milk.

Way To Go Merchandising & Staffing will provide a reasonable amount of break time for employees who wish to express breast milk for their infant child each time the employee has a need to express milk, in accordance with applicable local, state, and federal law. If possible, the break time must run concurrently with rest and meal periods already provided. If break time cannot run concurrently with rest and meal periods, it will be unpaid, to the extent permitted by applicable law.

Way To Go Merchandising & Staffing will provide breastfeeding employees with space, in close proximity to their work area, that is shielded from view and free from intrusion from co-workers and the public. The room or location may include the place where the employee normally works if it otherwise meets the requirements of the lactation space. Restrooms are prohibited from being used for lactation purposes.

Employees who need a lactation accommodation should submit a request for possible accommodation to the Head of Human Resources. Upon receiving an accommodation request, Way To Go Merchandising & Staffing will respond to the employee within five (5) business days. Way To Go Merchandising & Staffing and the employee shall engage in an interactive process to determine the appropriate accommodations.

California law expressly prohibits discrimination or retaliation against lactating employees for exercising their rights granted by the ordinance. This includes those who request time to express breast milk at work and/or who lodge a complaint related to the right to lactation accommodations.

Employees have the right to file a complaint with the Labor Commissioner for any violation of the rights underlying this policy.

Employees can consult the Head of Human Resources and/or the CFO with questions regarding this policy.

10.12 California: San Diego Sick And Safe Time For Non-Exempt Employees (Including The HWHFA)

Eligibility

Way To Go Merchandising & Staffing provides earned sick leave to non-exempt employees who, in one (1) or more calendar weeks of the year, perform at least two (2) hours of work for Way To Go Merchandising & Staffing in the City of San Diego. For non-exempt employees who work in San Diego who are eligible for sick time under another policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than any other policy and/or any other applicable sick time/leave law or ordinance.

Exempt employees should refer to the California: Sick and Safe Time policy.

Employees begin accruing earned sick leave at the start of employment. Earned sick leave accrues at the rate of one (1) hour for every 30 hours worked, subject to a maximum accrual of 80 hours. For purposes of this policy, the year is the consecutive 12-month period beginning on January 1 and ending on December 31.

Usage

Employees can use accrued earned sick leave on the 90th calendar day of employment. Earned sick leave must be used in a minimum increment of two (2) hours. Employees cannot use more than 40 hours of earned sick leave in any year.

Earned sick leave may be used for the following reasons:

1. When the employees are physically or mentally unable to perform their duties due to illness, injury, pregnancy or another medical condition;
2. To obtain a physical examination or a professional diagnosis or treatment of the employee's medical condition;
3. To aid, assist, or care for a family member with an illness, injury, or medical condition, including assistance in obtaining professional diagnosis or treatment of a medical condition;
4. To serve on an inquest jury or trial jury;
5. To appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding;
6. To attend judicial proceedings related to certain felonies or other covered crimes that the employee or the employee’s family member was a victim of, including, but not limited to, any delinquency proceeding, a post-arrest release decision, plea, sentencing, postconviction release decision, or any proceeding where a right of that person is an issue;
7. For any employee who is a victim or whose family member is a victim of a qualifying act of violence:
   a. To obtain or attempt to obtain any relief for the family member, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the family member of the victim;
   b. To seek, obtain, or assist a family member to seek or obtain medical attention for or to recover from injuries caused by a qualifying act of violence;
   c. To seek, obtain, or assist a family member to seek or obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of a qualifying act of violence;
   d. To seek, obtain, or assist a family member to seek or obtain psychological counseling or mental health services related to an experience of a qualifying act of violence;

e. To participate in safety planning or take other actions to increase safety from future qualifying acts of violence;
f. To relocate or engage in the process of securing a new residence due to the qualifying act of violence, including but not limited to, securing temporary or permanent housing or enrolling children in a new school or childcare;
g. To provide care to a family member who is recovering from injuries caused by a qualifying act of violence;
h. To seek, obtain, or assist a family member to seek or obtain civil or criminal legal services in relation to the qualifying act of violence;
i. To prepare for, participate in, or attend any civil, administrative, or criminal legal proceeding related to the qualifying act of violence; or
j. To seek, obtain, or provide childcare or care to a care-dependent adult if the childcare or care is necessary to ensure the safety of the child or dependent adult as a result of the qualifying act of violence;

8. Any other reason required by applicable law.

The employee's place of business is closed by order of a public official due to a public health emergency, or the employee is providing care or assistance to a child, whose school or childcare provider is closed by order of a public official due to a public health emergency.

For purposes of this policy, family member means a child (a biological, adopted, or foster child; a stepchild; a legal ward; a child of a domestic partner; or a child of the employee standing in loco parentis); spouse (a person to whom the employee is legally married under California laws or the employee's domestic partner); parent (a biological, foster, or adoptive parent; a step-parent; a legal guardian; or a person who stood in loco parentis when the employee was a minor child); grandparent; grandchild; sibling (a brother or sister, whether related through half blood, whole blood, or adoption or one who is a stepsibling); the child or parent of a spouse; or a designated person. Employees are limited to selecting one (1) designated person per 12-month period for paid sick days.

For purposes of this policy, "qualifying act of violence" means any of the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:

- Domestic violence;
- Sexual assault;
- Stalking; or
- An act, conduct, or pattern of conduct that includes any of the following:
    - An individual causes bodily injury or death to another individual;
    - An individual exhibits, draws, brandishes, or uses a firearm or other dangerous weapon with respect to another individual; or
    - An individual uses, or makes a reasonably perceived or actual threat to use, force against another individual to cause physical injury or death.

Unless the employee advises the employee's supervisor otherwise, Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available earned sick leave for absences for reasons set forth above and employees will be paid for such absences to the extent they have earned sick leave available.

Employees will be notified of their available earned sick leave on each itemized wage statement.

Notice and Documentation

Employees are required to provide reasonable notification of an absence taken under this policy. In the case of foreseeable absences, Way To Go Merchandising & Staffing requires reasonable advance notification. In the case of unforeseeable absences, Way To Go Merchandising & Staffing requires notice of the need to use earned sick leave as soon as practicable. To the maximum extent permitted by applicable law, Way To Go Merchandising & Staffing may request documentation for the use of earned sick leave of more than three (3) consecutive work days. Acceptable documentation includes documentation signed by a licensed health care provider indicating the need for the amount of earned sick leave taken.

Payment

Eligible employees will receive payment for earned sick leave, at the same rate of pay as the employee normally earns during regular work hours, by the next regular payroll period after the leave was taken, and in no event will the rate of pay be less than the San Diego or California minimum wage, whichever is higher. Use of earned sick leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Accrued, unused earned sick leave carries over from year to year, but is subject to a maximum accrual (accrual cap) of 80 hours. Once the accrual cap is reached, earned sick leave will stop accruing until some earned sick leave is used.

Accrued but unused earned sick leave under this policy will not be paid at separation.

Enforcement and Retaliation

Retaliation or discrimination against the employee who requests earned sick days or uses earned sick days, or both, is prohibited, and employees may file a complaint with the California Labor Commissioner or the San Diego Enforcement Office or a court of competent jurisdiction against an employer who retaliates or discriminates against the employee.

If employees have any questions regarding this policy, they should contact the employee's supervisor.

10.13 California: Safe Harbor Policy For Exempt Employees

It is Way To Go Merchandising & Staffing policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure employees are paid properly and no improper deductions are made, employees must review their pay stubs promptly to identify and to report all errors.

If the employee believes a mistake has occurred or if the employee has any questions, the employee should use the reporting procedure outlined below.

Exempt salaried employees receive a salary which is intended to compensate for all hours worked for Way To Go Merchandising & Staffing. This salary will be established at the time of hire or when the employee becomes classified as an exempt employee. While it may be subject to review and modification from time-to-time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under state law, salary is subject to certain deductions. For example, the employee's salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability, if the available paid sick leave has been exhausted;
- intermittent absences, including partial-day absences, covered by the federal Family and Medical Leave Act, if other available paid leave has been exhausted;
- to offset amounts received as payment for jury and witness fees or military pay;
- during the first or last week of employment in the event the employee works less than a full week; and
- any work week in which the employee performs no work for Way To Go Merchandising & Staffing.

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

In any workweek in which the employee performed any work, the employee's salary will not be reduced for any of the following reasons:

- partial-day absences for personal reasons, sickness or disability;
- absence on a holiday when the facility is closed or because the facility is otherwise closed on a scheduled workday;
- absences for jury duty, attendance as a witness or military leave in any week in which the employee has performed any work; and
- any other deductions prohibited by state or federal law.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to their supervisor. If the supervisor is unavailable or if employees believe it would be inappropriate to contact that person (or if they have not received a prompt and fully acceptable reply), they should immediately contact Payroll Manager or any other supervisor in Way To Go Merchandising & Staffing with whom the employee feels comfortable. If employees are unsure of whom to contact if they have not received a satisfactory response within five (5) business days after reporting the incident, they should immediately contact the CFO, 905 Cherry Street, Suite 9 North Wilkesboro, NC 28659, 843-945-9795.

Every report will be fully investigated and corrective action will be taken where appropriate, up to and including termination for any employee who violates this policy. In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.

10.14 California: San Francisco Sick And Safe Time (Including The HWHFA)

Eligibility

Way To Go Merchandising & Staffing provides paid sick leave to employees who perform 56 or more hours of work within a calendar year in the City and County of San Francisco. For employees who work in the City and County of San Francisco who are eligible for sick time under another policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than any other policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin accruing paid sick leave at the start of employment. Paid sick leave accrues at the rate of one (1) hour for every 30 hours worked, up to a total maximum accrual of 80 hours at any time. Employees who are exempt from overtime pursuant to the California executive, administrative, and professional exemptions are assumed to work a 40-hour workweek unless their regular workweek is less than 40 hours, in which case, paid sick leave accrues based upon that regular workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees can use accrued paid sick leave beginning on the 90th day of employment. Paid sick leave must be used in a minimum increment of one (1) hour.

Paid sick leave may be used for the following reasons:

1. For the employee or a family member to receive preventative care (such as annual physicals or flu shots);
2. For the employee's or a family member's illness, injury, or for medical care, treatment, or diagnosis;
3. To serve on an inquest jury or trial jury;
4. To appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding;
5. To attend judicial proceedings related to certain felonies or other covered crimes that the employee or the employee’s family member was a victim of, including, but not limited to, any delinquency proceeding, a post-arrest release decision, plea, sentencing, postconviction release decision, or any proceeding where a right of that person is an issue;
6. For any employee who is a victim or whose family member is a victim of a qualifying act of violence:
   a. To obtain or attempt to obtain any relief for the family member, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the family member of the victim;
   b. To seek, obtain, or assist a family member to seek or obtain medical attention for or to recover from injuries caused by a qualifying act of violence;

c. To seek, obtain, or assist a family member to seek or obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of a qualifying act of violence;
d. To seek, obtain, or assist a family member to seek or obtain psychological counseling or mental health services related to an experience of a qualifying act of violence;
e. To participate in safety planning or take other actions to increase safety from future qualifying acts of violence;
f. To relocate or engage in the process of securing a new residence due to the qualifying act of violence, including but not limited to, securing temporary or permanent housing or enrolling children in a new school or childcare;
g. To provide care to a family member who is recovering from injuries caused by a qualifying act of violence;
h. To seek, obtain, or assist a family member to seek or obtain civil or criminal legal services in relation to the qualifying act of violence;
i. To prepare for, participate in, or attend any civil, administrative, or criminal legal proceeding related to the qualifying act of violence; or
j. To seek, obtain, or provide childcare or care to a care-dependent adult if the childcare or care is necessary to ensure the safety of the child or dependent adult as a result of the qualifying act of violence;

7. For purposes related to donating the employee's bone marrow or an organ to another person, or to care for or assist a family member donating bone marrow or an organ; or
8. Any other reason required by applicable law.

For purposes of this policy, family member includes any of the following: parent, child (including a biological child, a registered domestic partner's child, and a child of a person standing in loco parentis), spouse or registered domestic partner, grandparent, grandchild, sibling, or a designated person and applies not only to biological relationships, but also applies to those resulting from adoption, step-relationships, and foster care relationships. Employees are limited to selecting one (1) designated person per 12- month period for paid sick days.

For purposes of this policy, "qualifying act of violence" means any of the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:

- Domestic violence;
- Sexual assault;
- Stalking; or
- An act, conduct, or pattern of conduct that includes any of the following:
    - An individual causes bodily injury or death to another individual;
    - An individual exhibits, draws, brandishes, or uses a firearm or other dangerous weapon with respect to another individual; or
    - An individual uses, or makes a reasonably perceived or actual threat to use, force against another individual to cause physical injury or death.

Unless the employee advises the Head of Human Resources otherwise, Way To Go Merchandising & Staffing will assume employees want to use available paid sick leave for absences due to reasons set forth above and employees will be paid for such absences to the extent they have paid sick leave available.

Employees will be notified of their available paid sick leave on each itemized wage statement.

Notice and Documentation

Notice may be given orally or in writing. If the need for paid sick leave is foreseeable, the employee must provide reasonable advance notification. In most cases, "reasonable" generally means notifying the Head of Human Resources three (3) days in advance of the foreseeable absence. If the need for paid sick leave is unforeseeable, the employee must provide notice as soon as practicable. In most cases, "as soon as practicable" generally means notifying the Head of Human Resources at least two (2) hours prior to the start of a work shift, if possible. In cases of accidents or sudden illnesses when the employee is not able to provide such notice under the circumstances, notice should be provided as soon as possible.

To the maximum extent permitted by applicable law, employees who are absent from work on paid sick leave for more than three (3) consecutive work days or 24 hours, whichever is greater, must present a certificate from their medical practitioner stating the leave was necessitated by an illness or injury, releasing their return to work and setting forth any restrictions or limitations on the ability to perform the job. Similarly, when the employee uses paid sick leave for more than three (3) consecutive workdays or 24 hours, whichever is greater, to care for a family member, the employee also must present a certificate from that person's medical practitioner stating leave was necessitated by that person's illness.

Payment

Eligible employees will receive payment for paid sick leave at the same rate of pay as the employee normally earns during regular work hours by the next regular payroll period after the leave was taken and in no event will the rate of pay be less than the San Francisco or California minimum wage, whichever is higher. Use of paid sick leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Accrued paid sick leave carries over from year to year but is subject to the maximum accrual (accrual cap) of 80 hours. Once the accrual cap is reached, paid sick leave will stop accruing until some paid sick leave is used. Accrued but unused paid sick leave under this policy will not be paid at separation.

Enforcement and Retaliation

Way To Go Merchandising & Staffing prohibits discrimination and retaliation against employees who assert their rights to receive and use paid sick leave under this policy, file a complaint, or allege a violation of their rights with respect to paid sick leave, cooperate in an investigation or prosecution or oppose a policy of practice prohibited by applicable state or local law. Employees may file a complaint with the California Labor Commissioner or the San Francisco Office of Labor Standards Enforcement.

Questions

If employees have any questions regarding this policy, they should contact the Head of Human Resources.

10.15 California: Santa Monica Sick And Safe Time For Non-Exempt Employees (Including

The HWHFA)

Eligibility

Way To Go Merchandising & Staffing provides paid sick leave to eligible non-exempt employees who, in a particular week, perform at least two (2) hours of work per week for Way To Go Merchandising & Staffing in the City of Santa Monica.

For non-exempt employees who work in the City of Santa Monica who are eligible for paid sick time under another policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than any other policy and/or any other applicable sick time/leave law or ordinance.

Exempt employees should refer to the California: Sick and Safe Time policy.

Accrual

Eligible employees begin accruing paid sick leave at the start of employment. Paid sick leave accrues at the rate of one (1) hour for every 30 hours worked, up to a maximum accrual of 80 hours. For purposes of this policy, the year is the consecutive 12-month period beginning on January 1 and ending on December 31.Employees receive 40 hours of paid sick leave at the time of hire and each year thereafter on January 1.

Usage

Employees can use accrued paid sick leave on the 90th day of employment. Paid sick leave must be used in a minimum increment of two (2) hours.

Paid sick leave may be used for the following reasons:

1. For diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or the employee's family member;
2. To serve on an inquest jury or trial jury;
3. To appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding;
4. To attend judicial proceedings related to certain felonies or other covered crimes that the employee or the employee’s family member was a victim of, including, but not limited to, any delinquency proceeding, a post-arrest release decision, plea, sentencing, postconviction release decision, or any proceeding where a right of that person is an issue;
5. For any employee who is a victim or whose family member is a victim of a qualifying act of violence:
   a. To obtain or attempt to obtain any relief for the family member, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the family member of the victim;
   b. To seek, obtain, or assist a family member to seek or obtain medical attention for or to recover from injuries caused by a qualifying act of violence;
   c. To seek, obtain, or assist a family member to seek or obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result

of a qualifying act of violence;
d. To seek, obtain, or assist a family member to seek or obtain psychological counseling or mental health services related to an experience of a qualifying act of violence;
e. To participate in safety planning or take other actions to increase safety from future qualifying acts of violence;
f. To relocate or engage in the process of securing a new residence due to the qualifying act of violence, including but not limited to, securing temporary or permanent housing or enrolling children in a new school or childcare;
g. To provide care to a family member who is recovering from injuries caused by a qualifying act of violence;
h. To seek, obtain, or assist a family member to seek or obtain civil or criminal legal services in relation to the qualifying act of violence;
i. To prepare for, participate in, or attend any civil, administrative, or criminal legal proceeding related to the qualifying act of violence; or
j. To seek, obtain, or provide childcare or care to a care-dependent adult if the childcare or care is necessary to ensure the safety of the child or dependent adult as a result of the qualifying act of violence; or

6. Any other reason required by applicable law.

For purposes of this policy, "family member" means a child (including biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis, all regardless of age or dependency status); spouse; registered domestic partner; parent (including biological, adoptive or foster parent, stepparent or legal guardian of the employee or the employee's spouse or registered domestic partner or a person who stood in loco parentis when the employee was a minor child); grandparent; grandchild; a sibling; or a designated person. Employees are limited to selecting one (1) designated person per 12-month period for paid sick days.

For purposes of this policy, “qualifying act of violence” means any of the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:

- Domestic violence;
- Sexual assault;
- Stalking; or
- An act, conduct, or pattern of conduct that includes any of the following:
    - In which an individual causes bodily injury or death to another individual;
    - In which an individual exhibits, draws, brandishes, or uses a firearm or other dangerous weapon with respect to another individual; or
    - In which an individual uses, or makes a reasonably perceived or actual threat to use, force against another individual to cause physical injury or death.

Unless the employee advises the Head of Human Resources and/or their supervisor otherwise, Way To Go Merchandising & Staffing will assume employees want to use available paid sick leave for absences for reasons set forth above and employees will be paid for such absences to the extent they have paid sick leave available.

Employees will be notified of their available paid sick leave on each itemized wage statement.

Notice and Documentation

Notice to use paid sick leave should be provided to the Head of Human Resources and/or their supervisor orally or in writing. If the need for paid sick leave is foreseeable, the employee must provide reasonable advance notification. If the need for paid sick leave is unforeseeable, the employee must provide notice of the need for the leave as soon as practicable. To the maximum extent permitted by applicable law, Way To Go Merchandising & Staffing may require the employee to provide reasonable documentation of an absence from work for which paid sick leave was used for more than three (3) consecutive days.

Payment

Eligible employees will receive payment for paid sick leave, at the same rate of pay as the employee normally earns during regular work hours, by the next regular payroll period after the leave was taken, and in no event will the rate of pay be less than the Santa Monica or California minimum wage, whichever is higher. Use of paid sick leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Accrued, unused paid sick leave carries over from year to year, but is subject to the maximum accrual (accrual cap) of 80 hours. Once the accrual cap is reached, paid sick leave will stop accruing until some paid sick leave is used.

Accrued, unused paid sick leave under this policy will not be paid at separation.

Enforcement and Retaliation

Retaliation or discrimination against the employee who requests paid sick leave or uses paid sick leave, or both, is prohibited, and employees may file a complaint with the California Labor Commissioner or the appropriate City designated administrative agency against an employer who retaliates or discriminates against the employee.

If employees have any questions regarding this policy, they should contact the Head of Human Resources and/or their supervisor.

10.16 California: Family And Medical Leave

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA) and/or the California Family Rights Act (CFRA). Additionally, employees who are CFRA-eligible have certain rights to take both a pregnancy disability leave (PDL) and CFRA leave for the birth of a child.

This policy provides employees with information concerning FMLA/CFRA entitlements and obligations they may have during such leaves and also explains differences between FMLA, CFRA, and PDL. Where more than one (1) of the laws applies, leave taken may be counted under more than one law at the same time to the extent permitted by the applicable law(s). For example, where leave for a pregnancy disability is also FMLA-qualifying, the leave will count against both FMLA and PDL entitlements. However, PDL is separate from and does not count against employees' CFRA leave entitlement. (Please consult the

Pregnancy Disability Leave policy for more information on PDL.) This policy will be interpreted to comply with the law(s) that apply to a particular leave.

If employees have any questions concerning FMLA/CFRA leave, they should contact the Head of Human Resources.

I. Eligibility

The FMLA and CFRA provide eligible employees with a right to leave, health insurance benefits, and, with some limited exceptions, job restoration. To be an "eligible employee," the employee must: 1) have been employed by Way To Go Merchandising & Staffing for at least 12 months (which need not be consecutive) and 2) have worked for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. All California employees who meet these two (2) criteria are eligible for CFRA leave. California employees also may be eligible to take leave for FMLA reasons if they are eligible for CFRA leave and work at a worksite where 50 or more employees are located within 75 miles.

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

II. Entitlements for FMLA/CFRA Leave

A. Basic FMLA/CFRA Leave Entitlement

The FMLA/CFRA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined by a rolling 12-month period measured backward from the date the employee uses their family and medical leave. In some instances, leave may be counted under the FMLA but not CFRA or CFRA but not the FMLA. Leave may be taken for any one (1), or for a combination, of the following reasons:

1. Disability due to pregnancy, childbirth, or related medical condition (counts only toward FMLA leave and PDL leave entitlements);

2. Bonding and/or caring for a newborn child (counts toward FMLA and CFRA leave entitlements);

3. For placement with the employee of a child for adoption or foster care and to care for the newly placed child (counts toward FMLA and CFRA leave entitlements);

4. To care for the employee's spouse, child, or parent with a **serious health condition** (counts toward FMLA and CFRA leave entitlements);

5. To care for the employee's registered domestic partner, parent-in-law, grandparent, grandchild, sibling, or designated person with a serious health condition (counts towards CFRA entitlements only, except when grandparent, grandchild, or sibling meets FMLA definition of parent or child);

6. For the employee's own **serious health condition** (excluding pregnancy) that makes the employee unable to perform (1) one or more of the essential functions of their job (counts toward FMLA and CFRA leave entitlements); and/or

7. Because of any **qualifying exigency** arising out of the fact that the employee's spouse, registered domestic partner, son, daughter, or parent is a military member on covered active duty status (or has been notified of an impending call or order to covered active duty status) in the Reserve component of the Armed Forces for deployment to a foreign country in support of a contingency operation or Regular

Armed Forces for deployment to a foreign country (counts toward FMLA/CFRA leave entitlements, except that leave taken for a registered domestic partner counts towards CFRA leave entitlement only).

Leave to care for child after birth or placement for adoption or foster care must be taken within one (1) year of the child's birth or placement.

Under the **FMLA**, a **serious health condition** is an illness, injury, impairment, or physical or mental condition that involves a period of incapacity or treatment connected with inpatient care (e.g., an overnight stay) in a medical care facility, hospice, or residential health care facility; or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of their job or prevents the qualified family member from participating in school or other daily activities.

Under the **CFRA**, a **serious health condition** is an illness, injury, impairment, or physical or mental condition that involves either inpatient care in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care or any period of incapacity, or continuing treatment by a health care provider. The CFRA defines "inpatient care" broadly and includes a stay in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with inpatient care, or any period of incapacity. A person will be considered an "inpatient" when they are formally admitted to a health care facility with the expectation that they will remain at least overnight and occupy a bed, even if the person is ultimately discharged or transferred to another facility and does not actually remain overnight. The CFRA defines "incapacity" as the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment or the recovery that it requires.

Under the CFRA, a "designated person" means any individual related by blood or whose relationship with the employee is the equivalent of a family relationship. The designated person may be identified by the employee at the time the employee requests the leave. Way To Go Merchandising & Staffing may limit an employee to one designated person every 12-month period for family care and medical leave.

Under the FMLA and CFRA, subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment or incapacity due to pregnancy (FMLA only) or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty, and attending post-deployment reintegration briefings.

A leave of absence in connection with a workers' compensation injury/illness or for which the employee receives disability or State of California Paid Family Leave benefits shall run concurrently with FMLA/CFRA leave.

B. Additional Military Family Leave Entitlement (FMLA Only)

In addition to the basic FMLA/CFRA leave entitlement described above, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a **covered servicemember** is entitled to take up to 26

weeks of leave during a 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember is available during a single 12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A **"covered servicemember"** is 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 on the temporary retired list for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." Covered servicemembers also include a veteran who is discharged or released from military service under conditions other than dishonorable at any time during the five-(5-) 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. These individuals are referred to in this policy as "covered veterans."

The FMLA definition of a serious illness or injury for current Armed Forces members and covered Veterans are distinct from the definition of "serious health condition" applicable to leave to care for a family member or the employee's own illness or injury.

C. Intermittent Leave and Reduced Leave Schedules

FMLA/CFRA leave usually will be taken for a period of consecutive days, weeks, or months. However, employees also are entitled to take FMLA/CFRA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember (FMLA only). Intermittent or reduced work schedule leave may be taken for absences where the employee or family member is incapacitated or unable to perform the essential functions of the position because of a chronic serious health condition, even if they do not receive treatment by a health care provider. Intermittent leave can also be taken for any qualifying exigency.

Employees also are eligible for intermittent leave for bonding with a child following birth or placement. Intermittent leave for bonding purposes generally must be taken in two-(2-)week increments, but Way To Go Merchandising & Staffing permits two (2) occasions where the leave may be for less than two (2) weeks.

D. Health Insurance Benefits Schedules

During FMLA/CFRA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued work.

E. No Work While on Leave

The taking of another job while on FMLA/CFRA leave or any other approved leave of absence is prohibited except as authorized by Way To Go Merchandising & Staffing or permitted by applicable law.

F. Restoration of Employment and Benefits

At the end of FMLA/CFRA leave, employees generally have a right to return to the same or equivalent positions they held before the FMLA/CFRA leave. There is an exception for certain "key employees" under

the FMLA that applies to leave for a seriously ill or injured covered servicemember (the CFRA does not have an exception for "key employees"). Way To Go Merchandising & Staffing will provide notice if employees qualify as "key employees" if it intends to deny reinstatement and any applicable rights in such instances.

Use of FMLA/CFRA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA/CFRA leave.

G. Notice of Eligibility for, and Designation of, FMLA/CFRA Leave

Employees requesting FMLA/CFRA leave are entitled to receive written notice from Way To Go Merchandising & Staffing telling them whether they are eligible for FMLA/CFRA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA/CFRA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) Way To Go Merchandising & Staffing's designation of leave as FMLA/CFRA-qualifying or non-qualifying, if not FMLA/CFRA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

Way To Go Merchandising & Staffing will respond to a leave request within five (5) business days. Once given, approval shall be deemed retroactive to the date of the first day of the leave. Way To Go Merchandising & Staffing may designate FMLA/CFRA leave retroactively with appropriate notice provided that doing so does not cause harm or injury to employees. In other cases, Way To Go Merchandising & Staffing and employees can mutually agree that leave is retroactively designated as FMLA/CFRA leave.

H. Employee Obligations for FMLA/CFRA Leaves

a. Provide Notice of the Need for Leave

Employees who take FMLA/CFRA leave must notify, in a timely manner, Way To Go Merchandising & Staffing of their need for FMLA/CFRA leave. The following describes the content and timing of such notices.

i. Content of Notice

To trigger FMLA/CFRA leave protections, employees must inform the Head of Human Resources of the need for FMLA/CFRA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA/CFRA leave specifically or explaining the reasons for leave so as to allow Way To Go Merchandising & Staffing to determine that the leave is FMLA/CFRA-qualifying. For example, employees might explain that:

1. A medical condition renders them unable to perform the functions of their job;

2. They are pregnant;

3. They or a covered family member have been hospitalized overnight;

4. They or a covered family member are under the continuing care of a health care provider;

5. The leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active-duty status; or

6. If the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA/CFRA leave under this policy. Employees must respond to Way To Go Merchandising & Staffing's lawful questions to determine if absences are potentially FMLA/CFRA-qualifying.

If employees fail to explain the reasons for FMLA/CFRA leave, the leave may be denied. When employees seek leave due to FMLA/CFRA-qualifying reasons for which Way To Go Merchandising & Staffing has previously provided FMLA/CFRA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA/CFRA leave.

ii. Timing of Notice

Employees must provide 30 days' advance notice of the need to take FMLA/CFRA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must notify Way To Go Merchandising & Staffing of the need for leave as soon as practicable under the circumstances. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA/CFRA notice obligations, may have FMLA/CFRA leave delayed or denied.

b. Cooperating in the Scheduling of Leave

When planning medical treatment for themselves or family members or requesting to take leave on an intermittent or reduced schedule work basis, employees must consult with Way To Go Merchandising & Staffing and make a reasonable effort to schedule treatment so as not to unduly disrupt Way To Go Merchandising & Staffing operations. Employees must consult with Way To Go Merchandising & Staffing prior to scheduling treatment in order to work out a treatment schedule that best suits the needs of both Way To Go Merchandising & Staffing and the employees, subject to the approval of the applicable health care provider. To the extent permitted by applicable law, when employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for employees or family members, including a period of recovery from a serious health condition or to care for a covered servicemember, Way To Go Merchandising & Staffing may temporarily transfer employees to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

c. Submit Initial Medical Certifications Supporting Need for Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of FMLA/CFRA leave sought, employees may be required to submit medical certifications supporting their need for FMLA/CFRA-qualifying leave. As described below, there generally are three types of FMLA/CFRA medical certifications: an **initial certification**, a **recertification**, and a **return to work/fitness for duty certification**.

It is the responsibility of employees to provide Way To Go Merchandising & Staffing with timely, complete, and sufficient medical certifications. Whenever Way To Go Merchandising & Staffing requests employees to provide FMLA/CFRA medical certifications, they must provide the requested certifications within 15 calendar days after the request, unless it is not practicable to do so despite diligent, good faith

efforts. Way To Go Merchandising & Staffing will inform employees if submitted medical certifications are incomplete or insufficient and provide them at least seven (7) calendar days to address deficiencies. Way To Go Merchandising & Staffing will delay or deny FMLA/CFRA leave to employees who fail to address deficiencies or otherwise fail to submit requested medical certifications in a timely manner.

Way To Go Merchandising & Staffing (through individuals other than the employee's direct supervisor) may contact the employee's health care provider to authenticate a medical certification.

Whenever Way To Go Merchandising & Staffing deems it appropriate to do so, it may waive its right to receive timely, complete, and/or sufficient FMLA/CFRA medical certifications.

i. Initial Medical Certifications

Employees requesting leave because of their own or a covered family member's serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins.

If Way To Go Merchandising & Staffing has reason to doubt the validity of an initial medical certification regarding the employee's own serious health condition, it may require the employee to obtain a second opinion at Way To Go Merchandising & Staffing's expense. If the opinions of the initial and second health care providers differ, Way To Go Merchandising & Staffing may, at its expense, require the employee to obtain a third, final and binding certification from a health care provider designated or approved jointly by Way To Go Merchandising & Staffing and the employee. Way To Go Merchandising & Staffing will reimburse employees for any reasonable "out of pocket" travel expenses incurred to obtain second or third medical opinions.

ii. Medical Recertifications

Depending on the circumstances and duration of FMLA/CFRA leave, Way To Go Merchandising & Staffing may require employees to provide recertification of medical conditions giving rise to the need for leave. Way To Go Merchandising & Staffing will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification. In cases of leave that qualifies under CFRA, recertification will be requested only when the original certification has expired and additional leave is requested.

iii. Return-to-Work Release

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA/CFRA leaves that were taken because of their own serious health conditions must provide Way To Go Merchandising & Staffing with a release to return to work from their healthcare provider stating they are able to resume work. Employees taking intermittent leave may be required to provide a return-to-work release for such absences up to once every 30 days if reasonable safety concerns exist regarding their ability to perform their duties. Way To Go Merchandising & Staffing may delay and/or deny job restoration until employees provide return-to-work releases.

d. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, Way To Go Merchandising & Staffing may require them to provide: 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to active duty status and the dates of the military member's covered active duty service and, 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active-duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active-duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness as allowed by the FMLA only, Way To Go Merchandising & Staffing may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, Way To Go Merchandising & Staffing may request that the certification submitted set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

e. Reporting Changes to Anticipated Return Date

If the anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide Way To Go Merchandising & Staffing with reasonable notice (i.e., within two (2) business days) of their changed circumstances and new return-to-work date. If employees give Way To Go Merchandising & Staffing unequivocal notice of their intent not to return to work, they will be considered to have voluntarily resigned and Way To Go Merchandising & Staffing's obligation to maintain health benefits (subject to COBRA requirements) and to restore their positions will cease.

f. Substitute Paid Leave for Unpaid FMLA Leave

Employees are required to substitute accrued paid time while taking an unpaid FMLA/CFRA leave as follows:

- If employees request FMLA/PDL leave because of disability due to pregnancy, childbirth, or related medical conditions (excluding absences for which they are receiving short-term disability benefits), they must first substitute any accrued paid sick leave for unpaid family/medical leave. Employees may make a written request to substitute accrued, unused vacation, or other paid time off benefits for unpaid FMLA/PDL leave once their sick time is exhausted.
- If employees request FMLA/CFRA leave because of their own serious health condition (excluding absences for which they are receiving workers' compensation or short-term disability benefits), they must first substitute any accrued paid vacation, sick, or other paid time off for unpaid family/medical leave.
- If employees request FMLA/CFRA leave to care for a covered family member with a serious health condition (excluding absences for which they are receiving Paid Family Leave benefits), they must first substitute any accrued paid vacation or other paid time off for unpaid family/medical leave. Once vacation or other paid time off is exhausted, upon their request, they can substitute

paid sick leave for unpaid FMLA/CFRA leave to care for a covered family member with a serious health condition.
- If employees request FMLA/CFRA leave to bond with a newborn or newly placed child (excluding absences for which they are receiving Paid Family Leave benefits), they must first substitute any accrued paid vacation or other paid time off for unpaid leave.

For purposes of this substitution requirement, leave is not "unpaid" during any time for which the employee is receiving compensation from the State of California under its State Disability Insurance or Paid Family Leave programs or when receiving compensation from worker's compensation. Employees will not be required to use accrued paid leave hours during any time off under this policy for which they are receiving compensation under these programs. However, where applicable and permitted by law, they will be required to use paid leave accruals during any waiting periods applicable to these programs, and upon written request, Way To Go Merchandising & Staffing will allow them to use accrued paid time off to supplement any paid workers' compensation, disability, or Paid Family Leave benefits.

The substitution of paid time off for unpaid family/medical leave time does not extend the length of FMLA/CFRA leaves and the paid time off runs concurrently with the FMLA/CFRA entitlement.

g. Pay Employee's Share of Health Insurance Premiums

As noted above, during FMLA/CFRA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. If paid leave is substituted for unpaid family/medical leave, Way To Go Merchandising & Staffing will deduct employees' shares of the health plan premium as a regular payroll deduction. If FMLA/CFRA leave is unpaid, employees must pay their portion of the premium through a method determined by the Way To Go Merchandising & Staffing upon leave. Way To Go Merchandising & Staffing's obligation to maintain health care coverage ceases if the premium payment is more than 30 days late. If the payment is more than 15 days late, Way To Go Merchandising & Staffing will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date.

If employees do not return to work for at least 30 calendar days after the end of the leave period (unless they cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse Way To Go Merchandising & Staffing for the cost of the premiums Way To Go Merchandising & Staffing paid for maintaining coverage during their unpaid FMLA/CFRA leave.

I. Coordination of FMLA Leave with Other Leave Policies

The FMLA and CFRA do not affect any federal, state, or local law prohibiting discrimination, or supersede any State or local law which provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA/CFRA leave is either not available or exhausted, please consult Way To Go Merchandising & Staffing's other leave policies in this handbook or contact the Head of Human Resources.

QUESTIONS AND/OR COMPLAINTS ABOUT FMLA/CFRA LEAVE

If employees have questions regarding this policy, they should contact the Head of Human Resources. Way To Go Merchandising & Staffing is committed to complying with the FMLA and CFRA and, whenever

necessary, shall interpret and apply this policy in a manner consistent with the FMLA and CFRA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain, or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact the Head of Human Resources immediately. Way To Go Merchandising & Staffing will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

10.17 California: Workers' Compensation

On-the-job injuries are covered by Way To Go Merchandising & Staffing's Workers' Compensation Insurance Policy, which is provided at no cost to employees. If injured on the job, no matter how slightly, employees should report the incident immediately to their supervisor. Failure to follow Way To Go Merchandising & Staffing procedures may affect one's ability to receive Workers' Compensation benefits.

Any leave of absence due to a workplace injury runs concurrently with all other Way To Go Merchandising & Staffing leaves of absence. Reinstatement from leave is guaranteed only if required by law. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

10.18 California: Discrimination, Harassment, And Retaliation Prevention

Way To Go Merchandising & Staffing does not tolerate and prohibits discrimination, harassment, or retaliation of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or third party based on actual or perceived race, color, creed, religion, age, sex or gender (including pregnancy, childbirth, and related medical conditions), sexual orientation, gender identity or gender expression (including transgender status), national origin, ancestry, marital status, protected medical condition as defined by state law (including cancer or genetic characteristics), physical or mental disability, military and veteran status, reproductive health decision making, genetic information, or any other characteristic protected by applicable federal, state, or local laws and ordinances. Further, Way To Go Merchandising & Staffing prohibits discrimination, harassment, and retaliation on the basis of any combination of protected characteristics. Way To Go Merchandising & Staffing is committed to a workplace free of discrimination, harassment, and retaliation.

Way To Go Merchandising & Staffing management team is dedicated to ensuring the fulfillment of this policy as it applies to all terms and conditions of employment, including recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, and general treatment during employment.

Discrimination Defined

Discrimination under this policy means treating differently or denying or granting a benefit to an individual because of the individual's protected characteristic.

Harassment Defined

Harassment is defined in this policy as unwelcome verbal, visual, or physical conduct creating an intimidating, an offensive, or a hostile work environment that interferes with work performance. Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media, or emails), or physical conduct (including physically threatening another, blocking someone's way, etc.) that denigrates or shows hostility or aversion toward an individual because of any protected characteristic. Such conduct violates this policy, even if it is not unlawful. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, and other verbal or physical conduct of a sexual nature. Sexual harassment includes unwelcome or unwanted conduct that is either of a sexual nature or directed at an individual because of that individual's sex when:

- Submission to that conduct or to those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that violate this policy include:

- Unwelcome or unwanted sexual advances, flirtations, advances, leering, whistling, touching, pinching, assault, and blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters, and drawings;
- Sexually explicit emails, text messages, or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome or unwanted sexually related comments;
- Conversation about one's own or someone else's sex life;
- Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

Retaliation Defined

Retaliation means adverse conduct taken because an individual reported an actual or a perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

- Shunning and avoiding an individual who reports harassment, discrimination, or retaliation;
- Express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination, or retaliation; and
- Denying employment benefits because an applicant or employee reported harassment, discrimination, or retaliation or participated in the reporting and investigation process described below.

All discrimination, harassment, and retaliation is unacceptable in the workplace and in any work-related settings such as business trips and business-related social functions, regardless of whether the conduct is engaged in by a supervisor, a coworker, a client, a customer, a vendor, or another third party.

Reporting Procedures

The following steps have been put into place to ensure the work environment is respectful, professional, and free of discrimination, harassment, and retaliation. If the employee believes someone has violated this policy or the Equal Employment Opportunity Policy, the employee should promptly bring the matter to the immediate attention of the Head of Human Resources. (Phone numbers are available through Way To Go Merchandising & Staffing directory.) If this individual is the person toward whom the complaint is directed, the employee should contact any higher-level manager in the reporting chain. If the employee makes a complaint under this policy and has not received a satisfactory response within five (5) business days, the CFO should be contacted immediately. (Phone numbers are available through Way To Go Merchandising & Staffing directory.)

Every supervisor who learns of any employee's concern about conduct in violation of this policy or the Equal Employment Opportunity Policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy or our Equal Employment Opportunity Policy must immediately report the issues raised to the Head of Human Resources.

Investigation Procedures

Upon receiving a complaint, Way To Go Merchandising & Staffing will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy or the Equal Employment Opportunity policy. To the extent possible, Way To Go Merchandising & Staffing will endeavor to keep the reporting employee's concerns confidential. However, complete confidentiality may not be possible in all circumstances.

During the investigation, Way To Go Merchandising & Staffing generally will interview the complainant and the accused, conduct further interviews as necessary, and review any relevant documents or other information. Upon completion of the investigation, Way To Go Merchandising & Staffing shall determine whether this policy has been violated based on its reasonable evaluation of the information gathered

during the investigation. Way To Go Merchandising & Staffing will inform the complainant and the accused of the results of the investigation.

Way To Go Merchandising & Staffing will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if Way To Go Merchandising & Staffing determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension, or immediate termination. Anyone, regardless of position or title, who Way To Go Merchandising & Staffing determines has engaged in conduct that violates this policy will be subject to discipline up to and including termination.

Training

All employees are required to undergo harassment prevention training as required by applicable law. For more information about this training requirement, employees should go to https://calcivilrights.ca.gov/shptfaq-employee/.

Retaliation Prohibited

In addition to being a violation of this policy, harassment, discrimination, or retaliation also can be against the law. Employees who engage in conduct that rises to the level of a violation of law can be held personally liable for such conduct.

Remember, Way To Go Merchandising & Staffing cannot remedy claimed discrimination, harassment, or retaliation unless employees bring these claims to the attention of management. Employees should not hesitate to report any conduct they believe violates this policy.

10.19 California: Leave For Qualifying Acts Of Violence

Any employee who is a victim or whose family member is a victim of a qualifying act of violence, may take unpaid leave for up to 12 weeks in any 12-month period for the following reasons:

- To obtain or attempt to obtain any relief for the family member. Relief includes, but is not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the family member of the victim.
- To seek, obtain, or assist a family member to seek or obtain medical attention for or to recover from injuries caused by a qualifying act of violence.
- To seek, obtain, or assist a family member to seek or obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of a qualifying act of violence.
- To seek, obtain, or assist a family member to seek or obtain psychological counseling or mental health services related to an experience of a qualifying act of violence.
- To participate in safety planning or take other actions to increase safety from future qualifying acts of violence.
- To relocate or engage in the process of securing a new residence due to the qualifying act of violence, including, but not limited to, securing temporary or permanent housing or enrolling children in a new school or childcare.

- To provide care to a family member who is recovering from injuries caused by a qualifying act of violence.
- To seek, obtain, or assist a family member to seek or obtain civil or criminal legal services in relation to the qualifying act of violence.
- To prepare for, participate in, or attend any civil, administrative, or criminal legal proceeding related to the qualifying act of violence.
- To seek, obtain, or provide childcare or care to a care-dependent adult if the childcare or care is necessary to ensure the safety of the child or dependent adult as a result of the qualifying act of violence.

If any employee's family member is a victim who is not deceased as a result of crime, and the employee is not a victim, the employee may only take a leave of 10 days under this policy. If the employee's family member is a victim who is not deceased as a result of a crime, and the employee is not a victim, and the employee takes leave to relocate or engage in the process of securing a new residence due to the qualifying act of violence, including, but not limited to, securing temporary or permanent housing or enrolling children in a new school or childcare, the employee may only take leave for five (5) days.

For purposes of this policy, "family member" means a child, parent, grandparent, grandchild, sibling, spouse, domestic partner, or designated person. "Designated person" means any individual related by blood or whose association with the employee is the equivalent of a family relationship. The designated person may be identified by the employee at the time the employee requests the leave. Employees may only designate one (1) person per 12-month period.

For purposes of this policy, "qualifying act of violence" means any of the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:

- Domestic violence;
- Sexual assault;
- Stalking; or
- An act, conduct, or pattern of conduct that includes any of the following:
    - In which an individual causes bodily injury or death to another individual;
    - In which an individual exhibits, draws, brandishes, or uses a firearm, or other dangerous weapon, with respect to another individual; or
    - In which an individual uses, or makes a reasonably perceived or actual threat to use, force against another individual to cause physical injury or death.

Way To Go Merchandising & Staffing may require proof of the employee's participation in these activities. Whenever possible, employees must provide their supervisor reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick, or other time off for the leave under this policy. Leave under this policy does not extend the time allowable under the "Family and Medical Leave" and "California Family Rights Act" policies in this handbook.

No employees will be subject to discrimination or retaliation because of their status as a victim or whose family member is a victim of a qualifying act of violence. Any employee who is a victim, or whose family member is a victim of a qualifying act of violence may request other workplace accommodations such as a transfer, schedule modification, implementation of safety measures, or referral to victim assistance.

Way To Go Merchandising & Staffing will engage in a good faith interactive process to determine reasonable accommodations, considering any immediate danger, so long as it does not cause undue hardship on business operations.

10.20 California: Bereavement Leave

Employees who have been employed for at least 30 days may take bereavement leave of up to five (5) days upon the death of a family member. For the purposes of this policy, a family member includes a spouse or a child, parent, sibling, grandparent, grandchild, domestic partner, , or parent-in-law.

Bereavement leave need not be consecutive but must be completed within three (3) months of the family member's death.

Bereavement leave will be unpaid. However, employees may substitute accrued vacation, personal days, or sick leave during unpaid leave taken under this policy, but this substitution does not extend the length of the leave.

If requested by Way To Go Merchandising & Staffing, employees must provide documentation of the death of the family member within 30 days of the first day's leave. Documentation includes, but is not limited to, a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or governmental agency.

Way To Go Merchandising & Staffing will maintain the confidentiality of any employee requesting leave under this policy including documentation provided to Way To Go Merchandising & Staffing related to a request for leave. Employees wishing to utilize bereavement leave should contact the Head of Human Resources and/or the CFO. Employees will not be subject to adverse action for exercising rights or attempting to exercise rights under this policy, opposing practices that they believe to be in violation of this policy, or supporting the exercise of rights of another under this policy.

10.21 California: Reproductive Loss Leave

Employees who have been employed for at least 30 days will be provided with up to five (5) days of reproductive loss leave following a reproductive loss event. Employees who experience more than one (1) reproductive loss event within a 12-month period are limited to 20 days of reproductive loss leave in a 12-month period. For purposes of this policy, a reproductive loss event means the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction via artificial insemination or an embryo transfer.

Leave may only be taken on regularly scheduled workdays. Leave does not need to be taken on consecutive days. Leave must be completed within three (3) months of the reproductive loss event, except that if the employee is on some other leave from work prior to or immediately following a reproductive loss event, the reproductive loss leave is available for use during the three (3) months following the end date of the other leave.

Reproductive loss leave is unpaid, except to the extent the employee is eligible for paid leave for these purposes under other Way To Go Merchandising & Staffing policies. The employee may elect to use accrued (vacation, personal days, or sick leave) to receive pay during any unpaid leave taken under this policy. Leave provided pursuant to this policy will run concurrently with any other applicable leave of absence for covered reasons, to the maximum extent permitted by applicable law. The substitution of paid time for unpaid leave time does not extend the length of leave and the paid time will run concurrently with the employee's reproductive loss leave entitlement.

Employees must inform their supervisor prior to commencing reproductive loss leave. Way To Go Merchandising & Staffing will maintain the confidentiality of any employee requesting leave under this policy including information provided to Way To Go Merchandising & Staffing related to a request for leave.

Section 11 - Colorado Addendum

11.1 Colorado: Pregnancy Accommodations

In compliance with Colorado law, Way To Go Merchandising & Staffing will not discriminate against employees because of pregnancy, childbirth, or related conditions. If employees request reasonable accommodation due to health conditions related to pregnancy or the physical recovery from childbirth, Way To Go Merchandising & Staffing will endeavor to provide a reasonable accommodation to enable applicants and employees to perform the essential functions of the job, unless the accommodation would impose an undue hardship on the operation of the business. Way To Go Merchandising & Staffing will engage in a timely, good faith, and interactive process with the employee to determine effective, reasonable accommodations for conditions related to pregnancy, physical recovery from childbirth, or a related condition.

Reasonable accommodations may include, but are not limited to more frequent or longer break periods; more frequent restroom, food, and water breaks; acquisition or modification of equipment or seating; limitations on lifting; temporary transfer to a less strenuous or hazardous position if available, with return to the current position after pregnancy; job restructuring; light duty, if available; assistance with manual labor; or modified work schedules.

Way To Go Merchandising & Staffing will not require employees affected by pregnancy, physical recovery from childbirth, or a related condition to accept an accommodation that they choose not to accept if they did not request an accommodation or if the accommodation is not necessary for the employees to perform the essential functions of the job, nor will Way To Go Merchandising & Staffing require a pregnant employee to take leave if another reasonable accommodation is available which will permit the employee to continue working.

Way To Go Merchandising & Staffing reserves the right to require employees to provide a note stating the necessity of a reasonable accommodation from a licensed health care provider before providing a reasonable accommodation.

Way To Go Merchandising & Staffing will not take adverse action against pregnant employees who request or use a reasonable accommodation related to pregnancy, physical recovery from childbirth, or a related condition. Way To Go Merchandising & Staffing will not deny employment opportunities to employees based on the need to make a reasonable accommodation related to pregnancy, physical recovery from childbirth, or a related condition.

If employees have any questions about this policy or would like to request a reasonable accommodation, they should contact the Head of Human Resources.

11.2 Colorado: Overtime

Non-exempt Colorado employees are entitled to overtime pay at one and one-half (1.5) times their regular rate of pay for all hours worked in excess of 12 hours in a day, 12 hours consecutively (without regard to the starting and ending time of the workday), or 40 hours per workweek, whichever calculation results in the greater payment of wages. Time paid but not worked, such as sick time or paid time off (PTO), will not be counted as hours worked in calculating hours worked for purposes of determining if overtime pay is due.

Please review the Colorado Overtime and Minimum Pay Standards (COMPS) Order for information regarding your rights under Colorado law, available below.

Please contact the Head of Human Resources if you have any questions about overtime requirements or the COMPS Order.

Both the COMPS Order poster, provided by the Colorado Department of Labor and Employment, as well as the text of that poster, are included in the policy to ensure that employees have access to all the required information. A copy of the poster is included at the end.

This poster is from the Colorado Department of Labor and Employment, online at https://cdle.colorado.gov/sites/cdle/files/2026_comps_order_poster_english_%5Baccessible%5D.pdf

Colorado Department of Labor and Employment

Colorado Wage & Hour Rights & Responsibilities

The COMPS Order (Colorado Overtime & Minimum Pay Standards) Poster & Notice

Effective 1/1/26; Use new version released by each December.

Colorado Minimum Wage: $15.16 per hour, updated yearly (COMPS Rule 3)

- Must pay at least minimum wage for all time worked, whether by hour, salary, commission, piece rate, etc.
- Use the highest minimum wage applicable; ColoradoLaborLaw.gov lists all local minimum wages
- 15% lower is allowed for unemancipated minors — but not for some local minimum wages.

Overtime: 1½ regular rate after 40 weekly hours, or 12 daily or consecutive (Rule 4)

- Can't give time off instead of overtime pay; can't average overtime and non-overtime weeks (or days)
- Agriculture: Overtime after 48 hours (56 at some highly seasonal sites); extra breaks and pay on long days
- Some (not all) jobs in health, ski, and heavy vehicles are partly or fully exempt (Rules 2.3-2.4)

Meal Periods: 30 minutes uninterrupted & duty-free, in shifts over 5 hours (Rule 5.1)

- Can be unpaid only for employees completely relieved of duty and allowed to do personal activities

- If work doesn't allow uninterrupted meal periods: must allow eating on duty, on paid time
- As much as practical, meal periods must be at least 1 hour after starting shifts, and 1 hour before ending

Rest Periods: 10 minutes, paid, every 4 hours (Rule 5.2)

#Work Hours:	Up to 2	>2, up to 6	>6, up to 10	>10, up to 14	>14, up to 18	>18, up to 22	>22
#Rest Periods:	0	1	2	3	4	5	6

- Need not be off-site, but must not include work, and should be in the middle of the 4 hours if practical
- Rest periods count as time worked, including for minimum wage and overtime
- Extra pay is owed for rest period time not authorized or permitted, including for employees not paid hourly
- Break rules differ for some agricultural work (Rule 2.3 and the Agricultural Labor Conditions Rules)

Deductions, Credits, Charges, & Withheld Pay (Rule 6 and Colorado Wage Act)

- Final pay: Owed promptly (if a termination by employer) or at next pay date (if employee resigned)
- Unused vacation: Must pay to departing employees, even if fired for cause or resigned without notice
- Tip credit: Can lower hourly pay up to $3.02 if tips (not service charges) aren't diverted to untipped staff
- Meals: Can charge cost or value (without profit) of voluntarily accepted meals
- Lodging: Can charge $25-$100 weekly (by housing type) if voluntary and primarily for employee benefit
- Uniforms: Can't charge or require deposits for special uniforms, special cleaning, or ordinary wear and tear
- Other deductions: Only for items in CRS 8-4-105; not for poor work, breakage, quitting without notice, etc.

Time Worked: All on-duty or on-premises time that must be paid (Rule 1.9)

- Cleanup or setup (examples: put on or remove clothes, or gear, worn only at work)
- Checking in or out (timeclock, security or safety screening, etc.), or waiting to do so
- Receiving or sharing work information, or wait for tasks – but not just off-duty time on premises
- Travel for employer benefit – but not normal commuting (Rule 1.9.2)
- Sleep time required to be on-site – but not if lengthy and uninterrupted (Rule 1.9.3)

Exemptions from COMPS (Rule 2.2 lists all; highlights are below)

- Executive/supervisor, administrator, or professional: $57,784 (updated yearly) in salary (not hourly pay)
- Other high-level work: non-manual jobs paid 2¼ times the above salary; $^1/_5$ owners who actively manage

- Some (not all) salespeople, computer professionals, drivers, camp/outdoor ed staff, or property managers
- Duties to pay wages, including most limits on deductions, still apply if exempt from COMPS

Employer Responsibilities (Rule 7)

- Give employees pay statements (total pay, rate, tips, credits, and time worked), and keep for 3 years
- Display this poster/notice where easily seen (or give to employees); also include in any handbook/manual
- Use translations (available from this Division) of this poster/notice for employees with limited English
- Not giving (or undercutting) posters or notices may disallow employer credits, deductions, or exemptions
- Individuals with control over work may be liable for wages and violations, even at incorporated employers

Complaint & Anti-Retaliation Rights (Rule 8)

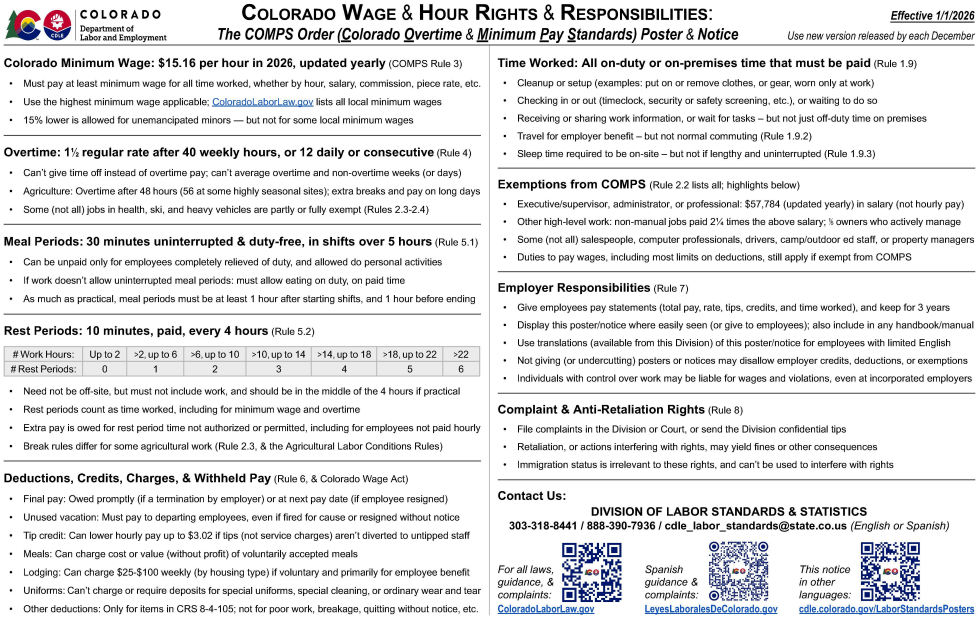
- File complaints in the Division or Court, or send the Division confidential tips
- Retaliation, or actions interfering with rights, may yield fines or other consequences
- Immigration status is irrelevant to these rights, and can't be used to interfere with rights

Contact Us:

DIVISION OF LABOR STANDARDS & STATISTICS

303-318-8441 / 888-390-7936 / cdle_labor_standards@state.co.us*(English or Spanish)*

ColoradoLaborLaw.gov LeyesLaboralesDeColorado.gov cdle.colorado.gov/LaborStandardsPosters



COLORADO Department of Labor and Employment

COLORADO WAGE & HOUR RIGHTS & RESPONSIBILITIES:
The COMPS Order (Colorado Overtime & Minimum Pay Standards) Poster & Notice

Effective 1/1/2026
Use new version released by each December

Colorado Minimum Wage: $15.16 per hour in 2026, updated yearly (COMPS Rule 3)
- Must pay at least minimum wage for all time worked, whether by hour, salary, commission, piece rate, etc.
- Use the highest minimum wage applicable: ColoradoLaborLaw.gov lists all local minimum wages
- 15% lower is allowed for unemancipated minors — but not for some local minimum wages

Overtime: 1½ regular rate after 40 weekly hours, or 12 daily or consecutive (Rule 4)
- Can't give time off instead of overtime pay; can't average overtime and non-overtime weeks (or days)
- Agriculture: Overtime after 48 hours (56 at some highly seasonal sites); extra breaks and pay on long days
- Some (not all) jobs in health, ski, and heavy vehicles are partly or fully exempt (Rules 2.3-2.4)

Meal Periods: 30 minutes uninterrupted & duty-free, in shifts over 5 hours (Rule 5.1)
- Can be unpaid only for employees completely relieved of duty, and allowed do personal activities
- If work doesn't allow uninterrupted meal periods: must allow eating on duty, on paid time
- As much as practical, meal periods must be at least 1 hour after starting shifts, and 1 hour before ending

Rest Periods: 10 minutes, paid, every 4 hours (Rule 5.2)

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- Need not be off-site, but must not include work, and should be in the middle of the 4 hours if practical
- Rest periods count as time worked, including for minimum wage and overtime
- Extra pay is owed for rest period time not authorized or permitted, including for employees not paid hourly
- Break rules differ for some agricultural work (Rule 2.3, & the Agricultural Labor Conditions Rules)

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Time Worked: All on-duty or on-premises time that must be paid (Rule 1.9)
- Cleanup or setup (examples: put on or remove clothes, or gear, worn only at work)
- Checking in or out (timeclock, security or safety screening, etc.), or waiting to do so
- Receiving or sharing work information, or wait for tasks – but not just off-duty time on premises
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- Executive/supervisor, administrator, or professional: $57,784 (updated yearly) in salary (not hourly pay)
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- Display this poster/notice where easily seen (or give to employees); also include in any handbook/manual
- Use translations (available from this Division) of this poster/notice for employees with limited English
- Not giving (or undercutting) posters or notices may disallow employer credits, deductions, or exemptions
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Contact Us:

DIVISION OF LABOR STANDARDS & STATISTICS
303-318-8441 / 888-390-7936 / cdle_labor_standards@state.co.us *(English or Spanish)*

For all laws, guidance, & complaints: ColoradoLaborLaw.gov
Spanish guidance & complaints: LeyesLaboralesDeColorado.gov
This notice in other languages: cdle.colorado.gov/LaborStandardsPosters

11.3 Colorado: Sick And Safe Time

Eligibility

Way To Go Merchandising & Staffing provides paid sick leave to all employees. For employees who work in Colorado who are eligible for sick leave under another policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than any other policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin accruing paid sick leave pursuant to this policy at the start of employment. Employees will accrue one (1) hour of paid sick leave for every 30 hours worked, up to a maximum accrual of 48 hours each year, inclusive of any hours carried over from the prior year.
Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case paid sick leave accrues based on that normal workweek.
For purposes of this policy, the year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may begin using accrued paid sick leave immediately. Paid sick leave may be used in hourly increments. Employees may not use more than 48 hours of accrued paid sick leave in any year.

Employees may use accrued paid sick leave for the following reasons:

1. Mental or physical illness, injury, or health condition that prevents the employee from working; the need to obtain a medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; the need to obtain preventive medical care; or the need to grieve, attend funeral services or a memorial, or deal with financial and legal matters that arise after the death of a family member;
2. To care for a family member who has a mental or physical illness, injury, or health condition; needs to obtain a medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or needs to obtain preventive medical care;
3. The employee or a family member has been the victim of domestic abuse, sexual assault, or harassment and the use of leave is to:
    - Seek medical attention to recover from a mental or physical illness, injury, or health condition caused by the domestic abuse, sexual assault, or harassment;
    - Obtain services from a victim services organization;
    - Obtain mental health or other counseling;
    - Seek relocation due to the domestic abuse, sexual assault, or harassment; or
    - Seek legal services, including preparation for or participation in a civil or criminal proceeding relating to or resulting from the domestic abuse, sexual assault, or harassment;

4. Due to a public health emergency, a public official has ordered closure of the employee's place of business or the school or place of care of the employee's child and the employee needs to be absent from work to care for the child.
5. The employee needs to care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the closure of the family member’s school or place of care; or
6. The employee needs to evacuate the employee’s place of residence due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the need to evacuate the employee's residence.

For purposes of this policy, "family member" means a person who is related to the employee by blood, marriage, civil union or adoption; a child to whom the employee stands *in loco parentis* or a person who stood *in loco parentis* when the employee was a minor; or a person for whom the employee is responsible for providing or arranging health- or safety-related care.

Use of paid sick leave will not be conditioned upon the employee searching for or finding a replacement worker.

Unless advised otherwise, Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available paid sick leave for reasons set forth above. Employees will be paid for such absences to the extent they have paid sick leave available.

Notice and Documentation

Paid sick leave may be requested orally, in writing, electronically or by any other means acceptable to Way To Go Merchandising & Staffing. When possible, employees should include the expected duration of the absence. If the need is foreseeable employees must provide reasonable advance notice to the Head of Human Resources of the need to use accrued paid sick leave, and also make a reasonable effort to schedule the paid sick leave in a manner that does not unduly disrupt Way To Go Merchandising & Staffing operations. Where the need is not foreseeable, employees should provide notice as early as practicable.

For paid sick leave of four (4) or more consecutive work days, Way To Go Merchandising & Staffing may require reasonable documentation that the paid sick leave was used for an authorized purpose. Way To Go Merchandising & Staffing will not require the disclosure of details relating to domestic violence, sexual assault, or stalking or the details of the employee's or family member's health information as a condition of providing paid sick leave.

Payment

Paid sick leave will be paid at the same hourly rate or salary and with the same benefits, including health care benefits, as the employee normally earns during hours worked. Use of paid sick leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Employees may carry over up to 48 hours of accrued, unused paid sick leave to the following calendar year. If the employee carries over accrued, unused paid sick leave from the prior year, the employee will be eligible to accrue only enough hours of paid sick leave in the following year to bring the employee to

the 48 hours maximum, regardless of how much paid sick leave the employee used in the previous year and when it was used. Accrued but unused paid sick leave will not be paid at separation.

Additional Public Health Emergency Paid Sick Leave

In addition to accrued paid sick leave explained above, on the date a public health emergency is declared, Way To Go Merchandising & Staffing will supplement each employee's accrued paid sick leave as necessary to ensure that the employee may take paid sick leave as follows:

- Employees who normally work 40 or more hours in a week may take at least 80 hours of paid sick leave in a public health emergency;
- Employees who normally work fewer than 40 hours in a week may take at least the greater of either the amount of time the employee is scheduled to work in a 14-day period or the amount of time the employee actually works on average in a 14-day period.

Way To Go Merchandising & Staffing may count unused accrued paid sick leave, as explained above, toward the supplemental paid sick leave required for a public health emergency. Employees may use public health emergency paid sick leave until four (4) weeks after the official termination or suspension of the public health emergency. Employees may use public health emergency paid sick leave for the following absences related to a public health emergency:

1. To self-isolate and care for oneself when diagnosed with a communicable illness that is the cause of a public health emergency; self-isolate and care for oneself when experiencing symptoms of a communicable illness that is the cause of a public health emergency; seek or obtain medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency; seek preventive care concerning a communicable illness that is the cause of a public health emergency;
2. To care for a family member who is self-isolating after being diagnosed with a communicable illness that is the cause of a public health emergency; is experiencing symptoms of a communicable illness that is the cause of a public health emergency; needs medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency; or is seeking preventive care concerning a communicable illness that is the cause of a public health emergency;
3. With respect to a communicable illness that is the cause of a public health emergency:
    - A local, state, or federal public official or health authority having jurisdiction over the location in which Way To Go Merchandising & Staffing is located or Way To Go Merchandising & Staffing determines that the employee's presence on the job or in the community would jeopardize the health of others because of the employee's exposure to the communicable illness or because the employee is exhibiting symptoms of the communicable illness, regardless of whether the employee has been diagnosed with the communicable illness; or
    - Care of a family member after a local, state, or federal public official or health authority, having jurisdiction over the location in which the family member's place of employment is located, or the family member's employer determines that the family member's presence on the job or in the community would jeopardize the health of others because of the family member's exposure to the communicable illness, or because the family

member is exhibiting symptoms of the communicable illness, regardless of whether the family member has been diagnosed with the communicable illness;

4. Care of a child or other family member when the individual's child care provider is unavailable due to a public health emergency, or if the child's or family member's school or place of care has been closed by a local, state, or federal public official or at the discretion of the school or place of care due to a public health emergency, including if a school or place of care is physically closed but providing instruction remotely;
5. Inability to work because the employee has a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of the public health emergency.

Employees must notify Way To Go Merchandising & Staffing of the need for public health emergency paid sick leave as soon as practicable when the need for paid sick leave is foreseeable and Way To Go Merchandising & Staffing's place of business has not been closed. Documentation is not required to take public health emergency paid sick leave.

Public health emergency paid sick leave in the amount described above may be taken once during the entirety of a public health emergency even if such public health emergency is amended, extended, restated, or prolonged.

Enforcement and Retaliation

Way To Go Merchandising & Staffing cannot retaliate against employees for requesting or using paid sick leave and employees have the right to file a complaint with the Division of Labor Standards and Statistics in the Colorado Department of Labor and Employment or bring a civil action if paid sick leave is denied by Way To Go Merchandising & Staffing or Way To Go Merchandising & Staffing retaliates against employees for exercising their rights under applicable law.

If employees have any questions regarding this policy, they should contact the Head of Human Resources and/or the CFO.

11.4 Colorado: Paid Family And Medical Leave

Eligibility Requirements

Colorado employees who have a qualifying condition and who earned $2,500 over the previous year for work performed in Colorado will be eligible for paid family and medical leave, and to receive family and medical leave insurance benefits while taking paid family and medical leave, pursuant to Colorado's Family and Medical Leave Insurance (FAMLI) Program.

All employees are required to contribute to the FAMLI Program and will be subject to payroll deductions not to exceed the maximum employee premium rate established by law.

Entitlement

Eligible employees are entitled to up to 12 weeks of paid leave per year, except that benefits are payable up to:

1. An additional four (4) additional weeks to an eligible employee with a serious health condition related to pregnancy complications or childbirth complications; and
2. For claims arising on or after January 1, 2026, an additional 12 weeks to an eligible employee who has a child receiving inpatient care in a neonatal intensive care unit for the duration that the child is receiving care in the neonatal intensive care unit.

Colorado's FAMLI leave is available for the following circumstances:

- Caring for a new child during the first year after the birth, adoption, or foster care placement of that child;
- Caring for a family member with a serious health condition;
- For the employee's own serious health condition;
- Because of any qualifying exigency leave; or
- For safe leave.

"Family member" means:

1. Regardless of age, a biological, adopted, or foster child; stepchild or legal ward; a child of a domestic partner; a child to whom the covered employee stands in loco parentis; or a person to whom the covered employee stood in loco parentis when the person was a minor;
2. A biological, adoptive, or foster parent, stepparent, or legal guardian of a covered employee or covered employee's spouse or domestic partner or a person who stood in loco parentis when the covered employee or covered employee's spouse or domestic partner was a minor child;
3. A person to whom the covered employee is legally married under the laws of any state, or a domestic partner of a covered individual as defined in Colo. Rev. Stat. § 24-50-603(6.5);
4. A grandparent, grandchild, or sibling (whether a biological, foster, adoptive, or step-relationship) of the covered employee or covered employee's spouse or domestic partner; or
5. As shown by the covered employee, any other individual with whom the covered employee has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship.

"Caring for a new child" means caring, bonding, and providing the basic needs of a child that is younger than 18 and sometimes up to the age of 21 if still under jurisdiction of the juvenile court. Leave can be used once during the fostering and adopting of the same child. When using leave to "care for a new child," benefits are limited to parents and individuals standing in loco parentis to the child.

"Qualifying exigency leave" means leave based on a need arising out of a covered employee's family member's active-duty service or notice of an impending call or order to active duty in the armed forces. This type of leave includes things like providing for the care or other needs of the military member's child or other family member, making financial or legal arrangements for the military member, attending counseling, attending military events or ceremonies, spending time with the military member during a rest and recuperation leave or following return from deployment, or making arrangements following the death of the military member.

A "serious health condition" means an illness, injury, impairment, pregnancy, recovery from childbirth, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or continuing treatment by a health care provider.

"Safe leave" means any leave needed because the covered employee or the employee's family member is the victim of domestic violence, the victim of stalking, or the victim of sexual assault or abuse if the covered employee is using the leave from work to protect the covered individual or the covered employee's family member by:

1. Seeking a civil protection order to prevent domestic violence;
2. Obtaining medical care or mental health counseling or both for them or for their children to address physical or psychological injuries resulting from the act of domestic violence, stalking, or sexual assault or abuse;
3. Making their home secure from the perpetrator of the act of domestic violence, stalking, or sexual assault or abuse, or seeking new housing to escape said perpetrator; or
4. Seeking legal assistance to address issues arising from the act of domestic violence, stalking, or sexual assault or abuse, or attending and preparing for court-related proceedings arising from said act or crime.

Substitution of FAMLI Benefits with Way To Go Merchandising & Staffing Benefits

Employees may choose to use sick leave or other paid time off before using FAMLI benefits, but are not required to do so. Way To Go Merchandising & Staffing and employees may mutually agree to supplement FAMLI benefits with sick leave or other paid time off in order to provide full wage replacement.

Use of Leave

Leave may be taken continuously, intermittently, or in the form of a reduced schedule. A covered employee may take intermittent leave in increments of either one (1) hour or shorter periods if consistent with the increments Way To Go Merchandising & Staffing typically uses to measure employee leave, except that benefits are not payable until the covered employee accumulates at least eight (8) hours of family and medical leave insurance benefits. FAMLI wage replacement benefits will be paid at a rate of up to 90% of the employee's average weekly wage with lower wage earners receiving a higher percentage. Benefits are calculated on a sliding scale using the employee's average weekly wage from the previous five (5) calendar quarters in relation to the average weekly wage for the State of Colorado and may increase over time. Potential benefits can be estimated by using the calculator available at famli.colorado.gov.

Employee Notice to Way To Go Merchandising & Staffing

When the need for leave is foreseeable, individuals must provide not less than 30 days' notice prior to the start of their planned leave to Way To Go Merchandising & Staffing when practicable and shall make a reasonable effort to schedule leave so as not to unduly disrupt the operations of Way To Go Merchandising & Staffing. When the need for leave is unforeseeable or providing 30 days' notice is not possible, employees must provide notice as soon as possible and have up to 30 days after the leave has begun to apply for FAMLI benefits.

Employee Application to the FAMLI Division

Employees or their designated representatives will apply for FAMLI benefits by submitting an application, along with other required documents that support the need for leave. The Division of Family

and Medical Leave Insurance Division of the Colorado Department of Labor and Employment (FAMLI Division) will establish reasonable procedures and forms for filing claims for benefits and will specify what supporting documentation is necessary to support a claim for benefits, including any documentation required from a health care provider for proof of a serious health condition and any documentation required by the FAMLI Division with regards to a claim for safe leave. Instructions on how to apply for benefits are available at famli.colorado.gov.

Employees will submit the application directly to the FAMLI Division. Applications may be submitted in advance when the need for qualified leave is foreseeable. Approved applications will be paid by the FAMLI Division within two (2) weeks after the claim is properly filed, and every two (2) weeks thereafter. Employees can appeal claim determinations to the FAMLI Division.

Employees who attempt to defraud the FAMLI program may be disqualified from receiving benefits.

Job Benefits and Protection

Employees are entitled to the same healthcare benefits while on FAMLI leave but also remain responsible for paying for those benefits in the same amounts as before the leave began.

Employees who have worked for Way To Go Merchandising & Staffing for at least 180 days are entitled to return to the same position, or an equivalent position, upon their return from FAMLI leave. Otherwise, employees taking FAMLI leave are not guaranteed job reinstatement unless they qualify for such reinstatement under federal and/or state leave laws or other applicable laws.

Interaction with Other Leave Policies

FAMLI leave is designed to run concurrently with the federal Family and Medical Leave Act (FMLA) and Colorado Family Care Leave pursuant to Colo. Rev. Stat. § 8-13.3-203. If FAMLI leave is used for a reason that also qualifies as leave under FMLA or Colorado Family Care Leave, then the leave also may count as FMLA leave or Colorado Family Care Leave used, as applicable. Employees may choose to use sick leave or other employer-provided paid time off before using FAMLI benefits, but are not required to do so. If mutually agreed upon with Way To Go Merchandising & Staffing, employees may supplement FAMLI benefit payments with sick leave or other paid time off in order to receive full wage replacement.

Questions and/or Complaints about FAMLI Leave

If employees have questions regarding this FAMLI policy, they should contact Head of Human Resources. For questions about determinations by the FAMLI Division on leave eligibility, entitlement, and/or benefits, employees should contact the FAMLI Division directly. Way To Go Merchandising & Staffing is committed to complying with the FAMLI and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FAMLI.

The FAMLI makes it unlawful for employers to discriminate, retaliate, threaten to retaliate, or interfere with the exercise of any rights under the FAMLI. In addition, employers may not retaliate or threaten to retaliate against any person who has filed a complaint, has caused a complaint to be filed, has or will participate or testify in proceeding relating to a violation of the FAMLI, or has given or is about to give information connected to a proceeding relating to a violation of the FAMLI. If employees believe their FAMLI rights have been violated, they should contact Head of Human Resources immediately. Way To Go Merchandising & Staffing will investigate any FAMLI complaints and take prompt and appropriate

remedial action to address and/or remedy any FAMLI violation. Employees also may file FAMLI complaints with the FAMLI Division alleging FAMLI violations.

11.5 Colorado: Breaks

Rest Breaks. Non-exempt employees are authorized and permitted paid ten- (10-) minute rest periods for each four (4) hours of work, or major fraction of that time. For purposes of this policy, "major fraction" means any time greater than two (2) hours. An additional rest period is required for any period that rounds up to four (4) hours. For example, a shift of two (2) hours or fewer requires no rest periods, a two (2) hour and one- (1-) minute shift requires a single rest period, and a six- (6-) hour shift also requires a single rest period, but a six- (6-) hour and one (1) minute shift requires two (2) rest periods.

Rest breaks should be taken as close to the middle of each work period of four (4) hours or major fraction thereof as is practical. Shorter or longer shifts and other factors that make such scheduling impractical may alter this general timing. Employees do not need to obtain approval from or notify their supervisor when taking a rest break. Employees are encouraged to take their rest breaks; they are not expected to and should not work during their rest breaks. Employees are paid for all rest break periods and do not need to clock out when taking a rest break.

Rest breaks may not be combined with each other or with the meal period. In addition, rest breaks may not be taken at the beginning or end of the workday to arrive late or leave early. Each rest break must be a separate break, meeting the requirements described above. If any work is performed during a rest break, or if the rest break is interrupted for any work-related reason, the employee is entitled to another uninterrupted paid rest break.

Meal Periods. Non-exempt employees who work more than five (5) hours in a workday are provided an unpaid, off-duty and uninterrupted meal period of at least 30 minutes. Employees are responsible for scheduling their own meal period, but should confirm them with their supervisor(s). To the extent practical, meal periods must be at least one (1) hour after starting and one (1) hour before ending shifts.

If an employee's type of work makes an uninterrupted, duty-free meal period impractical, the employee will be permitted to eat while working and paid for such time. Employees will be informed by their supervisor if they will be provided with on-duty meal periods.

When scheduling meal periods, employees should try to anticipate their workflow and deadlines. During a meal period, employees are relieved of all duties and should not work during this time. When taking a meal period, employees should completely stop working for at least 30 minutes. Employees are prohibited from working "off the clock" during their meal periods.

Those employees who use a time clock must clock out for their meal periods. Employees are required to clock back in and promptly return to work at the end of any meal period. Employees who record their time manually must accurately record their meal periods by recording the beginning and end of each work period. Unless otherwise directed by their supervisor in writing, employees are not required to get approval from or notify their supervisor when taking a meal period. Employees are to immediately notify the Head of Human Resources and/or their supervisor if they believe that they are prevented by the nature of their work from taking a timely and/or complete meal period.

No Working During Rest Breaks and Meal Periods. Non-exempt employees are completely relieved of all work duties and responsibilities during their rest breaks and meal periods. All rest breaks and meal periods must be taken outside employees' work areas, such as in a break room. Employees may leave the premises during meal periods, but may not leave the premises during rest periods. Employees should not visit or socialize with employees who are working while taking their rest break or meal period. Employees are required to notify the Head of Human Resources immediately if they believe they are being pressured or coerced by any manager, supervisor, or other employee to forego any portion of a provided rest break or meal period. Additionally, employees are required to notify the Head of Human Resources immediately if they believe their workload, schedule, deadline, or other quota make rest break or meal periods infeasible.

Summary Chart. Below is a chart that generally summarizes the number of rest breaks and meal periods provided to non-exempt employees (these figures may vary depending on the timing of an employee's breaks).

Hours of Work	Rest Breaks	Meal Breaks
2 or fewer hours	0	0
Over 2 and up to 5 hours	1	0
Over 5 and up to 6 hours	1	1
Over 6, and up to 10 hours	2	1
Over 10, and up to 14 hours	3	1
Over 14, and up to 18 hours	4	1
Over 18, and up to 22 hours	5	1
Over 22 hours	6	1

11.6 Colorado: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a state or municipal election, employees may take off working time to vote. Sufficient time is considered to be three (3) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed up to two (2) hours of voting leave on Election Day without loss of pay or retaliation. Supervisors must be notified of the need for leave in advance of Election Day. Supervisors may specify which hours the employee may be absent, unless the employee requests for time off to be taken at the beginning or end of their shift.

11.7 Colorado: Jury Duty Leave

The Company realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

The Company will provide regular employees $50 of wages for up to three (3) days. Regular employment includes part-time, temporary, and casual employment. Employees are not required by the Company but may request to use accrued paid time off for additional days. Exempt employees will be paid as necessary to comply with federal and state wage and hour laws.

11.8 Colorado: Volunteer Emergency Responders Leave

Employees may be eligible for up to fifteen (15) days off work in a calendar year to serve as a qualified volunteer called into service by a volunteer organization for a disaster. Additionally, employees that are volunteer firefighters may be eligible for leave in order to respond to an emergency summons. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. Any leave taken will not affect the employee's vacation, sick leave, bonus or similar benefits.

11.9 Colorado: Time Off For Crime Victims

Employees may take unpaid time off to respond to a subpoena to testify in a criminal proceeding or to participate in the preparation of a criminal proceeding if:

- the employee is a victim of the crime at issue in the proceedings; or
- the employee is the victim's spouse, child by birth or adoption, stepchild, parent, stepparent, sibling, legal guardian, or significant other (someone in a family-type living arrangement with a victim and who would constitute the spouse of the victim if they were married); or
- the victim is deceased or incapacitated, and the employee is the victim's spouse, parent, child, sibling, grandparent, significant other, or other lawful representative.

Way To Go Merchandising & Staffing may require proof of the employee's participation in these activities. Whenever possible, employees must provide their supervisor reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for the leave under this policy. No employee will be discharged or disciplined for taking leave under this policy.

Section 12 - Connecticut Addendum

12.1 Connecticut: Pregnancy Accommodations

In compliance with Connecticut law, Way To Go Merchandising & Staffing will not discriminate against the employee or prospective employee in the terms or conditions of the employee's employment in relation to pregnancy, childbirth, or a related condition including, but not limited to, lactation. Way To Go Merchandising & Staffing will not limit, segregate, or classify the employee in a way that would deprive the employee of employment opportunities due to the employee's pregnancy.

Reasonable Accommodations

Way To Go Merchandising & Staffing will endeavor to provide reasonable accommodations for conditions related to pregnancy, childbirth or a related condition, including, but not limited to, lactation, unless the accommodation would pose an undue hardship on Way To Go Merchandising & Staffing's business. Such accommodations include, but are not limited to:

1. Being permitted to sit while working;
2. More frequent or longer breaks;
3. Periodic rest;
4. Assistance with manual labor;
5. Job restructuring;
6. Light duty assignments;
7. Modified work schedules;
8. Temporary transfers to less strenuous or hazardous work;
9. Time off to recover from childbirth; or
10. Break time and appropriate facilities for expressing breast milk.

Way To Go Merchandising & Staffing will not force the employee or prospective employee affected by pregnancy to accept a reasonable accommodation if such employee or person seeking employment does not have a known limitation related to the employee's pregnancy, or does not require a reasonable accommodation to perform the essential duties related to the employee's employment. This includes, but is not limited to, forcing the employee to take leave if another reasonable accommodation can be provided to the employee's condition related to the pregnancy, childbirth, or a related medical condition.

Enforcement and Retaliation

Way To Go Merchandising & Staffing will not retaliate against the employee in the terms, conditions, or privileges of the employee's employment based upon the employee's request for a reasonable accommodation under this policy. Further, Way To Go Merchandising & Staffing will not deny employment opportunities to the employee or prospective employee due to the employee's or

prospective employee's request for a reasonable accommodation related to pregnancy, childbirth, or a related medical condition.

If employees have any questions about or would like to request a reasonable accommodation under this policy, they should contact the Head of Human Resources.

12.2 Connecticut: Lactation Breaks

Way To Go Merchandising & Staffing will provide a reasonable amount of break time to accommodate employees desiring to express breast milk for their child, to the extent required by and in accordance with applicable law. If possible, the break time must run concurrently with rest and meal periods already provided to the employee. Break time that cannot run concurrently with rest and meal periods already provided to the employee will be unpaid, to the extent permitted by applicable law.

Way To Go Merchandising & Staffing will make reasonable efforts to provide the employee with use of a room or location in close proximity to the employee's work area, other than a bathroom, for the employee to express milk in private. This room or location may be the employee's private office, if applicable.

Unless otherwise required by applicable law, Way To Go Merchandising & Staffing may not be able to provide a room or location in close proximity to the employee's work area if doing so would impose an undue hardship by causing significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of Way To Go Merchandising & Staffing's business.

Employees will not be discriminated against or retaliated against for exercising their rights under this policy. Employees can contact the Head of Human Resources and/or the CFO with questions regarding this policy.

12.3 Connecticut: Family And Medical Leave

For Connecticut employers that are covered by the federal Family and Medical Leave Act.

Employees may be entitled to a leave of absence under the Family and Medical Leave Act ("FMLA") and/or the Connecticut Family and Medical Leave Act ("CFMLA"). This policy provides employees information concerning FMLA/CFMLA entitlements and obligations employees may have during such leaves. Whenever permitted by law, Way To Go Merchandising & Staffing will run FMLA leave concurrently with CFMLA and any other leave provided under state or local law. If employees have any questions concerning FMLA/CFMLA leave, they should contact the Head of Human Resources.

I. Eligibility

FMLA leave is available to "FMLA eligible employees." To be an "FMLA eligible employee," the employee must: 1) have been employed by Way To Go Merchandising & Staffing for at least 12 months (which need not be consecutive); 2) have been employed by Way To Go Merchandising & Staffing for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

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

CFMLA leave is available to "CFMLA eligible employees." To be a "CFMLA eligible employee," the employee must have been employed by Way To Go Merchandising & Staffing for at least three (3) months immediately preceding a request for leave.

II. Entitlements

As described below, the FMLA and/or CFMLA provide(s) eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration.

A. Basic FMLA/CFMLA Leave Entitlement

The FMLA/CFMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period, with an additional two (2) weeks available under the CFMLA for an incapacitating serious health condition that occurs during pregnancy. The 12-month period is measured by a rolling 12-month period measured backward from the date the employee uses their family and medical leave. Where both laws apply, the leave provided by each will run concurrently. It is Way To Go Merchandising & Staffing's policy to provide the greater leave benefit provided under the FMLA or CFMLA and to run leave concurrently under the FMLA and CFMLA whenever possible.

Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, child or parent who has a **serious health condition**);
- To care for the employee's parent-in-law, sibling, grandparent, grandchild or any other individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of these family relationships or of a child, parent, or spouse who has a **serious health condition** (CFMLA only);
- To serve as an organ or bone marrow donor (CFMLA only);
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or
- Because of any **qualifying exigency** arising out of the fact that the employee's spouse, child or parent is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserve component of the Armed Forces for deployment to a foreign country in support of contingency operations or Regular Armed Forces for deployment to a foreign country.

A **serious health condition** under the FMLA and/or CFMLA is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility, including inpatient care in a hospital, hospice, nursing home or residential 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 three (3) consecutive calendar days combined with at least two (2) 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. For additional information regarding conditions that qualify as

serious health conditions, please contact the Head of Human Resources or ADP TotalSource at 1-844-448-0325 or email: Leaves@adp.com.

Qualifying exigencies under the FMLA and/or CFMLA may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

B. Additional Military Family Leave Entitlement (Injured Servicemember Leave) Under the FMLA and/or CFMLA

In addition to the basic FMLA and/or CFMLA leave entitlements discussed above, under the FMLA and CFMLA, an eligible employee who is the spouse, child, parent or next of kin of a covered servicemember is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness.

In addition to the entitlements outlined above, under the CFMLA an eligible employee is entitled to take up to 26 weeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the servicemember is the eligible employee's parent-in-law with a serious health condition.

Leave to care for a servicemember shall only be available during a single 12-month period and, when combined with other FMLA- and/or CFMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

When, during the single 12-month period, leave qualifies as both leave to care for a covered servicemember and leave to care for a family member with a serious health condition, Way To Go Merchandising & Staffing will designate such leave as leave to care for a covered servicemember in the first instance, and such leave shall not be designated and counted as both leave to care for a covered servicemember and leave to care for a family member with a serious health condition. As is the case with other FMLA and/or CFMLA leave, Way To Go Merchandising & Staffing may retroactively designate leave as leave to care for a covered servicemember.

A **"covered servicemember"** is 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 on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." **Covered servicemembers** also include a veteran who is discharged or released from military service under conditions other than dishonorable at any time during the five year period preceding the date the eligible employee takes FMLA and/or CFMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The FMLA and CFMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA and CFMLA definition of "serious health condition" applicable to FMLA and CFMLA leave to care for a covered family member.

C. Intermittent Leave and Reduced Leave Schedules

FMLA/CFMLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees also are entitled to take leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member, or the serious injury or illness of a covered servicemember. Leave due to qualifying exigencies may also be taken on an intermittent or reduced schedule basis.

D. No Work While on Leave

The taking of another job while on FMLA/CFMLA leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by applicable law.

E. Protection of Group Health Insurance Benefits

During FMLA/CFMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

F. Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause Way To Go Merchandising & Staffing substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. Way To Go Merchandising & Staffing will notify employees if they qualify as "key employees," if it intends to deny reinstatement, and of their rights in such instances.

At the end of a leave under the CFMLA, the employees will be returned to their original job, unless that job is not available, in which case they will be returned to an equivalent position.

Use of FMLA and/or CFMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA/CFMLA leave.

G. Notice of Eligibility for, and Designation of, FMLA/CFMLA Leave

Employees requesting FMLA/CFMLA leave are entitled to receive written notice from Way To Go Merchandising & Staffing telling them whether they are eligible for FMLA and/or CFMLA leave and, if not eligible, the reasons why. When eligible for FMLA/CFMLA leave, employees are entitled to receive written notice of 1) their rights and responsibilities in connection with such leave; 2) Way To Go Merchandising & Staffing's designation of leave as FMLA/CFMLA-qualifying or non-qualifying, and if not FMLA/CFMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

Way To Go Merchandising & Staffing may retroactively designate leave as FMLA/CFMLA leave with appropriate written notice to employees provided Way To Go Merchandising & Staffing's failure to designate leave as FMLA/CFMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA/CFMLA protection, Way To Go Merchandising & Staffing and employee can mutually agree that leave be retroactively designated as FMLA/CFMLA leave.

III. Employee FMLA and CFMLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees who wish to take FMLA/CFMLA leave must timely notify Way To Go Merchandising & Staffing of their need for FMLA/CFMLA leave. The following describes the content and timing of such employee notices.

1. Content of Employee Notice

To trigger FMLA/CFMLA leave protections, employees must inform the Head of Human Resources or ADP TotalSource at 1-844-448-0325 or email: Leaves@adp.com of the need for FMLA/CFMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA/CFMLA leave specifically, or explaining the reasons for leave so as to allow Way To Go Merchandising & Staffing to determine that the leave is FMLA/CFMLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant;
- they have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active duty status; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities, or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA/CFMLA leave under this policy. Employees must respond to Way To Go Merchandising & Staffing's requests for information to determine if absences are potentially FMLA/CFMLA-qualifying.

If the employee fails to explain the reasons for FMLA/CFMLA leave, the leave may be denied. When employees seek leave due to FMLA/CFMLA-qualifying reasons for which Way To Go Merchandising & Staffing has previously provided FMLA/CFMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA/CFMLA leave.

2. Timing of Employee Notice

Where the need for leave is foreseeable, employees must provide timely advance notice of the need to take family and medical leave; if leave is requested only under the FMLA, then 30 days' notice is required. Where possible, Way To Go Merchandising & Staffing requests that employees provide at least 30 days' notice of a foreseeable leave. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide Way To Go Merchandising & Staffing notice of the need for leave as soon as practicable under the facts and circumstances of the particular case (i.e., within one (1) or two (2) business days of learning of the need for the leave).

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with Way To Go Merchandising & Staffing and make a reasonable effort to schedule treatment so as not to unduly disrupt Way To Go Merchandising & Staffing's operations, subject to the approval of the employee's health care provider.

Employees must consult with Way To Go Merchandising & Staffing prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both Way To Go Merchandising & Staffing and the employees, subject to the approval of the employees' health care provider. If employees providing notice of the need to take FMLA/CFMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, Way To Go Merchandising & Staffing may require employees to attempt to make such arrangements, subject to the approval of the employees' health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, Way To Go Merchandising & Staffing may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise Way To Go Merchandising & Staffing of the reason why such leave is medically necessary. In such instances, Way To Go Merchandising & Staffing and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting Way To Go Merchandising & Staffing's operations, subject to the approval of the employee's health care provider.

C. Submit Medical Certifications Supporting Need for FMLA/CFMLA Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of FMLA/CFMLA leave sought, employees may be required to submit medical certifications supporting their need for qualifying leave. As described below, there generally are three types of FMLA/CFMLA medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide Way To Go Merchandising & Staffing with timely, complete and sufficient medical certifications. Whenever Way To Go Merchandising & Staffing requests employees to provide FMLA/CFMLA medical certifications, employees must provide the requested certifications within 15 calendar days after Way To Go Merchandising & Staffing's request, unless it is not practicable to do so despite the employee's diligent, good faith efforts. Way To Go Merchandising & Staffing will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven (7) calendar days to cure deficiencies. Way To Go Merchandising & Staffing will deny FMLA/CFMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications, to the extent permitted by applicable law.

With the employee's permission, Way To Go Merchandising & Staffing may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If the employee chooses not to provide Way To Go Merchandising & Staffing with authorization allowing it to clarify or authenticate certifications with health care providers, Way To Go Merchandising & Staffing may deny FMLA/CFMLA leave if certifications are unclear, to the extent permitted by applicable law.

Whenever Way To Go Merchandising & Staffing deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA/CFMLA medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If Way To Go Merchandising & Staffing has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at Way To Go Merchandising & Staffing's expense. If the opinions of the initial and second health care providers differ, Way To Go Merchandising & Staffing may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by Way To Go Merchandising & Staffing and the employee.

Way To Go Merchandising & Staffing shall provide employees with copies of second or third medical opinions, upon request by employees. Requested copies shall be provided to employees within two business days unless extenuating circumstances prevent such action.

2. Medical Recertifications

Depending on the circumstances and duration of FMLA/CFMLA leave, Way To Go Merchandising & Staffing may require employees to provide recertification of medical conditions giving rise to the need for leave. Way To Go Merchandising & Staffing will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA/CFMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide Way To Go Merchandising & Staffing medical certification confirming they are able to return to work and/or the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. Way To Go Merchandising & Staffing may delay job restoration following leave, other than an intermittent leave under the CFMLA, until employees provide return to work/fitness for duty certifications.

D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of a covered active duty or call to a covered active duty status of a military member, Way To Go Merchandising & Staffing may require employees to provide 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on a covered active duty or call to a covered active duty status and the dates of the military member's covered active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to a covered active duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, Way To Go Merchandising & Staffing may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with FMLA regulations and/or CFMLA regulations, Way To Go Merchandising & Staffing may request that the certification submitted by the employee set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

E. Substitute Paid Leave for Unpaid FMLA and CFMLA Leave

Employees may use any accrued paid time off while taking unpaid FMLA/CFMLA leave. The substitution of paid time for unpaid FMLA/CFMLA leave time does not extend the length of FMLA/CFMLA leaves and the paid time will run concurrently with the employee's FMLA/CFMLA entitlement.

Employees will not be required to use any paid time off during CFMLA leave to the extent it would result in a balance of less than two (2) weeks of paid time off.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA/CFMLA leave entitlement.

F. Pay Employee's Share of Health Insurance Premiums

As noted above, during FMLA and/or CFMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless Way To Go Merchandising & Staffing notifies employees of other arrangements, whenever employees are receiving pay from Way To Go Merchandising & Staffing during family and medical leave, Way To Go Merchandising & Staffing will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working. If family and medical leave is unpaid, employees must pay their portion of the group health premium through a method determined by the Way To Go Merchandising & Staffing upon leave.

Way To Go Merchandising & Staffing's obligation to maintain health care coverage ceases if the employee's premium payment is more than 30 days late. If the employee's payment is more than 15 days late, Way To Go Merchandising & Staffing will send a letter notifying the employees that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse Way To Go Merchandising & Staffing for the cost of the premiums Way To Go Merchandising & Staffing paid for maintaining coverage during their unpaid FMLA leave.

IV. Coordination of FMLA/CFMLA Leave with Other Leave Policies

The FMLA and CFMLA do not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law which provides greater family or medical leave rights. However, whenever permissible by law, Way To Go Merchandising & Staffing will run FMLA and/or CFMLA leave concurrently with any other leave provided under state or local law. For additional information concerning leave entitlements and obligations that might arise when FMLA/CFMLA leave is either not available or exhausted, please consult Way To Go Merchandising & Staffing's other leave policies in this

handbook or contact the Head of Human Resources or ADP TotalSource at 1-844-448-0325 or email: Leaves@adp.com.

V. Questions and/or Complaints about FMLA/CFMLA Leave

If employees have questions regarding this FMLA/CFMLA policy, they should contact the Head of Human Resourcesor ADP TotalSource at 1-844-448-0325 or email: Leaves@adp.com. Way To Go Merchandising & Staffing is committed to complying with the FMLA and CFMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA and CFMLA.

The FMLA and CFMLA make it unlawful for employers to 1) interfere with, restrain or deny the exercise of any right provided under FMLA/CFMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA/CFMLA or involvement in any proceeding under or relating to FMLA/CFMLA. If employees believe their FMLA and/or CFMLA rights have been violated, they should contact the Head of Human Resources immediately. Way To Go Merchandising & Staffing will investigate any FMLA/CFMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA/CFMLA violation. Employees also may file FMLA/CFMLA complaints with the United States Department of Labor or the Connecticut Department of Labor respectively or may bring private lawsuits alleging FMLA and/or CFMLA violations.

12.4 Connecticut: Family And Medical Leave

For Connecticut employers that are not covered by the federal Family and Medical Leave Act.

Employees may be entitled to a leave of absence under the Connecticut Family and Medical Leave Act (CFMLA). This policy provides employees information concerning CFMLA entitlements and obligations employees may have during such leave. Whenever permitted by law, Way To Go Merchandising & Staffing will run CFMLA leave concurrently with any other leave provided under state or local law. If employees have any questions concerning CFMLA leave, they should contact the Head of Human Resources.

I. Eligibility

CFMLA leave is available to "CFMLA eligible employees." To be a "CFMLA eligible employee," the employee must have been employed by Way To Go Merchandising & Staffing for at least three (3) months immediately preceding the date the CFMLA leave will commence pursuant to the employee's request for leave.

II. Entitlements

As described below, the CFMLA provides eligible employees with a right to leave and, with some limited exceptions, job restoration.

A. Basic CFMLA Leave Entitlement

The CFMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period, with an additional two (2) weeks available under the CFMLA for an incapacitating serious health condition that occurs during pregnancy. The 12-month period, as

the case may be, is measured by a rolling 12-month period measured backward from the date the employee uses their family and medical leave.

Leave may be taken for any one (1), or for a combination, of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, child, parent, parent-in-law, sibling, grandparent, grandchild, or any other individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships or of a child, parent, or spouse who has a **serious health condition**);
- To serve as an organ or bone marrow donor;
- For the employee's own **serious health condition** (including any period of incapacity due to pregnancy, prenatal medical care, or childbirth) that makes the employee unable to perform one (1) or more of the essential functions of the employee's job; and/or
- Because of any **qualifying exigency** arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserve component of the Armed Forces for deployment to a foreign country in support of contingency operations or Regular Armed Forces for deployment to a foreign country.

A **serious health condition** under the CFMLA is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, including inpatient care in a hospital, hospice, nursing home, or residential 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 three (3) consecutive calendar days combined with at least two (2) visits to a health care provider, or one (1) visit and a regimen of continuing treatment, or incapacity due to pregnancy or incapacity due to a chronic condition. For additional information regarding conditions that qualify as serious health conditions, please contact the Head of Human Resources.

Qualifying exigencies under the CFMLA may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty, and attending post-deployment reintegration briefings.

B. Additional Military Family Leave Entitlement (Injured Servicemember Leave) under the CFMLA

In addition to the basic CFMLA leave entitlements discussed above, under the CFMLA, an eligible employee who is the spouse, child, parent, parent-in-law, or next of kin of a covered servicemember is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness.

Leave to care for a servicemember shall be available only during a single 12-month period and, when combined with other CFMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

When, during the single 12-month period, leave qualifies as both leave to care for a covered servicemember and leave to care for a family member with a serious health condition, Way To Go Merchandising & Staffing will designate such leave as leave to care for a covered servicemember in the first instance, and such leave shall not be designated and counted as both leave to care for a covered servicemember and leave to care for a family member with a serious health condition. As is the case with other CFMLA leave, Way To Go Merchandising & Staffing may retroactively designate leave as leave to care for a covered servicemember.

A **"covered servicemember"** is 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 on the temporary retired list for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." **Covered servicemembers** also include a veteran who is discharged or released from military service under conditions other than dishonorable at any time during the five (5) year period preceding the date the eligible employee takes CFMLA leave to care for the covered veteran and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The CFMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the CFMLA definition of "serious health condition" applicable to CFMLA leave to care for a covered family member.

C. Intermittent Leave and Reduced Leave Schedules

CFMLA leave usually will be taken for a period of consecutive days, weeks, or months. However, employees also are entitled to take leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member, or the serious injury or illness of a covered servicemember. Leave due to qualifying exigencies also may be taken on an intermittent or reduced schedule basis.

D. No Work While on Leave

The taking of another job while on CFMLA leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by applicable law.

E. Group Health Insurance Benefits

During CFMLA leave, eligible employees are not entitled to receive group health plan coverage.

F. Restoration of Employment and Benefits

Vacation, holiday, personal, sick, and other paid time off benefits will continue to accrue during CFMLA leave period for which the employee is also receiving pay from Way To Go Merchandising & Staffing. Such benefits will not continue to accrue during CFMLA leave period for which the employee is not receiving pay from Way To Go Merchandising & Staffing.

At the end of a leave under the CFMLA, the employees will be returned to their original job, unless that job is not available, in which case they will be returned to an equivalent position with equivalent pay, benefits, and other terms.

Use of CFMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's CFMLA leave.

G. Notice of Eligibility for, and Designation of, CFMLA Leave

Employees requesting CFMLA leave are entitled to receive written notice from Way To Go Merchandising & Staffing telling them whether they are eligible for CFMLA leave and, if not eligible, the reasons why. When eligible for CFMLA leave, employees are entitled to receive written notice of

1. Their rights and responsibilities in connection with such leave;
2. Way To Go Merchandising & Staffing's designation of leave as CFMLA-qualifying or non-qualifying, and if not CFMLA-qualifying, the reasons why; and
3. The amount of leave, if known, that will be counted against the employee's leave entitlement.

Way To Go Merchandising & Staffing may retroactively designate leave as CFMLA leave with appropriate written notice to employees provided Way To Go Merchandising & Staffing's failure to designate leave as CFMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for CFMLA protection, Way To Go Merchandising & Staffing and employee can mutually agree that leave be retroactively designated as CFMLA leave.

III. Employee CFMLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees who wish to take CFMLA leave must timely notify Way To Go Merchandising & Staffing of their need for CFMLA leave. The following describes the content and timing of such employee notices.

1. Content of Employee Notice

To trigger CFMLA leave protections, employees must inform the Head of Human Resources of the need for CFMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting CFMLA leave specifically or explaining the reasons for leave so as to allow Way To Go Merchandising & Staffing to determine that the leave is CFMLA-qualifying. For example, employees might explain that:

- A medical condition renders them unable to perform the functions of their job;
- They are pregnant;
- They have been hospitalized overnight;
- They or a covered family member are under the continuing care of a health care provider;
- The leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active duty status; or
- If the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for CFMLA leave under this policy. Employees must respond to Way To Go Merchandising & Staffing's requests for information to determine if absences are potentially CFMLA-qualifying.

If the employee fails to explain the reasons for CFMLA leave, the leave may be denied. When employees seek leave due to CFMLA-qualifying reasons for which Way To Go Merchandising & Staffing has previously provided CFMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for CFMLA leave.

2. Timing of Employee Notice

Where the need for leave is foreseeable, employees must provide timely advance notice of the need to take family and medical leave. Where possible, Way To Go Merchandising & Staffing requests that employees provide at least 30 days' notice of a foreseeable leave. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide Way To Go Merchandising & Staffing notice of the need for leave as soon as practicable under the facts and circumstances of the particular case (i.e., within one (1) or two (2) business days of learning of the need for the leave).

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with Way To Go Merchandising & Staffing and make a reasonable effort to schedule treatment so as not to unduly disrupt Way To Go Merchandising & Staffing's operations, subject to the approval of the employee's health care provider. Employees must consult with Way To Go Merchandising & Staffing prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both Way To Go Merchandising & Staffing and the employees, subject to the approval of the employees' health care provider. If employees providing notice of the need to take CFMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, Way To Go Merchandising & Staffing may require employees to attempt to make such arrangements, subject to the approval of the employees' health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, Way To Go Merchandising & Staffing may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise Way To Go Merchandising & Staffing of the reason why such leave is medically necessary. In such instances, Way To Go Merchandising & Staffing and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting Way To Go Merchandising & Staffing's operations, subject to the approval of the employee's health care provider.

C. Submit Medical Certifications Supporting Need for CFMLA Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of CFMLA leave sought, employees may be required to submit medical certifications supporting their need for qualifying leave. As described below, there generally are three

(3) types of CFMLA medical certifications: an **initial certification**, a **recertification, and a return to work/fitness for duty certification**.

It is the employee's responsibility to provide Way To Go Merchandising & Staffing with timely, complete, and sufficient medical certifications. Whenever Way To Go Merchandising & Staffing requests employees to provide CFMLA medical certifications, employees must provide the requested certifications within 15 calendar days after Way To Go Merchandising & Staffing's request, unless it is not practicable to do so despite the employee's diligent, good faith efforts. Way To Go Merchandising & Staffing will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven (7) calendar days to cure deficiencies. Way To Go Merchandising & Staffing will deny CFMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications, to the extent permitted by applicable law.

With the employee's permission, Way To Go Merchandising & Staffing may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If the employee chooses not to provide Way To Go Merchandising & Staffing with authorization allowing it to clarify or authenticate certifications with health care providers, Way To Go Merchandising & Staffing may deny CFMLA leave if certifications are unclear, to the extent permitted by applicable law.

Whenever Way To Go Merchandising & Staffing deems it appropriate to do so, it may waive its right to receive timely, complete, and/or sufficient CFMLA medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If Way To Go Merchandising & Staffing has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at Way To Go Merchandising & Staffing's expense. If the opinions of the initial and second health care providers differ, Way To Go Merchandising & Staffing may, at its expense, require employees to obtain a third, final, and binding certification from a health care provider designated or approved jointly by Way To Go Merchandising & Staffing and the employee.

Way To Go Merchandising & Staffing shall provide employees with copies of second or third medical opinions upon request by employees. Requested copies shall be provided to employees within two (2) business days unless extenuating circumstances prevent such action.

2. Medical Recertifications

Depending on the circumstances and duration of CFMLA leave, Way To Go Merchandising & Staffing may require employees to provide recertification of medical conditions giving rise to the need for leave. Way To Go Merchandising & Staffing will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from CFMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide Way To Go Merchandising & Staffing medical certification confirming they are able to return to work and/or the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. Way To Go Merchandising & Staffing may delay job restoration following leave, other than an intermittent leave under the CFMLA, until employees provide return to work/fitness for duty certifications. The certification itself need only be a simple statement of an employee's ability to return to work; however, Way To Go Merchandising & Staffing may provide the employee a list of the employee's essential job functions and may require the employee to provide the list to the health care provider in making the fitness-for-duty determination.

D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of a covered active duty or call to a covered active-duty status of a military member, Way To Go Merchandising & Staffing may require employees to provide:

1. A copy of the military member's active-duty orders or other documentation issued by the military indicating the military member is on a covered active duty or call to a covered active-duty status and the dates of the military member's covered active-duty service; and
2. A certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active-duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to a covered active-duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, Way To Go Merchandising & Staffing may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with CFMLA regulations, Way To Go Merchandising & Staffing may request that the certification submitted by the employee set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

E. Substitute Paid Leave for Unpaid CFMLA Leave

CFMLA leave are unpaid leaves. However, employees may be eligible to apply to the Connecticut Paid Leave Authority to receive state-paid benefits for the same period of time. If the employee is eligible for CFMLA leave (but not eligible for state-paid benefits), the employee may be required to substitute any accrued Way To Go Merchandising & Staffing-provided paid time off or other paid benefits for the applicable time period (unless the employee is on CFMLA and has two (2) weeks or fewer of Way To Go Merchandising & Staffing-provided paid time off remaining).

Leaves of absence taken in connection with any Way To Go Merchandising & Staffing-provided leave policy or plan or with a workers' compensation injury/illness shall run concurrently with any CFMLA leave entitlement.

IV. Coordination of CFMLA Leave with Other Leave Policies

The CFMLA does not affect any federal, state, or local law prohibiting discrimination or supersede any state or local law which provides greater family or medical leave rights. However, whenever permissible by law, Way To Go Merchandising & Staffing will run CFMLA leave concurrently with any other leave provided under state or local law. For additional information concerning leave entitlements and obligations that might arise when CFMLA leave is either not available or exhausted, please consult Way To Go Merchandising & Staffing's other leave policies in this handbook or contact .

V. Questions and/or Complaints about CFMLA Leave

If employees have questions regarding this CFMLA policy, they should contact . Way To Go Merchandising & Staffing is committed to complying with the CFMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the CFMLA.

The CFMLA makes it unlawful for employers to 1) interfere with, restrain, or deny the exercise of any right provided under CFMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by CFMLA or involvement in any proceeding under or relating to CFMLA. If employees believe their CFMLA rights have been violated, they should contact immediately. Way To Go Merchandising & Staffing will investigate any CFMLA complaints and take prompt and appropriate remedial action to address and/or remedy any CFMLA violation. Employees also may file CFMLA complaints with the Connecticut Department of Labor or may bring private lawsuits alleging CFMLA violations.

12.5 Connecticut: Paid Leave Benefits

The Connecticut Paid Family and Medical Leave Act (CPFMLA) is a mandatory statewide insurance program administered by the state-created Connecticut Paid Leave Authority (CPLA). Employees may be eligible for Connecticut Paid Leave (CPL) income replacement benefits. Benefits are financed through employee contributions to the program. The CPLA is solely responsible for determining whether the employee is eligible for benefits and the amount of any benefits payable.

It is the employee’s responsibility to apply for CPL benefits and to cooperate in the CPL application process.

Receipt of CPL benefits does not, by itself, provide job protection to employees. For employees to be considered for job-protected leave, they must follow the process for requesting leave under the federal Family and Medical Leave Act (FMLA) and/or Connecticut Family and Medical Leave Act (CFMLA) or other job-protected leave. CPL benefit periods may run concurrently with FMLA, CFMLA, or other leaves. Please see the Connecticut: Family and Medical Leave policy for more information on employees' rights and obligations under this policy.

Eligibility Requirements

To be eligible for CPL benefits, the employee must have earned at least $2,325 during one (1) of the first four (4) of the five (5) most recently completed quarters and be presently employed or employed in the previous 12 weeks. The amount of paid benefits will vary depending upon the employee's wages, and

the maximum available benefit is capped at 60 times the state minimum wage. For additional information on the benefits available, please visit https://ctpaidleave.org.

Amount of Benefits

Employees are eligible for up to 12 weeks of CPL benefits, with an additional two (2) weeks of CPL benefits available for a serious health condition resulting in incapacitation that occurs during a pregnancy. If benefits are to care for an injured servicemember, then up to 12 weeks of CPL benefits are available, notwithstanding any additional approved leave for this reason. Up to 12 days of CPL benefits are available for otherwise unpaid family violence or sexual assault leave pursuant to Conn. Gen. Stat. § 31-51ss.

Entitlement

Employees may apply for CPL benefits:

- For the employee's own serious health condition;
- To care for the employee's child after birth or placement for adoption or foster care;
- To care for the serious health condition of the employee's family member;
- To serve as an organ or bone marrow donor;
- For any qualifying exigency;
- To care for an injured servicemember; and
- For otherwise unpaid family violence or sexual assault leave pursuant to Conn. Gen. Stat. § 31-51ss.

"Family member" for the purpose of this policy means a spouse, sibling, child, grandparent, grandchild, parent, or an individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships.

Interaction with Other Paid Benefits

If the employee needs time away from work for a reason covered by CPL benefits, they will not be eligible to use any paid benefits provided by Way To Go Merchandising & Staffing unless they apply for benefits from the CPLA, including providing all required information to the CPLA in connection with the application. That includes eligibility to use benefits provided by Way To Go Merchandising & Staffing to supplement CPL benefits up to 100% of the employee's regular pay. Way To Go Merchandising & Staffing may require the employee to provide proof of application and/or approval for CPL benefits.

If the employee has applied to the CPLA to receive CPL benefits and such application is denied, the employee may be required to use accrued paid time off for the applicable time period (unless the period of time is covered by CFMLA and the employee has two (2) weeks or fewer of paid time off remaining).

Regardless of any remaining available benefits provided by Way To Go Merchandising & Staffing, employees who are unable to demonstrate entitlement to job protection for their time away from work may be subject to disciplinary action under Way To Go Merchandising & Staffing’s attendance policy.

Questions and/or Complaints

If employees have questions regarding this policy, they should contact the Head of Human Resources and/or the CFO.

Way To Go Merchandising & Staffing prohibits retaliation against employees for requesting or using paid leave benefits or otherwise exercising or attempting to exercise any right provided in this policy or by the CPFMLA. Employees may file a complaint regarding CPL benefits with the Connecticut Department of Labor, 200 Folly Brook Boulevard, Wethersfield, CT 06109, telephone 860-263-6000.

12.6 Connecticut: Leave For Family Violence, Domestic Violence, Sexual Assault, Or Trafficking In Persons

Employees who are victims of family violence, domestic violence, sexual assault, or trafficking in persons may take at least 12 days of unpaid leave during any calendar year for a qualifying purpose. Employees also may be eligible for reasonable unpaid leave if the employee's child is the victim of domestic violence, sexual assault, or trafficking in persons. "Family violence" includes incidents resulting in physical harm, bodily injury, assault, or an act of threatened violence between family or household members. "Domestic violence" includes family violence, as well as stalking, threatening or intimidation, or coercive control. “Sexual assault” includes any act of sexual violence, such as forced or non-consensual sexual intercourse or sexual contact, or any other act constituting sexual assault under applicable state law, regardless of the perpetrator’s status as a family or household member. An individual is a victim of trafficking in persons where they have been unlawfully compelled or induced to engage in conduct involving sexual contact with one or more third persons, or provide labor or services that such person has a legal right to refrain from providing, in violation of Connecticut’s criminal laws against trafficking.

Reasons for Leave

Employees may take leave under this policy to:

- Seek medical care or counseling for injury or disability as a result of family violence, domestic violence, sexual assault, or trafficking in persons (including for a child who is a victim of domestic violence, sexual assault, or trafficking in persons, provided the employee is not the perpetrator of the domestic violence, sexual assault, or trafficking in persons against the child);
- Obtain services from a victim services organization;
- Obtain psychological counseling related to an incident(s) of family violence, domestic violence, sexual assault, or trafficking in persons (including for a child who is a victim of domestic violence, sexual assault, or trafficking in persons, provided the employee is not the perpetrator of the domestic violence, sexual assault, or trafficking in persons against the child);
- Take action to increase safety from future incidents of domestic violence, sexual assault, or trafficking in persons including temporary or permanent relocation; or
- Obtain legal services, assist in the prosecution of the offense, or otherwise participate in any civil or criminal proceeding related to or resulting from such family violence, domestic violence, sexual assault, or trafficking in persons.

Notice

To the extent practicable, employees must provide reasonable notice (preferably seven (7) days) to request leave.

Documentation

Employees may be required to provide one (1) of the following documents in connection with their use of leave, except when concurrently using paid sick leave provided under the Connecticut Paid Sick Leave law:

1. A signed, written statement certifying that the leave is a result of an incident of family violence, domestic violence, sexual assault, or trafficking in persons;
2. A police or court record related to the incident of family violence, domestic violence, sexual assault, or trafficking in persons; or
3. A signed, written statement that the employee is a victim of family violence, domestic violence, sexual assault, or trafficking in persons from an employee or agent of a victim services organization, an attorney, an employee of the Office of Victim Services or victim advocate, or a medical professional or other professional from whom the employee has sought assistance concerning the incident of family violence, domestic violence, sexual assault, or trafficking in persons. Way To Go Merchandising & Staffing will make every attempt to ensure documents provided in support of a leave request under this policy remain confidential and protected from disclosure unless required by law.

Unpaid Leave

Employees are not paid while on leave but may use any accrued and unused paid time off time in connection with use of this leave.

Eligible employees also may apply to the Connecticut Paid Leave Authority to receive benefits for the otherwise unpaid family violence or sexual assault leave under this policy (up to 12 days). For more information, employees should consult the Connecticut Paid Leave Benefits policy.

Reinstatement

Employees who take leave under this policy will be returned to the position they held at the time when the leave commenced or to a position with equivalent benefits, pay, and other terms and conditions of employment.

Enforcement and Retaliation

Employees will not be subject to discharge, harassment, or discrimination for exercising rights or attempting to exercise rights under this policy, opposing practices that they believe to be in violation of this policy, or supporting the exercise of rights of another under this policy.

If employees have any questions regarding this policy, they should contact the Head of Human Resources and/or the CFO.

12.7 Connecticut: Jury Duty Leave

The Company realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law without

retaliation. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

The Company will provide full-time employees (those who complete 30 hours or more each week and have completed 90-days of service) up to five (5) days paid time off. Employees are not required by the Company but may request to use accrued paid time off for additional days. Exempt employees will be paid as necessary to comply with federal and state wage and hour laws.

12.8 Connecticut: Family Military Leave

As set forth in Section 9-4(II)(B) [Connecticut Addendum, Family and Medical Leave Policy], eligible employees are entitled to take a one-time benefit of up to 26 workweeks of leave during any 12-month period when their spouse, parent, child or next of kin is a current member of the armed forces and is undergoing medical treatment, recuperation or therapy, or is otherwise in outpatient status, or is on the temporary disability retired list for a serious injury or illness incurred in the line of duty. For more information, please see Section 9-4(II)(B).

To be eligible, employees must have been employed for at least three (3) months immediately preceding the date Family and Military Leave will commence pursuant to the employee’s request for leave.

Family military leave is unpaid; however, employees may opt to use accrued paid time off for this purpose.

Where the need for leave is foreseeable, employees must provide at least 30 days' notice of the need for leave. If 30 days' notice is not possible, employees must provide as much notice as is practical.

Where possible, employees should make a reasonable effort to schedule leave so that it does not disrupt the operations of the Company.

Family military leave may be taken intermittently or on a reduced schedule, with the appropriate certification.

Employees must be prepared to provide the Company with certification from the proper military authority to verify the employee's eligibility for family military leave.

Upon expiration of the leave, an employee will generally be reinstated to his or her position or, if not available, an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment. The leave will not result in the loss of seniority, benefits, pay and other terms and conditions of employment accrued prior to the date on which leave commenced.

To the extent permitted by law, Connecticut's Family Military leave will run concurrently with leave taken under the federal Family and Medical Leave Act (“FMLA”). If an employee meets the qualifications of both laws, the Company will provide the more generous of the two benefits. The Company strictly prohibits any form of discrimination or retaliation for exercising rights set forth in this policy.

12.9 Connecticut: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve as a volunteer of the fire department or ambulance service. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated or lose pay, vacation time, sick leave or earned overtime accumulation for taking time off pursuant to this policy.

12.10 Connecticut: Pregnancy Disability Leave

Employees working for an employer with three (3) or more employees may be eligible for reasonable accommodation due to pregnancy, as well as a transfer of position or unpaid leave for a reasonable period of time due to a pregnancy-related disability. Any leave taken for a pregnancy-related disability will run concurrently with Connecticut's Family and Medical Leave Act (“CFMLA”) leave and Family and Medical Leave Act (“FMLA”) leave.

No employee will be discriminated or retaliated against for receiving reasonable accommodation or taking leave under this policy.

Section 13 - Delaware Addendum

13.1 Delaware: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve as a volunteer firefighter, ladies auxiliary of a volunteer fire company, emergency medical technician, or fire police officer as shown below:

- up to 7 consecutive days while responding to a Governor-declared state of emergency
- up to 14 consecutive days while responding to a President-declared state of emergency
- absent due to an injury sustained while acting as a volunteer emergency responder

Employees should contact their supervisor as soon as they are aware that they will be late for work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. The Company will not terminate, demote or take any other disciplinary action against any employee who takes time off in accordance with this policy.

13.2 Delaware: Time Off For Crime Victims

Employees may take unpaid time off to participate in preparing for a criminal justice proceeding at the prosecutor's request, attend a criminal justice proceeding if the attendance is reasonably necessary to protect the interests of the victim, or attend a criminal justice proceeding in response to a subpoena if they are:

- the victim of the crime at issue in the proceedings;
- the parent, guardian, or custodian of a victim who is unable to meaningfully understand or participate in the legal process due to physical, psychological, or mental impairment;
- the spouse (includes same-sex civil unions, domestic partnerships, and marriages), adult child or stepchild, parent, or sibling of the victim if the victim is deceased; or
- the legal representative of the victim (i.e., a member of the victim's family or an individual designated by the victim or by the court).

Way To Go Merchandising & Staffing may require proof of the employee’s participation in these activities. Whenever possible, employees must provide their supervisor with reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for the leave under this policy. No employee will be subject to dismissal or discipline for taking leave under this policy.

Section 14 - District Of Columbia Addendum

14.1 District Of Columbia: Pregnancy Accommodations

Way To Go Merchandising & Staffing will endeavor to provide reasonable accommodations to employees working in the District of Columbia who are affected by pregnancy, childbirth, or related medical conditions as required by law, unless such accommodations would result in an undue hardship to Way To Go Merchandising & Staffing. Way To Go Merchandising & Staffing will engage in a good faith and timely interactive process to determine whether a reasonable accommodation can be provided for such employees. Employees may be asked to provide necessary medical certification. Reasonable accommodations may include more frequent or longer breaks, time off to recover from childbirth, equipment modification, light duty, and having the employee refrain from heavy lifting.

Employees with questions regarding this policy may contact the Head of Human Resources.

14.2 District Of Columbia: Sick And Safe Time

Eligibility

Way To Go Merchandising & Staffing provides paid sick leave pursuant to the District of Columbia Accrued Sick and Safe Leave Act to all employees who spend 50 percent of their working time in the District of Columbia (the District) or whose employment is based in the District and who regularly spend a substantial part of their time working for Way To Go Merchandising & Staffing in the District and do not spend more than 50 percent of their work time working for the employer in any particular state.

Accrual

Employees begin to accrue paid sick leave pursuant to this policy from the date of hire. Employees accrue paid sick leave at a rate of one (1) hour for every hours worked up to a maximum of days per calendar year. Exempt employees do not accrue paid sick leave for hours worked beyond a 40-hour workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may begin using paid sick leave under this policy after the 90th day of employment. Paid sick leave may be used in minimum increments of one (1) hour. Employees may not use more than days of accrued paid sick leave per calendar year.

The employee may use paid sick leave under this policy for the following reasons:

1. An absence resulting from a physical or mental illness, injury, or medical condition of the employee;
2. An absence resulting from obtaining professional medical diagnosis or care or preventive medical care for the employee; or
3. An absence for the purpose of caring for a family member who has any of the conditions or needs for diagnosis or care described in numbers (1) and (2) above.

The employee may also use paid leave for an absence if the employee or the employee's family member is a victim of stalking, domestic violence, or sexual abuse and the absence is directly related to medical, social, or legal services pertaining to the stalking, domestic violence, or sexual abuse for the purposes of:

1. Seeking medical attention for the employee or the employee's family member to treat or recover from physical or psychological injury or disability caused by stalking, domestic violence, or sexual abuse;
2. Obtaining services for the employee or the employee's family member from a victim services organization;
3. Obtaining psychological or other counseling services for the employee or the employee's family member;
4. The temporary or permanent relocation of the employee or the employee's family member;
5. Taking legal action, including preparing for or participating in any criminal or civil proceeding related to or resulting from stalking, domestic violence, or sexual abuse; or
6. Taking other actions that could be reasonably determined to enhance the physical, psychological, or economic health or safety of the employee or the employee's family member or the safety of those who work or associate with the employee.

For purposes of this policy, the term “family member” includes a child (including a foster child and a grandchild); parent; spouse; domestic partner; the parent of a spouse; spouse of a child; sibling; spouse of a sibling; a child who lives with the employee and for whom the employee permanently assumes and discharges parental responsibility; and a person with whom the employee shares or has shared, for not less than the preceding 12 months, a mutual residence and with whom the employee maintains a committed relationship, as defined in D.C. Code § 32-701(1)).

Unless the employee advises Way To Go Merchandising & Staffing otherwise, Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available paid sick leave for absences for reasons set forth above and employees will be paid for such absences to the extent they have paid sick leave available.

Notice and Documentation

If possible, employees must provide at least 10 days prior notice of the planned use of paid sick leave under this policy to the Head of Human Resources. Where 10 days prior notice is not possible, the employee must provide notice as soon as possible, ideally in writing to the Head of Human Resources. In the case of an emergency, employees must notify Way To Go Merchandising & Staffing of need to use paid sick leave prior to the start of their next shift or within 24 hours of the onset of the emergency, whichever is sooner. Employees are required to make a reasonable effort to schedule paid sick leave in a manner that does not unduly disrupt Way To Go Merchandising & Staffing's operations. If paid sick leave

is requested in a non-emergency situation, the employee must consult with Way To Go Merchandising & Staffing regarding the date and time of the paid leave to be taken.

Employees are required to provide reasonable certification of the reason for leave within one (1) business day of return to work where the requested leave under this policy is for three (3) or more consecutive days. A reasonable certification may include:

1. A signed document from a health care provider affirming the illness of the employee or the employee's family member;
2. A police report indicating that the employee or the employee's family member was the victim of stalking, domestic violence, or sexual abuse;
3. A court order indicating that the employee or employee's family member was the victim of stalking, domestic violence, or sexual abuse;
4. A signed written statement from a victim and witness advocate affirming that the employee or employee's family member is involved in legal action or proceedings related to stalking, domestic violence, or sexual abuse—the signed statement shall include only the name of the employee or employee's family member who is a victim and the date on which services were sought; or
5. A signed written statement from a victim and witness advocate or domestic violence counselor affirming the employee or employee's family member sought services to enhance the physical, psychological, or economic health or safety of the employee or employee's family member.

Payment

Paid sick leave under this policy will be calculated based on the employee's base pay rate at the time of absence, unless otherwise required by applicable law, which is no event will be less than minimum wage. It does not include overtime or any special forms of compensation such as incentives, commissions, or bonuses. Use of paid sick leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Employees may carry over accrued, unused paid sick leave under this policy. Accrued but unused paid sick leave under this policy will not be paid at separation.

Enforcement & Retaliation

Way To Go Merchandising & Staffing prohibits retaliation against any employees who assert their rights to receive paid sick leave under this policy. The Office of Wage-Hour of the D. C. Department of Employment Services can investigate possible violations. To request full text of the Act, to obtain a copy of the rules associated with this Act, or to file a complaint, contact the Office of Wage-Hour Compliance at (202) 671-1880, 4058 Minnesota Avenue, N.E., Washington, D.C. 20019, or visit https://does.dc.gov/service/office-wage-hour-compliance-0.

Employees with questions regarding this policy can contact the Head of Human Resources and/or the CFO.

14.3 District Of Columbia: Paid Family And Medical Leave Benefits

Employees may be eligible for paid leave benefits for covered events pursuant to the District of Columbia Universal Paid Leave Amendment Act (UPLA). The UPLA is a paid leave benefit administered by the Office of Paid Family Leave (OPFL) at the District of Columbia Department of Employment Services. Benefits are funded through an employer payroll tax, not deducted from employees' pay. The District of Columbia (the "District") is solely responsible for determining eligibility for paid leave benefits under the UPLA.

Eligibility

To be eligible for paid leave benefits, employees must have been a covered employee during some or all of the 52 calendar weeks immediately preceding the qualifying event for which paid leave is being taken. A covered employee is someone who either spends more than 50% of their work time for Way To Go Merchandising & Staffing working in the District; or whose employment for Way To Go Merchandising & Staffing is based in the District, who regularly spends a substantial amount of the work time in the District, and who does not spend more than 50% of their work time for Way To Go Merchandising & Staffing in another jurisdiction.

Covered Events

Paid leave benefits are available for the following covered events:

- family leave to care for a family member with a serious health condition;
- medical leave for the employee's own serious health condition (including the occurrence of a stillbirth and the medical care related to a miscarriage);
- parental leave to bond with the employee's child after the child's birth, placement of a child for adoption or foster care, or placement of a child with the employee who will legally assume and discharge parental responsibility ("parental leave event"); and
- prenatal leave for covered prenatal medical care following the diagnosis of pregnancy by a health care provider and prior to the occurrence of a parental leave event.

Parental leave benefits must be used within 52 calendar weeks of the qualifying parental leave event.

Family Member Definitions

For purposes of paid leave benefits, a family member includes the employee's:

- biological, adopted or foster child, a stepchild, a legal ward, a child of a domestic partner, or a person to whom the employee stands in loco parentis;
- biological, foster or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to when the employee was a child;
- a person to whom the employee is related by domestic partnership or marriage;
- grandparent, which means the biological, foster, adoptive or stepparent of the employee's biological, foster, adoptive or stepparent; or
- a sibling, which means the biological, half-, step-, adopted-, or foster-sibling or sibling-in-law of the employee.

Benefit Amounts

The amount of paid leave benefits that may be payable varies depending on the covered event and the date of filing for paid leave benefits, as follows.

For claims filed before October 1, 2022:

- family leave benefit is up to six (6) workweeks within a 52-calendar week period;
- medical leave benefit is up to six (6) workweeks within a 52-calendar week period;
- parental leave benefit is up to eight (8) workweeks within a 52-calendar week period; and
- prenatal leave benefit is up to two (2) workweeks within a 52-calendar week period

For claims filed on or after October 1, 2022:

- family leave benefit is up to 12 workweeks within a 52-calendar week period
- medical leave benefit is up to 12 workweeks within a 52-calendar week period
- parental leave benefit is up to 12 workweeks within a 52-calendar week period; and
- prenatal leave benefit is up to two (2) workweeks within a 52-calendar week period.

For claims filed before October 1, 2022, the aggregate maximum amount of paid leave benefits that may be received within a 52-calendar week period for family, medical or parental leave is eight (8) workweeks. However, employees may take up to a total of 10 workweeks in a 52-calendar week period when parental leave and prenatal leave are combined although they may not receive any combination of prenatal leave and medical leave for more than six (6) weeks in a 52-calendar week period.

For claims filed on or after October 1, 2022, the aggregate maximum amount of paid leave benefits that may be received within a 52-calendar week period for family, medical or parental leave is 12 workweeks. However, employees may take up to a total of 14 workweeks in a 52-calendar week period when parental leave and prenatal leave are combined, although they may not receive any combination of prenatal leave and medical leave for more than 12 weeks in a 52-calendar week period.

The amount of benefits will be calculated by the District and will depend in part on the employee's average weekly wage as reported by Way To Go Merchandising & Staffing to the Department of Employment Services, subject to a maximum weekly benefit amount.

Employees may elect to receive paid leave benefits either intermittently or continuously in increments of no less than one (1) day.

Employees who have experienced an event that may qualify for paid leave benefits may contact the Head of Human Resources and/or the CFO for information about the District's paid leave benefits program and how to apply for benefits. Employees also can learn more about applying for benefits with the OPFL: dcpaidfamilyleave.dc.gov

Notice and Documentation

Employees must, to the extent practicable, provide written notice of their need to use paid leave benefits to the Head of Human Resources before taking leave. If the need is foreseeable, written notice must be given at least 10 business days in advance. If the need is not foreseeable, notice must be provided in writing, or orally in exigent circumstances, before the start of the work shift for which the individual

intends to first take time off for a covered event. In the case of an emergency that prevents the employee from providing notice before the start of the work shift, the eligible employee, or another individual, must notify Way To Go Merchandising & Staffing in writing, or orally in exigent circumstances, within 48 hours after the emergency occurs. The eligible employee, or someone on their behalf, must supplement oral notice with written notice as soon as practicable.

The written or oral notice should include:

- the type of covered event;
- the expected duration of the time off work for the covered event;
- the expected start and end dates of the time off work for the covered event; and
- whether the paid leave benefits sought will initially be used continuously or intermittently.

Job Protection

The UPLA does not provide job protection to employees when they take time off work and receive paid leave benefits unless they qualify for such reinstatement under federal or D.C. family and medical leave laws. Any time off for events that qualify for paid leave benefits will run concurrently with other leaves of absence, such as Family and Medical Leave and D.C. Family and Medical Leave, if applicable. Please see the Family and Medical Leave and D.C. Family and Medical Leave policies for eligibility requirements.

Retaliation

Way To Go Merchandising & Staffing prohibits retaliation against employees for requesting or using paid leave benefits or otherwise exercising or attempting to exercise any right provided in this policy or the UPLA.

Employees with questions regarding these benefits can contact the Head of Human Resources and/or the CFO.

14.4 District Of Columbia: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in an election, employees may take off working time to vote. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed up to two (2) hours of voting leave on Election Day without loss of pay or retaliation. Supervisors must be notified of the need for leave in advance of Election Day. Supervisors may specify which hours the employee may be absent.

Section 15 - Florida Addendum

15.1 Florida: Domestic Violence Leave

Employees who have worked for Way To Go Merchandising & Staffing for at least three (3) months may be granted up to three (3) days of unpaid leave in any 12-month period if the employee or a family or household member of the employee is the victim of domestic violence.

Leave may be used to:

- seek an injunction for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence or sexual violence;
- obtain medical care or mental health counseling, or both, for the employee or a family or household member to address physical or psychological injuries resulting from the act of domestic violence;
- obtain services from a victim-services organization, including, but not limited to, a domestic violence shelter or program or a rape crisis center as a result of the act of domestic violence;
- make their home secure from the perpetrator of the domestic violence or to seek new housing to escape the perpetrator; or
- seek legal assistance in addressing issues arising from the act of domestic violence.

“Family or household member” means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

Except in cases of imminent danger to the health or safety of the employees or their family or household member, one (1) week advance notice of the need for leave is required. Sufficient documentation of the act of domestic violence, such as a restraining order, police report or order to appear in court, is also required. Requests for leave and documents in connection with this leave will be kept confidential to the extent permitted by law.All paid time off available must be exhausted before receiving this leave.

Section 16 - Georgia Addendum

16.1 Georgia: Lactation Accommodations

Way To Go Merchandising & Staffing supports the legal right and necessity of employees who choose to express milk in the workplace. Way To Go Merchandising & Staffing promotes a breastfeeding-friendly work environment and supports lactating employees.

Way To Go Merchandising & Staffing will provide break time of reasonable duration to employees who wish to express breast milk at the worksite during working hours. Any break time provided under the law will be paid at the employee's regular rate of compensation.

Way To Go Merchandising & Staffing will provide the use of a private location, other than a restroom, for the employee to express milk in private at the worksite.

Employees can contact the Head of Human Resources and/or the CFO with questions regarding this policy.

16.2 Georgia: Jury Duty Leave

The Company realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law without retaliation. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

The Company will provide paid time off, less fees received from the court, while serving on jury duty. Employees will not be required to use accrued paid time off while serving on jury. Exempt employees will be paid as necessary to comply with federal and state wage and hour laws.

Section 17 - Hawaii Addendum

17.1 Hawaii: Pregnancy Accommodations

Way To Go Merchandising & Staffing will endeavor to make every reasonable accommodation to the needs of individuals affected by pregnancy, childbirth, or related medical conditions.

Reasonable accommodations may include, but are not limited to:

1. Allowing time off from work for doctor's appointments;
2. Allowing the pregnant employee to sit instead of stand while working;
3. Excusing from or providing assistance for lifting tasks;
4. Reassigning the pregnant employee to a light duty and/or other vacant position;
5. Allowing more frequent breaks or rest periods; and
6. Allowing the pregnant employee to take sick leave.

Employees affected by pregnancy, childbirth, or related medical conditions will be granted an unpaid leave of absence for a reasonable period of time as determined by and the employee's physician, with regard for the employee's physical condition and the job requirements. The employee may request a doctor's certificate in advance of the leave setting forth the estimating the length of leave and the estimated start and end dates for leave required by the employee.

During leave, the employee may qualify for monetary short-term disability benefits or time off benefits to the same extent as any other employee. Health insurance benefits will continue during leave, subject to the terms of the health insurance plans.

Leave under this policy runs concurrently with all other applicable Way To Go Merchandising & Staffing leaves, to the extent permitted by applicable law.

Any employee who has taken leave due to pregnancy or related medical conditions will be reinstated to the employee's original job or to a position of comparable status and pay, without loss of accumulated service credits and privileges. Way To Go Merchandising & Staffing may request, prior to the employee's return, a medical certificate from the employee's physician attesting to the employee's physical condition and approving the employee's return to work.

Way To Go Merchandising & Staffing will not penalize employees because they require time away from work for a known limitation due to or resulting from pregnancy, childbirth, or related medical conditions.

If employees have any questions regarding this policy or if they wish to request an accommodation, they should contact the Head of Human Resources.

17.2 Hawaii: Statutory Short-Term Disability Benefits

Way To Go Merchandising & Staffing also provides statutory short-term disability insurance.

This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

17.3 Hawaii: Leave For Victims Of Domestic Or Sexual Violence

If employees or their minor child are victims of domestic or sexual abuse, the employee may be eligible for an unpaid leave of absence of up to 30 days per calendar year. The employee must have worked for Way To Go Merchandising & Staffing for at least six (6) consecutive months to be eligible for leave under this policy and must have provided reasonable advance notice, if possible. For purposes of this policy, "minor child" includes a biological, adopted, foster, or stepchild or any legal ward of the employee under the age of majority.

Leave under this policy is authorized to those who:

- seek medical attention for oneself or one's minor child to recover from physical or psychological injury or disability caused by domestic or sexual violence;
- obtain services from a victim services organization or victim advocacy organization, including:
    - any nonprofit organization providing assistance to or serving as advocates of victims of domestic or sexual violence;
    - any organization operating a shelter or providing professional counseling services for victims of domestic or sexual violence; or
    - any organization providing legal assistance to victims of domestic or sexual violence.
- obtain psychological or other counseling;
- temporarily or permanently relocate; or
- take legal action relating to or resulting from the domestic or sexual violence, or related legal action to enhance the health/safety of oneself, one's minor child, or those who associate or work with the employee (e.g. to obtain restraining or injunctions).

The employee must use any other paid or unpaid leave that is applicable and available before taking leave under this policy; however, only 30 days of leave may be taken in total.

Way To Go Merchandising & Staffing will keep confidential the basis for any requests for leave under this policy as required by law.

If the purpose of the leave is to seek medical attention to recover from physical or psychological injury or disability caused by domestic or sexual violence, when providing notice of leave, the employee also should provide medical certification from a health care provider estimating the number of leave days necessary and the estimated commencement and termination dates of leave required by the employee.

If the purpose of the leave is for non-medical reasons of not more than five (5) calendar days, when providing notice of leave, the employee should provide written, signed certification that they or their minor child is a victim of domestic or sexual violence and the leave is for one (1) of the non-medical purposes provided in the policy. If the employee needs a non-medical leave in excess of five (5) days in a calendar year, they must provide certification in one (1) of the following manners:

- certified or exemplified restraining orders, injunctions against harassment, and documents from criminal cases;
- documentation from a victim services organization or domestic or sexual violence program, agency, or facility, including a shelter or safe house for victims of domestic or sexual violence; or
- documentation from a medical professional, mental health care provider, attorney, advocate, social worker, or member of the clergy from whom the employee or the employee's minor child has sought assistance in relation to the domestic or sexual violence.

Employees returning from leave under this policy will be reinstated to the same job or to a position of comparable status and pay.

Section 18 - Illinois Addendum

18.1 Illinois: Military Leave Act

Way To Go Merchandising & Staffing will grant eligible employees up to 30 days of unpaid family military leave if their spouse, parent, child, or grandchild is called to military service with the State or the United States for more than 30 days. Family military leave must be taken during the time federal or state deployment orders are in effect.

To be eligible for family military leave, the employee must have been employed for at least 12 months and have worked at least 1,250 hours during the 12-month period immediately preceding the request for family military leave. Employees may take family military leave only if they have exhausted all accrued vacation, personal, compensatory, and other leave, except sick and disability leave.

The request for family military leave must be made at least 14 days in advance if the leave will consist of five (5) or more consecutive work days. If the leave will consist of less than five (5) days, the request must be made with as much advance notice as is practicable.

Employees must provide certification from the proper military authority to verify their eligibility for the family military leave requested.

Funeral Honors Detail Leave

Way To Go Merchandising & Staffing also will grant an eligible employee up to eight (8) hours of paid leave per calendar month to participate in a funeral honors detail, up to a total of 40 hours per calendar year. Funeral honors detail means an honor guard detail provided for the funeral of any veteran in compliance with 10 U.S.C. § 1491 and any associated federal regulations.

To be eligible for funeral honors detail leave, the employee must have been employed for at least 12 months, must have worked at least 1,250 hours during the 12-month period immediately preceding the request for funeral honors detail leave, and must have trained to participate in a funeral honors detail at the funeral of a veteran and is either a retired or active member of the Armed Forces of the United States or a member of a reserve component of the Armed Forces of the United States, including the Illinois National Guard or an authorized provider, or a registered member of a nonprofit or other organization that is an authorized provider, including a member of a veterans service organization.

Employees may take paid funeral honors detail leave in lieu of, and without having exhausted, the employee's vacation leave, personal leave, compensatory leave, or any other leave that may be granted to the employee, including sick leave and disability leave. Employees taking funeral honors detail leave must give reasonable notice, as is practicable. Way To Go Merchandising & Staffing may request a confirmation from the relevant veterans' service organization that dispatched the employee to the funeral honors detail, or any official notice provided to the employee in relation to the funeral honors

detail, that can be used as proof of the employee's participation in the detail.

Employees that takes funeral honors detail leave will be paid their regular rate of pay for the leave taken to participate in a funeral honors detail.

Benefits and Return to Work

During any family military leave or funeral honors detail leave, Employees may elect to continue benefits at their own expense.

Employees that take family military leave or funeral honors detail leave will be reinstated to the position they held before commencing leave, or to a position with equivalent seniority, status, employee benefits, pay, and other terms and conditions of employment.

18.2 Illinois: Family Neonatal Intensive Care Leave

Effective June 1, 2026, employees may take up to 20 days of unpaid neonatal intensive care leave while any child of the employee is a patient in a neonatal intensive care unit (NICU). Leave may be taken continually or intermittently at the employee's selection, but Way To Go Merchandising & Staffing may require that leave be taken in minimum increments of not less than two (2) hours in duration.

Any employee who is entitled to leave under the federal Family and Medical Leave Act (FMLA) and takes neonatal intensive care leave will be granted, upon completion of and in addition to any FMLA leave, any neonatal intensive care leave available under this policy. The employee will be entitled to leave for the maximum number of days specified above or the length of time the employee's child is a patient in an NICU, whichever is less.

Way To Go Merchandising & Staffing will not require that the employee use any paid leave available to employee for any reason instead of unpaid neonatal intensive care leave. The employee may elect to substitute any available paid time off for unpaid neonatal intensive care leave.

Way To Go Merchandising & Staffing will not require any employee who uses unpaid neonatal intensive care leave to provide a replacement worker.

Way To Go Merchandising & Staffing may require reasonable verification of the employee's child's length of stay in a NICU. As part of a reasonable verification, Way To Go Merchandising & Staffing will not request any confidential information protected by the Health Insurance Portability and Accountability Act or other law.

Upon the conclusion of neonatal intensive care leave, the employee will be reinstated to the employee's former position or a substantially equivalent one with no loss of benefits held or accrued prior to taking leave. During the period of leave, any health insurance benefits will be maintained by Way To Go Merchandising & Staffing as if the employee had not taken leave.

Way To Go Merchandising & Staffing will not take any adverse action against any employee because the employee exercises rights or attempts to exercise rights to neonatal intensive care leave, opposes

practices which such employee believes to be in violation of law, or supports the exercise of rights of another under the law.

Employees with questions about neonatal intensive care leave should contact the Head of Human Resources and/or the CFO.

18.3 Illinois: Cook County Paid Leave

Eligibility

Way To Go Merchandising & Staffing provides paid leave to covered employees who work for Way To Go Merchandising & Staffing in Cook County. This policy does not apply to employees working in Chicago or areas of Cook County that have "opted-out" of complying with the Cook County Paid Leave Ordinance. To the extent employees covered under this policy are eligible for paid leave under the general Sick Days/Paid Time Off (PTO) policy, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days/Paid Time Off (PTO) policy.

Accrual
Employees begin to accrue paid leave pursuant to this policy at the start of employment. Employees accrue paid leave at a rate of one (1) hour for every 40 hours worked, up to a maximum accrual of 40 hours each year. Exempt employees shall be deemed to work 40 hours in each workweek unless their regular workweek is less than 40 hours, in which case paid leave accrues based on that regular workweek. For purposes of this policy, the year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may begin to use accrued paid leave 90 days following commencement of the employee's employment. Paid leave may be used in a minimum increment of two (2) hours, except if the employee's scheduled workday is less than two (2) hours, the employee's scheduled workday will be used to determine the amount of paid leave. Employees may not use more than 40 hours of accrued paid leave in any year.

Employees may use paid leave for any reason. Employees are not required to provide Way To Go Merchandising & Staffing a reason for the leave. Employees may choose whether to use paid leave provided under this policy prior to using any other leave provided by Way To Go Merchandising & Staffing or under state law.

Employees' use of paid leave will not be conditioned upon searching for or finding a replacement worker to cover the hours during which the employees take paid leave.

Notice and Documentation

Employees must make requests to use paid leave orally or in writing to the Head of Human Resources. If use of paid leave is foreseeable, the employee must provide seven (7) calendar days' notice before the date the leave is to begin. If use of paid leave is not foreseeable, the employee must provide such notice as soon as is practicable after the employee is aware of the necessity of the leave.

Employees will not be required to provide documentation or certification as proof or in support of the leave.

Payment

Employees will receive payment for paid leave at their hourly rate of pay at the time the employee uses the paid leave, unless otherwise required by applicable law, and no less than the applicable minimum wage. Use of paid leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Employees may carry over up to 40 hours of accrued, unused paid leave under this policy to the following year. Accrued but unused paid leave under this policy will not be paid at separation.

Enforcement and Retaliation

Way To Go Merchandising & Staffing prohibits retaliation against employees for requesting or using paid leave or for filing a claim with the Cook County Commission on Human Rights. Additionally, during any period the employee takes leave under the Act, Way To Go Merchandising & Staffing will maintain coverage for the employee and any family member under any group health plan for the duration of such leave at no less than the level and conditions of coverage that would have been provided if the employee had not taken the leave. Nonetheless, the employee is still responsible for paying the employee's share of the cost of the health care coverage, if any.

Employees who believe that their legal rights have been violated are encouraged to contact the Head of Human Resources. Employees may make a complaint with the Cook County Commission on Human Rights in person (69 W. Washington, 30th Floor, Chicago, IL 60602), by email (human.rights@cookcountyil.gov), or by telephone (312-603-1100).

For additional information on this policy, employees should contact the Head of Human Resources.

18.4 Illinois: Chicago Paid Leave And Paid Sick And Safe Time

Eligibility

Way To Go Merchandising & Staffing provides paid leave and paid sick leave to employees who work for Way To Go Merchandising & Staffing in the City of Chicago at least 80 hours within a 120-day period. To the extent such employees are eligible for paid time off under the general Sick Days policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin accruing paid leave and paid sick leave pursuant to this policy on the first day of employment, whichever occurs later. Employees accrue one (1) hour paid leave and one (1) hour of paid sick leave for every 35 hours worked, up to a maximum accrual of 40 hours of paid leave and 40 hours of paid sick leave per benefit year. Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case paid leave and paid sick leave accrues based upon their normal workweek. For purposes of this policy, the benefit year will be calculated from the date the employee began to accrue paid leave and paid sick leave.

Usage

Employees may begin to use paid leave on the 90th calendar day after the start of employment. Employees may begin to use paid sick leave on the 30th calendar day after the start of employment. Paid leave must be used in a minimum increment of four (4) hours, unless the employee's workday is less than four (4) hours. Paid sick leave must be used in a minimum increment of two (2) hours, unless the employee's workday is less than two (2) hours.

Paid leave may be used for any reason.

Paid sick leave can be used when:

1. The employee is ill or injured or receiving professional care, including preventative care, diagnosis, or treatment, for medical, mental, or behavioral issues, including substance abuse disorders;
2. A family member is ill, injured, or ordered to quarantine, or to care for a family member receiving professional care, including preventative care, diagnosis, or treatment, for medical, mental, or behavioral issues, including substance abuse disorders;
3. A family member needs personal care including to ensure the family member's basic medical, hygiene, nutritional, or safety needs are met; to provide transportation to medical appointments if the family member is unable to meet those needs; or to be physically present to provide emotional support for a family member with a serious health condition who is receiving inpatient or home care;
4. The employee or a family member is the victim of domestic violence, a sex offense, or human trafficking;
5. The employee's place of business is closed by order of a public official due to a public health emergency or the employee needs to care for a family member whose school or place of care has been closed; or
6. The employee obeys an order issued by the Mayor of Chicago, the Governor of Illinois, the Chicago Department of Public Health, or a treating healthcare provider requiring the employee to:
    a. Stay at home to minimize the transmission of a communicable disease;
    b. Remain at home while experiencing symptoms or sick with a communicable disease;
    c. Obey a quarantine order issued to the employee; or
    d. Obey an isolation order issued to the employee.

For purposes of this policy, "family member" means child, legal guardian or ward, spouse under the laws of any state or domestic partner, parent, spouse, or domestic partner's parent, sibling, grandparent, grandchild, or any other individual related by blood or whose close association with the employee is the equivalent of a family relationship. A child includes not only a biological relationship, but also a relationship resulting from an adoption, step-relationship, or foster care relationship, or a child to whom the employee stands in loco parentis. A parent includes a biological, foster, step-, or adoptive parent or legal guardian of the employee, or a person who stood in loco parentis when the employee was a minor child.

The employee's use of paid leave and paid sick leave will not be conditioned upon searching for or finding a replacement worker.

Employees will be notified each time wages are paid of the amount of paid leave and paid sick leave available for use and the accrual rates, including amounts accrued since the last notification, reduced balances since the last notification, and any unused balances available for use.

Notice and Documentation

Employees must provide up to seven (7) days' notice to the Head of Human Resources before using paid leave and must obtain reasonable pre-approval from for Way To Go Merchandising & Staffing before using paid leave for the purpose of maintaining continuing of for Way To Go Merchandising & Staffing's operations. Employees will not be required to provide documentation or certification as proof or in support of the paid leave.

When the use of paid sick leave is reasonably foreseeable (e.g., pre-scheduled health care appointments or court dates in a domestic violence case), the employee is required to provide up to seven (7) days' notice to the Head of Human Resources. When the use of paid sick leave is not reasonably foreseeable, the employee is required to provide notice to the Head of Human Resources by telephone, e-mail, or other means as soon as is practicable on the day the employee intends to take paid sick leave.

For paid sick leave absences of more than three (3) consecutive workdays, Way To Go Merchandising & Staffing may require reasonable documentation that the paid sick leave was used for a reason covered under this policy. For reason numbers #1 and #2 above, the employee can provide documentation signed by a licensed health care provider. For reason number #4 above, the employee can provide a police report; a court document; a signed statement from an attorney, clergy member, or victim services advocate; or any other reasonable documentary evidence, including a written statement from the employee or any other person who has knowledge of the circumstances. Documentation need not explain the nature of the employee's or a family member's health condition or the details of the domestic violence, sex offense, or human trafficking.

Payment

Paid leave and paid sick leave will be paid at the same rate and with the same benefits the employee earns from their employment at the time the employee uses such leave, unless otherwise required by applicable law, and no less than the applicable minimum wage. Use of paid leave and paid sick leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Employees may carry over up to 16 hours of paid leave and 80 hours of paid sick leave to the following benefit year.

Unused paid sick leave will not be paid at separation.

Unused paid leave will not be paid upon separation.

Additionally, employees that have not been offered a work assignment for 60 days may request payout of their accrued, unused paid leave time.

Enforcement and Retaliation

Way To Go Merchandising & Staffing prohibits retaliation against employees for requesting or using paid leave and paid sick leave or for filing a claim with the Chicago Department of Business Affairs and Consumer Protection. Employees who believe that their legal rights have been violated are encouraged to contact the Head of Human Resources.

For additional information on this policy, please contact the Head of Human Resources and/or the CFO.

18.5 Illinois: Paid Leave

Eligibility

Way To Go Merchandising & Staffing provides paid leave to employees who work in Illinois pursuant to the Illinois Paid Leave for All Workers Act (the Act). This policy does not apply to employees who work in Chicago for at least 80 hours within a 120-day period or employees who work in Cook County for Way To Go Merchandising & Staffing except for employees working in areas of Cook County that have "opted-out" of complying with the Cook County Paid Leave Ordinance. For covered employees who work in Illinois who are eligible for paid leave under any general time off policy, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than provided under any general time off policy.

Accrual

Employees begin to accrue paid leave pursuant to this policy on January 1, 2024, or at the start of employment, whichever is later. Employees accrue paid leave at a rate of one (1) hour for every 40 hours worked, up to a maximum accrual of 40 hours each year. Exempt employees shall be deemed to work 40 hours in each workweek unless their regular workweek is less than 40 hours, in which case paid leave accrues based on that regular workweek. For purposes of this policy, the year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may begin to use accrued paid leave 90 days following commencement of the employee's employment. Paid leave may be used in a minimum increment of two (2) hours, except if the employee's scheduled workday is less than two (2) hours, the employee's scheduled workday will be used to determine the amount of paid leave. Employees may not use more than 40 hours of accrued paid leave in any year.

Employees may use paid leave for any reason. Employees are not required to provide Way To Go Merchandising & Staffing a reason for the leave. Employees may choose whether to use paid leave provided under this policy prior to using any other leave provided by Way To Go Merchandising & Staffing or under state law.

Employees' use of paid leave will not be conditioned upon searching for or finding a replacement worker to cover the hours during which the employees take paid leave.

Notice and Documentation

Employees must make requests to use paid leave orally or in writing to the Head of Human Resources. If use of paid leave is foreseeable, the employee must provide seven (7) calendar days' notice before the date the leave is to begin. If use of paid leave is not foreseeable, the employee must provide such notice as soon as is practicable after the employee is aware of the necessity of the leave.

Employees will not be required to provide documentation or certification as proof or in support of the leave.

Payment

Employees will receive payment for paid leave at their hourly rate of pay at the time the employee uses the paid leave, unless otherwise required by applicable law, and no less than the applicable minimum wage. Use of paid leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Employees may carry over up to 40 hours of accrued, unused paid leave under this policy to the following year. Accrued but unused paid leave under this policy will not be paid at separation.

Enforcement and Retaliation

Way To Go Merchandising & Staffing will not threaten to take or take any adverse action against an employee because the employee exercises rights or attempts to exercise rights under this policy or the Act, opposes practices which the employee believes to be in violation of the Act, or supports the exercise of rights of another under the Act. Additionally, during any period the employee takes leave under the Act, Way To Go Merchandising & Staffing will maintain coverage for the employee and any family member under any group health plan for the duration of such leave at no less than the level and conditions of coverage that would have been provided if the employee had not taken the leave. Nonetheless, the employee is still responsible for paying the employee's share of the cost of the health care coverage, if any.

For additional information on this policy, employees should contact the Head of Human Resources.

18.6 Illinois: Pregnancy Accommodations

In compliance with Illinois law, Way To Go Merchandising & Staffing will not discriminate against employees because of pregnancy; will engage in a timely, good faith, and meaningful exchange with employees affected by pregnancy, childbirth, or related conditions; and will endeavor to provide a

reasonable accommodation unless doing so will impose an undue hardship on the ordinary operation of Way To Go Merchandising & Staffing business.

Such accommodations include modifications or adjustments to the work environment or circumstances under which the employee's position is customarily performed, including but not limited to more frequent or longer bathroom, water intake, or rest breaks; private non-bathroom space for expressing breast milk and breastfeeding; seating accommodations or acquisition or modification of equipment; assistance with manual labor, light duty, or a temporary transfer to a less strenuous or non-hazardous position; job restructuring or a part-time or modified work schedule; appropriate adjustment or modifications of examinations or training materials; assignment to a vacant position; or providing leave to recover from childbirth or pregnancy.

Employees will not be required to accept an accommodation that they did not request or to which they did not agree, nor will they be forced to take leave if another reasonable accommodation is available.

The employee may be required to provide certification from a health care provider concerning the need for a reasonable accommodation to the same extent such a certification is required for other conditions related to a disability. A certification should include:

- Medical justification for the requested accommodation(s);
- A description of the reasonable accommodation(s) medically advisable;
- The date the accommodation(s) became advisable; and
- The probable duration of the reasonable accommodation(s).

Way To Go Merchandising & Staffing will not deny employment opportunities or take adverse employment action against employees if such decision is based on Way To Go Merchandising & Staffing's need to make a reasonable accommodation, and Way To Go Merchandising & Staffing will not retaliate against employees who request an accommodation or otherwise exercise their rights under the Illinois Human Rights Act.

The Illinois Human Rights Act is enforced by the Illinois Department of Human Rights ("IDHR"). The charge process for violations of the law can be initiated by contacting the IDHR at any of the offices shown below or by completing the form at https://www2.illinois.gov/DHR/Pages/default.aspx.

Chicago Office

555 West Monroe Street, Suite 700

Chicago, IL 60661

Tel: (312) 814-6200

TTY: (866) 740-3953

(312) 814-6251
(FAX - Charge Processing)

Springfield Office

524 S. 2nd Street, Suite 300

Springfield, IL 62701

Tel: (217) 785-5100

TTY: (866) 740-3953

Fax: (217) 785-5106

Employees with questions or concerns regarding this policy or who would like to request an accommodation should contact the Head of Human Resources.

18.7 Illinois: Lactation Accommodations

Way To Go Merchandising & Staffing provides employees who are nursing with reasonable break time to express breast milk after the birth of a child each time the employee has the need to express milk for one (1) year after the child's birth.

The break time provided may run concurrently with any other break time provided to employees.

Way To Go Merchandising & Staffing will compensate the employee during the break time at the employee's regular rate of compensation. Way To Go Merchandising & Staffing will not require the employee to use paid leave during the break time or reduce the employee's compensation during the break time in any other manner.

Way To Go Merchandising & Staffing will make reasonable efforts to provide a room or other location in close proximity to the employee's work area, other than a toilet stall, where the employee can express milk in privacy.

Way To Go Merchandising & Staffing may not be able to provide additional break time if doing so would create an undue hardship on Way To Go Merchandising & Staffing's ordinary operation of its business, subject to applicable law.

Employees should advise management if they need break time and an area for this purpose.

Way To Go Merchandising & Staffing will not retaliate against employees for exercising their rights under this policy. Employees can consult the Head of Human Resources and/or the CFO with questions regarding this policy.

18.8 Illinois: Discrimination And Non-Harassment (Including Sexual Harassment)

In compliance with the Illinois Human Rights Act (Act) and any other related federal or local law/ordinance, all employees have the right to be free from unlawful discrimination or harassment (including sexual harassment). This means that employers may not treat people differently based on race, age, gender, pregnancy, disability, sexual orientation, or any other protected class named in the Act or any other related federal or local law/ordinance. This applies to all employer actions, including hiring, promotion, discipline, and discharge.

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional discrimination or harassment (including sexual harassment) of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race; color; creed; religion; national origin; ancestry; citizenship status; age; sex or gender (including pregnancy, childbirth, and pregnancy-related conditions); gender identity or expression (including transgender status); sexual orientation; marital status; military service and veteran status; physical or mental disability; genetic information; or any other characteristic protected by applicable federal, state, or local laws (referred to as "protected characteristics"). Way To Go

Merchandising & Staffing also prohibits retaliation. All such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate the personal morality of employees but to ensure that no one engages in discrimination or harassment (including sexual harassment) of another individual in the workplace, including while on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises), or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, discrimination, harassment, or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual reported or filed a complaint of discrimination or harassment (including sexual harassment) or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of discrimination or harassment (including sexual harassment) as defined by applicable federal, state, or local laws or helped others exercise their right to complain about discrimination or harassment (including sexual harassment) as defined by applicable federal, state, or local laws are unlawful.

Reasonable Accommodation

Employees also have the right to reasonable workplace accommodations based on pregnancy, disability, religious beliefs, or any other reason required by applicable federal, state, or local laws. This means employees can ask for reasonable changes to their job if needed because they are pregnant or disabled or because of their religious beliefs or any other reason required by applicable federal, state, or local laws.

Discrimination Defined

Discrimination under this policy generally means treating an individual differently or denying or granting a benefit to an individual because of any actual or perceived protected characteristic as defined under federal, state, or local law or ordinance.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails), or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual

activities, and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that violate this policy include:

- Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters and drawings;
- Sexually explicit emails, text messages, or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome sexually related comments;
- Conversation about one's own or someone else's sex life;
- Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

Way To Go Merchandising & Staffing Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Head of Human Resources. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the President. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. Employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee

should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

Additional Reporting Procedures

Aside from the internal complaint process at Way To Go Merchandising & Staffing described above, employees may choose to file a charge/complaint of discrimination or harassment (including sexual harassment) with the Illinois Department of Human Rights (IDHR).

The charge process for violations of the law can be initiated by completing the form at www.illinois.gov/dhr or by contacting the IDHR at IDHR.Intake@illinois.gov, or either of these offices:

Chicago Office
555 West Monroe Street, Suite 700
Chicago, IL 60661
Tel: (312) 814-6200
TTY: (866) 740-3953
Fax: (312) 814-6251

Springfield Office
524 S. 2nd Street, Suite 300
Springfield, IL 62701
Tel: (217) 785-5100
TTY: (866) 740-3953
Fax: (217) 785-5106

Employees also can contact the Illinois Sexual Harassment and Discrimination Helpline at 1-877-236-7703.

18.9 Illinois: Chicago Discrimination And Non-Harassment (Including Sexual Harassment)

In compliance with the Illinois Human Rights Act (IHRA), the City of Chicago Human Rights Ordinance (Ordinance) (as applicable), and any other related federal or local law or ordinance, all employees have the right to be free from unlawful discrimination or harassment (including sexual harassment). This means that employers may not treat people differently based on race, age, gender, pregnancy, disability, sexual orientation, or any other protected class named in the Act, Ordinance (as applicable), or any other related federal or local law or ordinance. This applies to all employer actions, including hiring, promotion, discipline, and discharge.

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional discrimination or harassment (including sexual harassment) of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race; color; creed; religion; national origin; ancestry; citizenship status; age; sex or gender (including pregnancy, childbirth, and pregnancy-related conditions); gender identity or expression (including transgender status); sexual orientation; marital status; military service and veteran status; physical or mental disability; genetic information; or any other characteristic protected by applicable federal, state, or local laws (referred to as “protected characteristics”). Way To Go Merchandising & Staffing also prohibits retaliation. All such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate the personal morality of employees but to ensure that no one engages in discrimination or harassment (including sexual harassment) of another individual in the workplace, including while on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises), or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, discrimination, harassment, or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual reported or filed a complaint of discrimination or harassment (including sexual harassment) or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of discrimination or harassment (including sexual harassment) as defined by applicable federal, state, or local laws or helped others exercise their right to complain about discrimination or harassment (including sexual harassment) as defined by applicable federal, state, or local laws are unlawful.

Reasonable Accommodation

Employees also have the right to reasonable workplace accommodations based on pregnancy, disability, religious beliefs, or any other reason required by applicable federal, state, or local laws. This means employees can ask for reasonable changes to their job if needed because they are pregnant or disabled or because of their religious beliefs or any other reason required by applicable federal, state, or local laws.

Discrimination Defined

Discrimination under this policy generally means treating an individual differently or denying or granting a benefit to an individual because of any actual or perceived protected characteristic as defined under federal, state, or local law/ordinance.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

For employees working in the City of Chicago, sexual harassment also is defined specifically under the Ordinance to mean any:

1. Unwelcome sexual advances or any unwelcome conduct of a sexual nature;
2. Requests for sexual favors or conduct of a sexual nature when:
    - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
    - Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
    - Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; or
3. Sexual misconduct, which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual's employment position.

Examples of conduct that violate this policy include:

- Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters, and drawings;
- Sexually explicit emails, text messages, or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome sexually related comments;
- Conversation about one's own or someone else's sex life;
- Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

Way To Go Merchandising & Staffing Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Head of Human Resources. Written complaints can be submitted internally using the form provided in this handbook. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee

should contact the President. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. Employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

Training Requirement

Employees, other than those who supervise or manage employees, are required to participate in a minimum of one (1) hour of sexual harassment prevention training at least once a year in accordance with the IHRA/Ordinance. Anyone who supervises or manages employees is required to participate in a minimum of two (2) hours of sexual harassment prevention training at least once a year in accordance with the IHRA/Ordinance. Additionally, all employees are required to participate in one (1) hour of bystander training at least once a year in accordance with the Ordinance.

Additional Reporting Procedures

Aside from the internal complaint process at Way To Go Merchandising & Staffing described above, employees may choose to file a charge/complaint of discrimination or harassment (including sexual harassment) with the government agency or agencies set forth below.

Illinois Department of Human Rights (IDHR)

The charge process for violations of the law can be initiated by completing the form at www.illinois.gov/dhr or by contacting the IDHR at IDHR.Intake@illinois.gov, or either of these offices:

Chicago Office
555 W. Monroe St., 7th Floor
Chicago, IL 60661
(312) 814-6200
(866) 740-3953 (TTY)
(312) 814-6251 (Fax)

Springfield Office
535 W. Jefferson Street, 1st Floor
Springfield, IL 62702
(217) 785-5100
(866) 740-3953 (TTY)
(217) 785-5106 (Fax)

Employees can also contact the Illinois Sexual Harassment and Discrimination Helpline at 1-877-236-7703.

Chicago Commission on Human Relations (CCHR)

The complaint process for violations of the law can be initiated by visiting www.chicago.gov/CCHR or by contacting the CCHR at cchr@cityofchicago.org, or at:

740 N. Sedgwick Suite 400
Chicago, Illinois 60654
(312) 744-4111
(312) 744-1088 (TTY)
(312) 744-1081 (fax)

Additionally, employees may choose to file a charge of discrimination or harassment (including sexual harassment) with the United States Equal Employment Opportunity Commission (EEOC) by contacting it at:

JCK Federal Building
230 S Dearborn Street
Chicago, Illinois 60604
Filing of Private Sector Charges/Enforcement/Federal Sector Hearings: Suite 1866
Mediation Unit/Legal Unit: Suite 2920
(800) 669-4000
(312) 588-1260 (Fax)

18.10 Illinois: Family Bereavement Leave

An employee who is eligible for leave under the federal Family and Medical Leave Act (FMLA) may take up to two (2) weeks (10 workdays) of unpaid bereavement leave for any or all of the following purposes:

1. To attend the funeral or alternative to a funeral of the employee's family member;
2. To make arrangements necessitated by the death of the employee's family member;
3. To grieve the death of the employee's family member; or
4. To be absent from work due to:
    a. A miscarriage,
    b. An unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure,
    c. A failed adoption match or an adoption that is not finalized because it is contested by another party,
    d. A failed surrogacy agreement,
    e. A diagnosis that negatively impacts pregnancy or fertility, or
    f. A stillbirth.

For purposes of this policy, "family member" means an employee's child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent. "Child" includes an employee's biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis.*

Leave under this policy is available only to employees who have not exhausted their FMLA leave entitlement at the time bereavement leave is requested. In the event of the death of more than one (1)

covered family member in a 12-month period, an employee may take up to a total of six (6) weeks of bereavement leave during the 12-month period.

An employee who uses leave under the Child Extended Bereavement Leave Act because of the death of a child may not take leave under the Family Bereavement Leave Act because of the death of the same child.

Bereavement leave must be completed within 60 days of the date on which the employee received notice of the death of the employee's family member or the occurrence of an event listed in reason number four (4) above.

An employee requesting leave under this policy generally must provide Way To Go Merchandising & Staffing with at least 48 hours' advance notice of the intention to take bereavement leave, unless providing such notice is not reasonable and practicable under the circumstances.

Employees may substitute available paid time off while taking unpaid leave under this policy, but this substitution does not extend the length of the leave.

Way To Go Merchandising & Staffing may require reasonable documentation in connection with leave taken under this policy. Documentation may include a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency. For leave resulting from an event listed under reason four (4) above, reasonable documentation shall include a form, to be provided by the Illinois Department of Labor, to be filled out by a health care practitioner who has treated the employee or the employee's spouse or domestic partner, or surrogate, for an event listed under reason four (4), or documentation from the adoption or surrogacy organization that the employee worked with related to an event listed under reason four (4), certifying that the employee or employee's spouse or domestic partner has experienced an event listed under reason four (4). Way To Go Merchandising & Staffing will not require that the employee identify which category of event the leave pertains to as a condition of exercising rights under this policy.

Employees will not be subject to adverse action for exercising rights or attempting to exercise rights under this policy, opposing practices that they believe to be in violation of this policy, or supporting the exercise of rights of another under this policy.

18.11 Illinois: Chicago Non-Harassment Complaint Form (Including Sexual Harassment)

If you believe that you have been subjected to conduct in violation of Way To Go Merchandising & Staffing's policy prohibiting harassment, including sexual harassment, you are encouraged to complete this form and submit it to the Head of Human Resources or the President. If you are more comfortable reporting verbally or in another manner, you may do so and can follow the guidelines set forth in the Chicago Discrimination and Non-Harassment (Including Sexual Harassment) policy. You will not be retaliated against for filing a complaint. Once a complaint is received, Way To Go Merchandising & Staffing will follow the investigation process described in the policy.

General Information

Your Name / Job Title:

Your Department / Supervisor:

Preferred Communication Method (if via e-mail or phone, please provide contact info):

Complaint Information

Please tell us who you believe has violated our policy prohibiting sexual harassment. What is their relationship to you (e.g., supervisor, subordinate, co-worker, other)?

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

Please provide specific date(s) the alleged misconduct occurred. Additionally, please advise if the alleged misconduct is continuing.

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

This last question is optional, but may help the investigation

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

Sign and date this form below:

Signature: _____ Date: _____

18.12 Illinois: Blood And Organ Donation Leave

(Applies to employers with 51 or more employees)

A full-time employee who has been employed by the Company for a period of six (6) months or more may request a paid leave of absence for up to one hour every fifty six (56) days to donate blood. A full-time or

a part-time employee may request up to 10 days of paid leave in any 12-month period to serve as an organ donor.

Any pay provided for time spent on Blood and Organ Donation Leave is not counted as hours worked for purposes of calculating overtime.

Employees must provide reasonable notice of their request for leave under this policy and receive advance approval.

Employees will continue to receive health benefits for the duration of their leave as if they were working. Upon returning from such leave, employees will have a right to return to the same or equivalent positions they held before such leave. Absences due to reasons set forth under this policy do not count as a break in service for the purpose of the employee's right to salary adjustments, sick leave, vacation, paid time off, annual leave, seniority or other employee benefits.

The Company prohibits retaliation against an employee for requesting or using the leave provided in or for raising a violation of this policy.

Section 19 - Indiana Addendum

19.1 Indiana: Family Military Leave

Employees who have been employed by Way To Go Merchandising & Staffing for at least 12 months, have worked at least 1,500 hours during the 12-month period immediately preceding the day the leave begins, and are the spouse, parent, grandparent, child or sibling of an individual ordered to active duty, are eligible for an unpaid leave of absence for up to 10 days each calendar year.

Leave may be taken during any of the following periods:

- during the 30 days before active duty orders are in effect;
- during a period in which the military family member ordered to active duty is on leave while active duty orders are in effect;
- during the 30 days after the active duty orders are terminated.

Employees may elect to substitute any accrued paid time off (except for paid medical or sick leave) for leave provided under this policy. If applicable, health care benefits will be continued at the employee's expense during the period of leave.

Employees must provide written notice to Way To Go Merchandising & Staffing at least 30 days in advance; notice must include a copy of the active duty orders (if available) and an indication of the date the leave will begin. If the active duty orders are issued less than 30 days before the date the requested leave is to begin, written notice must be provided as soon as possible under such circumstances. Way To Go Merchandising & Staffing reserves the right to require verification of eligibility for this leave. Failure to provide such verification within a reasonable time after it was requested may result in the absence from employment being considered unexcused.

Upon returning from leave, in most cases the employee will be restored to the position they held before the leave began or to an equivalent position.

19.2 Indiana: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve as a volunteer firefighter or a volunteer for a mobile support unit in response to a disaster, public health emergency, public safety emergency and other events that require emergency action. Employees should contact their supervisor in writing as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with

federal and state wage and hour laws. No employee will be disciplined for taking time off pursuant to this policy.

Section 20 - Iowa Addendum

20.1 Iowa: Pregnancy Leave

Employees are entitled to an unpaid leave of absence of up to eight (8) weeks for any pregnancy-related disability. Way To Go Merchandising & Staffing may require verification of disability. Timely notice of leave is required. Leave runs concurrently with any other leave provided by Way To Go Merchandising & Staffing. Employees may use accrued time off for this purpose.

20.2 Iowa: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in an election, employees may take off working time to vote. Sufficient time is considered to be two (2) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed voting leave on Election Day without loss of pay or retaliation. Supervisors must be notified in writing of the need for leave in advance of Election Day. Supervisors may specify which hours the employee may be absent.

20.3 Iowa: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve as a volunteer firefighter, reserve police officer, emergency medical care provider, or other personnel having voluntary emergency service duties. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated for taking time off pursuant to this policy.

Section 21 - Kansas Addendum

21.1 Kansas- Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a county-conducted election, employees may take off working time to vote. Sufficient time is considered to be two (2) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed voting leave on Election Day without loss of pay or retaliation. Where possible, supervisors should be notified of the need for leave in advance of Election Day. Supervisors may specify when leave may be taken.

21.2 Kansas: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve as a volunteer firefighter, certified emergency medical service attendant, reserve law enforcement officer, or part-time law enforcement officer. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated for taking time off pursuant to this policy.

21.3 Kansas: Victims Of Domestic Abuse, Sexual Assault, And Related Crimes Leave

Employees who are victims of domestic violence or sexual assault may take unpaid time off up to eight (8) days per calendar year for the following reasons:

- Obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order or other injunctive relief to help ensure the health, safety or welfare of the victim or the victim's child or children;
- Seek medical attention for injuries caused by domestic violence or sexual assault;
- Obtain services from a domestic violence shelter, domestic violence program or rape crisis center as a result of domestic violence or sexual assault; or
- Make court appearances in the aftermath of domestic violence or sexual assault.

The Company may require proof of the employee’s participation in these activities. Within 48 hours after returning from the requested time off, the employee must provide documentation to support taking time off. Appropriate forms of documentation include:

- A police report indicating that the employee was a victim of domestic violence or sexual assault;
- A court order protecting or separating the employee from the perpetrator, or other evidence from the court or prosecuting attorney that the employee has appeared in court; or
- Documentation from a medical professional, domestic violence advocate or advocate for victims of sexual assault, health care provider or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence or sexual assault.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy.

No employee will be subject to discrimination or retaliation for taking leave under this policy.

Section 22 - Kentucky Addendum

22.1 Kentucky: Adoption Leave

Subject to limited exceptions and consistent with Kentucky law, Employees are entitled to an unpaid leave of absence of up to six (6) weeks for the purposes of adopting a child under the age of ten. Advance written notice is required. Way To Go Merchandising & Staffing may require verification of adoption. Leave runs concurrently with any other leave provided by Way To Go Merchandising & Staffing.

Employees may use accrued time off for this purpose.

22.2 Kentucky: Overtime

Like most successful companies, the company experiences periods of extremely high activity. During these busy periods, additional work is required from all of us. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Efforts will be made to provide employees with adequate advance notice in such situations.

Non-exempt employees generally will be paid overtime at the rate of time and one-half (1.5) times their normal hourly wage for all hours worked in excess of 40 hours in one (1) week and, for employees that are not officers, superintendents, foremen or supervisors of other employees, all hours worked on the seventh (7^{th}) consecutive workday in a workweek. If an employee is permitted to work more than 40 hours in a workweek, the overtime paid for hours worked on the seventh (7^{th}) day will be credited against the amount owed for regular overtime for hours worked in excess of 40 hours.

Employees may work overtime only with management authorization.

Paid time off, holidays or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Saturday and ends 168 hours later at 12 a.m. on the following Saturday.

22.3 Kentucky: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve as a volunteer firefighter, rescue squad member, emergency medical technician, peace officer, or member of an emergency management agency. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their

supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated for taking time off pursuant to this policy.

Section 23 - Louisiana Addendum

23.1 Louisiana: Bone Marrow Donation Leave

Employees are entitled to up to 40 hours of paid leave for the purposes of donating bone marrow. Verification of donation and the length of necessary leave may be required by Way To Go Merchandising & Staffing. Reasonable notice of leave must be provided.

23.2 Louisiana: Pregnancy Accommodations

Pursuant to Louisiana law, employees have the right to be free from discrimination in relation to pregnancy, childbirth, and related medical conditions, including the right to reasonable accommodations for conditions related to pregnancy.

Way To Go Merchandising & Staffing will provide a reasonable accommodation for an employee with limitations related to pregnancy, childbirth or related medical conditions if the employee requests such an accommodation. However, Way To Go Merchandising & Staffing may deny such an accommodation if the accommodation would impose an undue hardship on Way To Go Merchandising & Staffing's program, enterprise, or business.

Accommodations may include, but are not limited to:

1. Making existing facilities readily accessible and usable;
2. Providing scheduled and more frequent or longer compensated break periods;
3. Providing more frequent bathroom breaks;
4. Providing a private place, other than a bathroom stall, for the purpose of expressing breast milk;
5. Modifying food or drink policy;
6. Providing seating or allowing the employee to sit more frequently if the job requires the employee to stand;
7. Providing assistance with manual labor and limits on lifting;
8. Temporarily transferring the employee to a less strenuous or hazardous vacant position, if qualified;
9. Providing job restructuring or light duty, if available;
10. Acquiring or modifying equipment or devices necessary for performing essential job functions; or
11. Modifying work schedules.

Employees also may be entitled to pregnancy leave as described in the Pregnancy Leave policy.

Employees who would like an accommodation should contact the Head of Human Resources. Upon request for an accommodation, Way To Go Merchandising & Staffing will engage in a timely, good faith,

interactive process with employees to determine effective reasonable accommodations.

Way To Go Merchandising & Staffing will not deny employment opportunities or take adverse action against employees based on pregnancy, childbirth, or related medical conditions with respect to the terms, conditions or privileges of employment or for requesting or accepting a reasonable accommodation.

Employees with questions or concerns regarding this policy should contact the Head of Human Resources.

23.3 Louisiana: Pregnancy Leave

Employees are entitled to an unpaid leave of absence of up to six (6) weeks for any normal pregnancy, childbirth or related medical conditions. Employees who are disabled by pregnancy, childbirth or related medical conditions may take up to four (4) months of unpaid leave.

Employees are required to provide reasonable notice of the date on which leave will commence and the estimated duration of the leave. In addition, Way To Go Merchandising & Staffing may require verification of disability.

Employees may use any accrued paid time off they have available during the otherwise unpaid leave. Leave taken under this policy runs concurrently with any other leave provided by Way To Go Merchandising & Staffing.

For additional information on this leave, please contact the Head of Human Resources and/or the CFO.

23.4 Louisiana: School And Day Care Conf. And Activities Leave

Way To Go Merchandising & Staffing will grant employees who are parents or guardians of school-age children up to 16 hours of unpaid leave during any 12-month period to observe or participate in conferences or classroom activities related to the employee's dependent children for whom the employee is the legal guardian that are conducted at the child's school or day care center, if such activities cannot reasonably be scheduled during the nonwork hours of the employee. The employee must provide reasonable prior notice of the leave and must make a reasonable effort to schedule the leave so as not to unduly disrupt Way To Go Merchandising & Staffing's operations. Employees may use accrued paid time off for this purpose.

23.5 Louisiana: Jury Duty Leave

The Company realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law without retaliation. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

The Company will provide one (1) day paid time off to any employee who is called or subpoenaed to serve on a state petit, grand jury or central jury pool. Employees will not be required to use accrued paid time off for additional days. Exempt employees will be paid as necessary to comply with federal and state wage and hour laws.

23.6 Louisiana: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve or recover from disease or injury as a first responder in the Governor's Office of Homeland Security and Emergency Preparedness. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. Employees must report to their place of employment within 72 hours after release from duty or recovery from disease or injury from service as a first responder.

Employees returning from time off pursuant to this policy will be reinstated in or restored to the same or comparable position of employment, unless reinstatement would cause undue burden to [the Company]. Such position or a comparable position will be at no less compensation, seniority, status or benefits than that the employee was receiving at the time of the call to duty.

23.7 Louisiana: Time Off For Crime Victims

Employees who are victims of or a witness to a crime may take unpaid time off to appear in criminal proceedings.

The Company may require proof of the employee's participation in these activities, which the employee should be able to obtain from judicial and law enforcement agencies.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy.

Section 24 - Maine Addendum

24.1 Maine: Pregnancy Accommodations

In compliance with Maine's Act to Protect Pregnant Workers law, Way To Go Merchandising & Staffing will not discriminate against applicants or employees because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth.

Except where based on a bona fide occupational qualification, Way To Go Merchandising & Staffing will not treat a pregnant person who is able to work in a different manner from other persons who are able to work. Neither will Way To Go Merchandising & Staffing treat a pregnant person who is not able to work because of a disability or illness resulting from pregnancy or from medical conditions that result from pregnancy, in a different manner from others who are not able to work because of other disabilities or illnesses.

If applicants or employees request a reasonable accommodation due to health conditions related to pregnancy, childbirth, or a medical condition related to pregnancy or childbirth, Way To Go Merchandising & Staffing will endeavor to provide a reasonable accommodation to enable them to perform the essential functions of the job, unless the accommodation would impose an undue hardship on the operation of the business.

Way To Go Merchandising & Staffing will engage in a timely, good faith and interactive process with the employee to determine effective, reasonable accommodations. Reasonable accommodations for a pregnancy-related condition may include, but are not limited to:

- More frequent or longer breaks;
- Temporary modification of work schedules, seating, or equipment;
- Temporary relief from lifting requirements;
- Temporary transfer to less strenuous or hazardous work; and
- Provisions for lactation.

If employees have any questions, concerns, or complaints concerning this policy or wish to request an accommodation, they should contact the Head of Human Resources.

24.2 Maine: Family And Medical Leave

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides employees information concerning FMLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA leave, they should contact their supervisor or ADP TotalSource.

In addition to the leave available under Way To Go Merchandising & Staffing's Family and Medical Leave Act ("FMLA") policy, employees in the state of Maine also are eligible for leave under the Maine Family and Medical Leave Act ("MFLA").

Under the MFLA, eligible employees may take up to 10 weeks of unpaid leave within any 24 month period based on a rolling 12-month period measured backward from the date an employee uses their leave. for the employee's serious health condition; the birth of the employee's child or the employee's domestic partner's child; the placement of a child 16 years of age or less with the employee or with the employee's domestic partner in connection with the adoption of the child by the employee or the employee's domestic partner; a serious health condition of a child, domestic partner's child, parent, domestic partner, sibling or spouse; the donation of an organ by the employee for human transplant; and/or the death or serious health condition of the employee's spouse, domestic partner, parent, sibling or child if the spouse, domestic partner, parent, sibling or child as a member of the state or federal military forces dies or incurs a serious health condition while on active duty.

Where both the federal and MFLA laws apply, any leave taken will be counted under both laws at the same time.

I. Eligibility

FMLA leave is available to "eligible employees." To be an "eligible employee," an employee must: 1) have been employed by the Company for at least 12 months (which need not be consecutive); 2) have been employed by the Company for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

In order to be eligible for leave under the MFLA, an employee must have worked for the Company or ADP TotalSource for at least 12 consecutive months immediately preceding the request for leave and work for an employer at a Maine worksite with 15 or more employees.

II. Entitlements

The FMLA / MFLA provide eligible employees with a right to leave, applicable health insurance benefits and, with some limited exceptions, job restoration. The FMLA also entitles employees to certain written notices concerning their potential eligibility for and designation of FMLA leave.

A. Basic FMLA / MFLA Leave Entitlement:

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a rolling 12-month period measured backward from the date an employee uses their FMLA leave. Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, domestic partner (MFMLA only), child, domestic partner’s child (MFMLA only), sibling (MFMLA only), parent (but not in-law), grandchild (MFMLA only) or domestic partner's grandchild (MFMLA only) who has a **serious health condition**;

- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or
- Because of any **qualifying exigency** arising out of the fact that an employee's spouse, child or parent is a covered military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces in support of contingency operations or Regular Armed Forces for deployment to a foreign country. This leave also is available for family members of active duty service members.

The MFLA provides eligible employees up to 10 workweeks of unpaid leave in any two year period. Leave may be taken for any one, or for a combination, of the following reasons:

- The employee's own serious health condition;
- To care for the employee's child after birth, or placement of a child 16 years of age or less with the employee for adoption;
- Serious health condition of a child, parent, sibling, spouse or domestic partner;
- An organ donation by the employee; and/or
- The death or serious health condition of the employee's spouse, domestic partner, parent, sibling or child if they die or incur a serious health condition as a member of the state military forces, or the United States Armed Forces, including the National Guard and Reserves while on active duty.

A **sibling** under the MFLA is defined as a sibling of an employee who is jointly responsible with the employee for each other's common welfare as evidence by joint financial and living arrangements,

A **domestic partner** under the MFLA is a mentally competent adult that has been legally domiciled with the employee for at least 12 months, is not legally married to or legally separated from another individual, is the sole partner of the employee and expects to remain so, is not a sibling of the employee; and is jointly responsible with the employee for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property.

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 three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, incapacity due to pregnancy or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

B. Additional Military Family Leave Entitlement (Injured Servicemember Leave)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, child, parent or next of kin of a **covered servicemember** is entitled to take up 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single 12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember

A "**covered servicemember**" is 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 on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as “current members of the Armed Forces.”

Covered servicemembers also include a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five years preceding the 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. These individuals are referred to in this policy as “covered veterans.”

The FMLA definitions of a “serious injury or illness” for current Armed Forces members and covered veterans are distinct from the FMLA definition of “serious health condition” applicable to FMLA leave to care for a covered family member.

C. Intermittent Leave and Reduced Leave Schedules

Leave usually will be taken for a period of consecutive days, weeks or months. However, employees are also entitled to take leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member, or the serious injury or illness of a covered servicemember.

D. No Work While on Leave

The taking of another job while on leave or any other authorized leave of absence is grounds for immediate termination, to the extent permitted by law.

E. Protection of Group Health Insurance Benefits

During FMLA leave, eligible employees are entitled to receive group health plan coverage (if applicable) on the same terms and conditions as if they had continued to work. If leave is solely pursuant to MFLA, the employee may be required to pay the full health insurance premium during leave.

F. Restoration of Employment and Benefits

At the end of leave, subject to some exceptions including situations where job restoration of "key employees" will cause Way To Go Merchandising & Staffing substantial and grievous economic injury (FMLA only) , employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms.

Way To Go Merchandising & Staffing will notify employees if they qualify as "key employees," if it intends to deny reinstatement and of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

G. Notice of Eligibility for, and Designation of, FMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from Way To Go Merchandising & Staffing telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) the Company's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

Way To Go Merchandising & Staffing may retroactively designate leave as FMLA leave with appropriate written notice to employees provided Way To Go Merchandising & Staffing's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, Way To Go Merchandising & Staffing and employee can mutually agree that leave be retroactively designated as FMLA leave.

III. Employee Leave Obligations

A. Provide Notice of the Need for Leave

Employees who take leave must timely notify Way To Go Merchandising & Staffing of their need for leave. The following describes the content and timing of such employee notices.

1. Content of Employee Notice

To trigger leave protections, employees must inform their supervisor or ADP TotalSource (866-400-6011, Option 2 or email: TotalSource.FMLA@adp.com) of the need for qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting leave specifically, or explaining the reasons for leave so as to allow Way To Go Merchandising & Staffing to determine that the leave is qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member (including domestic partner, domestic partner’s child, sibling, grandchild and domestic partner’s grandchild under MFMLA) are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency cause by a covered military member being on active duty or called to active duty status; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for leave under this policy. Employees must respond to Way To Go Merchandising & Staffing's questions to determine if absences are potentially FMLA / MFLA -qualifying.

If employees fail to explain the reasons for leave, the leave may be denied. When employees seek leave due to qualifying reasons for which Way To Go Merchandising & Staffing has previously provided FMLA / MFLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA / MFLA leave.

2. Timing of Employee Notice

Employees must provide 30 days' advance notice of the need to take leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide t Way To Go Merchandising & Staffing notice of the need for leave as soon as practicable under the facts and circumstances of the particular case.

Employees, who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy leave notice obligations, may have leave delayed or denied.

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with Way To Go Merchandising & Staffing and make a reasonable effort to schedule treatment so as not to unduly disrupt Way To Go Merchandising & Staffing's operations, subject to the approval of an employee's health care provider. Employees must consult with Way To Go Merchandising & Staffing prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both Way To Go Merchandising & Staffing and the employees, subject to the approval of an employee's health care provider. If employees providing notice of the need to take leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, Way To Go Merchandising & Staffing may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, Way To Go Merchandising & Staffing may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise Way To Go Merchandising & Staffing of the reasons why such leave is medically necessary. In such instances, Way To Go Merchandising & Staffing and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting Way To Go Merchandising & Staffing's operations, subject to the approval of the employee's health care provider.

C. Submit Medical Certifications Supporting Need for Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of the leave sought, employees may be required to submit medical certifications supporting their need for qualifying leave. As described below, there generally are three

types of FMLA medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide Way To Go Merchandising & Staffing with timely, complete and sufficient medical certifications. Whenever Way To Go Merchandising & Staffing requests employees to provide medical certifications, employees must provide the requested certifications within 15 calendar days after Way To Go Merchandising & Staffing's request, unless it is not practicable to do so despite an employee's diligent, good faith efforts. Way To Go Merchandising & Staffing shall inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. Way To Go Merchandising & Staffing will deny leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, Way To Go Merchandising & Staffing (through individuals other than an employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide Way To Go Merchandising & Staffing with authorization allowing it to clarify or authenticate certifications with health care providers, Way To Go Merchandising & Staffing may deny leave if certifications are unclear.

Whenever Way To Go Merchandising & Staffing deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If Way To Go Merchandising & Staffing has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at Way To Go Merchandising & Staffing's expense. If the opinions of the initial and second health care providers differ, Way To Go Merchandising & Staffing may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by Way To Go Merchandising & Staffing and the employee.

2. Medical Recertifications

Depending on the circumstances and duration of leave, Way To Go Merchandising & Staffing may require employees to provide recertification of medical conditions giving rise to the need for leave. Way To Go Merchandising & Staffing will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide Way To Go Merchandising & Staffing medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the

employees' position, with or without reasonable accommodation. Way To Go Merchandising & Staffing may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the active duty or call to active duty status of a covered military member, Way To Go Merchandising & Staffing may require employees to provide: 1) a copy of the covered military member's active duty orders or other documentation issued by the military indicating the covered military member is on active duty or call to active duty status and the dates of the covered military member's active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different active duty or call to active duty status of the same or a different covered military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, Way To Go Merchandising & Staffing may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, Way To Go Merchandising & Staffing may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

E. Substitute Paid Leave for Unpaid Leave

Employees must use any accrued paid time while taking unpaid leave (unless Way To Go Merchandising & Staffing specifically informs employees that this will not be required).

The substitution of paid time for unpaid leave time does not extend the length of FMLA / MFLA leave and the paid time will run concurrently with an employee's FMLA / MFLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any leave entitlement.

Upon written request, Way To Go Merchandising & Staffing will allow employees to use accrued paid time to supplement any paid disability benefits.

F. Pay Employee's Share of Health Insurance Premiums

During FMLA leave, employees are entitled to continued group health plan coverage (if applicable) under the same conditions as if they had continued to work. If leave is solely pursuant to MFLA, the employee may be required to pay the full health insurance premium during leave.

Unless Way To Go Merchandising & Staffing notifies employees of other arrangements, whenever employees are receiving pay from Way To Go Merchandising & Staffing during leave, Way To Go Merchandising & Staffing will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If leave is unpaid, employees must pay their portion of the group health premium through a method determined by Way To Go Merchandising & Staffing upon leave.

Way To Go Merchandising & Staffing's obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If an employee's payment is more than 15 days late, Way To Go Merchandising & Staffing will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse Way To Go Merchandising & Staffing for the cost of the premiums Way To Go Merchandising & Staffing paid for maintaining coverage during their unpaid FMLA leave.

IV. Questions and/or Complaints about FMLA/MFMLA Leave

If you have questions regarding this policy, please contact your supervisor or ADP TotalSource at 1-844-448-0325 or email: Leaves@adp.com). Way To Go Merchandising & Staffing is committed to complying with the FMLA / MFLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA / MFLA.

The FMLA / MFLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA / MFLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA / MFLA or involvement in any proceeding under or relating to FMLA / MFLA. If employees believe their FMLA / MFLA rights have been violated, they should contact ADP TotalSource immediately. Way To Go Merchandising & Staffing will investigate any FMLA / MFLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA / MFLA violations.

V. Coordination of FMLA / MFLA Leave with Other Leave Policies

The FMLA / MFLA does not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law which provides greater or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA / MFLA leave is either not available or exhausted, please consult the Company's other leave policies in this Handbook or contact your supervisor or ADP TotalSource.

24.3 Maine: Paid Family And Medical Leave (For Employers Using The State Plan)

Eligibility Requirements

All employees working and eligible for unemployment benefits in Maine are eligible for paid family and medical leave (PFML) under the Maine Paid Family and Medical Leave program, provided they earned at least six (6) times the state average weekly wage in the first four (4) of the last five (5) completed calendar quarters.

Entitlement

Beginning May 1, 2026, eligible employees may take up to 12 weeks of job-protected PFML leave for certain family and medical reasons during the course of a benefit year. The benefit year is calculated prospectively looking at the 12-month period beginning on the first day of the calendar week

immediately preceding the first date of approved family or medical leave. PFML leave may be taken for any one (1), or for a combination, of the following reasons:

- *Up to* 12 weeks of family leave:
    - For the birth of the employee's child or the employee's domestic partner's child;
    - For the placement of a child 16 years of age or younger with the employee or with the employee's domestic partner in connection with the adoption of the child by the employee or the employee's domestic partner;
    - To bond with the employee's child or the employee's domestic partner's child during the first 12 months after the child's birth or the first 12 months after the placement of the child for adoption or foster care with the employee;
    - To care for a family member with a serious health condition;
    - To take safe leave because the employee or the employee's family member is a victim of violence, assault, sexual assault, stalking, or any act that would support an order for protection if the employee is using the leave to protect the employee or the employee's family member by:
        - Seeking an order for protection;
        - Obtaining medical care or mental health counseling for the covered individual or for the covered individual's family member to address physical or psychological injuries resulting from the act of violence, assault, sexual assault, stalking, or act that would support an order for protection;
        - Making the covered employee's or the covered employee's family member's home secure from the perpetrator of the act of violence, assault, sexual assault, stalking, or act that would support an order for protection or seeking new housing to escape the perpetrator; or
        - Seeking legal assistance to address issues arising from the act of violence, assault, sexual assault, stalking, or act that would support an order for protection or attending and preparing for court-related proceedings arising from the act or crime;
    - To attend to a qualifying exigency;
    - To care for a family member of the employee who is a covered service member;
    - The donation of an organ of that employee for a human organ transplant; or
    - The death or serious health condition of the employee's spouse, domestic partner, parent, sibling, or child if the spouse, domestic partner, parent, sibling, or child is a member of the state military forces, as defined in Me. Rev. Stat. tit. 37-B, § 102, or the United States Armed Forces, including the National Guard and Reserves, dies or incurs a serious health condition while on active duty; and
- *Up to* 12 weeks of medical leave to address the employee's own serious health condition that makes the employee unable to work.

A “covered-family member” includes the employee's child, parent, grandparent, grandchild, sibling, spouse or domestic partner, or another individual with whom the employee has a significant personal bond that is or is like a family relationship.

A “serious health condition” means an illness, injury, impairment, pregnancy, recovery from childbirth, or physical, mental, or psychological condition that involves inpatient care in a hospital, hospice, or

residential medical care center or continuing treatment by a health care provider.

“Qualifying exigencies” may include caring for a military member's child or other family member of the military member on covered active duty, making financial or legal arrangements for the military member, attending counseling, attending military events or ceremonies, spending time with the military member during a rest and recuperation leave or following return from deployment, or making arrangements following the death of the military member.

A “covered servicemember” is either:

1. A member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or a serious injury or illness that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces; or
2. A former member of the Armed Forces, including a former member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces or a serious injury or illness that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces and manifested before or after the member was discharged or released from service.

Leave and benefits are administered by the Maine Department of Labor (the Department). All benefits determinations are made exclusively by the Department. The Department calculates weekly benefits as follows: (1) the portion of the employee's average weekly wage that is equal to or less than 50 percent of the state average weekly wage shall be replaced at a rate of 90 percent; and (2) the portion of the employee's average weekly wage that is more than 50 percent of the state average weekly wage shall be replaced at a rate of 66 percent, up to the maximum weekly benefit of 100 percent of the average weekly wage.

The first seven (7) calendar days of leave are unpaid by the Department. During any unpaid waiting period, employees may elect to use accrued sick pay or vacation pay time to replace their regular income.

Supplementation of PFML Benefits with Way To Go Merchandising & Staffing Benefits

Employees may supplement PFML benefits with accrued vacation, PTO, personal, sick time, extended illness bank, etc. (assuming the reason for taking PFML leave is covered under the personal, sick time, extended illness bank, etc., policy), provided the total amount of PFML benefits and paid time off does not exceed the employee’s regular earnings. Receipt of such benefits does not extend PFML leave entitlements.

Use of Leave

PFML leave is usually taken for a period of consecutive days, weeks, or months. However, employees also are entitled to take PFML leave intermittently or, with the agreement of Way To Go Merchandising & Staffing, on a reduced leave schedule. Intermittent leave may be taken in increments of not less than

one (1) day, unless a lesser increment is agreed to by the employee and Way To Go Merchandising & Staffing, except that the employee and Way To Go Merchandising & Staffing may not agree to leave to be taken in increments of less than one (1) hour.

The use of intermittent leave will result in the proportional reduction of the employee's available allotment of leave. For example, if the employee normally works 40 hours per week and takes intermittent leave for 20 hours each week, then it will be counted as half a week of leave against the employee's leave entitlement.

Employee Notice to Way To Go Merchandising & Staffing

In order to request PFML leave, employees must inform the Head of Human Resources of the need for leave and the anticipated timing and duration of the leave, if known. The employee notice must state:

- The anticipated start date of the leave;
- The anticipated length of the leave; and
- The employee's expected return date.

Employees must provide reasonable advance notice of the need to take PFML leave when the need is foreseeable. In most cases, 30 days' advance notice is considered reasonable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide Way To Go Merchandising & Staffing notice of the need for leave as soon as practicable.

Employee Application to the Department

Employees should apply directly to the Department for leave and benefits. Employees are required to follow all rules and procedures set by the Department concerning this process. The application to the Department can be submitted as early as 60 days prior to the state of the leave and no later than 90 days following the start of the leave. The Department will advise Way To Go Merchandising & Staffing of the employee's application.

Undue Hardship

If Way To Go Merchandising & Staffing feels that the timing of the requested leave would cause an “undue hardship,” or a significant cost or other impact that cannot be overcome with the amount of notice provided, and thinks the leave could be rescheduled to a less disruptive time, Way To Go Merchandising & Staffing may submit an Undue Hardship Form to the Department within 10 business days of employee's application for leave.

Job Benefits and Protection

During PFML leave, Way To Go Merchandising & Staffing will maintain health coverage under any employment-related health insurance on the same terms and conditions as if the employee had continued to work. If Way To Go Merchandising & Staffing-provided benefits are used to supplement the insurance provider's benefits, Way To Go Merchandising & Staffing will deduct the employee's portion of any applicable health plan premium as a regular payroll deduction. If the employee is not receiving any Way To Go Merchandising & Staffing benefits during the leave, the employee must make arrangements with the Head of Human Resources to pay their portion of any applicable health insurance premiums each month.

If the employee has been employed by Way To Go Merchandising & Staffing for at least 120 consecutive days when the leave begins, the employee returning from PFML leave will be restored to their previous or equivalent position with equivalent pay, benefits, and conditions.

Return-to-Work/Fitness-for-Duty Medical Certifications

Unless notified otherwise, employees returning to work from PFML leaves taken for their own serious health conditions must provide Way To Go Merchandising & Staffing with a medical certification confirming they are able to return to work and to perform the essential functions of their positions, with or without reasonable accommodation. Way To Go Merchandising & Staffing may delay and/or deny job restoration until employees provide return-to-work/fitness-for-duty certifications.

Interaction with Other Leave Policies

Leave taken pursuant to PFML will run concurrently with leave taken under other applicable state and federal leave laws, including without limitation the Maine Family and Medical Leave Act and the federal Family and Medical Leave Act of 1993, when the leave is for a qualified reason under those laws.

Right to an Appeal

Any employee who is denied PFML benefits, has issues as to the amount of benefits, or disputes an undue hardship finding, among other things, may submit an appeal to the Department. The appeal must be filed within 15 business days of receipt of the denial. The deadline may be extended by the Department upon a showing of good cause.

Questions and/or Complaints about PFML Leave

If employees have questions regarding this PFML policy, they should contact the Head of Human Resources. For questions about determinations by the Department on leave eligibility, entitlement, and/or benefits, they should contact the Department directly at (207) 621-5024. Way To Go Merchandising & Staffing is committed to complying with the PFML and, whenever necessary, shall interpret and apply this policy in a manner consistent with the PFML.

24.4 Maine: Discrimination And Non-Harassment (Including Sexual Harassment)

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race; color; creed; religion; national origin; ancestry; citizenship status; age; sex or gender (including pregnancy, childbirth, and pregnancy-related conditions); gender identity or expression (including transgender status); sexual orientation; marital status; military service and veteran status; physical or mental disability; genetic information; or any other characteristic protected by applicable federal, state, or local laws (referred to as “protected characteristics”). Such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate the personal morality of employees but to ensure that no one harasses another individual in the workplace, including while on Way To Go Merchandising &

Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises) or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, harassment, or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails), or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

- Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters, and drawings;
- Sexually explicit emails, text messages, or voicemails;
- Uninvited touching of a sexual nature;

- Unwelcome sexually related comments;
- Conversation about one's own or someone else's sex life;
- Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

Reporting Procedures

If employees have been subjected to or witnessed conduct which violates this policy, they should immediately report the matter to the Head of Human Resources. If they are unable for any reason to contact this person, or if they have not received an initial response within five (5) business days after reporting any incident of what they perceive to be harassment, they should contact the CFO. If the person toward whom the complaint is directed is one of the individuals indicated above, they should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. Examples of retaliation include aiding, abetting, inciting, compelling, or coercing another to do any types of unlawful discrimination; obstructing or preventing any person from complying with the Maine Human Rights Act; attempting to do any act of unlawful discrimination; and punishing or penalizing, or attempting to punish or penalize, any person for seeking to exercise any of the civil rights declared by the Act or for complaining of a violation of the Act or for testifying in any proceeding brought in this subsection. If employees feel they have been subjected to any such retaliation, they should report it in the same manner in which they would report a claim of perceived harassment under this policy.

Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

While employees are encouraged to report claims internally, if they believe they have been subjected to sexual harassment or other harassment in violation of state law, they may file a formal complaint with the government agency set forth below. Using Way To Go Merchandising & Staffing's complaint process does not prohibit employees from filing a complaint with this agency:

Maine Human Rights Commission, 51 State House Station, Augusta, ME 04333-0051, phone 207-624-6050, TTY/TTD: 207-624-6064, fax: 207-624-6063

Employees may file a complaint with the Maine Human Rights Commission within 300 days of the date of alleged sexual harassment.

24.5 Maine: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to respond to an emergency as a volunteer firefighter, municipal fire department member, emergency medical services personnel, or search and rescue volunteer. Search and rescue volunteer means a person who is certified in search and rescue practices and procedure by a recognized organization. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws.

The Company will not discharge or take any other disciplinary action against or otherwise discriminate against an employee because of the employee's failure to report for work at the beginning of the employee's regular working hours or the employee's absence during the employee's regular working hours if the employee failed to do so or was absent because the employee was responding to an emergency in the employee's capacity as a firefighter or emergency medical services person and the employee reported for work as soon as reasonably possible after being released from the emergency.

24.6 Maine: Victims Of Domestic Abuse, Sexual Assault, And Related Crimes Leave

Employees or employees' daughter, son, parent or spouse who are victims of domestic violence, sexual assault, stalking, or any act that would support an order for protection may take unpaid time off for the following reasons:

- To prepare for and attend court proceedings;
- To receive medical treatment;
- To attend to medical treatment for a victim who is the employee's daughter, son, parent, or spouse; or
- To obtain necessary services to remedy a crisis caused by domestic violence, sexual assault, or stalking.

The Company may require proof of the employee's participation in these activities and a family relationship. An employee requesting leave under this policy must communicate the request for leave as soon as possible after learning of the need, with relevant information about the need for leave provided in a timely manner. Employees may substitute any accrued vacation, sick or other time off for leave under this policy.

No employee will be subject to discrimination or retaliation for taking leave under this policy.

Section 25 - Maryland Addendum

25.1 Maryland: Pregnancy Accommodations

In compliance with Maryland law, if a pregnant employee requests an accommodation for a disability caused or contributed to by pregnancy, Way To Go Merchandising & Staffing will explore reasonable accommodations with the pregnant employee, and it will endeavor to provide a reasonable accommodation unless doing so would impose an undue hardship on Way To Go Merchandising & Staffing. Such accommodations may include:

1. Changing the employee's job duties;
2. Changing the employee's work hours;
3. Relocating the employee's work area;
4. Providing mechanical or electrical aids;
5. Transferring the employee to a less strenuous or less hazardous position; or
6. Providing leave.

Way To Go Merchandising & Staffing may require a certification from the employee's health care provider concerning the medical advisability of a reasonable accommodation to the same extent a certification is required for other temporary disabilities. A certification should include:

1. The date the reasonable accommodation became medically advisable;
2. The probable duration of the reasonable accommodation; and
3. An explanatory statement as to the medical advisability of the reasonable accommodation.

Employees with questions or concerns regarding this policy or who would like to request an accommodation should contact the Head of Human Resources.

25.2 Maryland: Earned Sick And Safe Leave

Eligibility

Way To Go Merchandising & Staffing provides unpaid Earned Sick and Safe Leave (ESSL) to eligible employees who regularly work at least 12 hours per week in Maryland pursuant to the Maryland Healthy Working Families Act (Act). For employees who work in Maryland who are eligible for sick time under the general Sick Days policy, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy.

Accrual

Employees begin to accrue ESSL pursuant to this policy at the start of employment. Employees accrue

ESSL at a rate of one (1) hour for every 30 hours worked, up to a maximum accrual of 40 hours of unpaid ESSL per calendar year, and 64 hours of unpaid ESSL at any time. Employees may not use more than 64 hours of accrued ESSL per calendar year.

Employees will not accrue ESSL during any: 1) two- (2-) week pay period in which the employee worked fewer than 24 hours total; 2) one- (1-) week pay period if the employee worked fewer than a combined total of 24 hours in the current and the immediately preceding pay period; or 3) pay period in which the employee is paid twice a month regardless of the number of weeks in a pay period and the employee worked fewer than 26 hours in the pay period.

Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case ESSL accrues based upon that normal workweek.

For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may begin using ESSL under this policy after the 106th calendar day of employment. Employees may use ESSL in the smallest increment that Way To Go Merchandising & Staffing's payroll system uses to account for absences or work time, and no employee will be required to take ESSL in an increment of more than four (4) hours.

The Employee may use ESSL under this policy for the following reasons:

1. To care for or treat the employee's mental or physical illness, injury, or condition or to obtain preventive medical care;
2. To care for a family member with a mental or physical illness, injury, or condition or to obtain preventive medical care for a family member;
3. For maternity or paternity leave; or
4. If the absence from work is due to domestic violence, sexual assault or stalking committed against the employee or the employee's family member and the leave is used either during the time that the employee has temporarily relocated due to domestic violence, sexual assault, or stalking or to obtain (for the employee or the employee's family) any of the following:
    - Medical or mental health attention that is related to the domestic violence, sexual assault, or stalking;
    - Services from a victim services organization related to the domestic violence, sexual assault, or stalking; or
    - Legal services or proceedings related to the domestic violence, sexual assault, or stalking.

For purposes of this policy, family member means:

1. A biological, adopted, foster, or stepchild of the employee; a child for whom the employee has legal or physical custody or guardianship; or a child for whom the employee stands in loco parentis, regardless of child's age;
2. A biological, adoptive, foster, or stepparent of the employee or the employee's spouse; legal guardian of the employee, or an individual who acted as a parent or stood in loco parentis to the

employee or the employee spouse when the employee or the employee's spouse was a minor;
3. A spouse of the employee;
4. A biological, adoptive, foster, or stepgrandparent of the employee;
5. A biological, adoptive, foster, or stepgrandchild of the employee; or
6. A biological, adopted, foster, or stepsibling of the employee.

Unless the employee advises otherwise, Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available ESSL for absences for reasons set forth above.

Available ESSL will be applied as well as any other available sick leave.

Employees will be notified of available ESSL each time wages are paid.

Notice and Documentation

To use ESSL, the employee must request leave from Way To Go Merchandising & Staffing as soon as practicable after determining the need for leave and provide notification of the anticipated duration of the leave. When requesting ESSL that is foreseeable, employees must provide advance notice of seven (7) days before the date the ESSL will begin. When requesting ESSL that is not foreseeable, employees must provide notice as soon as practicable. Failure to provide such notice may result in denial of the employee's request for ESSL if the absence will cause a disruption to Way To Go Merchandising & Staffing.

Way To Go Merchandising & Staffing may require the employees to provide verification that the leave was used in accordance with applicable law when they use ESSL:

- For more than two (2) consecutive scheduled shifts; or
- Between the first 107th and 120th calendar days of employment and the employee agreed to provide verification at the time of hire.

If the employee fails to provide such verification, Way To Go Merchandising & Staffing may deny any subsequent request from them to take ESSL for the same reason.

The employee's use of ESSL will not be conditioned upon searching for or finding a replacement worker.

Payment

Employees will not be paid when using ESSL under this policy, unless otherwise required by applicable law.

Use of ESSL is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

The employee may carry over up to 40 hours of accrued, unused ESSL per year under this policy, up to a maximum of 64 hours of unpaid ESSL at any time.

Accrued but unused ESSL under this policy will not be paid at separation.

Enforcement and Retaliation

Way To Go Merchandising & Staffing prohibits retaliatory or adverse action against employees who exercise their rights under the Act. However, employees are prohibited from filing a complaint, bringing an action, or testifying in an action alleging violations of the Act in bad faith. If so, they may be subject to criminal penalties and fines. Employees have the right to file a complaint with the Commissioner of Labor and Industry (1100 North Eutaw Street, Room 607, Baltimore, MD 21201; ssl.assistance@maryland.gov), or bring a civil action to enforce an order against Way To Go Merchandising & Staffing if their rights under the Act are restrained.

Employees with questions regarding this policy can contact the Head of Human Resources and/or the CFO.

25.3 Maryland: Family Military Leave

Family Military Leave (employers with 50 or more employees)

Eligible employees are entitled to one (1) day of unpaid leave on the day an immediate family member leaves or returns from active duty outside the U.S. as a member of the U.S. Armed Forces. For the purposes of this policy, an immediate family member includes a spouse, parent, step-parent, child, step-child and sibling of the employee.

To be eligible for leave, the employee must have worked for the employer for the previous 12 months and have worked 1,250 hours during that 12-month period.

Family military leave is unpaid; however, employees may opt to use accrued paid time off for this purpose.

Where the need for leave is foreseeable, employees should provide as much notice as is practical.

Employees may be required to provide the Company with certification from the proper military authority to verify the employee's eligibility for family military leave.

25.4 Maryland: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to respond to an emergency declared by the Governor as a member of the civil air patrol, civil defense, volunteer fire department, or volunteer rescue squad. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated for taking time off pursuant to this policy.

25.5 Maryland: Time Off For Crime Victims

Employees may take unpaid time off to comply with a subpoena or other court order or to attend any proceeding in which the defendant or juvenile has the right to appear, including (but not limited to) a trial or adjudicatory hearing if they are:

- the victim of the crime or juvenile delinquent act at issue in the proceedings;
- the victim's next of kin or guardian when the victim is deceased or disabled; or
- the victim's representative appointed by the court.

The Company may require proof of the employee's participation in these activities. Whenever possible, employees must provide their supervisor reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for the leave under this policy. No employee will be terminated for taking leave under this policy.

Employees may take unpaid time off to comply with a subpoena or other court order or to attend any proceeding in which the defendant or juvenile has the right to appear, including (but not limited to) a trial or adjudicatory hearing if they are:

- the victim of the crime or juvenile delinquent act at issue in the proceedings;
- the victim's next of kin or guardian when the victim is deceased or disabled; or
- the victim's representative appointed by the court.

The Company may require proof of the employee's participation in these activities. Whenever possible, employees must provide their supervisor reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for the leave under this policy. No employee will be terminated for taking leave under this policy.

Section 26 - Massachusetts Addendum

26.1 Massachusetts: Earned Sick Time

Eligibility

Way To Go Merchandising & Staffing provides earned sick time to employees whose primary place of work is in Massachusetts. For employees whose primary place of work is in Massachusetts who are eligible for sick time under the general Sick Days policy and/or any other applicable sick time/leave ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time/leave ordinance.

Accrual

Employees begin accruing earned sick time at the start of employment. Eligible employees will accrue one (1) hour of earned sick time for every 30 hours worked, up to a maximum accrual of 40 hours each calendar year.

Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case, sick time accrues based on that normal workweek.

For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may begin using accrued earned sick time on the 90th day of employment. The smallest amount of earned sick time employees can use is one (1) hour. For uses beyond one (1) hour, employees may use earned sick time in hourly increments or in the smallest increment the payroll system uses to account for absences or use of other time. Employees may not use more than 40 hours of earned sick time in any calendar year.

Employees may use earned sick time for the following reasons:

1. To care for their child (which includes a biological child, an adopted or a foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis); their spouse (as defined by the marriage laws of Massachusetts, which include a partner in a same-sex marriage); or their parent or the parent of a spouse who is suffering from a physical or mental illness, injury, or medical condition that requires home care, a professional medical diagnosis or care, or preventive medical care;
2. To care for their own physical or mental illness, injury, or medical condition that requires home care, a professional medical diagnosis or care, or preventive medical care;
3. To attend their routine medical appointment or a routine medical appointment for their child, their spouse, their parent, or the parent of a spouse;

4. To address the psychological, physical, or legal effects of domestic violence;
5. Effective November 21, 2024, to address their own physical and mental health needs, and those of their spouse, if the employee or the employee's spouse experiences pregnancy loss or a failed assisted reproduction, adoption, or surrogacy; or
6. For travel to and from an appointment, a pharmacy, or another location related to the purpose for which earned sick time was taken.

Earned sick time may not be used as an excuse to be late for work if the lateness is not related to one of the reasons described above. Additionally, employees may not accept a specific shift assignment with the intention of calling out sick for all or part of the shift.

Use of earned sick time will run concurrently with time off provided under Family and Medical Leave, Massachusetts Parental Leave, Massachusetts Domestic Abuse Leave, Massachusetts Small Necessities Leave, or time off pursuant to any other applicable law, if applicable to and to the extent permitted by applicable law.

Notice and Documentation

Employees must comply with the attendance and call-in policy when providing notice. Employees must make a good-faith effort to provide notice of this need to use earned sick time if the need is foreseeable. Specifically, if the need for the use of earned sick time is due to a prescheduled or foreseeable absence, seven (7) days' advance notice to the Head of Human Resources is required. If the employees anticipate a multiday absence from work, they must provide notification of the expected duration of the leave or, if unknown, provide notification daily, unless the circumstances make such notice unreasonable. If the need for the use of earned sick time is unforeseeable, notice must be provided as soon as practicable under the circumstances.

When providing notice or reporting an absence for a covered purpose, employees are not required to explicitly reference earned sick time, but Way To Go Merchandising & Staffing may, in accordance with applicable laws regarding privacy and confidentiality of medical information, review with employees the covered purposes for which earned sick time may be used.

For any earned sick time used, employees must verify in writing that they have used the time for a covered reason, but they will not be required to explain the nature of the illness or the details of the domestic violence.

Way To Go Merchandising & Staffing will also require supporting documentation if the employee's use of earned sick time:

- Covers more than 24 consecutively scheduled work hours or three (3) consecutive scheduled workdays;
- Occurs within two (2) weeks before the employee's final scheduled day of work before termination of employment, except in the case of a temporary employee; and
- Occurs after four (4) unforeseeable and undocumented absences within a three- (3-) month period for all other employees.

Documentation signed by a healthcare provider indicating the need for earned sick time taken constitutes acceptable certification for sick time taken for reasons #1 through #3 above; but, for employees who do not have health care covered through a private insurer, the MA Healthcare Connector

and related insurers may provide a signed written statement evidencing the need for using earned sick time, without being required to explain the nature of the illness, in lieu of documentation by a healthcare provider.

Acceptable documentation for earned sick time taken for reason #4 can include:

- A restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;
- A police record documenting the abuse;
- Documentation that the perpetrator of the abuse has been convicted of one (1) or more offenses when the victim was a family or household member;
- Medical documentation of the abuse;
- A statement provided by a counselor, a social worker, a health worker, a member of the clergy, a shelter worker, a legal advocate, or another professional who has assisted the individual in addressing the effects of the abuse on the individual or the individual's family; or
- A sworn statement from the individual attesting to the abuse.

The documentation does not need to explain the nature of the illness or the details of the domestic violence. Documentation can be submitted in person or by another reasonable method, including e-mail.

Documentation must be provided within seven (7) days of taking earned sick time, unless, for good cause shown or as otherwise permitted, the employee requires more time to provide such documentation. Failure to comply with the reasonable documentation requirements, without a reasonable justification, may result in Way To Go Merchandising & Staffing recouping the amount paid for earned sick time from future pay, as an overpayment or otherwise taking appropriate action, to the extent permitted by applicable law.

Employees may be asked to provide a fitness-for-duty certification, a work release, or other documentation from a medical provider before returning to work after an absence during which earned sick time was used.

Payment

Earned sick time will be paid at the same hourly rate as the employee earns from their employment at the time they use such time. Use of sick time is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Up to 40 hours of accrued, unused earned sick time under this policy can be carried over to the following calendar year, but employees are subject to an accrual cap of 40 hours. Once the accrual cap is reached, earned sick time will stop accruing until some earned sick time is used, at which point, accrual will resume, subject to the maximum annual accrual of 40 hours and the accrual cap of 40 hours.

Accrued but unused earned sick time under this policy will not be paid at separation.

Enforcement and Retaliation

Employees may be subject to disciplinary action for misuse of earned sick time if they are engaging in fraud or abuse of benefits available under this policy.

Way To Go Merchandising & Staffing will not tolerate retaliation against employees who oppose practices that they believe to be in violation of earned sick time law or because the employees support the exercise of rights of another employee under the earned sick time law. Employees may file an action in court to enforce their earned sick time rights.

Employees with questions regarding this policy should contact the Head of Human Resources.

26.2 Massachusetts: Pregnancy Accommodations

Under the Massachusetts Pregnant Workers Fairness Act, employees have the right to be free from discrimination in relation to pregnancy or a condition related to the employee's pregnancy including, but not limited to, lactation or the need to express breast milk for a nursing child, including the right to reasonable accommodations for conditions related to pregnancy.

Reasonable Accommodations

Way To Go Merchandising & Staffing will provide a reasonable accommodation for the employee's pregnancy or any condition related to the employee's pregnancy including, but not limited to, lactation or the need to express breast milk for a nursing child if the employee requests such an accommodation. However, Way To Go Merchandising & Staffing may deny such an accommodation if the accommodation would impose an undue hardship on Way To Go Merchandising & Staffing's program, enterprise or business.

Reasonable accommodations may include, but are not limited to:

1. More frequent or longer paid or unpaid breaks;
2. Time off to attend to a pregnancy complication or recover from childbirth with or without pay;
3. Acquisition or modification of equipment or seating;
4. Temporary transfer to a less strenuous or less hazardous position;
5. Job restructuring;
6. Light duty;
7. Private non-bathroom space for expressing breast milk;
8. Assistance with manual labor; or
9. A modified work schedule; provided, however, that Way To Go Merchandising & Staffing is not required to discharge or transfer the employee with more seniority or promote the employee who is not able to perform the essential functions of the job with or without a reasonable accommodation.

Notice and Documentation

Upon receiving a request for an accommodation from the employee or prospective employee capable of performing the essential functions of the position involved, Way To Go Merchandising & Staffing will engage in a timely, good faith, and interactive process with the employee or prospective employee to determine an effective, reasonable accommodation to enable the employee or prospective employee to perform the essential functions of the employee's job or the position to which the prospective employee has applied. Way To Go Merchandising & Staffing may require the employee or prospective employee to

provide documentation from an appropriate health care or rehabilitation professional about the need for a reasonable accommodation; however, Way To Go Merchandising & Staffing will not require documentation for the following accommodations:

1. More frequent restroom, food or water breaks;
2. Seating;
3. Limits on lifting more than 20 pounds; and
4. Private non-bathroom space for expressing breast milk.

Way To Go Merchandising & Staffing also may require documentation for an extension of the accommodation beyond the originally agreed-to accommodation.

The employee who notifies Way To Go Merchandising & Staffing of a pregnancy or of a condition related to the employee's pregnancy including, but not limited to, lactation or the need to express breast milk for a nursing child will receive an additional copy of this notice not more than 10 days after the notification.

Enforcement and Retaliation

Way To Go Merchandising & Staffing will not:

1. Take adverse action against the employee who requests or uses a reasonable accommodation in terms, conditions, or privileges of employment including, but not limited to, failing to reinstate the employee to the original employment status or to an equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits, and other applicable service credits when the need for a reasonable accommodation ceases;
2. Deny an employment opportunity to the employee if the denial is based on the need to make a reasonable accommodation to the known conditions related to the employee's pregnancy including, but not limited to, lactation or the need to express breast milk for a nursing child;
3. Require the employee affected by pregnancy or a condition related to the pregnancy, including, but not limited to, lactation or the need to express breast milk for a nursing child, to accept an accommodation that the employee chooses not to accept, if that accommodation is unnecessary to enable the employee to perform the essential functions of the job;
4. Require the employee to take a leave if another reasonable accommodation may be provided for the known conditions related to the employee's pregnancy, including, but not limited to, lactation or the need to express breast milk for a nursing child, without undue hardship on Way To Go Merchandising & Staffing's program, enterprise or business;
5. Refuse to hire a person who is pregnant because of the pregnancy or because of a condition related to the person's pregnancy, including, but not limited to, lactation or the need to express breast milk for a nursing child, provided, however, that the person is capable of performing the essential functions of the position with a reasonable accommodation and that reasonable accommodation would not impose an undue hardship, demonstrated by Way To Go Merchandising & Staffing, on Way To Go Merchandising & Staffing's program, enterprise, or business.

If employees have any questions about or would like to request a reasonable accommodation pursuant to this policy, they should contact the Head of Human Resources.

26.3 Massachusetts: Discrimination And Non-Harassment (Including Sexual Harassment)

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race; color; creed; religion; national origin; ancestry; citizenship status; age; sex or gender (including pregnancy, childbirth, and pregnancy-related conditions); gender identity or expression (including transgender status); sexual orientation; marital status; military service and veteran status; physical or mental disability; genetic information; or any other characteristic protected by applicable federal, state, or local laws (referred to as “protected characteristics”). Such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate the personal morality of employees, but to ensure that no one harasses another individual in the workplace, including while on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises), or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, harassment, or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;

- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that violate this policy include:

- Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions, or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters, and drawings;
- Sexually explicit emails, text messages, or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome sexually related comments;
- Conversation about one's own or someone else's sex life;
- Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

Reporting Procedures

If employees have been subjected to or witnessed conduct which violates this policy, they should immediately report the matter to the Head of Human Resources at 9477 NC HWY 127 #1001 HICKORY, NC 28601 or (843) 945-9795. If they are unable for any reason to contact this person, or if they have not received an initial response within five (5) business days after reporting any incident of what they perceive to be harassment, they should contact the CFO at 995 MISSOURI AVE WEST PLAINS, MO 65775 or (417) 204-7134. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If employees feel they have been subjected to any such retaliation, they should report it in the same manner in which they would report a claim of perceived harassment under this policy.

Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

While employees are encouraged to report claims internally, if they believe they have been subjected to sexual harassment or other harassment in violation of state law, they may file a formal complaint with the government agency or agencies set forth below. Using Way To Go Merchandising & Staffing's complaint process does not prohibit the employee from filing a complaint with these agencies.

United States Equal Employment Opportunity Commission (EEOC), JFK Federal Building, Room 475, Boston, Massachusetts 02203, (617) 565-3200

The Massachusetts Commission Against Discrimination (MCAD)

Boston Office One Ashburton Place, Room 601, Boston, Massachusetts 02108, (617) 994-6000

Springfield Office: 436 Dwight Street, Room 220, Springfield, Massachusetts 01103, (413) 739-2145

New Bedford Office: 128 Union Street, Suite 206, New Bedford, Massachusetts 02740, (774) 510-5801

Worcester Office: 484 Main Street, Room 320, Worcester, Massachusetts 01608, (508) 453-9630

26.4 Massachusetts: Paid Family And Medical Leave Benefits

Eligibility Requirements

All employees working in Massachusetts are eligible for paid family and medical leave benefits under the Massachusetts Paid Family and Medical Leave Act (PFMLA), provided they are eligible for unemployment compensation in Massachusetts and receive wages from a Massachusetts employer. Former employees also may be eligible for paid benefits, to the extent they have been separated from Way To Go Merchandising & Staffing for not more than 26 weeks at the start of their leave and have not found subsequent employment at the time their leave begins.

Entitlement

Eligible employees may take up to 26 weeks of job-protected Paid Family and Medical Leave (PFML) for certain family and medical reasons during the course of a benefit year.

The benefit year is calculated prospectively looking at the 52-week period beginning on the Sunday *immediately preceding* the first day of job-protected leave for the employee. PFML may be taken for any one (1), or for a combination, of the following reasons:

- *Up to* 12 weeks of family leave:
    - To bond with a child during the first 12 months after the child's birth, adoption, or foster care placement;
    - For a qualifying exigency arising out of the fact that a family member is on active duty or has been notified of an impending call to active duty in the Armed Forces; or
    - To care for a covered family member, who has a serious health condition;
- *Up to* 26 weeks of family leave to care for a family member who is a covered service member with a serious health condition; or
- *Up to* 20 weeks of medical leave for their own serious health condition that makes them unable to perform one (1) or more of the essential functions of their job.

For purposes of this policy, a covered family member includes the employee's spouse, domestic partner, child, parent, parent of a spouse or domestic partner, a person who stood in loco parentis when the employee was a minor child, grandchild, grandparent, or sibling.

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

For purposes of this policy, qualifying exigencies may include caring for a military member's child or other family member of the military member on covered active duty, making financial or legal arrangements for the military member, attending counseling, attending military events or ceremonies, spending time with the military member during a rest and recuperation leave or following return from deployment, or making arrangements following the death of the military member.

For purposes of this policy, a covered servicemember is either:

1. A member of the Armed Forces, including a member of the National Guard or Reserves, who is
    a. Undergoing medical treatment, recuperation, or therapy;
    b. Otherwise in outpatient status; or
    c. Otherwise on the temporary disability retired list for a serious injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces, or a serious injury or illness that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces; or
2. A former member of the Armed Forces, including a former member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy for a serious injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces, or a serious injury or illness that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces and manifested before or after the member was discharged or released from service.

Leave and benefits are administered by the Massachusetts Department of Family and Medical Leave (DFML). Although Way To Go Merchandising & Staffing provides wage income verification to the DFML, all benefits determinations are made exclusively by the DFML. The DFML calculates weekly benefits as follows:

- The portion of the employee's average weekly wage that is equal to or less than 50% of the state average weekly wage is replaced at a rate of 80%; and
- The portion of the employee's average weekly wage that is more than 50% of the state average weekly wage is replaced at a rate of 50%, up to the applicable weekly benefit limits.

The first seven (7) calendar days of leave are unpaid by the DFML, except for family leave following a medical leave for pregnancy or childbirth, in which case the seven- (7-) day waiting period for the family leave will be waived. During any unpaid waiting period, employees may elect to use accrued vacation, paid time off (PTO), personal time, or sick time (provided the need for leave is covered under the sick time policy), to replace their regular income. Typically, employees will start receiving benefits from the DFML not less than 14 days after the DFML approves the leave and receipt of benefits unless the DFML approves benefits more than 14 days before the onset of eligibility to take leave.

Supplementation of DFML Benefits with Way To Go Merchandising & Staffing Benefits

Employees may supplement the DFML's benefits with accrued vacation, PTO, personal time, or sick time (assuming the reason for taking PFML is covered under the sick time policy) provided the total amount of PFML benefits and paid time off does not exceed the employee's average weekly wage. Receipt of such benefits does not extend PFML entitlements, which will run concurrently with any Way To Go Merchandising & Staffing-provided benefits. Employees also may supplement benefits for their own serious health condition with short- and/or long-term disability benefits if available.

Use of Leave

PFML is usually taken for a period of consecutive days, weeks, or months. However, employees also are entitled to take PFML intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or family member. Qualifying exigency leave also may be taken on an intermittent or reduced leave schedule.

Intermittent leave may be taken in increments of 15 minutes. Please note that the DFML will not pay PFML benefits in increments of less than 15 minutes. In addition, the DFML only permits employees to apply for payment of benefits associated with intermittent leave once they have eight (8) hours of accumulated leave time, except where more than 30 calendar days has lapsed since the employee initially took such leave.

Employees are required to work with Way To Go Merchandising & Staffing to create an agreed-upon intermittent or reduced leave schedule. Failure to comply with the agreed-upon schedule may result in discipline.

The use of intermittent leave will result in the proportional reduction of the employee's available allotment of leave. For example, if the employee normally works 40 hours per week and takes intermittent leave for 20 hours each week, then it will be counted as half a week of leave to be counted against the employee's leave entitlement.

Notice

To trigger PFML protections, employees must inform the Human Resources Department of the need for leave and the anticipated timing and duration of the leave, if known. The notice must state:

- The anticipated start date of the leave;
- The anticipated length of the leave; and
- The expected return date.

Employees must provide Way To Go Merchandising & Staffing at least 30 days' advance notice of the need to take PFML when the need is foreseeable. Such notice must be provided before employees apply to the DFML. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide Way To Go Merchandising & Staffing notice of the need for leave as soon as practicable.

When planning medical treatment, employees must consult with Way To Go Merchandising & Staffing and make a reasonable effort to schedule treatment so as not to unduly disrupt Way To Go Merchandising & Staffing operations. Employees must consult with Way To Go Merchandising & Staffing

prior to scheduling treatment to work out a treatment schedule which best suits the needs of both Way To Go Merchandising & Staffing and the employee.

The DFML may deny or delay leave and benefits for employees who: fail to give Way To Go Merchandising & Staffing at least 30 days' notice for foreseeable leave without a reasonable excuse for the delay; apply to the DFML before notifying Way To Go Merchandising & Staffing; or otherwise fail to satisfy PFMLA notice obligations.

Application to the DFML

After providing notice to Way To Go Merchandising & Staffing (unless the need for leave is unforeseeable), employees should apply directly to the DFML for leave and benefits. Employees are required to use the forms provided by the DFML, and their application for benefits may not be processed unless the application for benefits includes *all* information necessary for the DFML's review and processing. The DFML requires the following information:

1. Identifying information, such as Social Security Number or Individual Taxpayer Identification Number;
2. Nature of the leave, whether family leave or medical leave;
3. Starting date and expected duration of the leave;
4. Whether the leave will be continuous or intermittent;
5. Way To Go Merchandising & Staffing name and identification number;
6. Evidence that notice was provided to Way To Go Merchandising & Staffing in advance of the application for benefits, including the date notice was provided to Way To Go Merchandising & Staffing;
7. Any denied, granted, or pending requests for leave for a qualifying reason from Way To Go Merchandising & Staffing during the last 12 months;
8. Attestation regarding the family relationship in the form specified by the DFML if the leave involves an application for family leave benefits; and
9. Completed certification based on the type of leave in the form specified by the DFML.

Employees may be required to provide additional specific information requested by the DFML where reasonably necessary to review and process an application for benefits including but not limited to whether the employee will be receiving any other wage replacement. It is the employee's responsibility to provide the DFML with timely, complete, and sufficient information, certifications, or other documents supporting the need for leave.

Amendment or Extension of Leave Period and Paid Leave Benefits

If there is a change in relevant circumstances that would justify an extension, reduction, or other modification of the period of leave, the employee and Way To Go Merchandising & Staffing must notify the DFML within seven (7) calendar days of said change using the forms required by the DFML. For extensions, specifically, the employee must make a request for extension at least 14 calendar days prior to the expiration of the original approved leave. The DFML may consider late filed requests upon a showing of good cause by the employee. The request for extension must include:

- The reason for the extension;
- The requested duration of the extended leave;

- The date on which the covered individual provided notice for the request for extension to Way To Go Merchandising & Staffing; and
- A newly completed or updated health care certification supporting the need for leave.

Job Benefits and Protection

During PFML, Way To Go Merchandising & Staffing will maintain health coverage under any employment-related health insurance on the same terms and conditions as if the employee had continued to work. If Way To Go Merchandising & Staffing-provided benefits are used as a substitute for the DFML's benefits, Way To Go Merchandising & Staffing will deduct the employee's portion of any applicable health plan premium as a regular payroll deduction. If the employee is not receiving any Way To Go Merchandising & Staffing-benefits during the leave, the employee must make arrangements with the Human Resources Department prior to taking leave to pay their portion of any applicable health insurance premiums each month.

Unless otherwise provided by applicable law, employees returning from PFML will be restored to their previous or equivalent positions with equivalent status, pay, benefits, length-of-service credit, and seniority as of the date of the leave.

Return to Work/Fitness for Duty Medical Certifications

Unless notified otherwise, employees returning to work from PFML taken for their own serious health conditions must provide Way To Go Merchandising & Staffing with a medical certification confirming they are able to return to work and perform the essential functions of their positions, with or without reasonable accommodation. Way To Go Merchandising & Staffing may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

Interaction with Other Leave Policies

Leave taken pursuant to the PFMLA will run concurrently with leave taken under other applicable state and federal leave laws, including without limitation the Massachusetts Parental Leave Act and the federal Family and Medical Leave Act of 1993, when the leave is for a qualified reason under those laws.

Right to an Appeal

Employees who are denied leave pursuant to the PFMLA may submit an appeal to the DFML. The appeal must be filed within 10 calendar days of receipt of the denial. The deadline may be extended by the DFML upon a showing of circumstances beyond the employee's control. In addition, the employee is required to provide a complete copy of the request for appeal to Way To Go Merchandising & Staffing. Employees may request a hearing with the DFML and a final decision will be issued by the DFML affirming, modifying, or revoking the initial determination made by Way To Go Merchandising & Staffing.

Employees aggrieved by the DFML's final decision may further appeal by filing a complaint in district court for the county in the Commonwealth where the employee resides or was last employed. The complaint must be filed within 30 calendar days of the date the DFML's final decision is received by the employee.

Questions and/or Complaints about PFMLA Leave

Questions regarding this PFML policy, should be directed to the Human Resources Department. For questions about determinations by the DFML on leave eligibility, entitlement, and/or benefits, employees should contact the DFML directly. Way To Go Merchandising & Staffing is committed to complying with the PFMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the PFMLA.

The PFMLA makes it unlawful for Way To Go Merchandising & Staffing to discriminate, retaliate, threaten to retaliate, or interfere with the exercise of any rights provided under the PFMLA. In addition, Way To Go Merchandising & Staffing may not retaliate or threaten to retaliate against employees who have filed a complaint, have caused a complaint to be filed, have or will participate or testify in a proceeding relating to a violation of the PFMLA, or have given or are about to give information connected to a proceeding relating to a violation of the PFMLA. If employees believe their PFMLA rights have been violated, they should contact the Human Resources Department immediately. Way To Go Merchandising & Staffing will investigate any PFMLA complaints and take prompt and appropriate remedial action to address and/or remedy any PFMLA violation. Employees also may file PFMLA complaints with the DFML alleging PFMLA violations.

26.5 Massachusetts: Small Necessities Leave

Way To Go Merchandising & Staffing will grant employees who have worked for Way To Go Merchandising & Staffing for at least 12 months and have provided at least 1,250 hours of service in the preceding 12-month period with up to 24 hours of unpaid leave during any 12-month period, in addition to any FMLA leave, to participate in various activities. These include: attending a parent-teacher conference, accompanying a son or daughter to routine medical appointments or accompanying an elderly relative, related by blood or marriage, to routine medical or dental appointments or appointments for other professional services related to the relative's care, such as interviewing at nursing homes. Employees must provide seven (7) days' advance notice of their need for leave. If the need was not foreseeable, the employee must provide Way To Go Merchandising & Staffing with as much notice as possible. An eligible employee first must substitute any accrued paid time off for this leave.

26.6 Massachusetts: Time Off For School Related Activities

Employees may be provided unpaid time off up to 24 hours during a 12-month period to attend or participate in a school-related activities directly related to the educational advancement of a son or daughter. Leave may be taken intermittently or on a reduced schedule basis.

An employee must notify his or her supervisor at least 7 calendar days in advance unless the need to attend the event cannot be reasonably foreseen. Employees may be required to provide documentation of their participation in school-related activities during the time of the leave. Employees may use accrued paid time off for purposes of the leave taken under this policy.

The Company prohibits retaliation against any employee that takes leave in accordance with this policy.

26.7 Massachusetts- Volunteer Emergency Responders Leave

Employees may be eligible for time off work to respond to an emergency as a volunteer firefighter. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. Way To Go Merchandising & Staffing will not discharge or otherwise discipline an employee for taking time off pursuant to this policy.

Section 27 - Michigan Addendum

27.1 Michigan: Social Security Number Privacy Act

It is the policy of Way To Go Merchandising & Staffing to ensure to the extent practicable the confidentiality of employees' Social Security Numbers in accordance with Michigan law.

Way To Go Merchandising & Staffing will not intentionally do any of the following acts which result in a prohibited disclosure of employees' Social Security Numbers. Violation of this policy will result in discipline up to and including discharge.

1. Publicly display more than four (4) sequential digits of a Social Security Number
2. Use more than four (4) sequential digits of a Social Security Number as a primary account number or use more than 4 sequential digits of a Social Security Number on any identification badge or card, membership card, permit or license, except where permitted by law.
3. Require employees to use or transmit more than four (4) sequential digits of their Social Security Numbers over the internet or on a computer system or network or to gain access to the internet, computer system or network unless the connection is secure or the transmission is encrypted. Similarly, Way To Go Merchandising & Staffing will not require employees to use or transmit more than four (4) sequential digits of their Social Security Numbers to gain access to the internet or a computer system unless the connection is secure, the transmission is encrypted, or a password or other unique personal identification or authentication device is also required.
4. Include more than four (4) sequential digits of Social Security Numbers on the outside of envelopes or packages or visible internal areas.
5. Include more than four (4) sequential digits of Social Security Numbers in documents or information mailed to individuals, except as permitted by law.

Way To Go Merchandising & Staffing limits access to Social Security Numbers to those employees and outside consultants whose job duties require that they use this information in connection with Way To Go Merchandising & Staffing business. The individuals who have access to Social Security Numbers are those who work in the following areas:

> *Human Resources*
> *Benefits Administration*
> *Computer and Information Technology*
> *Executive Management*
> *Legal Department*
> *Individuals who, though not employed by Way To Go Merchandising & Staffing provide legal, tax, benefits, management or other consulting services for Way To Go Merchandising & Staffing.*

Way To Go Merchandising & Staffing will properly dispose of documents containing Social Security Numbers by ensuring that all such materials are shredded or otherwise destroyed prior to discarding

such information. Data stored in electronic format will be rendered irretrievable before computers are discarded or destroyed.

27.2 Michigan: Time Off For Crime Victims

Employees may take unpaid time off to respond to a subpoena or request by the prosecuting attorney to serve as a witness, or attend court during the employee's or another victim's testimony if:

- the employee suffered direct or threatened physical, financial, or emotional harm as a result of the commission of a crime;
- the victim of the crime is deceased, and the employee is:
    - the victim's spouse;
    - the victim's child who is 18 years of age or older if (a) does not apply;
    - the victim's parents;
    - the guardian or custodian of the victim's child if the child is under 18 years of age;
    - the victim's sibling; or
    - the victim's grandparent
- the victim is under age 18 and the employee is the victim's parent, guardian, or custodian (but not the defendant or incarcerated);
- the victim is mentally or emotionally unable to participate in the legal process and the employee is the victim's parent, guardian, or custodian (but not the defendant or incarcerated); or
- the victim is physically or emotionally unable to exercise his/her legal rights as a crime victim and the employee is the victim's designated representative as his/her spouse, child (18 years of age or older), parent, sibling, grandparent, or person 18 years of age or older who is neither the defendant nor incarcerated.

The Company may require proof of the employee’s participation in these activities. Whenever possible, employees must provide their supervisor with reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy. No employee will be subject to discharge or discipline for taking leave under this policy.

Section 28 - Minnesota Addendum

28.1 Minnesota: Right To Review Personnel Records

Under Minnesota law, active employees have the right to review their personnel record once every six (6) months. Employees who leave Way To Go Merchandising & Staffing may review their personnel record once every year as long as Way To Go Merchandising & Staffing maintains the personnel record.

To review their personnel record, employees must make a good faith request in writing to the Head of Human Resources. Employees may also request a copy of the record at the time they review it. The copy will be made available to the employee at no cost.

Way To Go Merchandising & Staffing will provide employees an opportunity to review their personnel record within seven (7) working days of the written request or within 14 working days of the written request if the personnel record is physically located outside of Minnesota.

What is contained in the personnel record is carefully defined under Minnesota law. The law does not require employee access to information that is not contained in the personnel record.

If employees dispute information contained in their personnel record, they may request that it be removed from the record. However, if Way To Go Merchandising & Staffing does not agree the information should be removed, the employee may submit a written response to the denial (not to exceed five (5) pages).

No action can be taken against employees who appropriately ask to review their personnel records.

If employees are improperly denied their rights as provided by this law, the law provides certain remedies.

This notice only describes some of the employee's rights under the law. For more information, the Minnesota statutes detailing employee rights can be found at Minnesota Statutes. § 181.960 through Minnesota Statutes §181.965. These laws can be found on the internet at https://www.revisor.mn.gov/pubs/ or in public libraries throughout the state.

28.2 Minnesota: Equal Employment Opportunity

Way To Go Merchandising & Staffing is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, alienage or national origin, ancestry, citizenship status, age, disability or handicap, sex, marital status, familial status, veteran status, sexual orientation, genetic information, public assistance, local human rights commission activity or any other characteristic protected by applicable federal, state, or local laws. Our management team is dedicated to this policy

with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment

Way To Go Merchandising & Staffing will endeavor to make a reasonable accommodation to the known physical or mental limitations of qualified employees with disabilities unless the accommodation would impose an undue hardship on the operation of our business. If an employee needs assistance to perform his or her job duties because of a physical or mental condition, the employee should inform the Head of Human Resources. Employees may also contact the ADP MyLife Advisors at (800) 554-1802.

Way To Go Merchandising & Staffing will endeavor to accommodate the sincere religious beliefs of its employees to the extent such accommodation does not pose an undue hardship on Way To Go Merchandising & Staffing's operations. If an employee wishes to request such an accommodation, the employee should speak to the Head of Human Resources. Employees may also contact the ADP MyLife Advisors at (800) 554-1802.

If you feel that you have been subjected to conduct which violates this policy, you should immediately report the matter to your supervisor. If you are unable for any reason to contact this person, or if you have not received a satisfactory response within five (5) business days after reporting any incident of what you perceive to be a violation of this policy, please contact your second level supervisor.

Note: If your supervisor or next level manager is the person toward whom the complaint is directed you should contact any higher level manager in your reporting chain. Employees may also contact the ADP MyLife Advisors at 800-554-1802 if they are uncomfortable for any reason using the above procedure. The Company will not allow any form of retaliation against individuals who raise issues of equal employment opportunity.

If you feel you have been subjected to any such retaliation, report it in the same manner you would report a perceived violation of this policy. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge.

28.3 Minnesota: Nursing Mothers, Lactating Employees, And Pregnancy Accommodations

Minnesota's Nursing Mothers, Lactating Employees, and Pregnancy Accommodations law, Minn. Stat. § 181.939, gives pregnant and lactating employees certain legal rights.

Pregnancy Accommodations

Pregnant employees have the right to request and receive reasonable accommodations in the workplace. An employer must provide the following accommodations to a pregnant employee upon request, **without** asking for or requiring medical documentation such as a doctor’s note:

- Limits on lifting 20 pounds;
- Access to seating; and
- More frequent or extended breaks to use the restroom and eat or drink water.

Pregnant employees have the right to request and receive additional reasonable accommodations which may include, but are not limited to:

- More frequent or longer breaks;
- Seating;
- Limits to heavy lifting;
- Temporary transfer to another position;
- Temporary leave of absence; or
- Modification in work schedule or tasks.

Way To Go Merchandising & Staffing will not require employees to take a leave or accept an accommodation.

Lactation Breaks and Space

Lactating employees have the right to reasonable paid break times to express milk at work unless they are expressing milk during a break that is not usually paid, such as a meal break. Way To Go Merchandising & Staffing will provide a clean, private, and secure room that is not a bathroom near the work area that includes access to an electrical outlet for employees to express milk.

Way To Go Merchandising & Staffing will not retaliate or take negative action against a pregnant or lactating employee for exercising their rights under this law.

Retaliation Prohibited

Employees who believe their rights have been violated under this law can contact the Minnesota Department of Labor and Industry's Labor Standards Division at dli.laborstandards@state.mn.us or 651-284-5075 for help. Employees also have the right to file a civil lawsuit for relief. For more information about this law, Employees should visit dli.mn.gov/newparents.

28.4 Minnesota: Wage Disclosure Protections

Under Minnesota law, an employer may not:

1. require nondisclosure by employees of their wages as a condition of employment;
2. require employees to sign a waiver or other document which purports to deny them the right to disclose their wages; or
3. take any adverse employment action against employees for disclosing their own wages or discussing another employee's wages which have been disclosed voluntarily.

Nonetheless, this policy should not be construed to:

1. create an obligation on Way To Go Merchandising & Staffing or on employees to disclose wages;
2. permit employees, without the written consent of Way To Go Merchandising & Staffing, to disclose proprietary information, trade secret information or information that is otherwise subject to legal privilege or protected by law;
3. diminish any existing rights under the National Labor Relations Act; or

4. permit employees to disclose wage information of other employees to a competitor of Way To Go Merchandising & Staffing.

An employer may not retaliate against the employee for asserting rights or remedies set forth in this policy.

Employees may bring a civil action against Way To Go Merchandising & Staffing for a violation of this policy. If a court finds that Way To Go Merchandising & Staffing has violated this policy, the court may order reinstatement, back pay, restoration of lost service credits, if appropriate, and the expungement of any related adverse records of the employee who was the subject of the violation.

28.5 Minnesota: Breaks And Meal Periods (For Non-Exempt Employees)

Rest Breaks

Non-exempt employees are authorized and allowed a paid rest break of 15 minutes or enough time to use the nearest convenient restroom, whichever is longer, within each four (4) consecutive hours of work.

Employees do not need to obtain approval from or notify their supervisor when taking a rest break. Employees are encouraged to take their rest breaks; they are not expected to and should not work during their rest breaks. Employees are paid for all rest break periods and do not need to clock out when taking a rest break.

Rest breaks may not be combined with each other or with a meal period. In addition, rest breaks may not be taken at the beginning or end of the workday to arrive late or leave early. Each rest break should be a separate break, meeting the requirements described above.

Meal Periods

Non-exempt employees who work six (6) or more consecutive hours in a workday are provided an unpaid, off-duty, and uninterrupted meal period of at least 30 minutes.

During a meal period, employees are relieved of all duties and should not work during this time. When taking a meal period, employees should completely stop working for at least 30 minutes. Employees are prohibited from working “off the clock” during their meal period.

Those employees who use a time clock must clock out for their meal periods. Employees are required to clock back in and promptly return to work at the end of any meal period. Employees who record their time manually must accurately record their meal periods by recording the beginning and end of each work period. Employees are to immediately notify Head of Human Resources if they believe that they are prevented by the nature of their work from taking a timely and/or complete meal period.

Meal and Rest Period Waiver

Non-exempt employees may voluntarily waive their rest and/or meal periods in writing. Employees should contact Head of Human Resources to obtain this waiver form.

No Working During Rest Breaks and Meal Periods

Non-exempt employees are completely relieved of all work duties and responsibilities during their rest breaks and meal periods. All rest breaks and meal periods must be taken outside employees' work areas, such as in a break room. Employees should not visit or socialize with employees who are working while taking their rest break or meal period. Employees are required to notify Head of Human Resources immediately if they believe they are being pressured or coerced by any manager, supervisor, or other employee to forego any portion of a provided rest break or meal period. Additionally, employees are required to notify Head of Human Resources immediately if they believe their workload, schedule, deadline, or other quota make rest break or meal periods infeasible.

28.6 Minnesota: Earned Sick And Safe Time

Eligibility

Way To Go Merchandising & Staffing provides earned sick and safe time (ESST) to employees who are anticipated to perform work within Minnesota for at least 80 hours in a year. For employees who work in Minnesota and are eligible for sick leave under the general policy, this policy applies solely to the extent it provides greater benefits/rights on any specific issues.

Accrual

Employees begin to accrue ESST at the start of employment. Employees accrue one (1) hour for every 30 hours worked, up to a maximum annual accrual of 48 hours each year. Additionally, employees' total ESST accrual balance may not exceed 80 hours at any time ("overall accrual cap"). Exempt employees will be presumed to work 40 hours in each workweek for accrual purposes unless their normal workweek is less than 40 hours, in which case accrual will be based on that normal workweek. For purposes of this policy, the year is the 12-month period beginning January 1 and ending on December 31.

Usage

Employees can begin to use granted or accrued ESST immediately. ESST may be used in the same increment of time for which employees are paid, but no less than 15-minute increments nor more than four- (4-) hour increments.

Employees may use ESST for the following reasons:

1. The employee's mental or physical illness; injury; health condition; need for medical diagnosis; care, including prenatal care; treatment of a mental or physical illness, injury, or health condition; need for preventive medical or health care; or the employee's need to make arrangements for or attend funeral services or a memorial or address financial or legal matters that arise after the death of a family member.
2. Care of a family member with a mental or physical illness, injury, or health condition who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition or care for a family member who needs preventive medical care;
3. Absences due to domestic violence, sexual assault, or stalking of the employee or employee's family member, provided the absence is to:
    a. Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;

    b. Obtain services from a victim services organization;
    c. Obtain psychological or other counseling; to relocate due to domestic violence or take steps to secure an existing home, sexual assault, or stalking; or
    d. Seek legal advice or take legal action, including preparing for or participating in any civil or criminal proceedings related to or resulting from domestic violence, sexual assault, or stalking;
4. The closure of the employee's place of business due to weather or other public emergency;
5. To accommodate the employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency;
6. The employee's inability to work or telework because the employee is:
    a. Prohibited from working by Way To Go Merchandising & Staffing due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or
    b. Seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and such employee has been exposed to a communicable disease or Way To Go Merchandising & Staffing has requested a test or diagnosis; and
7. When it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

For purposes of this policy, "family member" means a child (including child-in-law), spouse or registered domestic partner, sibling (including a sibling-in-law), parent, grandchild, grandparent, a child of a sibling, a sibling of the parents of the employee or the employee's spouse or registered domestic partner, any other individual related by blood or whose close association with the employee is the equivalent of a family relationship, or one (1) individual annually designated by the employee. The family members listed above are not limited to biological family members, but also include step-, foster, adoptive, and half-relations; those who stand in loco parentis; and legal guardians.

Unless the employee advises Way To Go Merchandising & Staffing otherwise, Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available ESST for absences for reasons set forth above, and employees will be paid for such absences to the extent they have ESST available.

Employees will be provided with ESST balance and usage information at the end of each pay period.

Notice and Documentation

When the need to use ESST is foreseeable, employees must provide seven (7) days advance notice to the Head of Human Resources. When the need to use ESST is not foreseeable, employees must provide notice to the Head of Human Resources as soon as practicable. For ESST of more than two (2) consecutive workdays, employees may also be required to provide reasonable documentation that ESST was taken for a covered reason. For example, for ESST used for reasons (1), (2), (6), or (7) above, documentation signed by a licensed health care provider indicating the need for the amount of ESST taken and that ESST was used for a covered reason under this policy and/or applicable law will be considered reasonable

documentation, and such documentation need not specify the nature of the employee's or the employee's family member's injury, illness, or condition, except as required by law. Supporting documentation will not be required for the above purposes if it would result in an unreasonable expense on the employee or where the employee did not receive services from a health care professional. In this event, reasonable documentation may include a written statement from the employee. For example, for ESST used for reason (3) above, documentation signed by an employee or volunteer of a victim services organization, an attorney, a police officer, or an antiviolence counselor will be considered reasonable documentation, and such documentation need not specify the details of the domestic abuse, sexual assault, or stalking.

Payment

ESST is paid at the same base rate as the employee's rate of pay for the hours the employee was scheduled to work during the time ESST is used, unless otherwise required by applicable law. Use of ESST is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Accrued, unused ESST may be carried over to the following year, but as indicated above, there is an overall accrual cap of 80 hours. Once the overall accrual cap is reached, ESST will stop accruing until some ESST is used.

Accrued, unused ESST will not be paid upon separation.

Enforcement and Retaliation

Employees may be subject to discipline for using ESST for a reason other than the covered reasons above, to the maximum extent permitted by applicable law. Retaliation against employees who request or use ESST is prohibited.

Employees have the right to file a complaint with the Minnesota Department of Labor and Industry or bring a civil action if they believe they have been denied ESST, retaliated against, or that their rights to ESST has been otherwise interfered with or restrained.

Employees with questions regarding this policy can contact the Head of Human Resources.

28.7 Minnesota: Paid Leave

The Minnesota Paid Leave Law is a mandatory statewide program administered by the Minnesota Employment and Economic Security Paid Leave Division (PLD). Employees may be eligible for Paid Family or Medical Leave (PFML) beginning on January 1, 2026.

Eligibility Requirements

Employees are eligible for PFML if they: (1) earned at least 5.3 percent of the state’s average annual wage over their base period (typically the four (4) most recent completed quarters before the effective date of

their application with the PLD) and (2) work 50 percent or more in Minnesota or work less than 50 percent in Minnesota but live in Minnesota and do not work 50 percent or more in any one (1) state.

Entitlement

Employees are eligible for up to 12 weeks of PFML for certain covered family or medical leave reasons during the course of a benefit year, or a combined total of up to 20 weeks if the employee needs leave for both covered medical leave and family leave in the same benefit year. The benefit year is generally the 52-week period beginning the effective date of the leave.

PFML may be taken for any one (1), or a combination, of the following reasons:

- *Up to* 12 weeks of family leave:
    1. To care for a family member with a serious health condition or who is a military member (family care leave);
    2. To bond with the employee's child after the child's birth, adoption, or placement (bonding leave);
    3. To respond to certain issues related to domestic violence, sexual assault, or stalking of the employee or a family member (safety leave); or
    4. For a qualifying exigency arising out of a family member's active duty service or notice of an impending call or order to active duty in the Armed Forces.
- *Up to* 12 weeks of medical leave for the employee's own serious health condition or medical care related to pregnancy, including prenatal care or incapacity due to pregnancy or recovery from childbirth, stillbirth, miscarriage, or related health conditions.

A "covered family member" includes the employee's spouse or domestic partner, child, parent or legal guardian, sibling, grandchild, son-in-law or daughter-in-law, the employee or employee's spouse's parent or grandparent, an individual who has a personal relationship with the employee that creates an expectation and reliance that the employee care for the individual without compensation, whether or not the employee and the individual reside together, as defined by applicable law.

A "serious health condition" is a physical or mental illness, injury, impairment, condition, or substance use disorder that involves inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment or supervision by a health care provider.

"Safety leave" includes leave from work because of domestic abuse, sexual assault, or stalking of the employee or employee's family member, provided the leave is to:

1. Seek medical attention related to the physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;
2. Obtain services from a victim services organization;
3. Obtain psychological or other counseling;
4. Seek relocation due to the domestic abuse, sexual assault, or stalking; or seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to, or resulting from, the domestic abuse, sexual assault, or stalking.

"Qualifying exigencies" may include providing for the care or other needs of the military member's child or other dependent, making financial or legal arrangements for the military member, attending counseling, attending military events or ceremonies, spending time with the military member during a

rest and recuperation leave or following return from deployment, or making arrangements following the death of the military member.

A “covered military member” includes a current or former member of the United States armed forces, including a member of the National Guard or reserves, who, except for a deceased military member, is a resident of the state and is a family member of the applicant taking leave related to the qualifying exigency.

Except for a claim for benefits for bonding leave, any claim for benefits must be based on a single qualifying event of at least seven (7) calendar days. Bonding leave must be taken within one (1) year of the birth or placement of the employee’s child.

Benefits are financed through employer and employee contributions to the PFML program. The total premium is an annually established percentage of gross wages, up to the Social Security cap. Employers can either pay the full premium or withhold a portion of the premium from their employees. Employers who choose to withhold premiums from their employees may withhold up to 50 percent of the total premium. The employer is responsible for paying the remainder. Employers with fewer than 30 Minnesota employees and whose average employee wage is less than 150 percent of the statewide average weekly wage are eligible for a reduced premium rate. Way To Go Merchandising & Staffing will calculate and withhold premiums from employees’ paychecks and send both Way To Go Merchandising & Staffing’s share and the employees’ shares, if applicable, to the PLD on a quarterly basis. The PLD is **solely** responsible for determining whether any employee is eligible for benefits and the amount of any benefits payable.

While on PFML, employees are entitled to partial wage replacement at a portion of their average weekly pay. The PLD calculates weekly benefits as a sum of the following:

1. The portion of the employee’s average weekly wage that is equal to or less than 50 percent of the state average weekly wage shall be replaced at a rate of 90 percent;
2. The portion of the employee’s average weekly wage that is more than 50 percent of the state average weekly wage but does not exceed 100 percent shall be replaced at a rate of 66 percent; and
3. The portion of the employee’s average weekly wage that exceeds 100 percent % of the state average weekly wage shall be replaced at a rate of 55 percent up to the applicable weekly benefit limits.

The PLD pays benefits directly to employees.

Except for bonding leave, the first seven (7) days of a consecutive leave or seven (7) consecutive or nonconsecutive or a combination thereof for intermittent leave is considered the “initial paid week period” and is retroactively paid after the employee meets the seven- (7-) day qualifying event. The retroactive payment will be included in the employee’s first benefit payment.

Any employee is not eligible for PFML benefits for any portion of a typical workweek in which they worked for pay, were incarcerated, or received or is receiving unemployment insurance benefits. Additionally, the employee is not eligible to receive benefits for any portion of a week in which the employee is receiving or received workers’ compensation benefits for loss of wages equal to or in excess of the

employee's PFML benefit. Employees who collect social security disability benefits may be eligible for PFML benefits in certain circumstances.

Usage

Employees do not need to use this PFML entitlement in one (1) block. PFML can be taken intermittently in increments of one day.

Please note that the PLD only permits employees to apply for payment of benefits associated with intermittent leave once they have eight (8) hours of accumulated leave time, except where more than 30 calendar days has lapsed since the employee initially took such leave. Employees requesting an intermittent leave must make a reasonable effort to schedule the intermittent leave so as not to disrupt unduly the operations of Way To Go Merchandising & Staffing.

Way To Go Merchandising & Staffing is not required, but may elect, to provide more than 480 hours of intermittent leave in any 12-month period. If Way To Go Merchandising & Staffing limits hours of intermittent leave, the employee is entitled to take their remaining leave continuously.

Notice

Employees must provide the Head of Human Resources at least 30 days' notice before PFML is to begin if the need for PFML is foreseeable. Employees must provide Way To Go Merchandising & Staffing notice as soon as is practicable when 30 days' notice is not practicable, such as because of a lack of knowledge of approximately when PFML will be required to begin, a change in circumstances, or a medical emergency. The notice must contain at least the anticipated timing and duration of the PFML.

Whether PFML is to be continuous or is to be taken intermittently, notice need only be given one (1) time, but the employee must inform Way To Go Merchandising & Staffing as soon as is practicable if dates of the scheduled PFML change are extended or were initially unknown.

Employees must provide Way To Go Merchandising & Staffing with a copy of the certification submitted to the PLD to substantiate their need for leave as soon as practicable.

Employee Application to the PLD

After providing notice to Way To Go Merchandising & Staffing, employees should apply directly to the PLD (online or over the phone through the PLD's contact center) for leave and benefits. Employees are required to use the forms provided by the PLD and their application for benefits may not be processed unless the application for benefits includes all information necessary for the PLD's review and processing. Employees will need to provide the PLD with the following information:

- Information about themself and their job;
- The reason and the type of leave they are applying for;
- The expected length of leave; and
- Certification from a medical professional, service provider, or other supporting documentation about the reason for their leave.

It is the employee's responsibility to provide the PLD with timely, complete, and sufficient information, certifications, or other documents supporting the need for leave. Any time the employee applies for

PFML benefits, the application must be supported by documentation or certification as required by applicable law.

The PLD is solely responsible for determining if any employee is eligible for benefits.

Supplemental Benefits During PFML

Way To Go Merchandising & Staffing does not offer supplemental benefits to employees who are receiving PFML.

Job Benefits and Protection

During PFML leave, Way To Go Merchandising & Staffing will maintain coverage under any group insurance policy, subscriber contract, or health care plan for the employee and any dependents as if the employee had continued to work. If Way To Go Merchandising & Staffing-provided benefits are used as an offset to the PFML benefits or to supplement the PFML benefits, Way To Go Merchandising & Staffing will deduct the employee's portion of any applicable insurance plan premium as a regular payroll deduction. If the employee is not receiving any Way To Go Merchandising & Staffing benefits during the leave, the employee must make arrangements with the Head of Human Resources and/or the CFO prior to taking leave to pay their portion of any applicable insurance premiums each month.

Unless otherwise provided by applicable law, employees returning from PFML leave will be restored to their previous or equivalent position with equivalent status, pay, benefits, and other terms and conditions of employment as of the date of the leave.

Interaction with Other Leave Policies

Leave taken pursuant to PFML will run concurrently with leave taken under the federal Family and Medical Leave Act and the Minnesota Pregnancy and Parenting Leave Act, when the leave is for a covered reason under those laws.

Questions and/or Complaints about PFML

Employees with questions regarding this PFML policy should contact the Head of Human Resources and/or the CFO. For questions about determinations by the PLD on leave eligibility, entitlement, and/or benefits, employees should contact the PLD directly. The PFML makes it unlawful for employers to discriminate, retaliate, threaten to retaliate, or interfere with the exercise of any rights under the PFML. Way To Go Merchandising & Staffing is committed to complying with the PFML and, whenever necessary, shall interpret and apply this policy in a manner consistent with the PFML.

28.8 Minnesota: Bloomington Sick And Safe Time

Eligibility

Way To Go Merchandising & Staffing provides earned sick and safe time (ESST) to employees who perform work within the City of Bloomington for at least 80 hours in a year. For employees who work in Bloomington who are eligible for sick time under the general Sick Days policy, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy.

Accrual

Employees begin to accrue ESST at the start of employment. Employees accrue one (1) hour of ESST for every 30 hours worked, up to a maximum annual accrual of 48 hours each year. Additionally, the employee's total ESST accrual balance may not exceed 80 hours at any time (overall accrual cap). Exempt employees will be presumed to work 40 hours in each workweek for accrual purposes unless their normal workweek is less than 40 hours, in which case accrual will be based on that normal workweek. For purposes of this policy, the year is the 12-month period January 1st and ending on December 31st.

Usage

Employees can begin to use accrued ESST immediately. ESST may be taken in the smallest increment of time tracked by Way To Go Merchandising & Staffing's payroll system.

Employees may use ESST for the following reasons:

1. The employee's mental or physical illness; injury; health condition; need for medical diagnosis; care, including prenatal care; treatment of a mental or physical illness, injury, or health condition; need for preventive medical or health care; or the employee's need to make arrangements for or attend funeral services or a memorial or address financial or legal matters that arise after the death of a family member.
2. The care of a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care including prenatal care; treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical or health care.
3. An absence due to domestic abuse, sexual assault, or stalking of the employee or employee's family member, provided the absence is to
    a. Seek medical attention or psychological or other counseling services related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;
    b. Obtain services from a victim services organization;
    c. Seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault, or stalking; or
    d. Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking..
4. The closure of the employee's place of business due to weather or other public emergency.
5. To accommodate the employee's need to care for a family member whose school or place of care has been closed due to weather or other public health emergency.
6. The employee's inability to work or telework because the employee is:
    a. Prohibited from working by Way To Go Merchandising & Staffing due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or
    b. Seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and such employee has been exposed to a communicable disease or Way To Go Merchandising & Staffing has requested a test or diagnosis; and

7. When it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

For purposes of this policy, family member means a child (including child-in-law), spouse or registered domestic partner, sibling (including a sibling-in-law), parent, grandchild, grandparent, a child of a sibling, a sibling of the parents of the employee or the employee's spouse or registered domestic partner, guardian, ward, other member of the employee's household; any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; or one individual annually designated by the employee. The family members listed above are not limited to biological family members but also include step-, foster, adoptive, and half-relations; those who stand in loco parentis; and legal guardians.

Unless the employee advises Way To Go Merchandising & Staffing otherwise, it will assume, subject to applicable law, that the employee wants to use available ESST for absences for reasons set forth above, and the employee will be paid for such absences to the extent they have ESST available.

Employees will be provided with their accrued and available ESST and used ESST at the end of each pay period.

Notice and Documentation

When the need to use ESST is foreseeable, employees must provide seven (7) days advance notice to the Head of Human Resources. When the need to use ESST is not foreseeable, employees must provide notice to the Head of Human Resources as soon as practicable.

For ESST of more than three (3) consecutive workdays, employees may also be required to provide reasonable documentation that ESST was taken for a covered reason. For example, for ESST used for reasons (1), (2), (6), or (7) above, documentation signed by a licensed health care provider indicating the need for the amount of ESST taken and that ESST was used for a covered reason under this policy and/or applicable law will be considered reasonable documentation, and such documentation need not specify the nature of the employee's or the employee's family member's injury, illness, or condition, except as required by law.

Supporting documentation will not be required for the above purposes where the employee or employee's family member did not receive services from a health care professional or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense. In this event, reasonable documentation may include a written statement from the employee indicating that the employee is using or used ESST for a qualifying purpose pursuant to reasons (1), (2), (6) or (7).

For example, for ESST used for reason (3) above, documentation signed by an employee or volunteer of a victim services organization, an attorney, a police officer, or an antiviolence counselor will be considered reasonable documentation, and such documentation need not specify the details of the domestic abuse, sexual assault, or stalking. For example, for ESST used for reason (4) above, a written statement from the employee indicating that the employee is using or used earned sick and safe time for a qualifying purpose will be considered reasonable documentation.

Payment

ESST is paid at the same hourly rate as employee's regular rate of pay (including shift differentials, if applicable, but not including overtime payments or any special forms of compensation such as lost tips, incentives, commissions, premium payments, or bonuses) for the hours the employee was scheduled to work during the time ESST is used, unless otherwise required by applicable law. Use of ESST is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Accrued, unused ESST may be carried over, but as indicated above, there is an overall accrual cap of 80 hours. Once the overall accrual cap is reached, ESST will stop accruing until some ESST is used.

Accrued, unused ESST will not be paid upon separation.

Enforcement and Retaliation

Employees may be subject to discipline for using ESST for a reason other than the covered reasons above, to the maximum extent permitted by applicable law. Retaliation against employees who request or use earned ESST is prohibited. Employees have the right to file a complaint with the City of Bloomington's City Attorney's Office if they believe they have been denied ESST, retaliated against, or that their rights to ESST have been otherwise interfered with or restrained. Employees also have the right to file a complaint with the Minnesota Department of Labor and Industry or bring a civil action if they believe they have been denied ESST, retaliated against, or that their rights to ESST have been otherwise interfered with or restrained.

Employees with questions regarding this policy can contact the Head of Human Resources.

28.9 Minnesota: Family And Medical Leave For Employers Covered By The FMLA

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA) and/or the Minnesota Pregnancy & Parental Leave Act (MPPLA). This policy provides employees with information concerning FMLA and/or MPPLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA and/or MPPLA leave, they should contact the Head of Human Resources.

I. Eligibility

FMLA leave is available to "FMLA eligible employees." To be an "FMLA eligible employee," the employee must: 1) have been employed by Way To Go Merchandising & Staffing for at least 12 months (which need not be consecutive); 2) have been employed by Way To Go Merchandising & Staffing for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

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

All employees who work in Minnesota are "MPPLA eligible employees."

II. Entitlements

The FMLA and MPPLA provide eligible employees with a right to leave, health insurance benefits, and, with some limited exceptions, job restoration.

A. Basic FMLA and MPPLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a rolling 12-month period measured backward from the date the employee uses their family and medical leave. The MPPLA provides eligible employees up to 12 workweeks of unpaid leave for:

1. The birth or placement for adoption of a child; or
2. For a female employee's prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions.

MPPLA leave for the birth or adoption of a child may begin not more than 12 months after the birth or adoption, except that where the child must remain in the hospital longer than the childbearing parent, the leave may not begin more than 12 months after the child leaves the hospital. It is Way To Go Merchandising & Staffing's policy to provide the greater leave benefit provided under the FMLA or MPPLA and to run leave concurrently under the FMLA and MPPLA whenever possible. Leave may be taken for any one (1), or for a combination, of the following reasons:

- To care for the employee's child after birth, or placement for adoption (or foster care—FMLA only);
- To care for the employee's spouse, son, daughter, or parent (but not in-law) who has a serious health condition (FMLA only);

- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care, childbirth, or related health condition) that makes the employee unable to perform one (1) or more of the essential functions of the employee's job (FMLA only, except under the MPPLA, for a employee's own prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions); and/or
- Because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty or called to covered active-duty status (or has been notified of an impending call or order to covered active duty) in the Reserve component of the Armed Forces for deployment to a foreign country in support of contingency operations or Regular Armed Forces for deployment to a foreign country (FMLA only).

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 three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment, incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

"Qualifying exigencies" may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty, and attending post-deployment reintegration briefings.

B. Additional Military Family Leave Entitlement (Injured Servicemember Leave) (FMLA Only)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single 12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "covered servicemember" is 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 on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." "Covered servicemembers" also include a veteran who is discharged or released from military service under conditions other than dishonorable at any time during the five- (5-)year period preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to

care for a covered family member.

C. Intermittent Leave and Reduced Leave Schedules

FMLA leave usually will be taken for a period of consecutive days, weeks, or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member, or the serious injury or illness of a covered servicemember. Leave due to qualifying exigencies may also be taken on an intermittent or reduced schedule basis.

D. No Work While on Leave

The taking of another job while on FMLA/MPPLA leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by applicable law.

E. Protection of Group Health Insurance Benefits

During FMLA/MPPLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work. However, if leave is solely pursuant to MPPLA, the employee may be required to pay the full health insurance premium during leave.

F. Restoration of Employment and Benefits

At the end of FMLA/MPPLA leave, subject to some exceptions, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits, and other employment terms. Under the FMLA only, reinstatement also may be denied where job restoration of "key employees" will cause Way To Go Merchandising & Staffing substantial and grievous economic injury. Way To Go Merchandising & Staffing will notify employees if they qualify as "key employees," if it intends to deny reinstatement and of their rights in such instances. Use of FMLA/MPPLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA/MPPLA leave.

G. Notice of Eligibility for, and Designation of, FMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from Way To Go Merchandising & Staffing telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of:

1. Their rights and responsibilities in connection with such leave;
2. Way To Go Merchandising & Staffing's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and
3. The amount of leave, if known, that will be counted against the employee's leave entitlement.

Way To Go Merchandising & Staffing may retroactively designate leave as FMLA leave with appropriate written notice to employees provided Way To Go Merchandising & Staffing's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, Way To Go Merchandising & Staffing and employee can mutually agree that leave be retroactively designated as FMLA leave.

III. Employee FMLA/MPPLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees who wish to take FMLA/MPPLA leave must timely notify Way To Go Merchandising & Staffing of their need for FMLA/MPPLA leave. The following describes the content and timing of such employee notices.

1. Content of Employee Notice

To trigger FMLA leave protections, employees must inform the Head of Human Resources of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow Way To Go Merchandising & Staffing to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- A medical condition renders them unable to perform the functions of their job;
- They are pregnant or have been hospitalized overnight;
- They or a covered family member are under the continuing care of a health care provider;
- The leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active-duty status to a foreign country; or
- If the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to Way To Go Merchandising & Staffing's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which Way To Go Merchandising & Staffing has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

For MPPLA, the notice of the need for leave should include the date the leave will commence and the estimated duration of the leave.

2. Timing of Employee Notice

Employees must provide 30 days' advance notice of the need to take FMLA/MPPLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide Way To Go Merchandising & Staffing notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

Employees returning from MPPLA leave longer than one (1) month also must provide notice of their return from leave to the Head of Human Resources at least two (2) weeks in advance.

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with Way To Go Merchandising & Staffing and make a reasonable effort to schedule treatment so as not to unduly disrupt Way To Go Merchandising & Staffing's operations, subject to the approval of the employee's health care provider. Employees must consult with Way To Go Merchandising & Staffing prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both Way To Go Merchandising & Staffing and the employees, subject to the approval of the employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, Way To Go Merchandising & Staffing may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, Way To Go Merchandising & Staffing may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise Way To Go Merchandising & Staffing of the reasons why such leave is medically necessary. In such instances, Way To Go Merchandising & Staffing and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting Way To Go Merchandising & Staffing's operations, subject to the approval of the employee's health care provider.

C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of the FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three (3) types of FMLA medical certifications: an initial certification, a recertification, and a return to work/fitness for duty certification.

It is the employee's responsibility to provide Way To Go Merchandising & Staffing with timely, complete, and sufficient medical certifications. Whenever Way To Go Merchandising & Staffing requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after Way To Go Merchandising & Staffing's request, unless it is not practicable to do so despite the employee's diligent, good-faith efforts. Way To Go Merchandising & Staffing will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven (7) calendar days to cure deficiencies. Way To Go Merchandising & Staffing will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, Way To Go Merchandising & Staffing (through individuals other than the employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide Way To Go Merchandising & Staffing with authorization allowing it to clarify or authenticate certifications with

health care providers, Way To Go Merchandising & Staffing may deny FMLA leave if certifications are unclear.

Whenever Way To Go Merchandising & Staffing deems it appropriate to do so, it may waive its right to receive timely, complete, and/or sufficient FMLA medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or servicemember. If employees can provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If Way To Go Merchandising & Staffing has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at Way To Go Merchandising & Staffing's expense. If the opinions of the initial and second health care providers differ, Way To Go Merchandising & Staffing may, at its expense, require employees to obtain a third, final, and binding certification from a health care provider designated or approved jointly by Way To Go Merchandising & Staffing and the employee.

2. Medical Recertifications

Depending on the circumstances and duration of FMLA leave, Way To Go Merchandising & Staffing may require employees to provide recertification of medical conditions giving rise to the need for leave. Way To Go Merchandising & Staffing will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide Way To Go Merchandising & Staffing medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. Way To Go Merchandising & Staffing may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active-duty status of a military member, Way To Go Merchandising & Staffing may require employees to provide:

1. A copy of the military member's active-duty orders or other documentation issued by the military indicating the military member is on active duty or call to covered active-duty status and the dates of the military member's covered active-duty service; and
2. A certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active-duty orders or other documentation issued by the military for leaves arising out of qualifying

exigencies arising out of a different covered active duty or call to covered active-duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, Way To Go Merchandising & Staffing may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, Way To Go Merchandising & Staffing may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

E. Substitute Paid Leave for Unpaid FMLA and MPPLA Leave

Employees may use any accrued paid time while taking unpaid FMLA and/or MPPLA leave.

The substitution of paid time for unpaid FMLA and/or MPPLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with the employee's FMLA/MPPLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement.

F. Pay Employee's Share of Health Insurance Premiums

During FMLA/MPPLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. However, if leave is solely pursuant to MPPLA, the employee may be required to pay the full health insurance premium during leave. Unless Way To Go Merchandising & Staffing notifies employees of other arrangements, whenever employees are receiving pay from Way To Go Merchandising & Staffing during FMLA/MPPLA leave, Way To Go Merchandising & Staffing will deduct the employee's portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA/MPPLA leave is unpaid, employees must pay their portion of the group health premium through a method determined by the Way To Go Merchandising & Staffing upon leave.

Way To Go Merchandising & Staffing's obligation to maintain health care coverage ceases if the employee's premium payment is more than 30 days late. If the employee's payment is more than 15 days late, Way To Go Merchandising & Staffing will send a letter notifying the employees that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse Way To Go Merchandising & Staffing for the cost of the premiums Way To Go Merchandising & Staffing paid for maintaining coverage during their unpaid FMLA leave.

IV. Coordination of FMLA/MPPLA Leave with Other Leave Policies

The FMLA and MPPLA do not affect any federal, state, or local law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights. However, whenever permissible by law, FMLA leave will run concurrently with MPPLA and any other leave provided under state or local law. For additional information concerning leave entitlements and obligations that might arise when FMLA/MPPLA leave is either not available or

exhausted, please consult Way To Go Merchandising & Staffing's other leave policies in this handbook or contact the Head of Human Resources.

V. Questions and/or Complaints about FMLA/MPPLA Leave

If employees have questions regarding this FMLA/MPPLA policy, they should contact the Head of Human Resources. Way To Go Merchandising & Staffing is committed to complying with the FMLA/MPPLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA/MPPLA.

The FMLA makes it unlawful for employers to:

1. Interfere with, restrain, or deny the exercise of any right provided under FMLA; or
2. Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact the Head of Human Resources immediately. Way To Go Merchandising & Staffing will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the U.S. Department of Labor or may bring private lawsuits alleging FMLA violations.

28.10 Minnesota: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a state general or primary election, vote in an election to fill a vacancy in the federal or state Senate or House of Representatives, vote in a presidential primary or serve as an election judge, employees may take off working time to vote or serve as an election judge. Time for voting should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed voting leave on Election Day without loss of pay or retaliation. Where possible, supervisors should be notified of the need for leave to vote in advance of Election Day.

Time for serving as an election judge is allowed on Election Day without loss of pay, except that pay may be reduced by any amount the employee is paid for serving as an election judge by the appointing authority during the time the employee was absent from the place of employment. Employees must give at least 20 days written notice to take time to serve as an election judge. The written notice must be accompanied by a certification from the appointing authority, stating the hourly compensation to be paid the employee for service as an election judge and the hours during which the employee will serve. The Company may restrict the number of individuals who may be absent from work for the purpose of serving as an election judge to no more than 20% of the total workforce at any single worksite.

Section 29 - Mississippi Addendum

29.1 Mississippi: Time Off For Crime Victims

Employees may take unpaid time off to respond to a subpoena to testify in a criminal proceeding or participate in the reasonable preparation of a criminal proceeding if:

- the employee is a victim of the crime at issue in the proceedings; or
- the victim is deceased or incapacitated, and the employee is the victim's parent, guardian, immediate family member, or lawful representative.

Way To Go Merchandising & Staffing may require proof of the employee's participation in these activities. Whenever possible, employees must provide their supervisor reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for the leave under this policy.

No employee will be subject to termination, intimidation, or threat or fear of termination for taking leave under this policy. Victims of a crime may request other accommodations in the workplace such as implementation of safety measures.

Section 30 - Missouri Addendum

30.1 Missouri Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in an election, employees may take off working time to vote. Sufficient time is considered to be three (3) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed voting leave on Election Day without loss of pay (if the employee votes) or retaliation. Supervisors must be notified of the need for leave in advance of Election Day. Supervisors may specify when leave may be taken.

30.2 Missouri: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to respond to an emergency as a volunteer firefighter, member of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, Urban Search and Rescue Team or FEMA. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated for taking time off pursuant to this policy.

30.3 Missouri: Time Off For Crime Victims

Time Off for Crime Victims

Employees may take unpaid time off to respond to respond to a subpoena to testify in a criminal proceeding, attend a criminal proceeding, or participate in the preparation of a criminal proceeding if they are:

- the victim of the crime at issue in the proceedings; or
- the victim's spouse, child, sibling, parent, grandparent or legal guardian.

Way To Go Merchandising & Staffing may require proof of the employee’s participation in these activities. Whenever possible, employees must provide their supervisor reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for the leave under this policy. No employee will be subject to discharge or discipline for taking leave under this policy.

Victims of Domestic Abuse, Sexual Assault, and Related Crimes Leave (applies to employers that have 20 or more employees)

Employees who are domestic or sexual violence victims or family or household members of a domestic or sexual violence victim may take unpaid time off to:

- Seek medical attention for or recovering from physical or psychological injuries inflicted by domestic or sexual violence;
- Obtain services from a victim services organization;
- Obtain psychological or other counseling;
- Participate in safety planning, temporarily or permanently relocating, or taking other actions to increase the victim's safety from future domestic or sexual violence, or to ensure economic security; or
- Seek legal assistance or remedies, including preparing or participating in any civil or criminal legal proceeding related to the domestic or sexual violence.

- During any 12-month period, employees may be entitled to up to one (1) workweek (if they work for an employer with 20 to 49 employees) or up to two (2) workweeks (if they work for an employers with 50 or more employees).

Family and household members include: a spouse, parent, son, daughter, other persons related by blood, person related by present or prior marriage, a person who shares a relationship through a child, or persons jointly residing in the same household. "Parent" includes an individual who stood in loco parentis to an employee as a child. Additionally, "children" includes biological, adopted, a stepchild, a foster child, a legal ward, or a child standing in loco parentis, who is under 18 years old, or is 18 years or older and is incapable of self-care because of mental or physical disabilities.

Employees must provide the Company with at least 48 hours of advance notice of the employee's intention to take leave, unless providing such notice would not be practicable. Certification that an employee or an employee's family or household member is a victim of domestic or sexual violence may be required.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy. During the period of leave, the employer must maintain coverage for the employee and any family or household member under any group health plan for the duration of leave. An employee returning from leave is entitled to be restored to the position of employment the employee held when the leave commenced or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

No employee will be subject to discrimination or retaliation for taking leave under this policy. Eligible employees may request reasonable safety accommodations in the workplace for the known limitations resulting from the circumstances relating to an employee's family or household member experiencing domestic or sexual violence.

Section 31 - Montana Addendum

31.1 Montana: About This Handbook/Disclaimer

Way To Go Merchandising & Staffing prepared this handbook to assist employees in finding the answers to many questions they may have regarding their employment. Employees should take the necessary time to read it.

Way To Go Merchandising & Staffing does not expect this handbook to answer all questions. The Head of Human Resources also will be a major source of information.

Neither this handbook, nor any other verbal or written communication by a management representative, is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation nor does it confer any contractual rights whatsoever.

Way To Go Merchandising & Staffing fully complies with all provisions of the Montana Wrongful Discharge from Employment Act which allows termination of employees only for good cause, except to the extent any employee is subject to the 12-month probationary period. During the probationary period, employment is at-will and may be terminated at any time and for any lawful reason by the Employee or Way To Go Merchandising & Staffing (unless modified by a writing signed by CFO). Way To Go Merchandising & Staffing also may extend the probationary period as allowed by law.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate Way To Go Merchandising & Staffing documents. These documents are always controlling over any statement made in this handbook or by any member of management.

This handbook states only general Way To Go Merchandising & Staffing guidelines. Way To Go Merchandising & Staffing may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, subject to applicable law.

This handbook supersedes all prior handbooks.

31.2 Montana: Probationary Period (Addendum To Introductory Period Policy)

Despite any policy language to the contrary, employment is on a trial or introductory basis for the first 12 months of employment. The introductory period may be extended for up to 6 months as determined in Way To Go Merchandising & Staffing's sole discretion.

31.3 Montana: Payment Of Wages Upon Separation

As allowed by Mont. Code Ann. § 39-3-205, employees who are separated for cause or laid off from employment will not be paid their final paycheck immediately. Rather, the employee's final paycheck will be paid by the next regular payday or within 15 days from separation, whichever occurs first. Employees who resign from employment also will be paid by the next regular payday or within 15 days from separation, whichever occurs first.

31.4 Montana: Pregnancy Leave

Way To Go Merchandising & Staffing will not discriminate against an applicant or employee because of pregnancy, childbirth or related medical condition. Way To Go Merchandising & Staffing will not treat employees disabled due to pregnancy less favorably than any employee with a temporary disability under any health, medical temporary disability or sick leave plan maintained by Way To Go Merchandising & Staffing. All benefits provided to temporarily disabled employees pursuant to such a plan will be provided to pregnant employees.

Way To Go Merchandising & Staffing will provide employees a reasonable leave of absence for the temporary disabilities associated with pregnancy, childbirth, delivery and related medical conditions and will not place restrictions on the leave which would not apply to leaves of absence for any other valid medical reason. As a condition of leave provided for pregnancy, Way To Go Merchandising & Staffing may require the employee to provide medical verification that the employee is unable to perform the employee's job duties.

A pregnant employee is entitled to use any disability benefits, sick leave, vacation time, annual leave or compensatory time accrued pursuant to plans maintained by Way To Go Merchandising & Staffing for pregnancy leave. If Way To Go Merchandising & Staffing maintains no such plans or benefits or such benefits have been exhausted, the pregnancy leave will be without pay.

Any employee who has signified the intent to return at the end of a reasonable leave of absence for pregnancy will be reinstated to the employee's original job or to an equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits and other service credits, except when Way To Go Merchandising & Staffing's circumstances have changed so much that it is impossible or unreasonable to do so.

If employees have any questions concerning this policy, they should contact the Head of Human Resources and/or the CFO.

31.5 Montana: Time Off For Crime Victims

Employees may take unpaid time off to participate at the prosecuting attorney's request in preparation for or attendance at a criminal justice proceeding if they are:

- the victim of the crime at issue in the proceedings; or

- the victim's spouse, child by birth or adoption, stepchild, parent, stepparent, or sibling.

The Company may require proof of the employee's participation in these activities. Whenever possible, employees must provide their supervisor reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for the leave under this policy. No employee will be subject to discharge or discipline for taking leave under this policy.

31.6 Montana: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve as a volunteer emergency service provider (a person who is not paid full time by the emergency services provider and includes volunteer firefighters or and volunteer emergency medical technicians). Employees should timely provide written notice of their status as an emergency service provider and should contact their supervisor as soon as possible if they miss work due to the emergency dispatch.

Employees must request and receive prior authorization to respond to an emergency if the employee's absence or delay would jeopardize public safety or prevent the employer from performing an essential function.

Employees may be required to provide a written statement when they are absent from or late to work due to an emergency from the supervisor of the volunteer emergency service organization. The statement must include the date, time, duration and actuality of the emergency.

Employees who have completed a probationary period shall not be subject to adverse action for service.

Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws.

Section 32 - Nebraska Addendum

32.1 Nebraska: Family Military

Employees who have been employed by Way To Go Merchandising & Staffing for at least 12 months, have worked at least 1,250 hours during the 12-month period immediately preceding the day the leave begins, and are the spouse or parent of a person called to military service for 179 days or longer pursuant to the orders of the Governor or the President of the United States are eligible for an unpaid leave of absence for up to 1530 days.

Leave may be taken during the time federal or state deployment orders are in effect.

Employees may elect to substitute any accrued paid time off (except for paid medical or sick leave) for leave provided under this policy. If applicable, health care benefits will be continued at the employee's expense during the period of leave.

If the leave will consist of an absence of five (5) or more consecutive work days, the employee must provide notice to Way To Go Merchandising & Staffing at least 14 days in advance. If the leave will consist of an absence of fewer than five (5) consecutive work days, employees must provide as much advance notice to Way To Go Merchandising & Staffing as is practicable. In all cases, employees must consult with Way To Go Merchandising & Staffing to attempt to schedule their leave so as to not unduly disrupt operations. Way To Go Merchandising & Staffing reserves the right to require certification of the employee's eligibility for this leave from the proper military authority.

Upon returning from leave, in most cases employees will be restored to the position they held before the leave began or to an equivalent position.

32.2 Nebraska: Pregnancy Accommodations

Pursuant to Nebraska Fair Employment Practices Act, Way To Go Merchandising & Staffing will endeavor to provide reasonable accommodations to the known physical limitations of employees who are pregnant, have given birth, or have related medical conditions, unless doing so would impose an undue hardship on Way To Go Merchandising & Staffing.

Reasonable accommodations may include, but are not limited to:

1. Acquisition of equipment for sitting;
2. More frequent or longer breaks;
3. Periodic rest;
4. Assistance with manual labor;
5. Job restructuring;

6. Light-duty assignments;
7. Modified work schedules;
8. Temporary transfers to less strenuous or hazardous work;
9. Time off to recover from childbirth; or
10. Break time and appropriate facilities for breast-feeding or expressing breast milk.

Way To Go Merchandising & Staffing will not require employees to take leave if another reasonable accommodation can be provided. Way To Go Merchandising & Staffing will not take adverse action against employees for requesting or using reasonable accommodations under the law.

Any employee who has questions about the policy or who needs to request an accommodation due to pregnancy, childbirth, or a related medical condition should contact the Head of Human Resources.

32.3 Nebraska: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in an election, employees may take off working time to vote. Sufficient time is considered to be two (2) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed voting leave on Election Day without loss of pay if the employee notifies their supervisors of the need for leave in advance of or on Election Day, or retaliation. Supervisors may specify when leave may be taken.

An employee that is a judge or clerk of election, a precinct or district inspector, a canvassing board member, or any other election worker is also entitled to leave for the hours he or she is required to serve without retaliation or loss of pay if reasonable notice is given in advance of Election Day, except that pay may be reduced by any amount the employee is paid for serving. Reasonable notice requirements are waived for judges or clerks of election on the day of an election to fill a vacancy. If the employee is required to serve 8 hours or more, they will be excused from work for the 8 hours prior to and following the hours of service.

32.4 Nebraska: Jury Duty Leave

The Company realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law without retaliation. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

The Company will provide paid time off, less fees received from the court, to all employees, including part-time and temporary employees, while serving on jury duty. Employees will not be required to use

accrued paid time off while serving on jury. Exempt employees will be paid as necessary to comply with federal and state wage and hour laws.

32.5 Nebraska: Volunteer Emergency Responders Leave

Employees working for an employer with ten (10) or more employees may be eligible for time off work to serve as a volunteer of the fire department or a volunteer of the first-aid rescue, ambulance, or emergency squad. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. The Company will not terminate or take any other disciplinary action again an employee for taking time off pursuant to this policy.

Section 33 - Nevada Addendum

33.1 Nevada: Pregnancy Accommodations

According to the Nevada Pregnant Workers' Fairness Act (effective October 1, 2017) (the "Act"), employees have the right to be free from discriminatory or unlawful employment practices based on pregnancy, childbirth or a related medical condition and are entitled to reasonable accommodation.

Under the Act, Way To Go Merchandising & Staffing may not:

- deny a reasonable accommodation to employees and applicants, upon request, for a condition related to pregnancy, childbirth or a related medical condition, unless an accommodation would impose an undue hardship on the business of Way To Go Merchandising & Staffing;
- take adverse employment actions against the employee or applicant based on a need for a reasonable accommodation;
- deny an employment opportunity to a qualified employee or applicant based on a need for a reasonable accommodation; and
- require the employee or applicant to accept an accommodation that the employee or applicant did not request or chooses not to accept or to take leave from employment if an accommodation is unavailable.

Reasonable accommodations may include, but are not limited to:

1. modifying equipment or providing different seating;
2. revising break schedules, which may include revising the frequency or duration of breaks;
3. providing space in an area other than a bathroom that may be used for expressing breast milk;
4. providing assistance with manual labor if the manual labor is incidental to the primary work duties of the employee;
5. authorizing light duty;
6. temporarily transferring the employee to a less strenuous or hazardous position; or
7. restructuring a position or providing a modified work schedule.

Under the Act, Way To Go Merchandising & Staffing may require the employee to submit written medical certification from the employee's physician substantiating the need for an accommodation because of pregnancy, childbirth or related medical conditions, and the specific accommodation recommended by the physician.

Any employee who needs to request an accommodation due to pregnancy, childbirth or a related condition or who has questions regarding this policy should contact the Head of Human Resources.

33.2 Nevada: Overtime

Like most successful companies, the company experiences periods of extremely high activity. During these busy periods, additional work is required from all of us. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Efforts will be made to provide employees with adequate advance notice in such situations.

Non-exempt employees generally will be paid overtime at the rate of time and one-half (1.5) times their normal hourly wage for all hours worked in excess of 40 hours in one (1) week. Additionally, non-exempt employees that earn less than one and one-half (1.5) times the minimum wage rate will receive one and one-half (1.5) times their normal hourly wage for all hours worked in excess of eight (8) hours in one (1) day, unless mutually agreed that the employee will work ten (10) hours per day over four (4) calendar days within a workweek.

Employees may work overtime only with management authorization.

Paid time off, holidays or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Saturday and ends 168 hours later at 12 a.m. on the following Saturday.

33.3 Nevada: Leave And Accommodation For Victims Of Domestic Violence Or Sexual Assault

Employees who have worked for Way To Go Merchandising & Staffing for at least 90 days, and who are the victims of domestic violence or sexual assault or whose family or household member is a victim of domestic violence or sexual assault, may take time off work for up to 160 hours in one (1) 12-month period, beginning on the date when the act of domestic violence or sexual assault occurred (and the employee is NOT the alleged perpetrator of the domestic violence or sexual assault).

Leave under this policy may be taken for the following reasons:

- For the diagnosis, care, or treatment of a health condition related to an act of domestic violence or sexual assault committed against the employee or the employee's family or household member;
- To obtain counseling or assistance related to an act of domestic violence or sexual assault committed against the employee or the employee's family or household member;
- To participate in court proceedings related to an act of domestic violence or sexual assault committed against the employee or the employee's family or household member; or
- To establish a safety plan, including any action to increase the safety of the employee or the employee's family or household member from a future act of domestic violence or sexual assault.

For purposes of this policy, a "family or household member" means a spouse, domestic partner, minor child, or parent or another adult who is related within the first degree of consanguinity or affinity to the employee, or other adult person who is or was actually residing with the employee at the time the act of domestic violence or sexual assault was committed.

For purposes of this policy, "domestic violence" occurs when a person commits one (1) of the following acts against or upon the person's spouse, former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person is or was actually residing, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person's minor child, or any other person who has been appointed the custodian or legal guardian for the person's minor child:

a. A battery;
b. An assault;
c. Compelling the other person by force or threat of force to perform an act from which the other person has the right to refrain or to refrain from an act which the other person has the right to perform;
d. A sexual assault;
e. A knowing, purposeful, or reckless course of conduct intended to harass the other person. Such conduct may include, but is not limited to:
    1. Stalking;
    2. Arson;
    3. Trespassing;
    4. Larceny;
    5. Destruction of private property;
    6. Carrying a concealed weapon without a permit; or
    7. Injuring or killing an animal.
f. A false imprisonment; or
g. Unlawful entry of the other person's residence, or forcible entry against the other person's will if there is a reasonably foreseeable risk of harm to the other person from the entry.

For purposes of this policy, "sexual assault" occurs when a person:

a. Subjects another person to sexual penetration, or forces another person to make a sexual penetration on themselves or another, or on a beast, against the will of the victim or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of the perpetrator's conduct; or
b. Commits a sexual penetration upon a child younger than the age of 14 years or causes a child younger than the age of 14 years to make a sexual penetration on themselves or another, or on a beast.

Nevada law provides that leave may be unpaid or paid at the discretion of the employer. Way To Go Merchandising & Staffing will permit employees to use any accrued, unused paid time off while taking leave under this policy.

Leave under this policy may be used in a single block of time or intermittently. Leave under this policy also will run concurrently (at the same time) with FMLA leave, if leave is otherwise FMLA-qualifying. Leave under this policy does not extend the time allowable under the "Family and Medical Leave Act" policy in this handbook.

After taking any time off due to an act of domestic violence or sexual assault, employees must provide their supervisor at least 48 hours advance notice before taking any additional time off under this policy.

Way To Go Merchandising & Staffing may require documentation of the employee's participation in these activities that confirms or supports the reason the employee provided for requesting leave. For example, Way To Go Merchandising & Staffing may require:

- A police report;
- Copy of an application for an order for protection;
- Affidavit from an organization which provides services to victims of domestic violence or sexual assault; or
- Documentation from a physician.

Any documentation requested or received by Way To Go Merchandising & Staffing will be kept confidential in a private medical file (and will not be contained in the general personnel file).

The employee who is the victim of domestic violence or sexual assault (or whose family or household member is such a victim) may request reasonable accommodation with respect to the employee's safety while at work. Reasonable accommodation may include the implementation of safety measures, including a transfer, reassignment, modified schedule, changed work telephone, or any other reasonable accommodation that does not create an undue hardship deemed necessary to ensure the safety of the employee, the workplace, the Way To Go Merchandising & Staffing, and other employees.

Eligible employees desiring an accommodation should notify the Head of Human Resources. The Head of Human Resources will then engage in an interactive process with the employee to determine possible effective reasonable accommodations. As part of the interactive process, the Head of Human Resources may require the employee to provide appropriate certification. Employees who no longer need an accommodation must notify the Head of Human Resources of any change in circumstance. Similarly, employees who have been provided an accommodation must notify the Head of Human Resources if the employee requires a new accommodation.

Way To Go Merchandising & Staffing also will not discipline, discriminate, or retaliate against employees because they are a known victim of domestic violence or sexual assault; because they requested and took leave and/or requested accommodation under this policy; or because they participated as a witness or interested party in a court proceeding related to domestic violence or sexual assault that relates to the use of leave under this policy. Way To Go Merchandising & Staffing also will not require employees to find a replacement or substitute to cover their position or work as a condition of using leave under this policy.

33.4 Nevada: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in an election, employees may take off working time to vote. Sufficient time is considered to be:

- one (1) hour if the polls are less than two (2) miles from the employee's place of employment;
- two (2) hours if the polls are between two (2) and ten (10) miles from the employee's place of employment; and
- three (3) hours if the polls are over ten (10) miles from the employee's place of employment.

This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed voting leave on Election Day without loss of pay or retaliation. Supervisors must be notified of the need for leave in advance of Election Day. Supervisors may specify when leave may be taken.

33.5 Nevada: Time Off For School Related Activities

Applies to employers with 50 or more employees for each working day in each of 20 or more calendar weeks in the current calendar year)

Employees may be provided unpaid time off up to 4 hours in one (1) school year per child if they are parents, guardians, or custodians of a child enrolled in a public or private school. The unpaid leave must be used for the following school-related activities:

- Attend parent-teacher conferences;
- Attend school-related activities during regular school hours;
- Volunteer or otherwise be involved at the school in which his or her child is enrolled during regular school hours; or
- Attend school-sponsored events.

Time off must be used in increments of one (1) hour. At least five (5) school days prior to taking leave, the employee must provide a written request for leave to their supervisor. The leave must be at a time mutually agreed upon by the company and the employee.

Employees may be required to provide documentation of their participation in these activities during the time of the leave. Employees may use accrued paid time off for purposes of the leave taken under this policy.

The Company prohibits termination of employment, demotion, suspension, or any other type of discrimination against any employee that is a parent, guardian or custodian of a child that takes leave in accordance with this policy.

33.6 Nevada: Volunteer Emergency Responders Leave

Employees who are volunteer members of the Nevada Wing of the Civil Air Patrol are eligible for time off from work for training or emergency missions. Employees are eligible for up to 10 workdays to train for emergency missions (including search and rescue and disaster response); or up to 30 workdays to respond to an emergency mission.

Employees requesting leave must provide the following when they request Civil Air Patrol Leave:

- Certification that they are authorized by the United States Air Force, the Governor or a political subdivision of the State to respond to or train for an emergency mission; and
- The Civil Air Patrol's verification of the emergency need for their volunteer service.

Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws.

Section 34 - New Hampshire Addendum

34.1 New Hampshire: Pregnancy Disability Leave

Employees may take an unpaid leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth or related medical conditions. A pregnancy disability leave begins when an employee is medically determined to be disabled and ends when the employee is medically determined to be able to return to work.

Employees may substitute available vacation, sick and other available paid time off during unpaid leave taken under this policy, but such substitution does not extend the maximum amount of leave time to which an employee is eligible under this policy. This leave will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable, and any other leave as permitted by applicable law.

During an approved pregnancy disability leave, Way To Go Merchandising & Staffing will maintain an employee's health insurance benefits under the same terms and conditions applicable to employees not on leave, provided that the employee continues regular employee contributions to these plans on a timely basis. An employee on pregnancy disability leave who is not eligible for FMLA leave or who has exhausted FMLA available leave weeks will be responsible for paying in advance each month the employee portion of the premiums of the employee's insurance coverage(s) and that of any dependents. Failure to do so may result in loss of coverage and possible refusal by the insurance carrier(s) to allow coverage to be reinstated.

Paid time off does not continue to accrue during any unpaid leave of absence, and employees are not eligible for other employment-related benefits such as holiday, bereavement, jury duty, or other pay during the leave.

An employee who returns to work following an approved unpaid leave of absence will be considered as having had continuous employment for purposes of seniority and other benefits based upon years of service.

Employees are required to provide reasonable notice of the date on which leave will commence and the estimated duration of the leave. In addition, employees must provide medical certification of the need for pregnancy disability leave from their health care provider.

The taking of another job while on pregnancy disability leave or any other authorized leave of absence is prohibited except as authorized by Way To Go Merchandising & Staffing and/or if permitted by applicable law.

When an employee on an approved pregnancy disability leave is physically able to return to work, the employee will be reinstated to the employee's original job or a comparable position unless business necessity makes reinstatement impossible or unreasonable. If the employee fails to return to work on the first working day following the expiration of the leave, the employee will be considered to have

voluntarily quit unless Way To Go Merchandising & Staffing has approved an extension of the leave or the employee's failure to return to work is approved by Way To Go Merchandising & Staffing.

Employees with questions concerning this policy should contact the Head of Human Resources and/or the CFO.

34.2 New Hampshire: Leave Of Absence To Attend Medical Appointments For Childbirth, Postpartum Care, And Infant Pediatric Medical Appointments

Beginning January 1, 2026, Way To Go Merchandising & Staffing will provide employees with up to 25 hours of unpaid leave to attend the employee's own medical appointments for childbirth, postpartum care, or the employee's child's pediatric medical appointments within the first year of the child's birth or adoption. In the case where both parents of a child are employees of Way To Go Merchandising & Staffing, the parents collectively may take unpaid leave under this policy for a total of 25 hours in their child's first year.

Employees may elect to substitute any accrued vacation time or other appropriate paid leave for unpaid leave provided pursuant to this policy, but such substitution does not extend the maximum amount of leave time to which the employee is eligible under this policy.

Any employee who wishes to request leave must provide reasonable notice to Way To Go Merchandising & Staffing prior to the leave and make a reasonable effort to schedule the leave so as not to unduly disrupt the operations of Way To Go Merchandising & Staffing. Way To Go Merchandising & Staffing asks for documentation from the employee to ensure the time is being used for its intended purpose.

Employees with questions concerning this policy should contact the Head of Human Resources and/or the CFO.

34.3 New Hampshire: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve the state or a political subdivision due to a state of emergency as a volunteer of the fire department, rescue squad, or emergency medical services. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws.

34.4 New Hampshire: Time Off For Crime Victims Leave

Employees may take unpaid time off to attend court or other legal or investigative proceedings associated with the prosecution of the crime if:

- The employee is a victim of the crime at issue in the proceedings (suffered direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or the attempted commission of a crime); or
- The victim is a minor, incompetent, or was a homicide victim, the employee is the father, mother, stepparent, child, stepchild, sibling, spouse, grandparent, or legal guardian of the victim, or any person involved in an intimate relationship and residing in the same household with the victim.

Before an employee may leave work, the employee must provide the employer with a copy of the notice of each scheduled hearing, conference, or meeting that is provided to the employee by the court or agency responsible for providing notice to the employee.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy. An employee will not lose seniority while on leave.

No employee will be terminated for taking leave under this policy.

Section 35 - New Jersey Addendum

35.1 New Jersey: Equal Employment Opportunity

Way To Go Merchandising & Staffing is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, domestic partnership or civil union status, military service or veteran status, physical or mental disability, atypical hereditary cellular or blood trait, genetic information, or any other characteristic protected by applicable federal, state or local laws. Way To Go Merchandising & Staffing’s management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs, and general treatment during employment.

Way To Go Merchandising & Staffing will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual’s physical or mental disability; sincerely held religious beliefs and practices; and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon Way To Go Merchandising & Staffing's business operations. Any applicant or employee who needs an accommodation in order to perform the essential functions of the job should contact the Head of Human Resources to request such an accommodation. The individual should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. Way To Go Merchandising & Staffing then will review and analyze the request, including engaging in an interactive process with the individual, to identify if such an accommodation can be made. Way To Go Merchandising & Staffing will evaluate requested accommodations, and as appropriate identify other possible accommodations, if any. The individual will be notified of Way To Go Merchandising & Staffing's decision regarding the request within a reasonable period. Way To Go Merchandising & Staffing treats all medical information submitted as part of the accommodation process in a confidential manner.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Head of Human Resources. Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact the Head of Human Resources. To ensure the workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

35.2 New Jersey: Pregnancy Accommodations

Pursuant to New Jersey law, Way To Go Merchandising & Staffing prohibits unlawful discrimination on the basis of pregnancy or breastfeeding. Way To Go Merchandising & Staffing will endeavor to reasonably accommodate the needs of employees' pregnancy, childbirth, breastfeeding or expressing milk for breastfeeding, or related medical condition, including recovery from childbirth, provided that the pregnancy, childbirth, or related medical condition is known or should have been known by Way To Go Merchandising & Staffing, and the proposed accommodation does not impose an undue hardship on the business operations of Way To Go Merchandising & Staffing.

Reasonable accommodations may include, but are not limited to:

1. Bathroom breaks;
2. Breaks for increased water intake;
3. Periodic rest;
4. Assistance with manual labor;
5. Job restructuring or modified work schedules;
6. Temporary transfers to less strenuous or hazardous work; or
7. Reasonable break time each day to express breast milk.

For purposes of expressing breast milk, Way To Go Merchandising & Staffing will provide a suitable room or other location with privacy, other than a toilet stall, in close proximity to the work area.

Any employee who needs to request an accommodation due to pregnancy, childbirth, or a related medical condition or who has questions regarding the policy should contact the Head of Human Resources.

35.3 New Jersey: Family And Medical Leave For Employers Covered By The FMLA

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA) and/or the New Jersey Family Leave Act (NJFLA). This policy provides employees with information concerning FMLA and/or NJFLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA and/or NJFLA leave, they should contact the Head of Human Resources.

I. Eligibility

"FMLA leave is available to "FMLA eligible employees." To be an "FMLA eligible employee," the employee must: 1) have been employed by Way To Go Merchandising & Staffing for at least 12 months (which need not be consecutive); 2) have been employed by Way To Go Merchandising & Staffing for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

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

NJFLA leave is available to "eligible employees." To be an "NJFLA eligible employee," the employee must: 1) have been employed by Way To Go Merchandising & Staffing for at least 12 months; 2) have worked at least 1,000 base hours during the 12-month period preceding the leave; and 3) be employed by an employer that has 30 or more employees. "Base hours" mean the hours of work for which the employee receives compensation including overtime hours and hours for which the employee receives workers' compensation benefits.

II. Employee Entitlements for FMLA and NJFLA Leave

As described below, the FMLA and NJFLA provide eligible employees with a right to leave, health insurance benefits (FMLA only), and, with some limited exceptions, job restoration.

A. Basic FMLA and NJFLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The NJFLA provides eligible employees up to 12 workweeks of unpaid leave for certain family reasons during a 24-month period. The 12- or 24-month period is determined on a rolling 12-month period measured backward from the date the employee uses their family and medical leave.

It is Way To Go Merchandising & Staffing's policy to provide the greater leave benefit provided under the FMLA or NJFLA and to run leave concurrently under the FMLA and NJFLA whenever possible.

Leave may be taken for any one (1), or for a combination, of the following reasons:

- To care for the employee's child after birth or placement for adoption or foster care;
- To care for the employee's spouse (domestic partner or partner in a civil union—NJFLA only), child or parent (or parent-in-law, sibling, grandparent, grandchild, any individual related by blood, or any other individual with a close association equivalent to a family relationship—NJFLA only) who has a **serious health condition**;
- In the event of a state of emergency declared by the Governor or when indicated to be needed by the Commissioner of Health or other public health authority, an epidemic of a communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent spread of a communicable disease, which:
    1. Requires in-home care or treatment of a child due to the closure of the school or place of care of the child of the employee, by order of a public official due to the epidemic or other public health emergency;
    2. Prompts the issuance by a public health authority of a determination, including by mandatory quarantine, requiring or imposing responsive or prophylactic measures as a result of illness caused by an epidemic of a communicable disease or known or suspected exposure to the communicable disease because the presence in the community of a family member in need of care by the employee would jeopardize the health of others; or
    3. Results in the recommendation of a health care provider or public health authority, that a family member (child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, domestic partner or one (1) partner in a civil union couple, any other individual related by blood to the employee, or any other individual with whom the employee has a close

association equivalent to a family relationship) in need of care by the employee voluntarily undergo self-quarantine as a result of suspected exposure to a communicable disease because the presence in the community of that family member in need of care would jeopardize the health of others (NJFLA only);

- For the employee's own **serious health condition** (including any period of incapacity due to pregnancy, prenatal medical care, or childbirth) that makes the employee unable to perform one (1) or more of the essential functions of the employee's job (FMLA only); and/or
- Because of any **qualifying exigency** arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserve component of the Armed Forces for deployment to a foreign country in support of contingency operations or Regular Armed Forces for deployment to a foreign country (FMLA only).

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 three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) 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.

Qualifying exigencies for FMLA leave may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty, and attending post-deployment reintegration briefings.

B. Additional Military Family Leave Entitlement (Injured Servicemember Leave) (FMLA only)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a **covered servicemember** is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. FMLA leave to care for a servicemember shall only be available during a single 12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A **"covered servicemember"** is 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 on the temporary retired list for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." **Covered servicemembers** also include a veteran who is discharged or released from military service under conditions other than dishonorable at any time during the five- (5-) year period preceding the 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. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

C. Intermittent Leave and Reduced Leave Schedules

FMLA and/or NJFLA leave usually will be taken for a period of consecutive days, weeks, or months. However, employees also may be entitled to take leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee (FMLA only) or covered family member (both FMLA and NJFLA), to bond with a child after birth, placement for adoption or foster care (NJFLA only), the serious injury or illness of a covered servicemember (FMLA only), or in the case of leave taken due to an epidemic of a communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent spread of the communicable disease if the covered individual provides Way To Go Merchandising & Staffing with prior notice of the leave as soon as practicable; the covered individual makes a reasonable effort to schedule the leave so as not to unduly disrupt the operations of Way To Go Merchandising & Staffing and, if possible, provide Way To Go Merchandising & Staffing, prior to the commencement of the intermittent leave, with a regular schedule of the day or days of the week on which the intermittent leave will be taken (NJFLA only).

Leave due to qualifying exigencies (FMLA only) may also be taken on an intermittent or reduced schedule basis.

D. No Work While on Leave

The taking of another job while on FMLA/NJFLA or any other authorized leave of absence is grounds for immediate termination, to the extent permitted by applicable law.

E. Protection of Group Health Insurance Benefits

During FMLA leave only, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

F. Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause Way To Go Merchandising & Staffing substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits, and other employment terms. Way To Go Merchandising & Staffing will notify employees if they qualify as "key employees" if it intends to deny reinstatement, and of their rights in such instances. A "key employee" is defined under the FMLA as the employee among the highest paid 10 percent of all employees who are employed within 75 miles of the worksite. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

As with FMLA leave, at the end of NJFLA leave, subject to some exceptions, employees generally have the right to return to the same or equivalent position with equivalent pay, benefits and other terms. However, unlike "key employees" under the FMLA who may be denied reinstatement, "key employees" under NJFLA may be denied NJFLA leave if: 1) the employee is a salaried employee among the highest paid 5 (five) percent of employees or one (1) of the seven (7) highest paid employees and 2) denial of the leave is necessary to prevent substantial and grievous economic injury to Way To Go Merchandising &

Staffing's operations. Way To Go Merchandising & Staffing will notify employees if they qualify as "key employees" under the NJFLA and that leave is being denied. Nonetheless, Way To Go Merchandising & Staffing may not deny reinstatement when, in the event of a state of emergency declared by the Governor or when indicated to be needed by the Commissioner of Health or other public health authority, the family leave is for an epidemic of a communicable disease, a known or suspected exposure to a communicable disease, or efforts to prevent spread of a communicable disease. If the denial of the NJFLA leave occurs while the employee's leave already has begun, the employee must return to work within two (2) weeks.

G. Notice of Eligibility for, and Designation of, FMLA and NJFLA Leave

Employees requesting FMLA leave are entitled to receive written notice from Way To Go Merchandising & Staffing telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) Way To Go Merchandising & Staffing's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

Way To Go Merchandising & Staffing may retroactively designate leave as FMLA and/or NJFLA leave with appropriate written notice to employees provided Way To Go Merchandising & Staffing's failure to designate leave as FMLA- or NJFLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA and/or NJFLA protection, Way To Go Merchandising & Staffing and employee can mutually agree that leave be retroactively designated as FMLA and/or NJFLA leave.

III. Employee FMLA and/or NJFLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees who wish to take FMLA and/or NJFLA leave must timely notify Way To Go Merchandising & Staffing of their need for FMLA and/or NJFLA leave. The following describes the content and timing of such employee notices.

1. Content of Employee Notice

To trigger FMLA and/or NJFLA leave protections, employees must inform the Head of Human Resources of the need for FMLA/NJFLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA and/or NJFLA leave specifically, or explaining the reasons for the leave so as to allow Way To Go Merchandising & Staffing to determine that the leave is FMLA/NJFLA-qualifying. For example, employees might explain that:

- A condition renders them unable to perform the functions of their job or that they are under the continuing care of a health care provider (FMLA only);
- They are pregnant or have been hospitalized overnight (FMLA only);
- A covered family member (including partner in a civil union and parent-in-law under NJFLA) is under the continuing care of a health care provider or a condition renders the family member unable to perform daily activities;
- The leave is due to a qualifying exigency cause by a covered military member being on active duty or called to covered active-duty status to a foreign country (FMLA only); or

- A family member is a covered servicemember with a serious injury or illness (FMLA only).

Calling in "sick," without providing the reasons for the needed leave will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to Way To Go Merchandising & Staffing's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for leave, the leave may be denied. When employees seek leave due to FMLA/NJFLA-qualifying reasons for which Way To Go Merchandising & Staffing has previously provided FMLA/NJFLA-protected leave, employees must specifically reference the qualifying reason for the leave or the need for FMLA and/or NJFLA leave.

2. Timing of Employee Notice

Employees requesting intermittent leave under the NJFLA (whether to care for a family member with a serious health condition or to bond with a newborn child or placement for adoption/foster care) must provide 15 days advance notice from the first day of the intermittent leave unless an emergency or other unforeseen circumstance precludes prior notice. Employees must make a reasonable effort to schedule the leave so as to not unduly disrupt the operations of Way To Go Merchandising & Staffing. Employees must, if possible, provide Way To Go Merchandising & Staffing the regular schedule of the days or days of the week on which intermittent leave will be taken prior to the commencement of the intermittent leave.

For all other reasons, employees must provide 30 days' advance notice of the need to take FMLA and/or NJFLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide Way To Go Merchandising & Staffing notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA and/or NJFLA notice obligations, may have leave delayed or denied, to the extent permitted by applicable law.

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with Way To Go Merchandising & Staffing and make a reasonable effort to schedule treatment so as not to unduly disrupt Way To Go Merchandising & Staffing's operations, subject to the approval of the employee's health care provider. Employees must consult with Way To Go Merchandising & Staffing prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both Way To Go Merchandising & Staffing and the employees, subject to the approval of the employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, Way To Go Merchandising & Staffing may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, Way To Go Merchandising & Staffing may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are

required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise Way To Go Merchandising & Staffing of the reason why such leave is medically necessary. In such instances, Way To Go Merchandising & Staffing and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting Way To Go Merchandising & Staffing's operations, subject to the approval of the employee's health care provider.

C. Submit Medical Certifications Supporting Need for Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of leave sought, employees may be required to submit medical certifications supporting their need for FMLA/NJFLA-qualifying leave. As described below, there generally are three (3) types of medical certifications: an **initial certification**, a **recertification,** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide Way To Go Merchandising & Staffing with timely, complete, and sufficient medical certifications. Whenever Way To Go Merchandising & Staffing requests employees to provide medical certifications, employees must provide the requested certifications within 15 calendar days after Way To Go Merchandising & Staffing's request, unless it is not practicable to do so despite the employee's diligent, good faith efforts. Way To Go Merchandising & Staffing shall inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven (7) calendar days to cure deficiencies. Way To Go Merchandising & Staffing will deny leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, Way To Go Merchandising & Staffing (through individuals other than the employee's direct supervisor) may contact the health care provider to authenticate or clarify completed and sufficient medical certifications. If the employee chooses not to provide Way To Go Merchandising & Staffing with authorization allowing it to clarify or authenticate the certification with the health care provider, Way To Go Merchandising & Staffing may deny leave if the medical certification is unclear.

Whenever Way To Go Merchandising & Staffing deems it appropriate to do so, it may waive its right to receive timely, complete, and/or sufficient medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own or a family member's serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or servicemember, or where the leave is for an epidemic of a communicable disease, a known or suspected exposure to a communicable disease, or efforts to prevent spread of a communicable disease, certification issued by a school, place of care for children, public health authority, public official, or health care provider, supporting the need for such leave. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical

certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If Way To Go Merchandising & Staffing has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at Way To Go Merchandising & Staffing's expense. If the opinions of the initial and second health care providers differ, Way To Go Merchandising & Staffing may, at its expense, require employees to obtain a third final and binding certification from a health care provider designated or approved jointly by Way To Go Merchandising & Staffing and the employee.

2. Medical Recertifications

Depending on the circumstances and duration of FMLA leave, Way To Go Merchandising & Staffing may require employees to provide recertification of medical conditions giving rise to the need for leave. Way To Go Merchandising & Staffing will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, the employees returning to work from FMLA leave that was taken because of their own serious health conditions that made them unable to perform their job must provide Way To Go Merchandising & Staffing medical certification confirming the employee is able to return to work and the employee's ability to perform the essential functions of the employee's position, with or without reasonable accommodation. Way To Go Merchandising & Staffing may delay and/or deny job restoration until the employee provides a return to work/fitness for duty certification.

D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, Way To Go Merchandising & Staffing may require employees to provide: 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to covered active duty status and the dates of the military member's covered active duty service, and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, Way To Go Merchandising & Staffing may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, Way To Go Merchandising & Staffing may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

E. Substitute Paid Leave for Unpaid FMLA and NJFLA Leave

Employees may use any accrued paid time while taking unpaid FMLA and/or NJFLA leave, except that employees will not be required to use any paid time off during any leave also covered under the New Jersey SAFE Act.

The substitution of paid time for unpaid FMLA and/or NJFLA leave time does not extend the length of FMLA and/or NJFLA leaves and the paid time will run concurrently with the employee's FMLA and/or NJFLA entitlement.

During the leave, employees may be eligible for compensation, such as temporary disability benefits, family leave benefits, or workers' compensation benefits. Any compensation or leave taken in connection with any other policy/plan shall run concurrently with any FMLA/NJFLA leave entitlement.

F. Pay Employee's Share of Health Insurance Premiums

As noted above, during FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless Way To Go Merchandising & Staffing notifies employees of other arrangements, whenever employees are receiving pay from Way To Go Merchandising & Staffing during FMLA leave, Way To Go Merchandising & Staffing will deduct the employee's portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working. If FMLA leave is unpaid, employees must pay their portion of the group health premium through a method determined by the Way To Go Merchandising & Staffing upon leave.

Way To Go Merchandising & Staffing's obligation to maintain health care coverage ceases if the employee's premium payment is more than 30 days late. If the employee's payment is more than 15 days late, Way To Go Merchandising & Staffing will send a letter notifying the employees that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse Way To Go Merchandising & Staffing for the cost of the premiums Way To Go Merchandising & Staffing paid for maintaining coverage during their unpaid FMLA leave.

[Note: If the employee is taking NJFLA leave only, the continuation requirements for group health plans under the FMLA are not applicable to group health plans covered under ERISA. Therefore, the employee who is on NJFLA-only leave likely will trigger COBRA requirements due to a reduction in hours worked. If the employer's group health plan is covered under ERISA, the employer should coordinate with their insurance broker or plan to ensure appropriate steps are taken regarding COBRA notice.]

IV. Coordination of FMLA/NJFLA Leave with Other Leave Policies

The FMLA does not affect any federal, state, or local law prohibiting discrimination, or supersede any state or local law that provides greater family or medical leave rights such as the NJFLA. However, whenever permissible by law, Way To Go Merchandising & Staffing will run FMLA leave concurrently with NJFLA and any other leave provided under state or local law. For additional information concerning leave entitlements and obligations that might arise when FMLA/NJFLA leave is either not available or

exhausted, please consult Way To Go Merchandising & Staffing's other leave policies in this handbook or contact the Head of Human Resources.

V. Questions and/or Complaints about FMLA/NJFLA Leave

If employees have questions regarding this FMLA/NJFLA policy, they should contact the Head of Human Resources. Way To Go Merchandising & Staffing is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA/NJFLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain, or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their rights have been violated, they should contact the Head of Human Resources immediately. Way To Go Merchandising & Staffing will investigate any complaints and take prompt and appropriate remedial action to address and/or remedy any violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

35.4 New Jersey: Pre-Tax Transportation Fringe Benefit

Beginning March 1, 2020, all Employees are eligible to receive a pre-tax transportation fringe benefit. This benefit allows commuter highway vehicle and transit benefits to be deducted from employees' gross income. The transportation benefits must be consistent with IRS provisions and limits at the maximum benefit levels allowable under federal law.

Employees should contact the Head of Human Resources and/or the CFO for further information about the program or to sign up for benefits.

35.5 New Jersey: Earned Sick And Safe Leave

Eligibility

Way To Go Merchandising & Staffing provides paid Earned Sick and Safe Leave (ESSL) to employees who work in New Jersey. For employees who work in New Jersey who are eligible for sick time under the general Sick Days policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin accruing ESSL at the start of employment. Eligible employees will accrue one (1) hour of ESSL for every 30 hours worked, up to a maximum accrual of 40 hours each benefit year.

Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case ESSL accrues based upon that normal workweek. For purposes of this policy, the benefit year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may begin using accrued ESSL on the 120th calendar day of employment. ESSL may be used in 1-hour increments, except to the extent such increment is greater than the number of hours the employee was scheduled to work during that shift. The employee may not use more than 40 hours of ESSL in any benefit year.

Employees may use ESSL for the following reasons:

1. diagnosis, care or treatment of, or recovery from, the employee's mental or physical illness, injury or other adverse health condition or for preventive medical care for the employee;
2. diagnosis, care or treatment of, or recovery from, a family member's mental or physical illness, injury or other adverse health condition or for preventive medical care for the family member;
3. circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member:
    - medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence;
    - services from a designated domestic violence agency or other victim services organization;
    - psychological or other counseling;
    - relocation; or
    - legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to domestic or sexual violence.
4. time during which the employee is not able to work because of:
    - a closure of the employee's workplace, or the school or place of care of a child of the employee by order of a public official or because of a state of emergency declared by the Governor, due to an epidemic or other public health emergency;
    - the declaration of a state of emergency by the Governor, or the issuance by a health care provider or the Commissioner of Health or other public health authority of a determination that the presence in the community of the employee, or a member of the employee's family in need of care by the employee would jeopardize the health of others;
    - during a state of emergency declared by the Governor, or upon the recommendation, direction or order of a healthcare provider or the Commissioner of Health or other authorized public official, the employee undergoes isolation or quarantine or cares for a family member in quarantine as a result of suspected exposure to a communicable disease and a finding by the provider or authority that the presence in the community of the employee or family member would jeopardize the health of others.
5. time needed by the employee in connection with a child of the employee to attend a school-related conference, meeting, function or other event requested or required by a school administrator, teacher or other professional staff member responsible for the child's education; or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability.

For purposes of this policy, a family member includes a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent or grandparent of the employee; or a spouse, domestic partner, or civil union partner of a parent or grandparent of the employee; or a sibling of a spouse, domestic partner or civil union partner of the employee; or any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship.

Unless the employee advises Way To Go Merchandising & Staffing otherwise, we will assume, subject to applicable law, that employees want to use available ESSL for absences for reasons set forth above and employees will be paid for such absences to the extent they have ESSL available.

Notice and Documentation

If the employee's need to use ESSL is foreseeable, employees must give seven (7) calendar days advance notice, prior to the date the leave is to begin, of their intention to use the leave and its expected duration. If the reason for the leave is not foreseeable, employees must give notice of the intention to use ESSL as soon as practicable. Way To Go Merchandising & Staffing may prohibit employees from using foreseeable ESSL on certain dates or require reasonable documentation if ESSL that is not foreseeable is used during such dates.

Way To Go Merchandising & Staffing will require reasonable documentation if the employee uses ESSL for three (3) or more consecutive work days.

If ESSL is taken for reasons #1 or #2 above, documentation signed by a health care professional, who is treating the employee or the family member of the employee, indicating the need for the leave and, if possible, number of days of leave, will be considered reasonable documentation.

If ESSL is taken for reason #3 above, any of the following will be considered reasonable documentation of the domestic or sexual violence:

- medical documentation;
- a law enforcement agency record or report;
- a court order;
- documentation that the perpetrator of the domestic or sexual violence has been convicted of a domestic or sexual violence offense;
- certification from a certified Domestic Violence Specialist or a representative of a designated domestic violence agency or other victim services organization; or
- other documentation or certification provided by a social worker, counselor, member of the clergy, shelter worker, health care professional, attorney or other professional who has assisted the employee or family member in dealing with the domestic or sexual violence.

If ESSL is taken for reason #4 above, a copy of the order of the public official or the determination by the health authority will be considered reasonable documentation.

If ESSL is taken for reason #5 above, the following will be considered reasonable documentation: tangible proof of the school-related conference, meeting, function or other event requested or required by a school administrator, teacher or other professional staff member responsible for the education of the employee's child; or tangible proof of the meeting regarding care provided to the child of the employee in connection with the child's health conditions or disability.

Payment

ESSL will be paid at the same rate of pay with the same benefits as the employee normally earns, but no less than the state minimum wage. Use of ESSL will not be counted as hours worked for purposes of calculating overtime.

Carryover and Payout

The employee may carry over up to 40 hours of accrued, unused ESSL under this policy to the following benefit year. Accrued but unused ESSL under this policy will not be paid at separation.

Enforcement and Retaliation

Employees have the right to request and use ESSL and may file a complaint for alleged violations of their rights with the New Jersey Department of Labor and Workforce Development. Way To Go Merchandising & Staffing prohibits retaliation or the threat of retaliation against the employee for exercising or attempting to exercise any right provided in this policy or under applicable law.

Employees with questions regarding this policy can contact the Head of Human Resources and/or the CFO.

35.6 New Jersey: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve as a volunteer emergency responder for a fire company, first-aid squad, rescue or ambulance squad, or member of any county or municipal volunteer Office of Emergency Management. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch, providing at least one (1) hour of notice before they were scheduled to report to work. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. The Company will not terminate, dismiss, or suspend an employee for taking time off pursuant to this policy.

Section 36 - New Mexico Addendum

36.1 New Mexico: Pregnancy Accommodations

In compliance with New Mexico Pregnant Worker Accommodation Act, Way To Go Merchandising & Staffing will not discriminate against employees or job applicants in relation to pregnancy, childbirth, and related conditions and will provide reasonable accommodation for conditions related to pregnancy, childbirth, or related conditions.

Reasonable Accommodations

If employees or job applicants with a known limitation arising out of pregnancy, childbirth, or a related condition make a request for reasonable accommodation, Way To Go Merchandising & Staffing will endeavor to grant the request unless the accommodation constitutes an undue hardship. Reasonable accommodations may include modification or adaptation of the work environment, work rules, or job responsibilities for as long as necessary to enable employees with limitations due to pregnancy, childbirth, or a related condition to perform the job that does not impose an undue hardship on Way To Go Merchandising & Staffing. Way To Go Merchandising & Staffing will not require employees to take paid or unpaid leave if another reasonable accommodation can be provided to the known limitations related to the pregnancy, childbirth, or a related condition.

Further, Way To Go Merchandising & Staffing will not refuse to hire, discharge, refuse to promote, demote, or discriminate in matters of compensation or leave or terms, conditions, or privileges of employment against any person otherwise qualified for employment on the basis of that person's pregnancy,childbirth, or a related condition, including failing to treat employees or job applicants affected by pregnancy, childbirth, or a related condition in the same manner as other persons similar in ability to work for all employment-related purposes, including receipt of benefits under fringe benefit programs unless based on a bona fide occupational qualification.

Additionally, Way To Go Merchandising & Staffing will not print or circulate any statement, advertisement, or publication; use any form of application for employment; or make any inquiry regarding prospective employment that expresses, directly or indirectly, any limitation, specification, or discrimination as to pregnancy, childbirth, or a related condition, unless based on a bona fide occupational qualification. Way To Go Merchandising & Staffing will not refuse to list, properly classify for employment or refer a person for employment in a known available job for which the person is otherwise qualified on the basis of the person's pregnancy, childbirth, or a related condition unless based on a bona fide occupational qualification.

Way To Go Merchandising & Staffing reserves the right to require employees to provide medical certification concerning the need for reasonable accommodation consistent with Way To Go Merchandising & Staffing's requests for certification of other temporary disabilities.

Way To Go Merchandising & Staffing will not discharge, demote, deny promotion to, or in any other way discriminate against employees in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to the Pregnant Worker Accommodation Act, for assisting another person to assert a claim or right pursuant to the Pregnant Worker Accommodation Act, or for informing another person about employment rights or other rights provided by law. A person claiming to be aggrieved by an unlawful discriminatory practice in violation of the Pregnant Worker Accommodation Act may seek relief under the Human Rights Act.

If employees have any questions about or would like to request a reasonable accommodation pursuant to this policy, they should contact the Head of Human Resources and/or the CFO.

36.2 New Mexico: Sick And Safe Time

Eligibility

Way To Go Merchandising & Staffing provides paid sick leave to employees who work in New Mexico in accordance with the Healthy Workplaces Act. For employees who work in New Mexico who are eligible for sick time under another policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than any other policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin accruing paid sick leave pursuant to this policy on July 1, 2022 or at the start of employment, whichever is later. Employees accrue one (1) hour of paid sick leave for every 30 hours worked. Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case paid sick leave accrues based upon that normal workweek. For purposes of this policy, the year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may use paid sick leave immediately. Paid sick leave may be used in 1 hour increments. Employees may not use more than 64 hours of paid sick leave in any year.

Employees may use paid sick leave for absences due to:

1. The employee's mental or physical illness, injury or health condition; medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; and preventive medical care;
2. Care of a family member of the employee for mental or physical illness, injury or health condition; medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; and preventive medical care;
3. Meetings at the employee's child's school or place of care related to the child's health or disability; or
4. Absences necessary due to domestic abuse, sexual assault or stalking suffered by the employee or a family member of the employee provided that the leave is for the employee to:

a. obtain medical or psychological treatment or other counseling;
b. relocate;
c. prepare for or participate in legal proceedings; or
d. obtain services or assist a family member of the employee with any of the activities set forth in subparagraphs (a) through (c).

For purposes of this policy, family member includes the employee's spouse or domestic partner or a person related to the employee or the employee's spouse or domestic partner as: (1) a biological, adopted or foster child, a stepchild or legal ward or a child to whom the employee stands in loco parentis; (2) a biological, foster, step or adoptive parent or legal guardian, or a person who stood in loco parentis when the employee was a minor child; (3) a grandparent; (4) a grandchild; (5) a biological, foster, step or adopted sibling; (6) a spouse or domestic partner of a family member; or (7) an individual whose close association with the employee or the employee's spouse or domestic partner is the equivalent of a family relationship. A domestic partner includes an individual with whom another individual maintains a household and a mutual committed relationship without a legally recognized marriage.

The employee's use of paid sick leave will not be conditioned upon searching for or finding a replacement worker.

Unless employees advise Way To Go Merchandising & Staffing otherwise, we will assume, subject to applicable law, that employees want to use available paid sick leave for absences for reasons set forth above and employees will be paid for such absences to the extent they have paid sick leave available.

Notice and Documentation

When employees need to use paid sick leave, the employee or an individual acting on the employee's behalf must make an oral or written request to the Head of Human Resources to use the leave. When possible, the request must include the expected duration of the sick leave absence. When the need to use paid sick leave is foreseeable, the employee must make a reasonable effort to provide advance notice before using the paid sick leave and must make a reasonable effort to schedule use of paid sick leave in a way that does not disrupt Way To Go Merchandising & Staffing's operations. When the need to use paid sick leave is not foreseeable, the employee must notify the Head of Human Resources as soon as practicable.

Employees may be required to provide reasonable documentation for the use of paid sick leave if the employee used paid sick leave for two (2) or more consecutive workdays. Where sick leave is requested for reasons 1 or 2 above, documentation signed by a health care professional indicating the amount of sick leave taken is necessary will be considered reasonable documentation. Where sick leave is requested for reason 4 above, the employee may provide one of the following: a police report; a court-issued document; or a signed statement by a victim services organization, clergy member, attorney, advocate, the employee, a family member or any other person. The signed statement does not have to be notarized or be in any particular format. It only needs to affirm the employee took paid sick leave for one of the purposes specified by the Act. Employees are allowed up to 14 days from the date they return to work to provide the documentation. The documentation does not need to explain the nature of any medical condition or the details of the domestic abuse, sexual assault or stalking. Way To Go Merchandising & Staffing will never delay the use of paid sick leave because the employer has not yet received documentation. All information and documentation received about the employee's reasons for

taking paid sick leave is confidential. Way To Go Merchandising & Staffing will not disclose the above-referenced information except with the employee's permission or as necessary for validation of disability insurance claims, accommodations consistent with the federal Americans with Disabilities Act (ADA), as required by the Healthy Workplaces Act, or by Court Order.

Payment

Paid sick leave will be paid at the same hourly rate and with the same benefits the employee normally earns during hours worked at the time the employee uses such time, but no less than the applicable minimum wage. Use of paid sick leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Employees may carry over up to 64 hours of accrued, unused paid sick leave to the following year. Unused paid sick leave will not be paid at separation.

Enforcement and Retaliation

Retaliation against any employee who requests or uses paid sick leave is prohibited. Employees have the right to file a complaint with the New Mexico Department of Workforce Solutions, Labor Relations Division if paid sick leave as required by law is denied or if the employee is subjected to retaliation for requesting or taking paid sick leave. The New Mexico Department of Workforce Solutions, Labor Relations Division can be reached by calling (505) 841-4400, visiting www.dws.state.nm.us or going to a New Mexico Workforce Connections Office.

Questions about rights and responsibilities under the law can be answered by the Head of Human Resources and/or the CFO.

36.3 New Mexico: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in an election, employees may take off working time to vote. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed up to two (2) hours of voting leave on Election Day without loss of pay or retaliation, except those whose work hours begin two (2) hours after the polls open or end three (3) hours before the polls close. Where possible, supervisors should be notified of the need for leave in advance of Election Day. Supervisors may specify when leave may be taken.

36.4 New Mexico: Volunteer Emergency Responders Leave

Employees may be eligible for up to ten (10) days off from work to respond to an emergency as a volunteer emergency responder. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such

time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated, demoted, or in any other manner be discriminated against for taking time off pursuant to this policy.

36.5 New Mexico: Victims Of Domestic Abuse, Sexual Assault, And Related Crimes Leave

Employees who are victims of domestic abuse may take unpaid time off, up to 14 days of leave per calendar year to obtain a protection order or similar judicial relief, to consult with attorneys or domestic abuse advocates, or to attend court proceedings related to the employee or for a family member of the employee.

“Family Member” means a minor child of the employee or a person for whom the employee is a legal guardian.

An employee or their representative must provide notice of leave taken for an emergency within 24 hours of taking leave, and an employer may require verification of the need for domestic abuse leave.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy. To the extent permitted by law, health insurance coverage and other benefits will continue while on leave.

No employee will be subject to discrimination or retaliation for taking leave under this policy.

Section 37 - New York Addendum

37.1 New York: Paid Prenatal Leave

Employees may take up to 20 hours of paid prenatal leave (PPL) during any 52-week calendar period for the health care services received by the employee during their pregnancy or related to such pregnancy, including physical examinations, medical procedures, monitoring and testing, and discussions with a health care provider related to the pregnancy. PPL may be used only by the employee directly receiving prenatal health care services. The 52-week calendar period is calculated from the date the employee first uses PPL. This benefit is a separate benefit from other paid time off benefits and leaves of absence provided by Way To Go Merchandising & Staffing pursuant to Way To Go Merchandising & Staffing policy or other applicable laws, including paid sick leave provided pursuant to New York law and paid sick and safe time provided pursuant to the New York City law.

PPL may be taken in hourly increments.

Employees should request PPL by notifying the Head of Human Resources and/or the CFO. Employees are asked to provide advance notice if possible. Way To Go Merchandising & Staffing will not require supporting documentation or the disclosure of confidential information as a condition of providing PPL. For employers in New York City, any information Way To Go Merchandising & Staffing receives about the employee's use of PPL will be kept confidential and not disclosed to anyone without the employee's written permission or as required by law.

PPL leave will be paid at the employee's regular rate of pay, or the applicable minimum wage rate, whichever is greater. Use of PPL is not considered hours worked for purposes of calculating overtime.

For employers in New York City, each pay period that any employee uses paid prenatal leave, Way To Go Merchandising & Staffing will inform the employee of the amount of PPL used during the relevant pay period and the total balance of PPL available for use on the employee's pay statement or other form of written documentation provided each pay period.

Unused PPL will not be paid at separation.

Employees have the right to request and use PPL and may file a complaint for alleged violations of this policy with the New York City Department of Consumer and Workforce Protection or the New York State Department of Labor. Way To Go Merchandising & Staffing prohibits retaliation or the threat of retaliation against any employee for exercising or attempting to exercise any right provided in this policy, or interference with any investigation, proceeding, or hearing related to or arising out of the employee's rights pursuant to this policy and applicable law.

If employees have any questions regarding this policy, they should contact the Head of Human Resources and/or the CFO.

37.2 New York: New York City Safe And Sick Time (Includes The New York Paid Sick Leave Law)

Eligibility

Way To Go Merchandising & Staffing provides paid safe and sick time (PSST), unpaid safe and sick time (USST), and paid prenatal leave to employees who work in New York City. For employees who work in New York City who are eligible for sick time under the general Sick Days policy, the PSST and USST provisions of this policy apply solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy.

Accrual

Employees begin accruing PSST pursuant to this policy at the start of employment. Eligible employees will accrue one (1) hour of PSST for every 30 hours worked, up to a maximum accrual of 56 hours each calendar year. Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case PSST accrues based upon that normal workweek.

Effective February 22, 2026, employees also receive a grant of 32 hours of USST at the start of employment and at the start of each calendar year thereafter.

For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may begin using PSST once it is accrued. USST also may be used immediately. PSST and USST may be used in a minimum increment of four (4) hours, provided this is reasonable under the circumstances. Employees may not use more than 56 hours of PSST in any calendar year.

Employees may use PSST and USST for absences due to:

1. The employee's mental or physical illness, injury or health condition, or need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or need for preventive medical care;
2. The care of the employee's family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or who needs preventive medical care;
3. Closure of the employee's place of business by order of a public official due to a public health emergency, a public disaster, or such employee's need to care for a child whose school or childcare provider closed or restricted in-person operations by order of a public official due to a public health emergency or public disaster;
4. Direction by a public official to remain indoors or avoid travel during a public disaster which prevents such employee from reporting to their work location;
5. The employee or a family member being the victim of domestic violence, family offense matters, sexual offenses, stalking, workplace violence, or human trafficking:
    - To obtain services from a domestic violence shelter, rape crisis center, or other shelter or services program for relief from domestic violence, a family offense matter, sexual

offense, stalking, or human trafficking;
- To participate in safety planning, temporarily relocate, or take other actions to increase the safety of the employee or family members from future domestic violence, family offense matters, sexual offenses, stalking, or human trafficking;
- To meet with a legal or social service provider to obtain information and advice on and prepare for or participate in any criminal or civil proceeding, including but not limited to, matters related to domestic violence, a family offense matter, sexual offense, stalking, human trafficking, custody, visitation, matrimonial issues, orders of protection, immigration, housing, or discrimination;
- To file a complaint or domestic incident report with law enforcement;
- To meet with a district attorney's office;
- To enroll children in a new school; or
- To take other actions necessary to maintain, improve, or restore the physical, psychological, or economic health or safety of the employee or family member or to protect those who associate or work with the employee;

6. Having to provide care to the minor child or care recipient when the employee is a caregiver for a minor child or care recipient; or
7. Having to initiate, attend, or prepare for a legal proceeding or hearing related to subsistence benefits or housing to which the employee, the employee's family member, or the employee's care recipient is a party, or to take actions necessary to apply for, maintain, or restore subsistence benefits or shelter for the employee or their family member or care recipient.

For purposes of this policy, family member means a child (biological, adopted or foster child, a legal ward, or a child of the employee standing in loco parentis), spouse, domestic partner, parent (biological, foster, step, adoptive, legal guardian, or person who stood in loco parentis when the employee was a minor child), sibling (including half siblings, step siblings, foster siblings, or siblings related through adoption), grandchild, grandparent, the child or parent of the employee's spouse or domestic partner, any other individual related by blood to the employee, and any other individual whose close association with the employee is the equivalent of a family relationship.

For purposes of this policy, "workplace violence" means any act or threat of violence against any employee that occurs in a place of employment. A "caregiver" means a person who provides direct and ongoing care for a minor child or a care recipient. A "care recipient" means a person with a disability, including a temporary disability, who (1) is the caregiver's family member or resides in the caregiver's household and (2) relies on the caregiver for medical care or to meet the needs of daily living.

Use of PSST and USST will not be conditioned upon searching for or finding a replacement worker.

Unless advised otherwise, Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available PSST for absences for reasons set forth above. Employees will be paid for such absences to the extent they have PSST available.

Employees will be advised of the amount of time accrued and used during a pay period of PSST and USST available for use on the pay statement or other form of written documentation provided each pay period.

Notice and Documentation

Employees may make requests to the Head of Human Resources to use PSST or USST orally or in writing. Where the need for use of USST if foreseeable, the employee must provide seven (7) days advance notice. Where the need for use of USST is not foreseeable, the employee must provide notice as soon as practicable.

Way To Go Merchandising & Staffing may require supporting documentation if employees use PSST for more than three (3) consecutive workdays, to the maximum extent permitted by applicable law. Requests for documentation for PSST should not specify the reason for leave but should be limited to: (1) an attestation from a licensed medical provider supporting the existence of a need for the amount of PSST taken; or (2) an attestation from the employee of their eligibility PSST. For USST used for reasons (1), (2), (3), or (4) above, documentation signed by a licensed health care provider indicating the need for the amount of USST taken shall be considered reasonable documentation and Way To Go Merchandising & Staffing will not require that such documentation specify the nature of the employee's or the employee's family member's injury, illness, or condition, except as required by law. For USST used for reasons (5), (6), or (7) above, documentation signed by an employee, agent, or volunteer of a legal or social services provider, court, or government agency, school, or care provider, an attorney, a member of the clergy, or a medical or other professional service provider; a police, agency, or court record; or a notarized letter from the employee explaining the need for such time shall be considered reasonable documentation, and Way To Go Merchandising & Staffing will not require that such documentation specify the details of the underlying need for the safe time.

Way To Go Merchandising & Staffing will not require the employee to pay any costs or fees associated with obtaining medical or other verification of eligibility for use of PSST or USST and will reimburse the employee to the extent the employee is charged a fee for providing supporting documentation requested by Way To Go Merchandising & Staffing.

Way To Go Merchandising & Staffing will not require the disclosure of confidential information relating to a mental or physical illness, injury, or health condition or information relating to absence from work due to domestic violence, a sexual offense, stalking, or human trafficking as a condition of providing PSST or USST. Moreover, Way To Go Merchandising & Staffing will not ask the employee to provide details about the medical condition that led the employee to use sick time or the personal situation that led the employee to use safe time. Any information Way To Go Merchandising & Staffing receives about the employee's use of PSST will be kept confidential and not disclosed to anyone without the employee's written permission or as required by law.

Way To Go Merchandising & Staffing may take disciplinary action, up to and including termination, against employees who use PSST or USST provided under this policy for purposes other than those described above, to the maximum extent permitted by applicable law.

Payment

PSST will be paid at the employee's regular rate of pay at the time the employee uses such time, unless otherwise required by applicable law, but no less than the applicable minimum wage. PSST will be paid no later than the payday for the next regular payroll period beginning after the PSST was used. USST will be unpaid. Use of PSST and USST is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Employees may not carry over any unused USST to the following calendar year. Employees may carry over any unused PSST to the following calendar year. However, employees only may use up to 56 hours in each calendar year. Unused PSST will not be paid at separation.

Additional Paid Prenatal Personal Leave

In addition to PSST and USST as set forth above, employees also are entitled to paid prenatal personal leave in accordance with New York State and New York City law. Please see the Paid Prenatal Personal Leave policy for complete details but note that employees in New York City may use paid prenatal personal leave in a minimum increment of one hour.

Enforcement and Retaliation

Employees have the right to request and use PSST, USST, and paid prenatal personal leave and may file a complaint for alleged violations of this policy with the New York City Department of Consumer and Workforce Protection or the New York State Department of Labor. Way To Go Merchandising & Staffing prohibits retaliation or the threat of retaliation against employees for exercising or attempting to exercise any right provided in this policy or interference with any investigation, proceeding, or hearing related to or arising out of employee rights pursuant to this policy and applicable law.

Employees with questions concerning this policy should contact the Head of Human Resources and/or the CFO.

37.3 New York: Sick And Safe Time

Eligibility

Way To Go Merchandising & Staffing provides paid sick leave to all employees. For employees who work in New York who are eligible for sick time under the general Sick Days policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent that it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time/leave law or ordinance.

Accrual
Employees begin accruing paid sick leave pursuant to this policy at the start of employment. Employees will accrue one (1) hour of paid sick leave for every 30 hours worked, up to a maximum accrual of 56 hours each calendar year. Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case sick leave accrues based on that normal workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may begin using sick leave once it is accrued. Sick leave may be used in a minimum increment of four (4) hours. Employees may not use more than 56 hours of sick leave in any calendar year.

Employees may use accrued sick leave for the following reasons:

- A mental or physical illness, injury, or health condition of the employee or family member, regardless of whether such illness, injury, or health condition has been diagnosed or requires medical care at the time sick leave is requested;
- The diagnosis, care, or treatment of a mental or physical illness, injury, or health condition of, or need for medical diagnosis of, or preventive care for, the employee or family member; or
- An absence from work due to any of the following reasons when the employee or family member has been the victim of domestic violence, a family offense, sexual offense, stalking, or human trafficking:
    1. To obtain services from a domestic violence shelter, rape crisis center, or other services program;
    2. To participate in safety planning, temporarily, or permanently relocate or take other actions to increase the safety of the employee or family members;
    3. To meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in, any criminal or civil proceeding;
    4. To file a complaint or domestic incident report with law enforcement;
    5. To meet with a district attorney's office;
    6. To enroll children in a new school; or
    7. To take any other actions necessary to ensure the health or safety of the employee or family members or to protect associates or work colleagues.

A person who has committed such domestic violence, family offense, sexual offense, stalking, or human trafficking will not be eligible for paid sick leave for situations in which the person committed such offense and was not a victim, notwithstanding any family relationship.

For purposes of this policy, "family member" means:

- A child (biological, adopted, or foster child, a legal ward, or a child of the employee standing in loco parentis);
- Spouse or domestic partner;
- Parent (biological, foster, step, adoptive, legal guardian, or person who stood in loco parentis when the employee was a minor child);
- Sibling;
- Grandchild or grandparent; and
- The child or parent of the employee's spouse or domestic partner.

Unless advised otherwise, Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available sick leave for the reasons set forth above, and employees will be paid for such absences to the extent they have paid sick leave available.

Notice and Documentation

Employees may make oral or written requests to the Head of Human Resources and/or the CFO to use sick leave.

Way To Go Merchandising & Staffing may require supporting documentation for the use of sick leave where the employee uses sick leave for three (3) or more consecutive or previously scheduled workdays or shifts, to the extent permitted by applicable law. Requests for documentation should not specify the

reason for leave but should be limited to: (i) an attestation from a licensed medical provider supporting the existence of a need for sick leave, the amount of leave needed, and a date that the employee may return to work; or (ii) an attestation from the employee of their eligibility to leave. Way To Go Merchandising & Staffing will not require disclosure of confidential information relating to a mental or physical illness, injury, or health condition or information relating to absence from work due to domestic violence, a sexual offense, stalking, or human trafficking, as a condition of providing sick leave. Way To Go Merchandising & Staffing will not require any employee to pay any costs or fees associated with obtaining medical or other verification of eligibility for use of sick leave.

Payment

Sick leave will be paid at the employee's regular rate of pay or the applicable state minimum wage, whichever is greater. Use of sick leave is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Employees may carry over any unused sick leave to the following calendar year. However, employees only may use up to 56 hours in each calendar year. Accrued but unused sick leave will not be paid at separation.

Enforcement and Retaliation

Employees will not be discharged, threatened, penalized, or in any other manner discriminated or retaliated against because they have exercised their rights to request and use sick leave under this policy and applicable law.

If employees have any questions regarding this policy, they should contact the Head of Human Resources and/or the CFO.

37.4 New York: Lactation Accommodation

Employees have the right to express breast milk in the workplace pursuant to federal and New York law.

Way To Go Merchandising & Staffing provides employees who are nursing with paid break time for 30 minutes and permits employees to use existing paid break time or meal time for time in excess of 30 minutes to express breast milk for the employee's nursing child each time such employee has a reasonable need to express breast milk for up to three (3) years after the birth of a child.

Upon request of the employee who chooses to express breast milk in the workplace, Way To Go Merchandising & Staffing will designate a room or other location which will be made available for use by such employee to express breast milk. Such room or other location will be a place that is:

1. In close proximity to the work area;
2. Well-lit;
3. Shielded from view; and
4. Free from intrusion from other persons in the workplace or the public.

Such room or other location will provide, at minimum, a chair, a working surface, nearby access to clean running water, and, if the workplace is supplied with electricity, an electrical outlet. The room or location provided by Way To Go Merchandising & Staffing for this purpose must not be a restroom or toilet stall.

If the sole purpose or function of such room or other location is not dedicated for use by employees to express breast milk, such room or other location will be made available to such employee when needed and will not be used for any other purpose or function while in use by the employee. Way To Go Merchandising & Staffing will provide notice to all employees as soon as practicable when such room or other location has been designated for use by employees to express breast milk.

Where compliance with the lactation room requirements set forth above is impracticable because it would impose an undue hardship on Way To Go Merchandising & Staffing by causing significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of Way To Go Merchandising & Staffing's business, Way To Go Merchandising & Staffing will make reasonable efforts to provide a room or other location, other than a restroom or toilet stall, that is in close proximity to the work area where the employee can express breast milk in privacy.

If the workplace has access to refrigeration, Way To Go Merchandising & Staffing will extend such access to refrigeration for the purposes of storing the expressed milk.

Employees may submit a request for a room or other location for use by employees to express breast milk by contacting the HR representative. Way To Go Merchandising & Staffing will respond to such requests within five (5) business days.

Employees will not be discharged, threatened, penalized, or in any other manner discriminated against or retaliated against for exercising their rights under this policy and applicable law.

Employees should refer to the New York State Department of Labor's Policy on the Rights of Employees to Express Breast Milk in the Workplace, available at https://dol.ny.gov/system/files/documents/2024/09/p705-policy-on-the-rights-of-employees-to-express-breast-milk-in-the-workplace_-24-1.pdf, which was separately issued, for additional details.

Employees should consult the Head of Human Resources and/or the CFO with questions regarding this policy.

37.5 New York: Pregnancy Accommodations

In compliance with New York law, Way To Go Merchandising & Staffing will not discriminate against employees in relation to pregnancy, childbirth or related conditions and will endeavor to provide reasonable accommodations for any pregnancy-related conditions, unless doing so would impose an undue hardship on the operation of Way To Go Merchandising & Staffing’s business.

Reasonable accommodations that may be provided include:

1. occasional breaks to rest or drink water;
2. a modified work schedule;
3. leave for related medical needs;

4. available light duty assignments; and
5. transfers away from hazardous duty.

The employee must cooperate in providing medical or other information that is necessary to verify the existence of the pregnancy-related condition or that is necessary for consideration of the accommodation. Such medical information will be kept confidential by Way To Go Merchandising & Staffing.

Way To Go Merchandising & Staffing will not require any employee to take leave because the employee is pregnant. If the employee takes medical leave due to a pregnancy-related condition or childbirth, Way To Go Merchandising & Staffing will hold the employee's job for the employee as long as Way To Go Merchandising & Staffing does for employees who take medical leave for other reasons.

Way To Go Merchandising & Staffing will not retaliate against any employee because the employee is pregnant or may become pregnant or change the terms, conditions and privileges of employment because of pregnancy, childbirth or related conditions. Way To Go Merchandising & Staffing also will not refuse to hire or to promote a candidate because the individual is pregnant or may become pregnant.

Employees with questions or concerns regarding this policy or who would like to request a reasonable accommodation pursuant to this policy should contact the Head of Human Resources.

37.6 New York City Pregnancy Accommodations

Pursuant to the New York City Human Rights Law, Way To Go Merchandising & Staffing prohibits unlawful discrimination on the basis of pregnancy or perceived pregnancy and will endeavor to reasonably accommodate the needs of the employee for pregnancy, childbirth, or related medical condition to allow the employee to perform the essential requisites of the job, provided that such employee's pregnancy, childbirth, or related medical condition is known or should have been known by Way To Go Merchandising & Staffing, and the proposed accommodation does not impose an undue hardship on Way To Go Merchandising & Staffing.

Any employee who needs to request an accommodation due to pregnancy, childbirth, or a related medical condition should contact the Head of Human Resources. If the employee requested an accommodation but has not received an initial response within five (5) business days, the employee should contact the Head of Human Resources.

After receiving a request for an accommodation due to pregnancy, childbirth, or a related medical condition or learning indirectly that the employee requires such an accommodation, Way To Go Merchandising & Staffing will engage in a cooperative dialogue with the employee. Even if the employee has not formally requested an accommodation, Way To Go Merchandising & Staffing, in compliance with applicable law, may initiate a cooperative dialogue under certain circumstances, such as when Way To Go Merchandising & Staffing has knowledge that the employee's performance at work has been negatively affected and also has a reasonable basis to believe that the issue is related to pregnancy, childbirth, or related medical condition.

The cooperative dialogue may take place in person, by telephone, or by electronic means. As part of the cooperative dialogue, Way To Go Merchandising & Staffing will communicate openly and in good faith

with the employee in a timely manner to determine whether and how Way To Go Merchandising & Staffing may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, Way To Go Merchandising & Staffing will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the employee. Way To Go Merchandising & Staffing is not required to provide the specific accommodation sought by the employee, provided the alternatives are reasonable and either meet the specific needs of the employee or specifically address the employee's limitation.

As part of the cooperative dialogue, Way To Go Merchandising & Staffing reserves the right to request medical documentation from the employee under the following circumstances:

- when the employee requests time away from work, including for medical appointments, other than time off requested during the six- (6) to eight- (8) week period following childbirth (for recovery from childbirth); or
- when the employee requests to work from home, either on an intermittent basis or a longer-term basis.

If Way To Go Merchandising & Staffing believes that the provided documentation is insufficient, and before denying the request based on insufficient documentation, Way To Go Merchandising & Staffing reserves the right to request additional documentation from the employee or, upon the employee's consent, speak with the health care provider who provided the documentation. If applicable, the employee whose time off is covered by the Family Medical Leave Act (FMLA) may also be required to provide medical documentation, depending on the circumstances of the leave request, pursuant to federal law.

At the conclusion of the cooperative dialogue, Way To Go Merchandising & Staffing will provide written notice to the employee in a timely manner indicating that Way To Go Merchandising & Staffing:

- will be able to offer and provide a reasonable accommodation;
- will not be able to provide a reasonable accommodation to the employee because there is no accommodation available that will not cause an undue hardship on Way To Go Merchandising & Staffing's operations; or
- will not be able to provide a reasonable accommodation to the employee because no accommodation exists that will allow the employee to perform the essential requisites of the job.

Way To Go Merchandising & Staffing will endeavor to keep confidential communications regarding requests for reasonable accommodations and all circumstances surrounding an employee's pregnancy, childbirth, or related medical condition.

Employees with questions regarding this policy should contact the Head of Human Resources.

37.7 New York City Supplemental Gender Discrimination

In accordance with New York City law, Way To Go Merchandising & Staffing prohibits unlawful discrimination in employment on the basis of gender. For purposes of this policy, gender is an individual's actual or perceived sex, gender identity, and gender expression, including a person's actual

or perceived gender-related self-image, appearance, behavior, expression, or other gender-related characteristic regardless of the sex assigned to that person at birth.

Way To Go Merchandising & Staffing is dedicated to ensuring the fulfillment of this policy as it applies to all terms and conditions of employment, including recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, accommodation requests, access to programs and facilities, employee activities, and general treatment during employment.

In furtherance of this policy:

- Way To Go Merchandising & Staffing gives employees the option of indicating their preferred gender pronoun. Way To Go Merchandising & Staffing's systems allow employees to self-identify their names and genders and do not limit such identifications to male and female only.
- All employees and other individuals have access to single-sex facilities consistent with their gender identity or expression. To the extent possible, Way To Go Merchandising & Staffing provides single-occupancy restrooms and provides multi-user facilities for individuals with privacy concerns but will not require use of a single-occupancy bathroom because an individual is transgender or gender non-conforming.
- Way To Go Merchandising & Staffing's dress code and grooming standards are gender neutral and, therefore, do not differentiate or impose restrictions or requirements based on gender or sex.
- Way To Go Merchandising & Staffing evaluates all requests for accommodations (including requests for medical leaves) in a fair and non-discriminatory manner.
- Employees who engage with the public as part of their job duties are required to do so in a respectful, non-discriminatory manner by respecting gender diversity and ensuring that members of the public are not subject to discrimination (including discrimination with respect to single-sex programs and facilities).

Employees with issues or concerns regarding gender discrimination or who feel they have been subjected to such discrimination can contact the Head of Human Resources. Way To Go Merchandising & Staffing prohibits and does not tolerate retaliation against employees who report issues or concerns of gender discrimination pursuant to this policy in good faith.

37.8 New York: Discrimination And Non-Harassment (Including Sexual Harassment)

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional harassment of or against our employees, job applicants, and interns by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws (referred to as "protected characteristics"). The policy also protects contractors, subcontractors, vendors, consultants, or anyone else providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with Way To Go

Merchandising & Staffing. Way To Go Merchandising & Staffing also prohibits retaliation as defined below. All such conduct will not be tolerated by Way To Go Merchandising & Staffing.

Purpose and Goals

Way To Go Merchandising & Staffing is committed to a workplace free of harassment (including sexual harassment), discrimination, and retaliation. These behaviors are unacceptable in the workplace and in any work-related settings such as remote work settings, business trips, and Way To Go Merchandising & Staffing-sponsored social functions, regardless of whether the conduct is engaged in by a supervisor, coworker, client, customer, vendor, or other third party. In addition to being a violation of this policy, harassment (including sexual harassment) and retaliation based on any protected characteristic as defined by applicable federal, state, or local laws are unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment are unlawful.

Sexual and other harassment, discrimination, and retaliation are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees also will learn what harassment, discrimination, and retaliation look like, what actions they can take to prevent and respond to discriminatory conduct, and how they are protected from retaliation after taking action. The policy also will explain the investigation process into any claims of harassment.

Sexual harassment is a form of workplace discrimination that subjects employees to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but Way To Go Merchandising & Staffing recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace.

Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject Way To Go Merchandising & Staffing to liability for the harm experienced by the targets of discrimination. Individuals also may be individually subject to liability for engaging in harassment, and employers or supervisors who fail to report or react on harassment may be liable for aiding and abetting such behavior.

Definition of Harassment

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived

protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or e-mails), or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Definition of Sexual Harassment

Sexual harassment includes harassment on the basis of sex or gender (which includes pregnancy, childbirth, and related medical conditions), gender identity or gender expression (which includes transgender status), and/or sexual orientation. Sexual harassment includes unwelcome conduct, which is either of a sexual nature or which is directed at an individual because of that individual's sex or gender, gender identity or gender expression, and/or sexual orientation when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual (such as what shifts and how many hours employees might work, project assignments, as well as salary and promotion decisions); or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination, including gender-role stereotyping and treating employees differently because of their gender. Sexual harassment does not have to be between members of the opposite sex or gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression, and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three (3) most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails), or physical conduct (including physically threatening another) that denigrates or shows hostility or aversion towards an individual on the basis of sex or gender, gender identity or gender expression, and/or sexual orientation. Such conduct violates this policy, even if it is not

unlawful. In New York, harassment does not need to be severe or pervasive to be illegal. Generally, any behavior in which any employee or covered individual is treated worse because of their gender, sexual orientation, or gender expression is considered a violation of Way To Go Merchandising & Staffing policy. The intent of the behavior, for example, making a joke, does not neutralize a claim of harassment; in other words, not intending to harass someone is not a defense. What matters is the impact of the behavior on the individual to whom it is directed.

Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.

Examples of conduct that violate this policy include:

- Unwelcome sexual advances, flirtations, leering, whistling, touching, pinching, assault, blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment. This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially in those industries where hospitality and tips are essential to the customer/employee relationship;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters, and drawings (including having such materials visible in the background of a remote workspace during a virtual meeting);
- Sexually explicit emails, text messages, or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome sexually-related comments;
- Conversation about one's own or someone else's sex life or romantic history;
- Repeated requests for dates or romantic gestures, including gift-giving;
- Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender, gender identity, gender expression, or sexual orientation, such as:
    - Interfering with, destroying, or damaging a person's workstation, tools, or equipment, or otherwise interfering with the individual's ability to perform the job;
    - Sabotaging an individual's work;
    - Bullying, yelling, or name-calling;
    - Intentional misuse of an individual's preferred pronouns; or
    - Creating different expectations for individuals based on their perceived identities, such as:
        - Dress codes that place more emphasis on women's attire; or
        - Leaving parents/caregivers out of meetings;
    - Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex

should act or look:

- Remarks regarding any employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
- Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.

This list is just a sample of behaviors and should not be considered exhaustive. Any employee or covered individual who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it. In addition, sexual harassment is not limited to interactions in person. Sexual harassment can occur when employees are working remotely from home as well. Harassment can happen on virtual meeting platforms, in messaging apps, and during non-working hours, and regardless of whether the communication occurs on Way To Go Merchandising & Staffing-owned or personal devices.

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

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

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

Definition of Retaliation

Retaliation is prohibited. No employee or covered individual should fear reporting sexual harassment if they believe it has occurred. Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. Examples of retaliation may include but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference in a manner consistent with Way To Go Merchandising & Staffing policy or practice or providing an unwarranted negative reference;
- Labeling the employee as "difficult" and excluding them from projects to avoid "drama;"
- Undermining an individual's immigration status;
- Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location;
- Threats of physical violence outside of work hours; and

- Disparaging someone on social media.

Supervisory Responsibilities. Everyone must work toward preventing sexual harassment, but supervisors and managers have a special responsibility to prevent sexual harassment and discrimination. Every supervisor who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy, must immediately report the issues raised or conduct to (the Head of Human Resources). Managers and supervisors should not be passive and wait for employees to make a claim of harassment. If they observe such behavior, they must act.

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

Bystander Intervention. Any employee witnessing harassment as a bystander is encouraged to report it. There are five (5) standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help:

- A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
- A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
- A bystander can record or take notes on the harassment incident to benefit a future investigation;
- A bystander might check in with the person who has been harassed after the incident, see how they are feeling, and let them know the behavior was not acceptable; and
- If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

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

Reporting Procedures

If the employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of the Head of Human Resources at the following address 9477 NC HWY 127 #1001 HICKORY, NC 28601 and phone number (843) 945-9795 or to the CFO at the following address 995 MISSOURI AVE WEST PLAINS, MO 65776 and phone number (417) 204-7134.

If the person toward whom the complaint is directed is one of the individuals indicated above, employees should contact any higher-level manager in their reporting hierarchy.

Written complaints can be submitted internally using the form provided in this handbook. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

If the employee makes a complaint under this policy and has not received an initial response within five (5) business days, the employee should contact the CFO immediately at the following address 9477 NC HWY 127 #1001 HICKORY, NC 28601 and phone number (843) 945-9795.

Investigation Procedures

Upon receiving a complaint, Way To Go Merchandising & Staffing will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy that is fair to all parties. To the extent possible, Way To Go Merchandising & Staffing will endeavor to keep the reporting individual's concerns confidential. However, complete confidentiality may not be possible in all circumstances. All individuals are required to cooperate in all investigations conducted pursuant to this policy.

During the investigation, Way To Go Merchandising & Staffing generally will interview the complainant and the accused, conduct further interviews as necessary and review any relevant documents or other information. Way To Go Merchandising & Staffing recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize any employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

Upon completion of the investigation, Way To Go Merchandising & Staffing will determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. Way To Go Merchandising & Staffing will inform the complainant and the accused of the results of the investigation.

In the event Way To Go Merchandising & Staffing determines that a violation of this policy has occurred, Way To Go Merchandising & Staffing will take steps to ensure a safe work environment for the individuals who experienced the complained-of conduct. Way To Go Merchandising & Staffing will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if Way To Go Merchandising & Staffing determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension, or immediate termination. Anyone, regardless of position or title, whom Way To Go Merchandising & Staffing determines has engaged in conduct that violates this policy will be subject to discipline, up to and including termination. This includes individuals engaging in harassment (including sexual harassment) or retaliation, as well as supervisors who fail to report violations of this policy, or knowingly allow prohibited conduct to continue.

Legal Protections and External Remedies

Any employee or covered individual who prefers not to report harassment to their manager or employer may choose to pursue external legal remedies. Complaints may be made to both the employer and a government agency. Aside from the internal complaint process at Way To Go Merchandising & Staffing, individuals may choose to pursue external legal remedies with the following governmental entities.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Exec. Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment and protects employees paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the HRL may be filed either with the New York State Division of Human Rights (NYSDHR) or in New York State Supreme Court.

Complaints with NYSDHR may be filed any time within three (3) years of the sexual harassment or within one (1) year of any other harassment. If an individual did not file at NYSDHR, they can sue directly in state court under the HRL, within three (3) years of the alleged harassment. An individual may not file with NYSDHR if they have already filed a HRL complaint in state court.

Complaining internally to Way To Go Merchandising & Staffing does not extend the time to file with NYSDHR or in court.

An attorney is not needed to file a complaint with NYSDHR, and there is no cost to file with NYSDHR.

NYSDHR will investigate complaints and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, NYSDHR has the power to award relief, which varies but may include requiring the employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees, punitive damages, and civil fines.

The NYSDHR has established a toll-free confidential hotline to provide counsel and assistance to individuals who believe they are experiencing workplace sexual harassment. Employees can call the toll-free sexual harassment hotline at 1-800-HARASS-3 Monday through Friday, 9:00 AM to 5:00 PM.

NYSDHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458; (718) 741-8400; www.dhr.ny.gov.

Employees should contact NYSDHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website also has a complaint form that can be downloaded, filled out, notarized, and mailed to NYSDHR. The website also contains contact information for NYSDHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court if the EEOC closes the charge, is unable to determine if

federal employment discrimination laws may have been violated or believes that unlawful discrimination occurred but does not file a lawsuit.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An individual alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Employees can contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov, or via email at info@eeoc.gov.

If an individual filed an administrative complaint with NYSDHR, NYSDHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from harassment and discrimination. An individual should contact the county, city, or town in which they live to find out if such a law exists. For example, those who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Employees can contact their main office at Law Enforcement Bureau of the New York City Commission on Human Rights, 22 Reade Street, New York, New York; call 311, (212) 306-7450, or (212)-416-0197; or visit https://www1.nyc.gov/site/cchr/index.page.

Local Police Department Contact

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime.

Employees should contact the local police department if they wish to pursue criminal charges.

This policy is aimed at providing employees and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the HRL protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes. Remember, Way To Go Merchandising & Staffing cannot remedy claimed sexual or other harassment, discrimination, or retaliation unless the employee brings these claims to the attention of management. Employees should report any conduct which they believe violates this policy.

SEXUAL AND OTHER HARASSMENT COMPLAINT FORM

If you believe that you have been subjected to sexual or other harassment, you are encouraged to complete this form and submit it to the Head of Human Resources. If you are more comfortable reporting verbally or in another manner, you may do so and can follow the guidelines set forth in Way To Go Merchandising & Staffing policy. You will not be retaliated against for filing a complaint. Once a complaint is received, Way To Go Merchandising & Staffing will follow the investigation process described in our policy.

General Information

Your Name / Job Title:

Your Department / Supervisor:

Preferred Communication Method (if via email or phone, please provide contact info):

Complaint Information

1. Please tell us who you believe has violated our policy against sexual and other harassment. What is their relationship to you (e.g., Supervisor, subordinate, coworker, other):

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

3. Please provide specific date(s) when the alleged sexual or other harassment occurred. Additionally, please advise if the alleged sexual or other harassment is continuing?

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

This last question is optional but may help the investigation.

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

If you have retained legal counsel and would like us to work with them, please provide their contact information.

Signature: _____ Date: _____

37.9 New York: Reproductive Health Decision-Making Discrimination

Way To Go Merchandising & Staffing may not:

- Discriminate or take any retaliatory personnel action against employees with respect to compensation, terms, conditions, or privileges of employment because of, or on the basis of, the employee's or dependent's reproductive health decision making, including but not limited to a decision to use or access a particular drug, device, or medical service; or
- Require employees to sign a waiver or other document that purports to deny employees the right to make their own reproductive health care decisions, including use of a particular drug, device, or medical service.

Way To Go Merchandising & Staffing also may not access the employee's personal information regarding the employee's or the dependent's reproductive health decision making, including but not limited to the decision to use or access a particular drug, device, or medical service without the employee's prior informed affirmative written consent.

Employees may bring a civil action in any court of competent jurisdiction against Way To Go Merchandising & Staffing for any alleged violations of this policy. In any civil action alleging a violation of this policy, the court may: award damages, including, but not limited to, back pay, benefits, and reasonable attorneys' fees and costs incurred to a prevailing plaintiff; afford injunctive relief against Way To Go Merchandising & Staffing if it commits or proposes to commit a violation of the provisions of this policy; order reinstatement; and/or award liquidated damages equal to 100 percent of the award for damages unless Way To Go Merchandising & Staffing proves a good faith basis to believe that its actions in violation of this policy were in compliance with the law.

Any act of retaliation for employees exercising any rights granted under this policy shall subject Way To Go Merchandising & Staffing to separate civil penalties. For the purposes of this policy, retaliation or retaliatory personnel action means discharging, suspending, demoting, or otherwise penalizing employees for making or threatening to make a complaint to Way To Go Merchandising & Staffing, co-worker, or a public body, that rights guaranteed under this policy have been violated; causing to be instituted any proceeding under or related to this policy; or providing information to or testifying before any public body conducting an investigation, hearing, or inquiry into any such violation of a law, rule, or regulation by Way To Go Merchandising & Staffing.

Employees with issues or concerns regarding this policy or who feel they have been subjected to any alleged violation of this policy should contact the Head of Human Resources and/or the CFO.

37.10 New York- Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve as a volunteer firefighter or ambulance service member during a state of emergency declared by the state or federal government. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws.

37.11 New York: Time Off For Crime Victims

Employees may take unpaid time off to comply with a subpoena to testify in a criminal proceeding (including time off to consult with the district attorney), to give a statement at a sentencing proceeding, victim impact statement at a pre-sentencing proceeding, or statement at a parole board hearing if they are:

- The victim of the crime at issue in the proceedings;
- The victim's next of kin,
- The victim's representative (a person who represents or stands in the place of another person, including but not limited to an agent, assignee, attorney, guardian, committee, conservator, partner, receiver, administrator, executor or heir, or a parent of a minor), if the victim is deceased as a result the offense;

- A "Good Samaritan" (i.e., a person who acts in good faith (a) to apprehend a person who has committed a crime in his/her presence; (b) to prevent a crime or an attempted crime from occurring, or (c) to aid a law enforcement officer in effecting an arrest); or
- Pursuing an application or enforcement of an order of protection as provided under relevant law.

The employee must notify the company the day before the absence of the employee's intent to appear as a witness, to consult with the district attorney, or to exercise their rights as provided in the criminal procedure law. The company may require the employee to provide documentation that confirms or supports the reason the employee has requested leave.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy.

No employee will be subject to discharge or penalty for taking leave under this policy.

Victims of Domestic Abuse, Sexual Assault, and Related Crimes Leave

Employees who are victims of domestic violence may take unpaid time off as reasonable accommodation for the following reasons:

- seek medical attention for injuries caused by domestic violence, including for a child who is a victim of domestic violence, provided that the employee is not the perpetrator of the domestic violence against the child;
- obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence; or
- obtain psychological counseling related to an incident or incidents of domestic violence, including for a child who is a victim of domestic violence, provided that the employee is not the perpetrator of the domestic violence against the child; or
- participate in safety planning and taking other actions to increase safety from future incidents of domestic violence, including temporary or permanent relocation; or
- obtain legal services, assisting in the prosecution of the offense, or appearing in court in relation to the incident(s) of domestic violence.

An employee who must be absent from work must provide the employer with reasonable advance notice of the employee's absence, unless advance notice is not feasible. An employee who cannot feasibly give reasonable advance notice of the absence must, within a reasonable time after the absence, provide certification supporting the absence to the employer when requested by the employer.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy. To the extent permitted by law, health insurance coverage will continue while on leave.

No employee will be subject to discrimination or retaliation because of their status as a victim of domestic violence or for taking leave under this policy.

Section 38 - North Carolina Addendum

38.1 North Carolina: School Attendance Leave

Way To Go Merchandising & Staffing will grant employees who are parents or guardians of school-age children up to four (4) hours of unpaid leave during any 12-month period to participate in activities at their children's school. Forty-eight hours' written advance notice is required. The leave shall occur at a time mutually agreed upon by the employee and Way To Go Merchandising & Staffing. Way To Go Merchandising & Staffing may require verification of the employee's participation in the school activities. Employees must first use accrued paid time off for this purpose.

38.2 North Carolina: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to respond to a state of emergency as a volunteer firefighter, rescue squad member, or emergency medical services member. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws.

38.3 North Carolina: Victims Of Domestic Abuse, Sexual Assault, And Related Crimes Leave

An employee is eligible for unpaid time off to obtain or attempt to obtain relief under North Carolina's domestic violence or civil no-contact laws, including instituting civil action and obtaining a protective order or other emergency assistance.

An employee must follow the employer's usual time-off policy or procedure, including advance notice to the employer (when required by the employer's usual procedures), unless an emergency prevents the employee from doing so.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy. No employee will be subject to discharge, demotion, denial of a promotion, or discipline for taking time off under this policy.

Section 39 - North Dakota Addendum

39.1 North Dakota: Volunteer Emergency Responders Leave

Employees may be eligible for up to 20 days off work in a calendar year to respond to a disaster or emergency as a volunteer member of the army nation guard or air national guard of North Dakota or any state, or a volunteer civilian member of the civil air patrol. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated, demoted, or otherwise discriminated against for taking time off pursuant to this policy.

Section 40 - Ohio Addendum

40.1 Ohio: Family Military Leave

Family Military Leave (employers with 50 or more employees)

Eligible employees may take up to ten (10) days (or 80 hours, if less) of unpaid leave when a spouse, child, or person the employee has or had legal custody of is a member of the uniformed services and is called into active duty for a period longer than 30 days, or is injured, wounded, or hospitalized while serving on active duty. The uniformed services includes: the U.S. armed forces; the Ohio organized militia when engaged in full-time national guard duty; the commissioned corps of the public health service; and any other category of persons designated by the U.S. President in time of war or emergency. Leave must occur no more than 2 weeks before or 1 week after the deployment date.

To be eligible, the employee must have worked for the employer at least 12 consecutive months, and must have worked at least 1,250 hours in the 12 months immediately preceding commencement of the leave.

An employee may take unpaid leave under this section if he/she has exhausted all accrued vacation and other leave (except sick leave and disability leave). Benefits will continue during this time, and the employee will remain responsible for paying their portion of the cost of benefits.

14 days' notice must be provided by the employee of his or her intention to take leave if the leave is taken because of a call to active duty, or at least 2 days prior to taking leave if due to an injury, wound, or hospitalization. However, if the employee receives notice from a uniformed services representative that the injury, wound, or hospitalization is critical or life-threatening, leave may be taken without providing notice. Employees may be required to provide the Company with certification from the proper military authority to verify the employee's eligibility for family military leave.

Upon expiration of the leave, an employee will generally be reinstated to his or her position or, if not available, an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment. The Company strictly prohibits any form of discrimination or retaliation for exercising rights set forth in this policy.

40.2 Ohio: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve as a volunteer firefighter or emergency medical services provider. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt

employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated for taking time off pursuant to this policy

40.3 Ohio: Time Off For Crime Victims

Employees may take unpaid time off to participate, at the prosecutor's request, in preparation for a criminal or delinquency proceeding or for attendance, pursuant to a subpoena, at a criminal or delinquency proceeding where attendance is reasonably necessary to protect the interests of the victim if they are:

- A victim of the crime or delinquent act at issue in the proceedings;
- The spouse, child, stepchild, sibling, parent, stepparent, grandparent, or other relative of a victim; or
- A victim's representative.

Way To Go Merchandising & Staffing may require proof of the employee’s participation in these activities. Whenever possible, employees must provide their supervisor with reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy. No employee will be subject to termination or discipline for taking leave under this policy.

Section 41 - Oklahoma Addendum

41.1 Oklahoma: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in an election, employees may take off working time to vote. Sufficient time is considered to be three (3) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed up to two (2) hours of voting leave on Election Day without loss of pay or retaliation if proof of voting is provided. If an employee requires more than two (2) hours to vote because of the distance of the polling location, then the employee will be allowed a sufficient time to cast a ballot without loss of pay if proof of voting is provided. Supervisors must be notified orally or in writing of the need for leave three (3) days in advance of Election Day. Supervisors may specify when leave may be taken.

Section 42 - Oregon Addendum

42.1 Oregon: Lactation Breaks

Subject to certain exceptions where permitted by applicable law, employees who are nursing may take a reasonable rest period to express milk each time they have a need to express milk for their child who is 18 months of age or younger. The employee will, if feasible, take the rest periods to express milk at the same time as the rest periods or meal periods that are otherwise provided to the employee. Way To Go Merchandising & Staffing will make reasonable efforts to provide a location, other than a public restroom or toilet stall, in close proximity to the employee's work area for the employee to express milk in private. Employees will not be retaliated against for exercising their rights under this policy.

Way To Go Merchandising & Staffing may not be able to provide additional break time if doing so would seriously disrupt Way To Go Merchandising & Staffing's operations, subject to applicable law.

Employees should advise management if they need break time and an area for this purpose. Employees can consult the Head of Human Resources and/or the CFO with questions regarding this policy.

42.2 Oregon: Workplace Accommodations

Way To Go Merchandising & Staffing is an equal opportunity employer and does not discriminate on the basis of race, religion, color, sex, age, national origin, disability, veteran status, sexual orientation, gender identity, gender expression or any other classification protected by law.

Way To Go Merchandising & Staffing will make reasonable accommodations for known physical or mental disabilities of an applicant or employees as well as known limitations related to pregnancy, childbirth or a related medical condition, such as lactation, unless the accommodation would cause an undue hardship.

Among other possibilities, reasonable accommodations could include:

- acquisition or modification of equipment or devices;
- more frequent or longer break periods or periodic rest;
- assistance with manual labor; or
- modification of work schedules or job assignments.

Employees and job applicants have a right to be free from unlawful discrimination and retaliation.

For this reason, Way To Go Merchandising & Staffing will not:

- deny employment opportunities on the basis of a need for reasonable accommodation;

- deny reasonable accommodation for known limitations, unless the accommodation would cause an undue hardship;
- take an adverse employment action, discriminate or retaliate because the applicant or employee has inquired about, requested or used a reasonable accommodation;
- require an applicant or employee to accept an accommodation that is unnecessary; or
- require the employee to take family leave or any other leave, if Way To Go Merchandising & Staffing can make reasonable accommodation instead.

Any employee who has questions about the policy or who would like to request an accommodation due to physical or mental disabilities, pregnancy, childbirth or a related medical condition should contact the Head of Human Resources. If that person is unavailable, please contact the Head of Human Resources or the Head of Human Resources.

42.3 Oregon: Meals And Rest Periods (For Non-Exempt Employees)

Rest Breaks

Non-exempt employees who work at least two (2) hours per workday are required to take one (1) 10-minute rest break for every four (4) hours or major part thereof (two (2) hours and one (1) minute through four (4) hours) worked in one (1) work period. For purposes of this policy, "major fraction" means any time greater than two (2) hours. For example, if the employee works more than six (6) hours, but no more than 10 hours in a workday, the employee is required to take two (2) 10-minute rest breaks, one (1) during the first half of the shift and a second rest break during the second half of the shift. If the employee works more than 10 hours but no more than 14 hours in a day, the employee is required to take three (3) 10-minute rest breaks, and so on.

Rest breaks should be taken approximately in the middle of each work period of four (4) hours or major fraction thereof as is feasible. Employees are paid for all rest break periods and do not need to clock out when taking a rest break. Rest breaks may not be added to the usual meal period or deducted from the beginning or end of the work period to reduce the overall length of the total work period. Each rest break must be a separate break meeting the requirements described above. If any work is performed during a rest break, or if the rest break is interrupted for any work-related reason, the employee is entitled to another uninterrupted paid rest break.

Employees are required to take all rest breaks, and employees who refuse to do so will be subject to discipline, up to and including termination.

Meal Periods

Non-exempt employees who work more than six (6) hours in a workday are required to take an unpaid, off-duty, and uninterrupted meal period of at least 30 minutes. No meal period is required if the work period is less than six (6) hours. For employees who work a shift of seven (7) hours or less, the meal break must occur between the second and fifth hours of the shift. For employees who work more than seven (7) hours, the break must take place between the third and sixth hours of the shift. Additional meal periods are required to be taken by employees who work 14 hours or more in a shift as set forth in

the chart below. Employees are responsible for scheduling their own meal period but should confirm them with their supervisor(s).

When scheduling meal periods, employees should try to anticipate their workflow and deadlines. During a meal period, employees are relieved of all duties and should not work during this time. When taking a meal period, employees should completely stop working for at least 30 continuous minutes. Employees are prohibited from working "off the clock" during their meal period.

Those employees who use a time clock must clock out for their meal periods. Employees are required to clock back in and promptly return to work at the end of any meal period. Employees who record their time manually must accurately record their meal periods by recording the beginning and end of each work period. Employees are to immediately notify the Head of Human Resources if they believe that they are prevented by the nature of their work from taking a timely and/or complete meal period.

No Working During Rest Breaks and Meal Periods

Non-exempt employees are completely relieved of all work duties during their rest breaks and meal periods. All rest breaks and meal periods must be taken outside employees' work areas, such as in a break room. Employees may not leave the premises during rest breaks and meal periods. Employees are not expected to remain "on call" or available to respond to messages, monitor radios, telephones, email, or other devices during meal periods and rest breaks. Employees should not visit or socialize with employees who are working while taking their rest break or meal period. Employees are required to take all mandated breaks. Failure to do so may result in discipline, up to and including termination.

Employees are required to notify the Head of Human Resources immediately if they believe they are being pressured or coerced by any supervisor or other employee to forego any portion of a provided rest break or meal period.

Summary Chart

Below is a chart that generally summarizes the number of rest breaks and meal periods provided to employees.

Hours of Work	Rest Breaks	Meal Breaks
2 hours or less	0	0
2 hours 1 min - 5 hours 59 min	1	0
6 hours	1	1
6 hours 1 min - 10 hours	2	1
10 hours 1 min - 13 hours 59 min	3	1
14 hours	3	2
14 hours 1 min - 18 hours	4	2
18 hours 1 min - 21 hours 59 min	5	2
22 hours	5	3
22 hours 1 min - 24 hours	6	3

42.4 Oregon: Sick Time

Eligibility

Way To Go Merchandising & Staffing provides sick time to employees who work in Oregon. For employees whose primary place of work is in Oregon and who are eligible for sick time under another policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than any other policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees may begin accruing sick time pursuant to this policy at the start of employment. Eligible employees accrue one and one-third (1 1/3) hours of sick time for every 40 hours worked, up to a maximum accrual of 40 hours each year. Exempt employees will be presumed to work 40 hours in each workweek for accrual purposes unless their normal workweek is less than 40 hours, in which case accrual will be based on that normal workweek. For purposes of this policy, the year is the consecutive 12-month period beginning January 1 and ending on December 31.

Each employee will be notified in writing at least quarterly of the amount of accrued and unused sick time available for use by the employee.

Usage

Employees may begin using accrued sick time on the 91st calendar day of employment. PaidUnpaidPaidUnpaid sick time may be used in hourly increments. The employee may not use more than 40 hours of accrued sick time in any year.

The employee may use sick time for the following reasons:

1. For the employee's or a family member's mental or physical illness, injury, or health condition; need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or need for preventive medical care;
2. For any covered purpose under the Oregon Family Leave Act:
    a. For an illness, injury, or condition related to the employee's pregnancy or childbirth that disables the employee from performing any available job duties;
    b. To care for a child of the employee who is suffering from an illness, injury, or condition requiring home care or who requires home care due to the closure of the child's school or childcare provider as a result of a public health emergency ("Sick Child Leave"); and
    c. To deal with the death of a family member by:
        i. Attending the funeral (or alternative) of the family member;
        ii. Making arrangements necessitated by the death of a family member; or
        iii. Grieving the death of a family member.
3. For reasons relating to domestic violence, harassment, sexual assault, bias crime, or stalking of the employee or the employee's minor child or dependent in accordance with Oregon law, such as:
    a. To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's minor child or dependent, including preparing for and participating in protective order proceedings or other related civil or criminal legal proceedings;
    b. To seek medical treatment for or to recover from related injuries;

    c. To obtain, or to assist a minor child or dependent in obtaining, counseling from a licensed mental health professional;
    d. To obtain services from a victim services provider; or
    e. To relocate or take steps to secure an existing home to ensure the health and safety of the eligible employee or the employee's minor child or dependent;
4. In the event of a public health emergency, which includes, but is not limited to:
    a. Closure of the employee's place of business or the school or place of care of the employee's child, by order of a public official due to a public health emergency;
    b. A determination by a lawful public health authority or by a health care provider that the presence of the employee or the family member of the employee in the community would jeopardize the health of others, such that the employee must provide self-care or care for the family member;
    c. The exclusion of the employee from the workplace under any law or rule that requires Way To Go Merchandising & Staffing to exclude the employee from the workplace for health reasons;
    d. An emergency evacuation order of level 2 (SET) or level 3 (GO) issued by a public official with the authority to do so, if the affected area subject to the order includes either the location of Way To Go Merchandising & Staffing's place of business or the employee's home address; or
    e. A determination by a public official with the authority to do so that the air quality index or heat index are at a level where continued exposure to such levels would jeopardize the health of the employee.
5. For any covered purpose under the Oregon Paid Family and Medical Leave law:
    a. To care for and bond with a child during the first year after the child's birth or arrival through adoption or foster care placement;
    b. To care for a family member who has a serious health condition;
    c. For the employee's own serious health condition;
    d. For the employee who is the victim of domestic violence, harassment, sexual assault, stalking, or bias crime, or is the parent or guardian of a minor child or dependent who is a victim of domestic violence, harassment, sexual assault, stalking, or bias crime to seek, on the employee's behalf or on behalf of employee's minor child or dependent, legal, medical, mental health, or victim services; law enforcement assistance; or remedies related to domestic violence, harassment, sexual assault, or stalking; or
    e. To effectuate the legal process required for placement of a foster child or the adoption of a child.
6. *Effective January 1, 2026,* for blood donation that is made in connection with a voluntary program for the donation of blood that is approved or accredited by the American Association of Blood Banks or the American Red Cross.

For purposes of this policy, "family member" includes an individual who is related by affinity to the employee or an individual who is the employee's spouse or domestic partner; child or the child's spouse or domestic partner; parent or the parent's spouse or domestic partner; sibling, stepsibling, or the sibling's or stepsibling's spouse or domestic partner; grandparent or the grandparent's spouse or domestic partner; or grandchild or the grandchild's spouse or domestic partner. "Parent" includes the employee's biological parent, adoptive parent, stepparent, current or former foster parent, a person who

was or is the employee's legal guardian or with whom the employee was or is in a relationship of in loco parentis, or the parent of the employee's spouse or domestic partner.

Notice and Documentation

For foreseeable absences, employees must comply with Way To Go Merchandising & Staffing's usual and customary notice and procedural requirements when requesting time off pursuant to this policy. Employees must make a reasonable attempt to schedule the use of sick leave in a manner that does not unduly disrupt Way To Go Merchandising & Staffing's operations. If possible, employees must include the anticipated duration of their absence when requesting sick time and must inform Way To Go Merchandising & Staffing of any change in the expected duration of the absence. If the need to use sick time is unforeseeable (such as a sudden illness, an emergency, or an accident), notice to the Head of Human Resources is required before the start of the employee's shift or, when circumstances prevent such notice, as soon as practicable.

If the employee takes more than three (3) consecutively scheduled workdays of sick time for reasons (1) through (4) above, documentation of the need for the sick time may be required in the form of verification from a health care provider or certification such as:

- A copy of a police report indicating that the employee or the employee's minor child or dependent was a victim of domestic violence, harassment, sexual assault, or stalking;
- A copy of a protective order or other evidence from a court, administrative agency or attorney that the employee appeared in or was preparing for a civil, criminal, or administrative proceeding related to domestic violence, harassment, sexual assault, or stalking; or
- Documentation from an attorney, law enforcement officer, health care professional, licensed mental health professional or counselor, member of the clergy, or victim services provider that the employee or the employee's minor child or dependent was undergoing treatment or counseling, obtaining services, or relocating as a result of domestic violence, harassment, sexual assault, or stalking.

If foreseeable, sick time is projected to last more than three (3) scheduled workdays, the verification/certification which may be requested above should be provided before the sick time commences or as soon as otherwise practicable. If the employee needs to take sick time but was not able to provide prior notice, medical verification permitted under this policy must be provided to Way To Go Merchandising & Staffing within 15 calendar days of the request for such verification. Certification for sick time used for reason (4) (above) must be provided within a reasonable time after the request for such certification.

When the employee uses sick time to care for a family member who is related by affinity, Way To Go Merchandising & Staffing may require the employee to attest in writing that the employee and the person cared for have a significant personal bond that, when examined under the totality of the circumstances, is like a family relationship. To the extent Way To Go Merchandising & Staffing requires a written attestation, Way To Go Merchandising & Staffing will provide an attestation form to the employee.

Payment

Way To Go Merchandising & Staffing reserves the right to delay payment for if the employee fails to provide verification or certification within the required timeframe. Use of sick time is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Up to 40 hours of accrued, unused sick time under this policy can be carried over to the following year. Accrued but unused sick time under this policy will not be paid at separation.

Enforcement and Retaliation

Way To Go Merchandising & Staffing will not deny, interfere with, restrain, or fail to pay for sick time to which the employee is entitled pursuant to this policy and/or applicable law, or retaliate or discriminate against the employee who requests or takes time off pursuant to this policy or participates in any manner in an investigation, proceeding, or hearing related to this policy and/or applicable law. Employees may file a complaint with the Commissioner of the Oregon Bureau of Labor and Industries.

If employees have any questions regarding this policy, they should contact the Head of Human Resources and/or the CFO.

42.5 Oregon: Paid Family And Medical Leave

Eligibility Requirements

Eligible Oregon employees may apply for paid family leave, medical leave, or safe leave (collectively "PFML"). Eligibility for PFML and the amount of benefits is determined by statute and the Oregon Employment Department (OED), not Way To Go Merchandising & Staffing. Currently, employees who earned at least $1,000 in wages in the base year and paid program contributions during the base year are eligible. All employees are required to contribute to the Paid Leave Oregon Fund and will be subject to payroll deductions not to exceed the maximum rate established by law.

Entitlement

All eligible employees who meet the statutory contribution requirements are entitled to initiate a claim with the OED and, if the claim is approved, to receive PFML. PFML benefits are available for up to 12 weeks per benefit year (as determined by the OED) for any of the following purposes, in any combination:

1. To care for and bond with a child during the first year after the child's birth or arrival through adoption or foster care placement ("Family Leave");
2. To care for a family member who has a serious health condition ("Family Leave");
3. For employees' own serious health condition ("Medical Leave");
4. For employees who are the victim of domestic violence, harassment, sexual assault, stalking, or bias crime or are the parent or guardian of a minor child or dependent who is a victim of domestic violence, harassment, sexual assault, stalking, or bias crime to seek, on the employee's behalf or on behalf of employee's minor child or dependent, legal, medical, mental health,

victim services, or law enforcement assistance or remedies related to domestic violence, harassment, sexual assault, stalking, or bias crime ("Safe Leave"); or
5. Effective January 1, 2025, to effectuate the legal process required for placement of a foster child or the adoption of a child ("Family Leave").

Eligible employees may be eligible for up to two (2) weeks of additional paid leave for a birthing parent (as determined by the OED) for limitations related to pregnancy, childbirth, or a related medical condition, including but not limited to lactation, for a total amount of leave, not to exceed 14 weeks per benefit year.

"Family member" for purposes of this policy includes the employee's spouse or domestic partner, and employee's spouse's or domestic partner's child, parent, sibling, sibling's spouse, grandparent, grandchild, or any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

"Serious health condition" for purposes of this policy means:

1. An illness, injury, impairment, or physical or mental condition that requires inpatient care in a hospital, hospice, or residential medical care facility;
2. An illness, disease, or condition that in the medical judgment of the treating health care provider poses an imminent danger of death, is terminal in prognosis with a reasonable possibility of death in the near future, or requires constant care;
3. Any period of disability due to pregnancy or period of absence for prenatal care; or
4. Any period of absence for the donation of a body part, organ, or tissue, including preoperative or diagnostic services, surgery, post-operative treatment, and recovery.

Benefits under this policy are in addition to any paid sick time available under Oregon law or Way To Go Merchandising & Staffing's sick time, vacation and other paid time off policies. Way To Go Merchandising & Staffing reserves the right to determine the order in which the employee uses accrued paid sick time, vacation, or other paid time off when more than one (1) type of accrued leave is available. PFML benefits are not available for any week in which the employee is eligible to receive workers' compensation or unemployment benefits.

Use of PFML

The employee does not need to use this PFML entitlement in one (1) block. In general, PFML benefits may be claimed for leave that is taken in increments equivalent to one (1) workday or one (1) workweek.

Filing Claims with the OED

To submit a claim for benefits, employees should visit paidleave.oregon.gov or request a paper application from the OED. For additional information on the claim process, please visit https://paidleave.oregon.gov/employees/overview.html. If the employee's PFML claim is denied, the OED will issue a decision explaining the reasons for the denial. Employees may request reconsideration and/or appeal the OED's decision denying benefits by following the procedures adopted by the OED. The OED is solely responsible for determining if employees are eligible for benefits. Way To Go Merchandising & Staffing will separately consider the employee's application for family medical leave.

Employee Notice to Way To Go Merchandising & Staffing

Employees must provide notice, including an explanation of the need for leave, to the Head of Human Resources before commencing a period of PFML. Any health information submitted to Way To Go Merchandising & Staffing for purposes of PFML or any other purpose will be kept confidential in accordance with applicable law.

When the PFML absence is foreseeable, employees must provide written notice at least 30 days before commencing a period of PFML leave. If the reasons for taking PFML are not foreseeable, the employee must provide oral notice within 24 hours of commencing leave and must provide written notice within three (3) days after commencing leave. If the employee is unable to provide oral notice personally, notice may be provided by another responsible party, such as the employee's spouse, neighbor, or coworker. Failure to provide notice as required may result in a reduction of PFML benefits in addition to other discipline, up to and including termination.

Interaction with Other Leave Policies

Leave taken pursuant to PFML will run concurrently with leave taken under other applicable state and federal leave laws, including without limitation the federal Family and Medical Leave Act of 1993, when the leave is for a qualified reason under those laws.

Job Benefits and Protection

Employees taking PFML will retain their benefits and seniority status during the period of leave. During PFML leave, Way To Go Merchandising & Staffing will maintain health coverage under any employment-related health insurance on the same terms and conditions as if employee had continued to work. The employee must make arrangements with the Head of Human Resources prior to taking leave to pay their portion of any applicable health insurance premiums each month.

Any leave taken pursuant to this policy will be considered an excused leave of absence and will not count for purposes of considering employee's attendance under Way To Go Merchandising & Staffing's absence control policies. Employees who have worked for Way To Go Merchandising & Staffing for at least 90 days before commencing PFML will be returned to the same position they held at the commencement of leave, unless that position was eliminated during the leave. In the event the employee's position is eliminated, the employee will be returned to an available equivalent position. If an equivalent position is not available at the employee's original job site, Way To Go Merchandising & Staffing will offer the employee available positions at alternative job sites located within a 50-mile radius. Otherwise, employees taking PFML are not guaranteed job reinstatement unless they qualify for such reinstatement under federal and/or state leave laws or other applicable laws.

Questions and/or Complaints about PFML Leave

If employees have questions regarding this PFML policy, they should contact the Head of Human Resources. For questions about determinations by the OED on leave eligibility, entitlement, and/or benefits, please contact the OED directly. Way To Go Merchandising & Staffing is committed to complying with the PFML and, whenever necessary, shall interpret and apply this policy in a manner consistent with the PFML.

The PFML makes it unlawful for employers to discriminate, retaliate, threaten to retaliate, or interfere with the exercise of any rights under the PFML. In addition, employers may not retaliate or threaten to

retaliate against any person who has filed a complaint, has caused a complaint to be filed, has or will participate or testify in proceeding relating to a violation of the PFML, or has given or is about to give information connected to a proceeding relating to a violation of the PFML. If employees believe their PFML rights have been violated, they should contact the Head of Human Resources immediately. Way To Go Merchandising & Staffing will investigate any PFML complaints and take prompt and appropriate remedial action to address and/or remedy any PFML violation. Employees also may file PFML complaints with the Department alleging PFML violations.

For additional information regarding your rights, visit https://paidleave.oregon.gov/DocumentsForms/Paid-Leave-ModelNotice-Poster-EN.pdf.

42.6 Oregon: Discrimination And Non-Harassment (Including Sexual Harassment)

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race; color; creed; religion; national origin; ancestry; citizenship status; age; sex or gender (including pregnancy, childbirth, and pregnancy-related conditions); gender identity or expression (including transgender status); sexual orientation; marital status; military service and veteran status; physical or mental disability; genetic information; or any other characteristic protected by applicable federal, state, or local laws (referred to as “protected characteristics”). Such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate the personal morality of employees but to ensure that no one harasses another individual in the workplace, including while on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises), or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, harassment, or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails), or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of

applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

- Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters, and drawings;
- Sexually explicit emails, text messages, or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome sexually related comments;
- Conversation about one's own or someone else's sex life;
- Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

Sexual Assault Defined

Sexual assault, defined as unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation, is also specifically prohibited.

Any discrimination, harassment, or retaliation is unacceptable in the workplace and in any work-related settings such as business trips and business-related social functions, regardless of whether the conduct is engaged in by a supervisor, coworker, client, customer, vendor, or other third party.

Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Head of Human Resources. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5)

business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the CFO. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

All employees are encouraged to document any incidents involving discrimination, harassment, and sexual assault as soon as possible.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Nondisclosure and Nondisparagement Agreements

Way To Go Merchandising & Staffing may not require or coerce employees to enter into a nondisclosure or nondisparagement agreement concerning harassment, discrimination, or sexual assault. A nondisclosure agreement is an agreement wherein a party agrees to not share information with others regarding the subject of the agreement. A nondisparagement agreement is an agreement wherein a party agrees not to criticize or bring negative attention to the other party.

Employees may voluntarily choose to enter into an agreement regarding harassment, discrimination, or sexual assault that contains a nondisclosure agreement, nondisparagement agreement, or an agreement prohibiting the employee from seeking reemployment with Way To Go Merchandising & Staffing, and the employee will have seven (7) days to revoke the agreement after it has been executed.

Time Period to Bring a Legal Claim

Under Oregon law, an individual has five (5) years from the date of an act of unlawful harassment or discrimination to file a claim. This time period applies to acts of unlawful harassment or discrimination occurring on or after September 29, 2020.

Retaliation Prohibited

In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If employees have been subjected to any such retaliation, they should report it in the same manner in which they would report a claim of perceived harassment under this policy.

Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

42.7 Oregon: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to serve as a volunteer firefighter. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement

from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws.

Section 43 - Pennsylvania Addendum

43.1 Pennsylvania: Philadelphia Notice Regarding Unpaid Wages

Employees who work in Philadelphia may file a wage theft complaint or bring a civil action for unpaid wages pursuant to Philadelphia's Wage Theft Ordinance (Ordinance).

A signed wage theft complaint, in which the alleged unpaid wages are equal to or greater than the minimum threshold amount of $100 and equal to or less than the maximum threshold amount of $10,000, must be filed with the wage theft coordinator in the Mayor's Office of Benefits and Wage Compliance less than three (3) years from the date the alleged wage theft occurred.

Retaliation for exercising rights provided under the Ordinance, such as filing a complaint or bringing a civil action, is prohibited.

43.2 Pennsylvania: Philadelphia Paid Sick Time

Eligibility

Way To Go Merchandising & Staffing provides paid sick time to employees who work in Philadelphia for at least 40 hours in a year. For employees who work in Philadelphia who are eligible for sick time under another policy and/or any other applicable sick time/leave ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than any other policy and/or any other applicable sick time/leave ordinance.

Accrual

Employees begin accruing paid sick time pursuant to this policy at the start of employment. Eligible employees will accrue one (1) hour of paid sick time for every 40 hours worked, up to a maximum accrual of 40 hours each calendar year. Exempt employees will be presumed to work 40 hours in each workweek for accrual purposes unless their normal workweek is less than 40 hours, in which case accrual will be based on that normal workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may begin using paid sick time on the 90th calendar day of employment. Paid sick time may be used in minimum increments of one (1) hour. The employee may not use more than 40 hours of accrued paid sick time in any calendar year.

The employee may use paid sick time for the following qualifying absences:

1. the employee's mental or physical illness, injury or health condition; the employee's need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; the employee's need for preventive medical care;
2. the care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive medical care; or
3. an absence necessary due to domestic abuse, sexual assault or stalking, provided the leave is to allow the employee to obtain the medical attention needed for the employee or the family member to recover from physical or psychological injury or disability caused by domestic or sexual violence or stalking; services from a victim services organization; psychological or other counseling; relocation due to the domestic or sexual violence or stalking; or legal services or remedies, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from the domestic or sexual violence.

For purposes of this policy, family member includes a biological, adopted or foster child, stepchild or legal ward or a child to whom the employee stands in loco parentis; a biological, foster, stepparent or adoptive parent or legal guardian of the employee or the employee's spouse or a person who stood in loco parentis when the employee was a minor child; a person to whom the employee is legally married under the laws of Pennsylvania; a grandparent or spouse of a grandparent; a grandchild; a biological, foster or adopted sibling or spouse of a biological, foster or adopted sibling; and a life partner as defined under the Philadelphia Code.

Employees' use of paid sick time will not be conditioned upon searching for or finding a replacement worker.

Unless employees advise Way To Go Merchandising & Staffing otherwise, we will assume, subject to applicable law, that employees want to use available paid sick time for absences for reasons set forth above and they will be paid for such absences to the extent they have paid sick time available.

Notice and Documentation

If the need for paid sick time is foreseeable, the employee must provide written or oral notice in advance of the use of the paid sick time to the Head of Human Resource and make a reasonable effort to schedule the use of paid sick time in a manner that does not unduly disrupt business operations. For all other absences, the employees must provide notice to the Head of Human Resource before the start of their scheduled work hours, or as soon as practicable if the need arises immediately before or after the employee has reported for work. When possible, employees should indicate the expected duration of their absence.

For paid sick time of more than two (2) consecutive days, the employee may be required to provide reasonable documentation that the sick time is covered. For absences due to the purposes described in 1 and 2 above, documentation signed by a health care professional indicating that sick time is necessary shall be considered reasonable documentation. For absences due to the purposes described in 3 above, the following shall be considered reasonable documentation: documentation signed by a health care professional; a police report indicating that the employee was a victim of domestic abuse, stalking or sexual assault; a court order; or a signed statement from a representative of a victim services

organization affirming that the employee was a victim of domestic abuse, stalking or sexual assault. The required documentation need not explain the nature of the illness or the details of the violence.

Payment

Paid sick time will be paid at the same rate as the employee earns at the time the employee uses such time. Use of paid sick time is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Employees may carry over up to 40 hours of accrued, unused paid sick time under this policy to the following calendar year. Accrued but unused paid sick time under this policy will not be paid at separation.

Enforcement and Retaliation

Way To Go Merchandising & Staffing prohibits any threat, discharge, suspension, demotion, other adverse employment action against the employee for the exercise of any right under this policy; or interference with, or punishment for, participating in any manner in an investigation, proceeding or hearing under this policy.

Any employee has the right to file a complaint with the Office of Benefits and Wage Compliance or bring a civil action if sick time as required is denied by Way To Go Merchandising & Staffing or the employee is retaliated against for requesting or taking sick time.

If employees have any questions regarding this policy, they should contact the Head of Human Resources and/or the CFO.

43.3 Pennsylvania: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to respond to an emergency call as a volunteer firefighter, fire police, rescue squad member, or ambulance service member. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated for taking time off pursuant to this policy.

43.4 Pennsylvania: Time Off For Crime Victims

An eligible employee may take unpaid time off from work to comply with a subpoena or other court order to serve as a witness in a criminal proceeding, or to attend a criminal proceeding if they are:

- the victim of the crime at issue in the proceedings;
- related to the victim within the third degree of consanguinity or affinity;
- in a common-law relationship with the victim; or

- residing in the same household as the victim.

The company may require proof of the employee's participation in these activities. Whenever possible, employees must provide their supervisor with reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy. No employee will be subject to termination or discipline for taking leave under this policy.

Victims of Domestic Abuse, Sexual Assault, and Related Crimes Leave (Philadelphia employers)

Employees who are victims of domestic violence (including individuals under coercive control), sexual assault, or stalking or have a family or household member who is a victim of domestic violence, sexual assault, or stalking whose interests are not adverse to the employee as it relates to domestic violence, sexual assault, or stalking may take unpaid time off for the following reasons:

- Seek medical attention for, or recovering from, physical or psychological injuries caused by domestic violence, sexual assault, or stalking of the employee or the employee's family or household members;
- Obtain services from a victim services organization for the employee or the employee's family or household member;
- Obtain psychological or other counseling for the employee or the employee's family or household member;
- Participate in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic violence, sexual assault, or stalking or ensure economic security; or
- Seek legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, or stalking.

Family or household members include spouses (current and former), those living as spouses (current and former), parents, children, other individuals related by consanguinity or affinity, sexual or intimate partners (current and former), individuals who share a biological parenthood, and life partners.

Employees may take up to eight (8) weeks of leave during any 12-month period from an employer who employs 50 or more employees for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year.

Employees may take up to four (4) weeks of leave during any 12-month period from an employer who employs less than 50 employees for each working day during each of 33 or more calendar workweeks in the current and preceding calendar year.

Leave may be taken intermittently or on a reduced work schedule. Employees may substitute any accrued vacation, sick or other time off for leave under this policy. During leave, group health plan coverage will continue. Employees will return from leave to the same or comparable job at the same level of compensation, employment benefits, seniority, or any other term or condition of employment existing on the day leave began.

The employee must provide the employer with at least 48 hours advance notice of the employee's intention to take the leave, unless providing such notice is not practicable. When an unscheduled absence occurs, the employer may not take any action against the employee if the employee, within 45 days after the employer requests certification, provides such certification.

An employee on leave may be required to report periodically on their status and intention to return to work.

Employees may also be asked to provide certification within 45 days of the employer’s request, showing that:

- The employee or the employee's family or household member is a victim of domestic violence, sexual assault, or stalking; and
- The time off is for one of the permissible purposes for leave.

No employee will be subject to discrimination or retaliation for taking leave under this policy in accordance with applicable law.

Section 44 - Rhode Island Addendum

44.1 Rhode Island: Overtime

When Way To Go Merchandising & Staffing experiences periods of extremely high activity, additional work may be required. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations. Employees may work overtime only with prior management authorization. Any non-exempt employee who works overtime without authorization may be subject to disciplinary action, up to and including termination.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) their regular rate for all time worked in excess of 40 hours each workweek, unless otherwise required by law.

For purposes of calculating overtime for non-exempt employees, the workweek begins at on and ends 168 hours later at on the following .

44.2 Rhode Island: Accommodation Of Pregnancy-Related And Menopause-Related Conditions

In compliance with Rhode Island law, Way To Go Merchandising & Staffing will not discriminate against employees in relation to pregnancy, childbirth, menopause, and related conditions.

Way To Go Merchandising & Staffing will endeavor to provide reasonable accommodations for conditions related to pregnancy, childbirth, menopause, or related conditions, unless the accommodation would pose an undue hardship on the business. Such accommodations include, but are not limited to:

- More frequent or longer breaks;
- Time off to recover from childbirth;
- Acquisition or modification of equipment or seating;
- Temporary transfer to a less strenuous or hazardous position;
- Job restructuring; light duty; assistance with manual labor;
- Break time and private non-bathroom space for expressing breast milk; or
- Modified work schedules.

Way To Go Merchandising & Staffing will not require an individual with a need related to pregnancy, childbirth, menopause, or a related medical condition to accept an accommodation that the individual chooses not to accept. This includes, but is not limited to, taking leave if another reasonable accommodation can be provided.

Way To Go Merchandising & Staffing will not deny employment opportunities to the employee or prospective employee, if such denial is based on Way To Go Merchandising & Staffing's inability to reasonably accommodate the employee's or prospective employee's condition related to pregnancy, childbirth, menopause, or a related medical condition.

Employees with questions regarding this policy can contact the Head of Human Resources.

44.3 Rhode Island: Family And Medical Leave

Employees information concerning FMLA and/or RIFLA entitlements and obligations employees have any questions concerning FMLA and/or RIFLA leave, they should contact your supervisor or ADP TotalSource.

I. Eligible for FMLA and RIFLA Leave

The eligibility requirements under the FMLA and RIFLA are set forth below. Employees." To be an "FMLA eligible employee must: 1) have been employed by Way To Go Merchandising & Staffing for at least 12 months (which need not be consecutive); 2) have been employed by Way To Go Merchandising & Staffing for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees must: 1) be a full-time employee with a right to leave, health insurance benefits and, with some limited exceptions, job restoration. The FMLA and RIFLA also entitle employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The RIFLA provides eligible employees uses their FMLA leave. Thus, when a leave is requested, Way To Go Merchandising & Staffing will look back in the relevant time period to determine the amount of available leave as of the date the leave is to begin.] The total FMLA leave shall not exceed 12 weeks in any 12-month period except for leave to care for an injured servicemember, which shall not exceed 26 weeks of leave during a single 12-month period as described in more detail in section II.B. Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee's spouse, child or parent (or parent-in-law - RIFLA only) who has a **serious health condition** (FMLA only) or **serious illness** (RIFLA only);
- For the employee unable to perform one or more of the essential functions of the employee's spouse, child or parent is a covered military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces in support of contingency operations or Regular Armed Forces for deployment to a foreign country. (FMLA only). This leave also is available for family members of active duty service members.

Under the FMLA, 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'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.

Under the RIFLA, a **serious illness** is a disabling physical or mental illness, injury, impairment or condition that involves inpatient care in a hospital, a nursing home or a hospice or outpatient care requiring continuing treatment or supervision by a health care provider.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

B. Additional Military Family Leave Entitlement under the FMLA (Injured Servicemember Leave)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee takes leave to care for the injured servicemember.

A "**covered servicemember**" is 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 on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as “current members of the Armed Forces.” **Covered servicemembers** also include a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five years preceding the date the eligible employee also may be entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee for adoption (or foster care - FMLA only) generally must be concluded within the 12-month period beginning on the date of birth or placement.

E. Protection of Group Health Insurance Benefits during Leave

During leave, eligible employees" will cause Way To Go Merchandising & Staffing substantial and grievous economic injury, employees if they qualify as "key employees" is defined under the FMLA as an employee who is employed within 75 miles of the worksite. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee generally have the right to return to the same or equivalent position with equivalent pay, benefits and other terms.

G. Notice of Eligibility for, and Designation of, FMLA and RIFLA Leave

Employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) Way To Go Merchandising & Staffing's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee provided Way To Go Merchandising & Staffing's failure to designate leave as FMLA- or RIFLA-qualifying at an earlier date did not cause harm or injury to the employee can mutually agree that leave be retroactively designated as FMLA and/or RIFLA leave. **[Note: The FMLA regulations permit the retroactive designation of FMLA leave only if the employer's failure to timely designate the leave does not cause harm or injury to the employee.]**

III. Employee FMLA and/or RIFLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees notices.

1. Content of Employee Notice

To trigger FMLA and/or RIFLA leave protections, employees may do this by either requesting FMLA and/or RIFLA leave specifically, or explaining the reasons for leave so as to allow the Way To Go Merchandising & Staffing to determine that the leave is FMLA/RIFLA-qualifying. For example, employees must respond to Way To Go Merchandising & Staffing's questions to determine if absences are potentially FMLA-qualifying.

If employees seek leave due to FMLA/RIFLA-qualifying reasons for which Way To Go Merchandising & Staffing has previously provided FMLA/RIFLA-protected leave, employees must provide 30 days' advance notice of the need to take FMLA and/or RIFLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees, who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA and/or RIFLA notice obligations, may have leave delayed or denied.

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees's health care provider. An employee, subject to the approval of an employee providing notice of the need to take leave on an intermittent basis for planned medical treatment neglects to fulfill this obligation, Way To Go Merchandising & Staffing may require the employee's health care provider.

When employees or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, Way To Go Merchandising & Staffing may temporarily transfer employees are qualified and which better accommodate recurring periods of leave, subject to applicable law.

When an employee must advise Way To Go Merchandising & Staffing of the reason why such leave is medically necessary. In such instances, Way To Go Merchandising & Staffing and employee's needs without unduly disrupting Way To Go Merchandising & Staffing's operations, subject to the approval of the employee may be required to submit medical certifications supporting their need for FMLA/RIFLA-qualifying leave. As described below, there generally are three types of medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee to provide medical certifications, employees's diligent, good faith efforts. Way To Go Merchandising & Staffing shall inform employees at least seven calendar days to cure deficiencies. Way To Go Merchandising & Staffing will deny leave to employees.

2. Medical Recertifications

Depending on the circumstances and duration of FMLA leave, subject to applicable law, Way To Go Merchandising & Staffing may require employees if recertification is required and will give employees returning to work from leave that was taken because of their own serious health condition that made the employee to use accrued paid time to supplement any paid disability benefits and workers' compensation benefits.]

F. Pay Employee's Share of Health Insurance Premiums

As noted above, during leave, employees are entitled to continued group health plan coverage (if applicable) under the same conditions as if they had continued to work. Unless Way To Go Merchandising & Staffing notifies employees of other arrangements, whenever employees are receiving pay from the Way To Go Merchandising & Staffing during leave, Way To Go Merchandising & Staffing will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee must contact ADP TotalSource at 866-400-6011, Option 2 periodically in accordance with the instructions noted on the Eligibility Notice regarding their status and intention to return to work at the end of the FMLA leave period**]** If an employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee## must provide Way To Go Merchandising & Staffing or ADP TotalSource (866-400-6011, Option 2 or email: TotalSource.FMLA@adp.com) with reasonable notice (i.e., within two business days) of the employee's changed circumstances and new return to work date). If employees give Way To Go Merchandising & Staffing unequivocal notice of their intent not to return to work, the Way To Go Merchandising & Staffing's obligation to maintain applicable health benefits (subject to COBRA requirements) and to restore their positions cease.

IV. Coordination of FMLA/RIFLA Leave with Other Leave Policies

The FMLA does not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law that provides greater family or medical leave rights such as the RIFLA. However, whenever permissible by law, Way To Go Merchandising & Staffing will run FMLA leave concurrently with RIFLA and any other leave provided under state or local law. For additional information concerning leave entitlements and obligations that might arise when FMLA/RIFLA leave is either not available or exhausted, please consult Way To Go Merchandising & Staffing's other leave policies in this Handbook or contact your supervisor or ADP TotalSource.

V. Questions and/or Complaints about FMLA/RIFLA Leave

If you have questions regarding this FMLA/RIFLA policy, please contact your supervisor or ADP TotalSource (866-400-6011, Option 2 or email: TotalSource.FMLA@adp.com). Way To Go Merchandising & Staffing is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA/RIFLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their rights have been violated, they should contact ADP TotalSource immediately. The Way To Go Merchandising & Staffing will investigate any complaints and take prompt and appropriate remedial action to address and/or remedy any violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

44.4 Rhode Island: Discrimination And Non-Harassment (Including Sexual Harassment)

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race; color; creed; religion; national origin; ancestry; citizenship status; age; sex or gender (including pregnancy, childbirth, and pregnancy-related conditions); gender identity or expression (including transgender status); sexual orientation; marital status; military service and veteran status; physical or mental disability; genetic information; or any other characteristic protected by applicable federal, state, or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate the personal morality of employees, but to ensure that no one harasses another individual in the workplace, including while on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises), or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails), or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working

environment.

Examples of conduct that violate this policy include:

- Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters, and drawings;
- Sexually explicit emails or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome sexually related comments;
- Conversation about one's own or someone else's sex life;
- Conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

Reporting Procedures

If employees have been subjected to or witnessed conduct which violates this policy, they should immediately report the matter to the Head of Human Resources. (Phone numbers and addresses are available through Way To Go Merchandising & Staffing directory.) If they are unable for any reason to contact this person, or if they have not received an initial response within five (5) business days after reporting any incident of what they perceive to be harassment, they should contact the CFO. (Phone numbers and addresses are available through Way To Go Merchandising & Staffing directory.) If the person toward whom the complaint is directed is one of the individuals indicated above, they should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If employees feel they have been subjected to any such retaliation, they should report it in the same manner in which they would report a claim of perceived harassment under this policy.

Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

While employees are encouraged to report claims internally, if they feel subjected to sexual harassment or other harassment in violation of state law, they may file a formal complaint with the government

agency or agencies set forth below. Using Way To Go Merchandising & Staffing's complaint process does not prohibit the employee from filing a complaint with these agencies:

Rhode Island Commission for Human Rights 10 Abbot Park Place Providence, Rhode Island 02903, (401) 277-2661

United States Equal Employment Opportunity Commission (EEOC), JFK Federal Building, Room 475 Boston, Massachusetts 02203, (617) 565-3200

44.5 Rhode Island: Earned Sick And Safe Leave

Eligibility

Way To Go Merchandising & Staffing provides Earned Sick and Safe Leave time ("ESSL") to employees in Rhode Island. For employees whose primary place of work is in Rhode Island and who are eligible for sick time under the general Paid Sick Days policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin accruing paidunpaid ESSL at the start of employment. Employees accrue one (1) hour of paidunpaid ESSL for every 35 hours worked and all hours paid by the employer while collecting paid time off benefits, including, but not limited to holiday pay, personal time, sick time and vacation time, up to a maximum of 40 hours each calendar year.

Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case ESSL accrues based upon that normal workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Current employees may use ESSL as it accrues. Employees, other than temporary and seasonal employees may begin using ESSL on the 90th calendar day of employment. Temporary employees may begin using ESSL on the 180th calendar day of employment, unless otherwise permitted by the employer. Seasonal employees may begin using ESSL on the 150th calendar day of employment, unless otherwise permitted by the employer. ESSL must be used in a minimum increment of four (4) hours per day, provided such minimum increment is reasonable under the circumstances.

The employee may not use more than 40 hours of ESSL in a calendar year.

Employees may use ESSL for the following reasons:

1. the employee's mental or physical illness, injury or health condition; the employee's need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; the employee's need for preventive medical care;

2. care of a family member (which includes a child; a biological, foster or adoptive parent, a stepparent, a legal guardian or other person who stands in loco parentis to the employee or the employee's spouse or domestic partner when they were a child; spouse; mother-in-law; father-in-law; grandparents; grandchildren; domestic partner; sibling; care recipient; or member of the employee's household) with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive medical care;
3. closure of the employee's place of business by order of a public official due to a public health emergency or the employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or care for oneself or a family member when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or family member's presence in the community may jeopardize the health of others because of their exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease; or
4. time off needed when the employee or a member of the employee's family is a victim of domestic violence, sexual assault or stalking.

The employee's use of ESSL will not be conditioned upon searching for or finding a replacement worker.

Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available ESSL for absences due to reasons set forth above and employees will be paid for such absences to the extent they have leave available.

Notice and Documentation

When the use of ESSL is foreseeable, employees are required to make a reasonable effort to schedule the use of ESSL in a manner that does not unduly disrupt Way To Go Merchandising & Staffing's operations. Requests to use ESSL may be made orally, in writing or electronically (e.g., via email) and whenever possible, the request must include the expected duration of the employee's absence. When the use of ESSL is foreseeable, the employee is required to make a good faith effort to provide notice of the need for such time to Accrual in advance of the use of ESSL. When the use of ESSL is not foreseeable, the employee is required to provide notice to Accrual at least one (1) hour prior to the start of the employee's workday or as soon as possible under the circumstances.

For ESSL of three (3) or more consecutive work days, Way To Go Merchandising & Staffing requires reasonable documentation that the ESSL has been used for a covered purpose. For reason #1 and #2 above, documentation signed by a health care professional indicating that ESSL is necessary and reasonable, but should not explain the nature of the employee's or a family member's health condition or the details of the domestic violence, sexual violence, abuse or stalking. For reason #4 above, any of the following types of documentation selected by the employee are reasonable, including:

- the employee's written statement that the employee or the employee's family member is a victim of domestic violence, sexual assault or stalking and that the leave taken was for one of the purposes in reason #4 above;
- a police report indicating that the employee or employee's family member was a victim of domestic violence, sexual assault or stalking;

- a court document indicating that the employee or employee's family member is involved in legal action related to domestic violence, sexual assault or stalking; or
- a signed statement from a victim and witness advocate affirming that the employee or employee's family member is receiving services from a victim services organization or is involved in legal action related to domestic violence, sexual assault or stalking.

ESSL may not be used as an excuse to be late for work without an authorized purpose. If the employee is committing fraud or abuse by engaging in an activity that is not consistent with allowable purposes for ESSL, the employee will be disciplined, up to and including termination of employment for misuse of ESSL.

If the employee is exhibiting a clear pattern of taking ESSL on days just before or after a weekend, vacation or holiday, Way To Go Merchandising & Staffing may discipline the employee for misuse of ESSL, unless the employee provides reasonable documentation that the ESSL has been used for a purpose listed above.

Employees must provide written documentation for the employee’s use of ESSL that occurs within two (2) weeks prior to the employee's final scheduled day of work before termination of employment.

Payment

ESSL will be paid at the same hourly rate and with the same benefits, including health care benefits, as the employee normally earns during hours worked, but no less than the applicable minimum wage.

Carryover and Payout

The employee may carry over accrued, unused ESSL to the following calendar year. Unused ESSL will not be paid at separation.

Enforcement and Retaliation

Retaliation or discrimination against the employee who requests ESSL or uses ESSL, or both, is prohibited, and employees may file a complaint with the Rhode Island Department of Labor and Training against an employer who retaliates or discriminates against the employee.

Questions about rights and responsibilities under the law can be answered by the Head of Human Resources and/or the CFO.

44.6 Rhode Island: School Involvement Leave

Way To Go Merchandising & Staffing will grant employees who have been employed for 12 consecutive months up to 10 hours of unpaid leave during any 12-month period to attend school conferences or other school-related activities for a child of whom the employee is the parent, foster parent or guardian. Twenty-four hours' notice is required and the employee must make a reasonable effort to schedule the leave so as not to unduly disrupt Way To Go Merchandising & Staffing's operations. Employees may use accrued paid time off for this purpose.

44.7 Rhode Island: Family Military Leave

Family Military Leave (Employers with 15 or more employees)

An eligible employee that is a spouse or parent of a person called to serve in the state or federal military for more than 30 days is entitled to up to 15 days of unpaid leave (if an employer has between 15 and 50 employees) or up to 30 days of leave (if an employer has more than 50 employees) during the time that deployment orders are in effect.

To be eligible, the employee must have worked for the employer for at least 12 months, and must have worked at least 1,250 hours during the 12 months immediately preceding the commencement of leave.

An employee may take leave pursuant to this policy if they have exhausted all accrued vacation and other leave (except sick leave and disability leave). An employee must provide at least 14 days' notice if the leave will consist of 5 or more consecutive days. If the leave is for less than 5 consecutive days, the employee is only required to give advance notice as practicable. Employees may be required to provide the Company with certification from the proper military authority to verify the employee's eligibility for family military leave.

Taking leave may not result in the loss of benefits accrued prior to the leave. Upon expiration of the leave, an employee will generally be reinstated to his or her position or, if not available, an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment. The Company strictly prohibits any form of discrimination or retaliation for exercising rights set forth in this policy.

44.8 Rhode Island: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to respond to an emergency as a volunteer firefighter or emergency medical technician of a fire department or ambulance department. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated or otherwise disciplined for taking time off pursuant to this policy.

Section 45 - South Carolina Addendum

45.1 South Carolina: Lactation Accommodation

Pursuant to the South Carolina Lactation Support Act, Way To Go Merchandising & Staffing supports the legal right and necessity of employees who choose to express milk in the workplace. This policy is to establish guidelines for promoting a breastfeeding-friendly work environment and supporting lactating employees at Way To Go Merchandising & Staffing.

Way To Go Merchandising & Staffing will make reasonable efforts to provide a reasonable amount of unpaid break time to accommodate employees desiring to express breast milk for their child, unless doing so poses an undue hardship on Way To Go Merchandising & Staffing. If possible, the lactation break time must run concurrently with break time already provided to employees. Lactation break time that cannot run concurrently with paid break time already provided will be unpaid, subject to applicable law.

Way To Go Merchandising & Staffing may not be able to provide additional break time if doing so would seriously disrupt Way To Go Merchandising & Staffing's operations, subject to applicable law.

Way To Go Merchandising & Staffing will make reasonable efforts to provide employees with use of a room or location in close proximity to their work area, other than a toilet stall, in order to express milk in private.

Employees will not be discriminated against or retaliated against for choosing to express breast milk in the workplace in compliance with this policy and the law. Employees can contact the Head of Human Resources and/or the CFO with questions regarding this policy.

45.2 South Carolina: Pregnancy Accommodations

In compliance with South Carolina law (S.C. Code Ann. §1-13-80), Way To Go Merchandising & Staffing will not discriminate against an individual because of pregnancy, childbirth or related medical conditions, including, but not limited to, lactation. Way To Go Merchandising & Staffing will endeavor to make reasonable accommodations for the employee's medical needs arising from pregnancy, childbirth or related medical conditions, unless doing so would impose an undue hardship on the operation of the business.

Reasonable Accommodations

Reasonable accommodations may include, but are not limited to:

1. making existing facilities readily accessible to, and usable by, such employees, including acquiring or modifying equipment or devices necessary for performing essential job functions;

2. providing more frequent or longer break periods;
3. providing more frequent bathroom breaks;
4. providing a private place, other than a bathroom stall for the purpose of expressing milk;
5. modifying Way To Go Merchandising & Staffing's food or drink policy;
6. modifying work schedules;
7. providing seating or allowing the employee to sit more frequently;
8. providing assistance with manual labor and limits on lifting;
9. temporarily transferring the employee to a less strenuous or hazardous vacant position, if qualified; or
10. providing job restructuring or light duty, if available.

Way To Go Merchandising & Staffing will not:

- deny employment opportunities to the employee based on the need to make such reasonable accommodations;
- require the employee to accept an accommodation that the employee chooses not to accept, if the employee does not have a known limitation related to pregnancy, or if the accommodation is unnecessary for the employee to perform the essential duties of their job;
- require the employee to take leave under any leave law or Way To Go Merchandising & Staffing policy if another reasonable accommodation can be provided to the employee; or
- take any adverse action against the employee in the terms, conditions or privileges of employment for requesting or using a reasonable accommodation.

Contact for Questions and Requests

If employees have any questions concerning this policy or if they wish to request an accommodation, they should contact the Head of Human Resources.

45.3 South Carolina: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to respond to a declared state of emergency in the capacity as a volunteer firefighter or emergency medical services personnel. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated for taking time off pursuant to this policy.

45.4 South Carolina- Time Off For Crime Victims

An eligible employee may take time off from work to lawfully respond to a subpoena if they are:

- the victim of the crime at issue in the proceedings; or

- the spouse, parent, child, or the lawful representative of a victim who is deceased, a minor, incompetent, or physically or psychologically incapacitated.

For employees taking leave as a victim, wages and benefits will continue. No employee will be subject to retaliation for taking leave under this policy.

Section 46 - South Dakota Addendum

46.1 South Dakota: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in an election, employees may take off working time to vote. Sufficient time is considered to be two (2) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed up to two (2) hours of voting leave on Election Day without loss of pay or retaliation. Where possible, supervisors should be notified of the need for leave in advance of Election Day. Supervisors may specify when leave may be taken.

Section 47 - Tennessee Addendum

47.1 Tennessee: Pregnancy Accommodations

In compliance with Tennessee Pregnant Workers Fairness Act, Way To Go Merchandising & Staffing will make reasonable accommodations for medical needs arising from pregnancy, childbirth or related medical conditions of an applicant for employment or an employee, unless the accommodation would impose an undue hardship on business operations.

Way To Go Merchandising & Staffing will not take adverse action against employees in terms, conditions or privileges of employment for requesting or using a reasonable accommodation to the known limitations for medical needs arising from pregnancy, childbirth or related conditions, including, but not limited to, counting an absence related to pregnancy under the attendance policy. Way To Go Merchandising & Staffing will not require employees to take leave if another reasonable accommodation can be provided to the known limitations for medical needs arising from pregnancy, childbirth or related conditions.

Reasonable accommodations include but are not limited to:

1. making existing facilities used by employees readily accessible and usable;
2. providing more frequent, longer or flexible breaks;
3. modifying food or drink policy;
4. providing modified seating or allowing employees to sit more frequently if the job requires standing;
5. providing assistance with manual labor and limits on lifting;
6. authorizing a temporary transfer to a vacant position;
7. providing job restructuring or light duty, if available;
8. acquiring or modifying equipment, devices or work stations;
9. modifying work schedules;
10. allowing flexible scheduling for prenatal visits; and
11. providing a private place, other than a bathroom stall, for the purpose of expressing milk.

Way To Go Merchandising & Staffing reserves the right, to the maximum extent permitted by applicable law, to request medical certification from a healthcare professional if an individual is requesting a reasonable accommodation related to temporary transfer to a vacant position, job restructuring, light duty or accommodations that require time away from work. Way To Go Merchandising & Staffing will engage in an interactive process with the individual to determine if a reasonable accommodation can be provided, absent undue hardship, while the individual is making a good faith effort to obtain the medical certification. Way To Go Merchandising & Staffing will not take adverse action against employees related to their need for accommodation while they are engaging in good faith efforts to obtain medical certification.

Any questions about or requests for a reasonable accommodation pursuant to this policy, should be directed to the Head of Human Resources.

47.2 Tennessee: Abusive Conduct Prevention

At Way To Go Merchandising & Staffing all employees have the right to be treated with dignity and respect. Way To Go Merchandising & Staffing does not tolerate and prohibits abusive conduct in the workplace. These behaviors are unacceptable in the workplace and in any work-related settings such as business trips and Way To Go Merchandising & Staffing-sponsored social functions.

Abusive Conduct Defined

Abusive conduct is defined under this policy as acts or omissions that would cause a reasonable person, based on the severity, nature and frequency of the conduct, to believe that the employee was subject to an abusive work environment, which can include but is not limited to:

- repeated verbal abuse in the workplace, including derogatory remarks, insults and epithets;
- verbal, nonverbal or physical conduct of a threatening, abusive, violent, intimidating or humiliating nature in the workplace; or
- the sabotage or undermining of the employee's work performance in the workplace.

Abusive conduct does not include:

- disciplinary procedures in accordance with adopted Way To Go Merchandising & Staffing policies;
- routine coaching and counseling, including feedback about and correction of work performance;
- reasonable work assignments, including shift, post and overtime assignments;
- individual differences in styles of personal expression;
- passionate, loud expression with no intent to harm others;
- differences of opinion on work-related concerns; and
- the non-abusive exercise of managerial prerogative.

Reporting Procedures

If employees believe someone has violated this policy, they should promptly bring the matter to the immediate attention of the Head of Human Resources. Every supervisor who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy, must immediately report the issues raised or conduct to the Head of Human Resources.

Investigation Procedures

Upon receiving a complaint, Way To Go Merchandising & Staffing will promptly conduct an investigation into the facts and circumstances of any claim of a violation of this policy. Employees who file complaints will not suffer negative consequences for reporting others for inappropriate behavior. To the extent

possible, Way To Go Merchandising & Staffing will endeavor to keep confidential each party involved in the investigation. However, complete confidentiality may not be possible in all circumstances. Employees are required to cooperate in all investigations conducted pursuant to this policy. Way To Go Merchandising & Staffing will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if Way To Go Merchandising & Staffing determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension or immediate termination.

Retaliation

Way To Go Merchandising & Staffing will not tolerate retaliation, including any act of reprisal, interference, restraint, penalty, discrimination, intimidation or harassment against an individual or individuals exercising their rights under this policy.

Employees with questions or concerns regarding this policy should contact the Head of Human Resources.

47.3 Tennessee: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in an election, employees may take off working time to vote. Sufficient time is considered to be four (4) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed up to four (4) hours of voting leave on Election Day without loss of pay or retaliation. Supervisors must be notified of the need for leave in advance of Election Day (at least before 12:00 p.m. the day before the election). Supervisors may specify when leave may be taken.

Additionally, an employee that is appointed by the county election commission to prepare and maintain voting machines who works full time for the Company is entitled to unpaid leave for the days required to perform technician duties, without being required to use vacation or other PTO for the days performing such technician duties.

47.4 Tennessee: Jury Duty Leave

Jury Duty Leave (applies to employers with 5 or more employees)

The Company realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law without retaliation. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court and jury duty lasts less

than three (3) hours. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

The Company will provide paid time off, less fees received from the court, while serving on jury duty. Employees will not be required to use accrued paid time off while serving on jury. Exempt employees will be paid as necessary to comply with federal and state wage and hour laws.

47.5 Tennessee: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to respond to an emergency as a volunteer firefighter or rescue squad worker. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws.

Section 48 - Texas Addendum

48.1 Texas: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in an election, employees may take off working time to vote. Sufficient time is considered to be two (2) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed reasonable voting leave on Election Day without loss of pay or retaliation. Where possible, supervisors should be notified of the need for leave in advance.

Section 49 - Utah Addendum

49.1 Utah: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a statewide election, employees may take off working time to vote. Sufficient time is considered to be three (3) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed up to two (2) hours of voting leave on Election Day without loss of pay or retaliation. Supervisors must be notified of the need for leave in advance of Election Day. Supervisors may specify which hours the employee may be absent, unless the employee requests for time off to be taken at the beginning or end of their shift.

49.2 Utah: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to respond to an emergency as an emergency services volunteer. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees may be required to provide [The Company] with a written statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated for taking time off pursuant to this policy.

Section 50 - Vermont Addendum

50.1 Vermont: Pregnancy Accommodations

In compliance with Vermont law, Way To Go Merchandising & Staffing will endeavor to reasonably accommodate the needs of employees for a pregnancy-related condition, unless doing so would impose an undue hardship on Way To Go Merchandising & Staffing. For purposes of this policy, "pregnancy-related condition" means a limitation of the employee's ability to perform the functions of a job caused by pregnancy, childbirth or a medical condition related to pregnancy or childbirth.

Reasonable accommodations for the employee, may include, but are not limited to:

1. bathroom breaks;
2. breaks for increased water intake;
3. periodic rest;
4. access to a chair or stool;
5. assistance with specific duties;
6. temporary transfers to less strenuous or hazardous work;
7. a private, clean space for breast feeding;
8. time off for prenatal appointments; or
9. time off to recover from medical conditions related to pregnancy or childbirth.

Any employee with questions about this policy or who needs to request an accommodation due to pregnancy, childbirth or a related medical condition should contact the Head of Human Resources.

50.2 Vermont: Family And Medical Leave (For Employers Covered By The FMLA)

VERMONT FAMILY AND MEDICAL LEAVE POLICY

For Vermont employers that are not covered by the Federal Family and Medical Leave Act.

Employees may be entitled to a leave of absence under the Vermont Family and Medical Leave Act (VT FMLA). This policy provides information concerning your rights and obligations regarding VT FMLA leave. If employees have any questions concerning VT FMLA leave, they should contact the Head of Human Resources.

I. Eligibility

VT FMLA leave is available to employees that 1) have worked for Way To Go Merchandising & Staffing in Vermont for an average of at least 30 hours a week for 12 consecutive months; **and** 2) are employed by an employer doing business in, or operating within, the state of Vermont which, for parental leave purposes, employs 10 or more employees for an average of at least 30 hours per week for 12 consecutive

months; and, for family leave purposes, employs 15 or more employees for an average of at least 30 hours per week for 12 consecutive months.

When an employee requests VT FMLA leave, or when Way To Go Merchandising & Staffing learns that an employee's leave may be for a VT FMLA-qualifying reason, Way To Go Merchandising & Staffing will notify the employee as soon as possible whether the employee is eligible to take VT FMLA leave, as explained below.

II. Leave Entitlement

The VT FMLA generally provides eligible employees with a right to leave, health insurance benefits and job restoration.

A. Basic Leave Entitlement

The VT FMLA provides eligible employees with up to 12 weeks of unpaid leave within any 12-month period:

- To care for the employee's child after birth, for pregnancy related disabilities or for placement for adoption (of a child 16 years of age or younger) - leave for this purpose is considered Parental Leave under the VFLA;
- To care for the employee's spouse, child, foster child, parent, stepchild, legal ward or parent-in-law who has a **serious illness** - leave for this purpose is considered Family Leave under the VFLA;
- Due to the employee's own **serious illness** - leave for this purpose is considered Family Leave under the VFLA.

B. Protection of Group Health Insurance Benefits

During VT FMLA leave, employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

C. Restoration of Employment and Benefits

At the end of VT FMLA leave, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms subject to applicable exceptions. For example, the Way To Go Merchandising & Staffing is not required to offer reinstatement if the employee performed unique services, and hiring a permanent replacement during the leave after giving reasonable notice to the employee of intent to do so was the only alternative available to Way To Go Merchandising & Staffing to prevent substantial and grievous economic injury.

Use of VT FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of leave.

III. Employee VT FMLA Leave Obligations

A. Must Provide Notice of the Need for Leave

Employees who take VT FMLA leave are expected to timely notify Way To Go Merchandising & Staffing of their need for VT FMLA leave. Notice shall include the date the leave is expected to commence and the

estimated duration of the leave. Six-weeks' notice should be provided for birth or adoption.

B. Must Submit Medical Certifications.

It is the employee's responsibility to provide Way To Go Merchandising & Staffing with timely, complete and sufficient medical certifications. Employees generally must provide requested certifications within 15 calendar days, unless it is not practicable to do so despite an employee's diligent, good faith efforts. Way To Go Merchandising & Staffing shall inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least 7 calendar days to cure deficiencies. Way To Go Merchandising & Staffing will deny VT FMLA leave to employees who fail to submit requested medical certifications or fail to cure deficiencies in a reasonable amount of time.

Subject to applicable law, with the employee's authorization, Way To Go Merchandising & Staffing (through individuals other than an employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify a medical certification. If employees choose not to provide t Way To Go Merchandising & Staffing with such authorization, Way To Go Merchandising & Staffing may deny VT FMLA leave.

Employees returning to work from a VT FMLA leave due to their own serious illness must provide Way To Go Merchandising & Staffing with a fitness for duty certification confirming they are able to return to work and describing any work restrictions. Way To Go Merchandising & Staffing may delay and/or deny job restoration until employees provide a fitness for duty certification.

C. May Substitute Paid Leave for Unpaid VT FMLA Leave

Employees may elect to "substitute" up to 6 weeks of accrued paid time off (vacation, sick days, etc.) for unpaid VT FMLA leave, but are not required to do so. An employee's decision to decline substitution of paid leave for unpaid VT FMLA leave time does not extend the length of the VT FMLA leave. In addition, the substitution of paid time for unpaid VT FMLA leave time does not extend the length of leave and the paid time will run concurrently with an employee's leave entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any VT FMLA leave entitlement.

D. Pay Employee's Share of Health Insurance Premiums

During VT FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Normally, Way To Go Merchandising & Staffing will deduct the employee's portion of the group health plan premium from the employee's paycheck as if the employee was actively working. If VT FMLA leave is unpaid, employees must pay their portion of the group health premium through a method determined by the Way To Go Merchandising & Staffing upon leave.

Way To Go Merchandising & Staffing's obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If an employee's payment is more than 15 days late, Way To Go Merchandising & Staffing will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date.

If employees do not return to work within 30 calendar days at the end of the leave period (unless related to circumstances beyond their control), they will be required to reimburse Way To Go Merchandising &

Staffing for the cost of the premiums Way To Go Merchandising & Staffing paid for maintaining coverage during their unpaid VT FMLA leave.

E. Must Report Periodically Concerning Intent to Return to Work.

Employees must contact Way To Go Merchandising & Staffing periodically every other Tuesday ***[specify other schedule if desired]*** regarding their status and intention to return to work at the end of the VT FMLA leave period. If an employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide Way To Go Merchandising & Staffing with notice within 2 business days of the changed circumstances and new return to work date. If employees give Way To Go Merchandising & Staffing notice of their intent not to return to work, Way To Go Merchandising & Staffing no longer is required to maintain health benefits or to restore the employee to their job.

IV. Questions and/or Complaints about VT FMLA Leave

If you have questions regarding this policy, please contact Human Resources. Way To Go Merchandising & Staffing is committed to complying with the VT FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the VT FMLA.

50.3 Vermont: Discrimination And Non-Harassment (Including Sexual Harassment)

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race; color; creed; religion; national origin; ancestry; citizenship status; age; sex or gender (including pregnancy, childbirth, and pregnancy-related conditions); gender identity or expression (including transgender status); sexual orientation; marital status; military service and veteran status; physical or mental disability; genetic information; or any other characteristic protected by applicable federal, state, or local laws (referred to as “protected characteristics”). Such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate the personal morality of employees, but to ensure that no one harasses another individual in the workplace, including while on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises), or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived

protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails), or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that violate this policy include:

- Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters, and drawings;
- Sexually explicit emails or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome sexually related comments;
- Conversation about one's own or someone else's sex life;
- Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

Reporting Procedures

If employees have been subjected to or witnessed conduct which violates this policy, they should immediately report the matter to the Head of Human Resources. (Phone numbers and addresses are available through Way To Go Merchandising & Staffing directory.) If they are unable for any reason to contact this person, or if they have not received an initial response within five (5) business days after reporting any incident of what they perceive to be harassment, they should contact the CFO. (Phone

numbers and addresses are available through Way To Go Merchandising & Staffing directory.) If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If employees feel they have been subjected to any such retaliation, they should report it in the same manner in which they would report a claim of perceived harassment under this policy.

Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

While employees are encouraged to report claims internally, if they believe they have been subjected to sexual harassment or other harassment in violation of state law, they may file a formal complaint with the government agency or agencies set forth below. Using Way To Go Merchandising & Staffing's complaint process does not prohibit the employee from filing a complaint with these agencies:

Vermont Attorney General's Office Civil Rights Unit, 109 State Street Montpelier, Vermont 05609; (802) 828-3171

United States Equal Employment Opportunity Commission (EEOC), JFK Federal Building, Room 475 Boston, Massachusetts 02203; (617) 565-3200

50.4 Vermont: School Attendance Leave

Way To Go Merchandising & Staffing will grant employees who are parents or guardians of school-age children up to four (4) hours of unpaid leave during any 30-day period and up to 24 hours of unpaid leave in a 12-month period to:

- participate in activities at their children's school directly related to academic educational advancement;
- attend to or accompany the employee's child to routine medical or dental appointments;
- accompany the employee's parent, spouse or parent-in-law to other appointments for professional services related to their care and well-being; and
- respond to a medical emergency involving the employee's child, parent, spouse or parent-in-law.

Leave must be taken in a minimum of two-(2)-hour segments. At least seven (7) days' advance notice is required and the employee is required to make a reasonable effort to schedule such appointments outside of regular work hours. Employees must first use accrued paid time off for this purpose.

50.5 Vermont: Time Off For Crime Victims

An eligible employee may take unpaid time off from work to attend a deposition or court proceeding related to:

- a criminal proceeding, when the employee is a victim and the employee has a right or obligation to appear at the proceeding;
- a relief from abuse hearing when the employee seeks the order as plaintiff;
- a hearing concerning an order against stalking or sexual assault when the employee seeks the order as plaintiff; or
- a relief from abuse, neglect, or exploitation hearing when the employee is the plaintiff.

Employees are entitled to leave under this policy if and:

- the employee is the victim of the crime at issue in the proceedings;
- the employee is the victim's spouse, child, sibling, parent, next of kin, domestic partner, or legal guardian;
- the victim is a minor, incompetent, or a homicide victim and the employee is the victim's spouse, child, sibling, parent, next of kin, domestic partner, or legal guardian; or
- the employee is the victim's representative.

This leave is in addition to any available Vermont parental and family leave. Employees may substitute any accrued vacation, sick or other time off for leave under this policy. During leave, benefit coverage will continue, provided the employee makes any required employee contributions. Employees will return from leave to the same or comparable job at the same level of compensation, employment benefits, seniority, or any other term or condition of employment existing on the day leave began. No employee will be subject to termination or discipline for taking leave under this policy.

Victims of Domestic Abuse, Sexual Assault, and Related Crimes Leave

An employee that has been continuously employed for a period of 6 months for an average of at least 20 hours per week may take unpaid leave for the purpose of attending a deposition or court proceeding related to:

- a criminal proceeding, when the employee is a victim, and the employee has a right or obligation to appear at the proceeding;
- a relief from abuse hearing when the employee seeks the order as plaintiff;
- a hearing concerning an order against stalking or sexual assault when the employee seeks the order as plaintiff; or
- a relief from abuse, neglect, or exploitation when the employee is the plaintiff.

This leave is in addition to any available Vermont parental and family leave. Employees may substitute any accrued vacation, sick or other time off for leave under this policy. During leave, benefit coverage will continue, provided the employee makes any required employee contributions. Employees will return

from leave to the same or comparable job at the same level of compensation, employment benefits, seniority, or any other term or condition of employment existing on the day leave began. No employee will be subject to discrimination or retaliation for taking leave under this policy.

Section 51 - Virginia Addendum

51.1 Virginia: Pregnancy Accommodations

In compliance with Virginia law, Way To Go Merchandising & Staffing will provide reasonable accommodation to the known limitations of a person related to pregnancy, childbirth, or related medical conditions, unless Way To Go Merchandising & Staffing can demonstrate that the accommodation would impose an undue hardship on Way To Go Merchandising & Staffing.

Way To Go Merchandising & Staffing will not:

- Take adverse action against individuals who request or use a reasonable accommodation pursuant to this policy, including failure to reinstate any such employee to their previous position or an equivalent position with equivalent pay, seniority, and other benefits when the need for a reasonable accommodation ceases;
- Deny employment or promotion opportunities to an otherwise qualified individual because Way To Go Merchandising & Staffing will be required to make reasonable accommodation to the known limitations of such individual related to pregnancy, childbirth, or related medical conditions; or
- Require employees to take leave if another reasonable accommodation can be provided to the known limitations related to the pregnancy, childbirth, or related medical conditions.

Way To Go Merchandising & Staffing will endeavor to engage in a timely, good faith interactive process with employees who request an accommodation pursuant to this section to determine if the requested accommodation is reasonable and, if such accommodation is determined not to be reasonable, discuss alternative accommodations that may be provided.

Reasonable Accommodations

Reasonable accommodations may include, but are not limited to:

1. More frequent or longer bathroom breaks;
2. Breaks to express breast milk;
3. Access to a private location other than a bathroom for the expression of breast milk;
4. Acquisition or modification of equipment or access to or modification of employee's seating;
5. A temporary transfer to a less strenuous or hazardous position;
6. Assistance with manual labor;
7. Job restructuring;
8. A modified work schedule;
9. Light duty assignments; and
10. Leave to recover from childbirth.

Any questions about or requests for a reasonable accommodation pursuant to this policy, should be directed to the Head of Human Resources.

51.2 Virginia: Reasonable Accommodation For Persons With Disabilities

Reasonable Accommodation For Persons With Disabilities

In accordance with the Virginia Human Rights Act (the "Act"), employees have the right to reasonable accommodations for disabilities and to be free from unlawful discriminatory practices based on disability.

Under the Act, Way To Go Merchandising & Staffing may not:

- refuse to make reasonable accommodation to the known physical and mental impairments of an otherwise qualified person with a disability, if necessary to assist such person in performing a particular job, unless Way To Go Merchandising & Staffing can demonstrate that the accommodation would impose an undue hardship on Way To Go Merchandising & Staffing;
- take adverse action against an employee who requests or uses a reasonable accommodation pursuant to this section;
- deny employment or promotion opportunities to an otherwise qualified applicant or employee because Way To Go Merchandising & Staffing will be required to make reasonable accommodation for a person with a disability;
- require an employee to take leave if another reasonable accommodation can be provided to the known limitations related to the disability; or
- fail to engage in a timely, good faith interactive process with an employee who has requested an accommodation pursuant to this section to determine if the requested accommodation is reasonable and, if such accommodation is determined not to be reasonable, discuss alternative accommodations that may be provided.

In determining whether an accommodation would constitute an undue hardship upon Way To Go Merchandising & Staffing, the following will be considered:

- hardship on the conduct of Way To Go Merchandising & Staffing's business, considering the nature of Way To Go Merchandising & Staffing's operation, including composition and structure of Way To Go Merchandising & Staffing's workforce;
- size of the facility where employment occurs;
- the nature and cost of the accommodations needed, taking into account alternative sources of funding or technical assistance available by way of the vocational services offered by the state Department for Aging and Rehabilitative Services;
- the possibility that the same accommodations may be used by other prospective employees; and
- safety and health considerations of the person with a disability, other employees and the public.

If employees have any questions about or would like to request a reasonable accommodation pursuant to this policy, they should contact the Head of Human Resources.

51.3 Virginia: Time Off For Crime Victims

An eligible employee that is a victim of a crime may take unpaid time off from work to be present at all criminal proceedings involving a crime at which a victim has the right or opportunity to appear if:

- the employee has suffered physical, psychological or economic harm as a direct result of the commission of a felony, assault and battery, maiming or driving while intoxicated; or
- the employee has suffered physical, psychological or economic harm as a direct result of the commission of stalking, sexual battery, or attempted sexual battery;
- the employee is the spouse or child of the victim;
- the victim is a minor and the employee is the victim's parent or legal guardian; or
- the victim is physically or mentally incapacitated or was a homicide victim and the employee is the victim's spouse, parent, sibling, or legal guardian.

The employee may take leave only if the employee has provided the employer with a copy of the form provided to the employee by the applicable law-enforcement agency and, if applicable, provided the employer a copy of the notice of each scheduled criminal proceeding that is provided to the employee as victim.

Employees may substitute any accrued vacation, sick or other time off for the leave under this policy. No employee will be subject to discharge or any other adverse personnel action for taking leave under this policy.

51.4 Virginia: Organ Donation Leave

Employees who have worked for the Company for at least one (1) year and worked at least 1,250 hours in the preceding 12 months, may request unpaid time off to donate organs, including bone barrow donation. Employees may take up to sixty (60) business days of leave in any 12-month period to serve as organ donors and up to thirty (30) business days to serve as bone marrow donors.

Leave taken under the donor leave law does not run concurrently with leave taken under the federal Family and Medical Leave Act. However, accrued paid time off may be used during this leave, subject to the terms of the paid time off policy. Employees are required to submit written physician verification that the employee is an organ donor or bone marrow donor and there is a medical necessity for the donation.

Absences taken under the donor leave law will not be considered a break in employment for purposes of seniority, salary adjustments, or accrual of vacation time, sick leave, or other leave benefits. While an employee is on leave, the company will maintain the employee’s health benefit coverage. When the employee returns from leave, they will be restored to the same or an equivalent job position as held prior to the leave. The Company prohibits retaliation against any employee that takes leave in accordance with this policy.

Section 52 - Washington Addendum

52.1 Washington: About This Handbook/Disclaimer

If any employee's primary place of employment is in the State of Washington or if the employee is otherwise a Washington-based employee (as defined by applicable law) and makes less than twice the minimum wage of the State of Washington, nothing in Way To Go Merchandising & Staffing's Employee Handbook, codes of conduct, conflict-of-interest policies, and/or any other policies applicable to the employee, nor any agreements between the employee and Way To Go Merchandising & Staffing, shall restrict, restrain, or prohibit the employee from having an additional job, supplementing their income by working for another employer, working as an independent contractor, or being self-employed unless such outside activity: (1) raises issues of safety for the employee, the employee's coworkers, or the public, or (2) interferes with the reasonable and normal scheduling expectations of Way To Go Merchandising & Staffing. For the sake of clarity, the foregoing provision is not intended to denigrate or lessen any statutory duties that the employee owes to Way To Go Merchandising & Staffing (such as those arising under Wash. Rev. Code ch. 19.108) or the common law duty of loyalty the employee owes to Way To Go Merchandising & Staffing (as applied to the employee based on the particular circumstances of the employee's employment). To the extent any policy or agreement conflicts with the foregoing provisions, the foregoing provisions shall control.

If the employee's primary place of employment is in the State of Washington or if the employee is otherwise a Washington-based employee (as defined by applicable law), nothing in Way To Go Merchandising & Staffing's Employee Handbook, codes of conduct, conflict of interest policies, and/or any other policies applicable to the employee, nor any agreements between the employee and Way To Go Merchandising & Staffing, shall restrict, restrain, or prohibit employee from discussing or disclosing information the employee has a right to disclose, including: (1) information regarding the employee's own compensation, wages, and/or terms and conditions of employment, and (2) information regarding conduct (or a settlement involving conduct) that the employee reasonably believes to be illegal discrimination, illegal harassment, illegal retaliation, a wage and hour violation, sexual assault, or a recognized violation of a clear mandate of public policy. To the extent any policy or agreement conflicts with the foregoing provisions, the foregoing provisions shall control.

52.2 Washington: Meals And Rest Periods (For Non-Exempt Employees)

Rest Breaks

Non-exempt employees who work at least four (4) hours per workday are allowed to take one (1) 10-minute rest break for every four (4) hours worked. For example, if the employee works four (4) or more hours, but not more than eight (8) hours in a workday, the employee is required to take one (1) 10-minute rest break during the first four (4) hours of the shift. If the employee works eight (8) hours or more, but

no more than 12 hours in a day, the employee is required to take two (2) 10-minute rest breaks, and so on.

Rest breaks should be taken as close to the middle of each work period of four (4) hours as is practical but in no event shall employees work more than three (3) consecutive hours in a four- (4-) hour work period without a rest break. Employees must take their rest breaks and are prohibited from working during their rest breaks. Employees are paid for all rest break periods and do not need to clock out when taking a rest break.

Rest breaks may not be combined with each other or with the meal period. In addition, rest breaks may not be taken at the beginning or end of the workday to arrive late or leave early. Unless otherwise instructed, rest breaks are self-directed and unscheduled and may be taken as time allows on either a continuous or intermittent basis (e.g., two (2) to three (3) "mini" breaks totaling 10 minutes). Examples of "mini" rest breaks are personal phone calls, eating a snack, having a cup of coffee, personal conversations, smoke breaks, and whenever the employee has the opportunity to take a break for a few minutes or more during a shift. It is a mandatory job duty for employees to advise the Head of Human Resources if they feel they do not have adequate opportunity for rest breaks, if they miss a rest break, or if they feel pressured to skip their rest breaks so they can be properly compensated.

Meal Periods

Non-exempt employees who work more than five (5) consecutive hours in a workday are provided an unpaid, off-duty and uninterrupted meal period of at least 30 minutes which must start no earlier than two (2) hours, but not more than five (5) hours after the start of their shift. For example, if the employee starts their day at 10:00 a.m., the first meal period must start no earlier than 12:00 p.m. and no later than 3:00 p.m. Thereafter, a meal period of at least 30 minutes is required for each five (5) consecutive hours worked during the workday. For example, if the employee starts their day at 10:00 a.m., and takes their first meal period between 2:30 p.m. and 3:00 p.m., the employee must start a second meal period no later than 8:00 p.m. —i.e., within five (5) hours after the end of their first meal period.

Employees working three (3) or more hours longer than their normal workday will be allowed one (1) 30-minute meal period prior to or during the extended portion of their shift. For purposes of this requirement, a normal workday is the shift the employee is regularly scheduled to work.

Employees are responsible for scheduling their own meal periods but should discuss strategies and plans for ensuring their meal periods with their supervisor(s) as needed. When scheduling meal periods, employees should try to anticipate their workflow and deadlines but must take their meal periods in accordance with the above timing requirements, and in no event should any employee work more than five (5) consecutive hours without a meal period (unless the meal period is voluntarily waived). During a meal period, employees are relieved of all duties and should not work during this time. When taking a meal period, employees should completely stop working for at least 30 continuous minutes. Employees are prohibited from working "off the clock" during their meal period.

Those employees who use a time clock must clock out for their meal periods. Employees are required to clock back in and promptly return to work at the end of any meal period. Employees who record their time manually must accurately record their meal periods by recording the beginning and end of each work period. Employees must immediately notify the Head of Human Resources if they believe that they

are prevented by the nature of their work from taking a timely and/or complete meal period so that they can be properly compensated.

If any employee's meal period is interrupted due to the employee performing a task, upon completion of the task, the meal period will be continued until the employee has received 30 minutes total of mealtime (with the entire meal period being paid and reported as hours worked, and the time spent performing the task not being considered part of the meal period). Employees must immediately notify the Head of Human Resources if they had their meal period interrupted so that they can be properly compensated and paid for their time.

Meal Period Waiver

Non-exempt employees are encouraged to take their meal periods. However, with the Way To Go Merchandising & Staffing's permission, employees may be allowed to voluntarily waive their meal periods, and if they wish to do so on a standing basis, should complete a form documenting the same. Employees who execute a standing waiver can revoke this waiver at any time, either on an occasional or continuing basis. employee should contact the Head of Human Resources to obtain this waiver form.

Employees who do not waive their meal periods on a standing basis may also be allowed to waive their meal periods on a one-off, situational basis. For example, any employee who has 10 minutes left on their shift when they are approaching the five (5) continuous hours of work threshold (and would otherwise be required to take a full 30-minute meal period), may want to waive their meal period on that single occasion, rather than clock out for a full 30 minutes, only to return to work for the remaining 10 minutes left in their shift.

No Working During Rest Breaks and Meal Periods

Non-exempt employees are completely relieved of all work duties and responsibilities during their rest breaks and meal periods. Where practicable, rest breaks and meal periods should be taken outside employees' work areas, such as in a break room. Employees may leave the premises during meal periods but may not leave the premises during rest periods. Employees should not visit or socialize with employees who are working while taking their rest break or meal period. Employees are required to notify the Head of Human Resources immediately if they believe they are being pressured or coerced by any supervisor or other employee to forego any portion of a rest break or meal period and/or to not report any missed, interrupted, or non-compliant rest breaks or meal periods.

Summary Chart

Below is a chart that generally summarizes the number of rest breaks and meal periods provided to employees **(these figures may vary depending on the timing of the employees' breaks).**

Hours of Work	Rest Breaks	Meal Breaks
Less than 4 hours	0	0
4 hours – 4 hours 59 min	1	0
5 hours – 7 hours 59 min	1	1
8 hours – 9 hours 59 min	2	1*
10 hours – 11 hours 59 min	2	2*
12 hours – 14 hours 59 min	3	2*
15 hours – 15 hours 59 min	3	3*
16 hours – 19 hours 59 min	4	3*

20 hours – 23 hours 59 min	5	4*

* As detailed above, the timing of any meal periods after the first meal period varies depending on when the employee took a first meal period. For example, any employee taking their first meal period between hour three (3) and hour three and a half (3.5) in their shift is due a second meal period no later than five (5) hours after the end of their first meal period—i.e., eight and a half (8.5) hours into their shift.

52.3 Washington: Pregnancy Accommodations

In compliance with Washington law, Way To Go Merchandising & Staffing will not discriminate against the employee in relation to pregnancy and pregnancy-related health conditions. Way To Go Merchandising & Staffing will endeavor to provide reasonable accommodations for conditions related to pregnancy and pregnancy-related health conditions, including the need to express breast milk. Reasonable accommodations include:

1. providing more frequent, longer or flexible restroom breaks;
2. modifying a no food or drink policy;
3. job restructuring, part-time or modified work schedules, reassignment to a vacant position or acquiring or modifying equipment, devices or the employee's work station;
4. providing seating or allowing the employee to sit more often if the employee's job requires the employee to stand;
5. providing for a temporary transfer to a less strenuous or less hazardous position;
6. providing assistance with manual labor and limits on lifting;
7. scheduling flexibility for prenatal visits;
8. providing reasonable break time for an employee to express breast milk each time the employee needs to express the milk and providing a private location, other than a bathroom; and
9. any further pregnancy accommodation the employee may request, and to which Way To Go Merchandising & Staffing must give reasonable consideration in consultation with information provided on pregnancy accommodation by the Washington Department of Labor and Industries or the attending health care provider of the employee.

Way To Go Merchandising & Staffing may request that the employee provide a written certification from the employee's treating health care professional regarding the need for reasonable accommodation except for accommodations listed in points 1, 2, 4, and 8 above or limits on lifting in point 6 of more than 17 pounds. The employer may refuse accommodations listed in points 3, 5, 6 (for lifting, only if involves 17 pounds or less), 7, 8, and 9 if the accommodation would pose an undue hardship on Way To Go Merchandising & Staffing's program, enterprise or business.

Way To Go Merchandising & Staffing is not required to create additional employment that would not otherwise have been created or discharge any employee, transfer any employee with more seniority or promote any employee who is not qualified to perform the job, unless Way To Go Merchandising & Staffing does so or would do so for other classes of employees who need accommodation.

Way To Go Merchandising & Staffing will not take adverse action against the employee who requests, declines or uses an accommodation under this policy. Further, Way To Go Merchandising & Staffing will not deny employment opportunities to an otherwise qualified employee or prospective employee if such

denial is based on Way To Go Merchandising & Staffing's need to reasonably accommodate the employee's or prospective employee's condition related to pregnancy, childbirth or a related medical condition. Additionally, Way To Go Merchandising & Staffing will not require the employee to take leave if another reasonable accommodation can be provided for the employee's pregnancy and pregnancy-related health conditions.

If employees have any questions about or would like to request a reasonable accommodation pursuant to this policy, they should contact the Head of Human Resources.

52.4 Washington: Tacoma Paid Leave (For Employees Also Covered Under Washington Paid Sick Leave Law)

Eligibility

Way To Go Merchandising & Staffing provides paid sick leave (PSL) to employees who work in Tacoma.

For employees who work in Tacoma who are eligible for sick time under the general Sick Days policy and/or any other applicable sick time/leave ordinance, this policy applies solely to the extent it provides greater benefits or rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time or leave ordinance.

Accrual

Employees begin accruing PSL pursuant to this policy at the start of employment. Eligible employees will accrue one (1) hour of PSL for every 40 hours worked. Exempt employees will be presumed to work 40 hours in each workweek for accrual purposes unless their normal workweek is less than 40 hours, in which case accrual will be based on that normal workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may begin using PSL on the 90th calendar day of employment. PSL may be used in minimum increments of one (1) hour.

The employee may use PSL for the following qualifying absences:

1. An absence resulting from the employee's mental or physical illness, injury, or health condition; to accommodate medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition or preventive medical care;
2. Care for a family member with a mental or physical illness, injury, or health condition; care for a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care;
3. When the employee's place of business has been closed by order of a public official for any health-related reason, or when the employee's child's school or place of care has been closed for such a health-related reason or after the declaration of an emergency by a local or state government or agency, or by the federal government;
4. To enable the employee to seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's family members, including but not limited

to preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime;
5. To enable the employee to obtain, or assist a family member in obtaining services from a domestic violence shelter, rape crisis center, or other social services program for relief from domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime;
6. To enable the employee to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime;
7. To enable the employee to take leave for bereavement for the death a family member; or
8. To allow the employee to prepare for or participate in any judicial or administrative immigration proceeding involving the employee or employee's family member.

For purposes of this policy, "family member" includes:

- A child, including a biological child, adopted child, foster child, stepchild, a child's spouse, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;
- A parent, including a biological parent, adoptive parent, de facto parent, foster parent, stepparent, or legal guardian of the employee or the employee's spouse or registered domestic partner or a person who stood in loco parentis when the employee was a minor child;
- A spouse;
- A registered domestic partner;
- A grandparent;
- A grandchild;
- A sibling;
- Any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care; or
- For purposes of absences related to domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime, "family member" also includes former spouses or domestic partners, adults related by blood or marriage, adults presently residing together or who have previously resided together and have ever dated, persons 16 years or older who dated someone 16 years or older, and any other person with whom the employee has a dating relationship.

Unless the employee advises Way To Go Merchandising & Staffing otherwise, Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available PSL for absences for reasons set forth above and employees will be paid for such absences to the extent they have PSL available.

Employees will be notified of available PSL each time wages are paid on employee pay stubs and/or electronically.

Notice and Documentation

If the need for PSL is foreseeable, the employee must provide written notice at least 10 days in advance or as early as possible in advance of the leave. Employees must make a reasonable effort to schedule this leave in a manner that does not unduly disrupt business operations. If the need for PSL is

unforeseeable, the employee must provide notice as soon as it is practicable and must comply with Way To Go Merchandising & Staffing's Punctuality and Attendance policy.

For absences exceeding three (3) days, Way To Go Merchandising & Staffing may require verification that the employee's use of PSL is for an authorized purpose. If verification is required, it must be provided within a reasonable time period during or after the leave. If Way To Go Merchandising & Staffing requires employees to give reasonable notice of an absence from work for the use of PSL for an authorized purpose under the Domestic Violence Leave Act, Wash. Rev. Stat. ch. 49.76, any such reasonable notice requirements will comply with state law.

Specifically, when leave is needed for the employee's own illness or injury or to care for a family member's illness or injury, the employee may be required to provide a certification from a medical provider supporting the need for PSL. When leave is needed for bereavement purposes, the employee may be required to provide verification of the funeral date and location as well as relation to the deceased. When leave is needed for a child because of their school closure by a public official, the employee may be required to provide a letter from the child's school confirming the dates of closure.

When leave is needed for judicial or administrative immigration proceeding, the employee may submit documentation that the employee or the employee's family member is involved in a qualifying immigration proceeding from any of the following persons from whom the employee or employee's family member sought assistance in addressing the proceeding: an advocate for immigrants or refugees, an attorney, a member of the clergy, or other professional.

When leave is needed for reasons related to domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime, the employee may be required to provide legal documentation supporting the need for PSL.

Alternatively, for leave needed for any of the eight (8) reasons set forth above, employees may provide a signed personal statement that they need or needed PSL for a qualifying purpose, and if applicable, the employee's relationship to the family member for whom leave is needed. The documentation or written statement supporting leave needed for judicial or administrative immigration proceeding must not disclose any personally identifiable information about a person's immigration status or underlying immigration protection.

Documentation must be provided within seven (7) calendar days of the employee taking PSL, unless, for good cause shown or as otherwise permitted by Way To Go Merchandising & Staffing, the employee requires more time to provide such documentation. Failure to comply with the reasonable documentation requirements, without a reasonable justification, may result in denial of pay for absences already taken, recoupment of the amount paid for PSL from future pay as an overpayment, or otherwise taking appropriate disciplinary action to the extent permitted by applicable law.

Employees have the right to assert that the verification requirement results in an unreasonable burden or expenses on the employee. If the employee anticipates that the requirement will result in an unreasonable burden or expense, the employee may provide an oral or written explanation that asserts that the employee's use of PSL was for a covered purpose and how the verification requirement creates an unreasonable burden or expense on the employee.

Payment

PSL will be paid at the same rate as the employee earns from their employment at the time the employee uses such leave, unless otherwise required by applicable law. Use of PSL is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

The employee may carry over up to 40 hours of accrued, unused PSL under this policy to the following calendar year. Accrued but unused PSL under this policy will not be paid at separation.

Enforcement and Retaliation

Way To Go Merchandising & Staffing prohibits any threat, discharge, suspension, demotion, or other adverse employment action against the employee for the exercise of any right under this policy or interference with, or punishment for, participating in any manner in an investigation, proceeding, or hearing under this policy.

If employees have any questions regarding this policy, they should contact the Head of Human Resources and/or the CFO.

52.5 Washington: Seattle Paid Sick And Safe Time (For Employees Also Covered Under Washington Paid Sick Leave)

Eligibility

Employees who work within the City of Seattle will be provided with paid sick and safe time (PSST) in accordance with the Seattle Paid Sick and Safe Time Ordinance (Ordinance) (Seattle, Wash., Mun. Code ch. 14.16) and the Washington State Paid Sick Leave Law, Wash. Rev. Stat. § 49.46.020. For employees who work in Seattle who are eligible for sick time under the general Sick Days policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits or rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time or leave law or ordinance.

Accrual

Employees begin to accrue PSST pursuant to this policy from the date of hire. Eligible employees accrue PSST at a rate of one (1) hour for every 40 hours worked based on Way To Go Merchandising & Staffing's status as a Tier 2 employer. In the case of exempt employees, PSST will only accrue for hours worked up to a 40-hour workweek. If their normal work in a work week is less than 40 hours, PSST accrues based on that employee's normal work week. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Eligible employees are entitled to use accrued PSST beginning on the 90th calendar day after the commencement of their employment. For non-exempt employees, PSST may be used in 1-hour increments; for exempt employees, PSST may be used in a minimum increment of one (1) hour and then 15-minute increments thereafter.

PSST may be used for the following reasons:

- An absence resulting from the employee's mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or the employee's need for preventive medical care;
- To allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; care for a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care;
- When public health officials recommend that employees-self-quarantine;
- When the employee's place of business has reduced operations or closed because of any health or safety reason;
- When the employee needs to care for a family member whose school or place of care has been closed;
- To allow the employee to prepare for or participate in any judicial or administrative immigration proceeding involving the employee or the employee's family member; or
- For any of the following reasons related to domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime:
    1. To enable the employee to seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's family or household members including, but not limited to, preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime;
    2. To enable the employee to seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime or to attend to health care treatment for a victim who is the employee's family or household member;
    3. To enable the employee to obtain or assist a family or household member in obtaining, services from a domestic violence shelter, a rape crisis center, or another social services program for relief from domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime;
    4. To enable the employee to obtain, or assist a family or household member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault stalking, or, effective January 1, 2026, hate crime, in which the employee or the employee's family member was a victim of domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime; or
    5. To enable the employee to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or the employee's family or household members from future domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime.

For purposes of this policy, "family member" includes:

- A child, including a biological child, adopted child, foster child, stepchild, a child's spouse, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;

- A parent, including a biological parent, adoptive parent, de facto parent, foster parent, stepparent, or legal guardian of the employee or the employee's spouse or registered domestic partner or a person who stood in loco parentis when the employee was a minor child;
- A spouse;
- A registered domestic partner;
- A person with whom the employee has a dating relationship;
- A grandparent;
- A grandchild;
- A sibling; or
- Any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care.

For purposes of this policy, "household member" includes:

- Spouses and domestic partners;
- Former spouses and former domestic partners;
- Persons who have a child in common, regardless of whether they have been married or have lived together at any time;
- Adult persons related by blood or marriage;
- Adult persons who are presently residing together or who have resided together in the past;
- Persons 16 years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship;
- Persons 16 years of age or older with whom a person 16 years of age or older has or has had a dating relationship; and
- Persons who have a biological or legal parent-child relationship, including stepparents, stepchildren, grandparents, and grandchildren.

The employee's use of PSST will not be conditioned upon searching for or finding a replacement worker.

Unless the employee advises Way To Go Merchandising & Staffing otherwise, Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available PSST for absences for reasons set forth above and employees will be paid for such absences to the extent they have PSST available.

Employees will be notified (on employee pay stubs) of available PSST each time wages are paid.

Notice and Documentation

PSST will be provided upon the request of the employee. When possible, the request should include the expected duration of the absence. If the need to use PSST is foreseeable, the employee must provide a written request at least 10 days, or as early as possible, in advance of the use of PSST. Further, employees must give advance oral or written notice as soon as possible for the foreseeable use of PSST to address domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime involving the employee, a family member, or a household member.

If the need to use PSST is unforeseeable, the employee must provide notice as soon as is practicable and must comply with normal notification policies and/or call-in procedures. In the event it is impracticable

for the employee to provide notice, someone else may provide notice on their behalf. In the case of an unforeseen absence related to domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime, however, oral or written notice must be provided no later than the end of the first work day that the employee takes such leave, if possible.

The employee must provide supporting documentation if the employee uses PSST for more than three (3) consecutive work days or any parts thereof. For documentation regarding illness, injury, or health condition, Way To Go Merchandising & Staffing may request a certification, to be completed by the employee's (or family member's) health care provider, confirming their inability to work as a result of an illness, injury, or health condition or the need to care for a family member with an illness, injury, or health condition, to the extent permitted and in accordance with applicable law. For documentation of the closure of a school or place of care, the employee can provide notice of the closure in whatever format the employee received it. For verification of leave taken for domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime, the employee may provide a police report; applicable evidence from the court or the prosecuting attorney; documentation from an advocate, attorney, member of the clergy, medical, or other professional; or the employee's written statement.

Employees have the right to assert that the verification requirement results in an unreasonable burden or expenses on the employee. If the employee anticipates that the requirement will result in an unreasonable burden or expense, the employee may provide an oral or a written explanation that asserts that the employee's use of PSST was for a covered purpose and how the verification requirement creates an unreasonable burden or expense on the employee.

For documentation regarding preparation for or participation in any judicial or administrative immigration proceeding, employees may submit:

- Documentation that the employee or the employee's family member is involved in a qualifying immigration proceeding from any of the following persons from whom the employee or employee's family member sought assistance in addressing the proceeding:
    - An advocate for immigrants or refugees;
    - An attorney,
    - A member of the clergy, or
    - Other professional.
- The employee's written statement that the employee or the employee's family member is involved in a qualifying immigration proceeding and that the leave taken was for one of the purposes described in reason (4) above. The documentation or written statement must not disclose any personally identifiable information about a person's immigration status or underlying immigration protection.

Payment

PSST under this policy will be compensated at the employee's normal hourly compensation and with the same benefits as the employee would have earned during the time the PSST is taken, in accordance with the Ordinance and state law. Use of PSST is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Employees may carry over PSST from year to year, up to a maximum of 56 hours. Accrued but unused PSST will not be paid on separation.

Enforcement and Retaliation

Way To Go Merchandising & Staffing prohibits retaliation or the threat of retaliation against the employee for exercising or attempting to exercise any right to PSST in accordance with the Ordinance and state law. The Seattle Office of Labor Standards (OLS) is responsible for enforcing the Ordinance and ensuring that employees are not retaliated against for using PSST and the Washington State Department of Labor & Industries (Department) is responsible for enforcing the state law. Employees who experience a violation of PSST rights may file a complaint with the OLS or bring a civil action. The OLS also provides free technical assistance, brochures, posters, and other resources.

For more information from the OLS, employees may call 206-684-4500 or visit http://www.seattle.gov/laborstandards/ordinances/paid-sick-and-safe-time. A non-exempt employee who experiences a violation of PSST rights also may file a complaint with the Department. Employees may contact the Department online at https://www.lni.wa.gov/workers-rights/; call 1-866-219-7321, toll-free; visit https://www.lni.wa.gov/agency/contact/#office-locations; or email ESgeneral@Lni.wa.gov.

If employees have questions about PSST benefits, they should contact their supervisor.

52.6 Washington: Paid Sick Leave (For Non-Exempt Employees)

Eligibility

Way To Go Merchandising & Staffing provides paid sick leave (PSL) to non-exempt employees who work in Washington. For non-exempt employees who work in Washington who are eligible for sick time under the general Sick Days policy and/or any other applicable sick time or leave law or ordinance, this policy applies solely to the extent it provides greater benefits or rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time or leave law or ordinance.

Accrual

Employees begin accruing PSL pursuant to this policy at the start of employment. Employees accrue one (1) hour for every 40 hours worked. For purposes of this policy, the accrual period is the consecutive 12-month period beginning on January 1 and ending on December 31.

Usage

Employees may use PSL beginning on the 90th calendar day after the start of their employment. PSL may be used in 1-hour intervals.

Employees may use PSL for the following reasons:

- An absence resulting from the employee's mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or the employee's need for preventive medical care;

- To allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care;
- An absence resulting from the employee or the employee's family member being the victim of domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime, including absences to seek law enforcement assistance or participate in legal proceeding, seek treatment from a health care provider, obtain services from a social services agency assisting such victims, to obtain mental health counseling, or to participate in safety planning, relocation for safety reasons, or other actions to increase the safety from future incidents of domestic violence, sexual assault, stalking, or, effective January 1, 2026, hate crime or that otherwise qualifies under the Domestic Violence Leave Act, Wash. Rev. Code ch. 49.76 (collectively referred to in this policy as “domestic violence”);
- When the employee's place of business has been closed by order of a public official for any health-related reason or when the employee's child's school or place of care has been closed for such a reason;
- When any employee's child's school or place of care has been closed due to the declaration of an emergency by a local or state government or agency, or by the federal government; or
- To allow the employee to prepare for or participate in any judicial or administrative immigration proceeding involving the employee or the employee's family member.

For purposes of this policy, “family member” includes:

- A child, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status, or the spouse of the employee's child;
- A biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of the employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employeewas a minor child;
- A spouse;
- A registered domestic partner;
- A grandparent;
- A grandchild;
- A sibling; or
- Any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care.

For purposes of absences related to domestic violence, "family member" also includes any person with whom the employee has a dating relationship.

The employee's use of PSL will not be conditioned upon searching for or finding a replacement worker.

Unless advised otherwise by the employee, Way To Go Merchandising & Staffing will assume, subject to applicable law, that employees want to use available PSL for absences for reasons set forth above and employees will be paid for such absences to the extent they have PSL available.

Way To Go Merchandising & Staffing may withhold payment of PSL hours where the employee is demonstrated to have used PSL for an uncovered purpose, however, their available PSL hours will not be deducted.

Employees will be notified of their available PSL on each itemized wage statement.

Notice and Documentation

Employees are required to give reasonable notice of an absence from work. Employees should make a reasonable effort to schedule the use of PSL in a manner that does not unduly disrupt Way To Go Merchandising & Staffing's operations.

Requests to use PSL may be made orally, in writing, or electronically (e.g., via email), and whenever possible, the request must include the expected duration of the employee's absence.

When the use of PSL is foreseeable, the employee is required to make a good faith effort to provide notice of the need for such time to their supervisor at least 10 days in advance of the use of the PSL or as soon as practicable. Further, employees must give advance oral or written notice to the employee's supervisor as soon as possible for the foreseeable use of PSL to address domestic violence issues involving the employee or the employee's family member.

When the use of PSL is not foreseeable, the employee is required to provide notice to their supervisor as soon as possible before the start of their workday or as soon as practicable under the circumstances. In the event it is impracticable for the employee to provide notice, a person may provide notice on the employee's behalf. In the case of an unforeseen absence related to domestic violence, however, oral or written notice must be provided no later than the end of the first workday that the employee takes such leave, if possible.

For PSL of more than three (3) consecutive workdays or any parts thereof, Way To Go Merchandising & Staffing requires documentation verifying that the employee's use of PSL is for an authorized purpose. Documentation must be provided within a reasonable time period during or after the leave. Documentation should not explain the nature of the employee's or a family member's health condition or the details of the domestic violence, sexual violence, abuse, stalking, or, effective January 1, 2026, hate crime.

Employees have the right to assert that the verification requirement results in an unreasonable burden or expenses on the employee. If the employee anticipates that the requirement will result in an unreasonable burden or expense, the employee may provide an oral or written explanation to their supervisor which asserts that the employee's use PSL was for a covered purpose and how the verification requirement creates an unreasonable burden or expense on the employee.

For purposes of fulfilling a request for verification for PSL taken to prepare for or participate in any judicial or administrative immigration proceeding, the employee may submit:

- Documentation that the employee or the employee’s family member is involved in a qualifying immigration proceeding from any of the following persons from whom the employee or employee’s family member sought assistance in addressing the proceeding: an advocate for immigrants or refugees, an attorney, a member of the clergy, or other professional; or

- The employee's written statement that the employee or the employee's family member is involved in a qualifying immigration proceeding and that the leave taken was for one (1) of the purposes described above. The documentation or written statement must not disclose any personally identifiable information about a person's immigration status or underlying immigration protection.

Payment

PSL will be paid at the same hourly rate the employee earns from their employment at the time the employee uses such time, but no less than the applicable minimum wage, unless otherwise required by applicable law. Use of PSL is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

The employee may carry over up to 40 hours of accrued, unused PSL to the following calendar year. Unused PSL will not be paid at separation.

Enforcement and Retaliation

Retaliation or discrimination against the employee for the lawful exercise of PSL rights is prohibited, and employees may file a complaint with the Washington State Department of Labor & Industries (Department) against an employer who retaliates or discriminates against the employee.

Employees can contact the Department online at the following:

- File a complaint: https://secure.lni.wa.gov/wagecomplaint/#/;
- Call: 1-866-219-7321, toll-free;
- Visit: https://lni.wa.gov/agency/contact/#office-locations; or
- Email: ESgeneral@Lni.wa.gov.

Questions about rights and responsibilities under the law can be answered by the Head of Human Resources and/or the CFO.

52.7 Washington: Paid Family And Medical Leave

Eligibility

Employees who have worked 820 hours in the qualifying period (equal to 16 hours a week for a year) are eligible to apply for paid medical leave or paid family leave (collectively PFML). "Qualifying period" means the first four (4) of the last five (5) completed calendar quarters or, if eligibility is not established, the last four (4) completed calendar quarters immediately preceding the application for PFML. The 820 hours are cumulative, regardless of the number of employers or jobs someone has during a year. All paid work over the course of the year counts toward the 820 hours, including part-time, seasonal, and temporary work.

Entitlement

PFML is available to eligible employees for up to 12 weeks within any 52 consecutive week period. PFML may be used:

- To participate in providing care, including physical or psychological care, for a family member (child, grandchild, grandparent, parent, sibling, spouse, child's spouse, state registered domestic partner, or anyone who has an expectation to rely on the employee for care, whether living in the same household or not) with a serious health condition;
- To bond with the employee's child after the child's birth or after the placement of a child under the age of 18 with the employee;
- Because of any qualifying military exigency as permitted under the federal Family and Medical Leave Act (FMLA) for the employee's family member (child, grandchild, grandparent, parent, sibling, spouse, child's spouse, or state registered domestic partner of the employee);
- Because of the employee's own serious health condition; or
- Because of the death of the employee's child for whom the employee would have qualified for medical leave for the birth of the child or would have qualified for family leave to bond with the child during the seven (7) calendar days following the death.

For purposes of the above, unless the context clearly requires otherwise, "child" includes: biological, adopted, or foster child; or a stepchild or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent regardless of age or dependency status. "Parent" includes biological, adoptive, de facto, or foster parent; stepparent or legal guardian of the employee or the employee's spouse or state registered domestic partner; or an individual who stood in loco parentis to the employee when the employee was a child.

Qualifying military exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty, and attending post-deployment reintegration briefings.

If the employee faces multiple events in a year, the employee may be eligible to receive up to 16 weeks, and up to 18 weeks if the employee experiences a serious health condition during pregnancy that results in incapacity.

Leave to care for the employee's child after birth, or placement for adoption or foster care must be taken within one (1) year of the child's birth or placement. Leave for any other reason must be taken within one (1) year of the date of which the employee filed an application for the benefits.

These benefits are financed through employee contributions to the PFML program. The program is administered by the Washington Employment Security Department (ESD). Way To Go Merchandising & Staffing will calculate and withhold premiums from employees' paychecks and send both employees' shares and Way To Go Merchandising & Staffing's share, if applicable, to ESD on a quarterly basis.

While on PFML, employees are entitled to partial wage replacement at a portion of their average weekly pay. There is a waiting period of up to seven (7) consecutive calendar days of leave, but employees may use any paid time off (including vacation leave, personal leave, medical leave, sick leave, compensatory leave, or any other paid leave offered under Way To Go Merchandising & Staffing's established policy) to receive compensation during that waiting period. No waiting period is required where leave is for the medical leave for the birth parent taken upon the birth of a child, family leave for bonding after birth or placement of a child or for a military exigency. A waiting period will not reduce the maximum duration of any employee's available paid family or medical leave.

If the employee's average weekly wage is 50 percent or less of the state average weekly wage, the employee's weekly benefit is 90 percent of the average weekly wage. If the employee's weekly benefit is greater than 50 percent of the of the state average weekly wage, the weekly benefit is the sum of:

- Ninety percent of fifty percent of the state average weekly wage; and
- Fifty percent of the employee's average weekly wage that is greater than Fifty percent of the state average weekly wage.

The ESD sets the maximum weekly benefit for PFML, and it will be adjusted effective January 1 of each subsequent year as determined by the state based on 90 percent of the state's average weekly wage. Employees will be paid benefits directly by ESD rather than by Way To Go Merchandising & Staffing.

In any week in which the employee is eligible to receive benefits under Wash. Rev. Code tit. 50 (unemployment compensation) or certain provisions of Wash. Rev. Code tit. 51 (industrial insurance) or any other applicable federal unemployment compensation, industrial insurance, or disability insurance laws, the employee is disqualified from receiving PFML.

Definition of a Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves: inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider. Subject to certain conditions, the continuing treatment requirement may include, but is not limited to:

- A period of incapacity of more than three (3) consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition;
- Any period of incapacity due to pregnancy, or for prenatal care;
- Any period of incapacity or treatment for such incapacity due to a chronic serious health condition;
- A period of incapacity which is permanent or long term due to a condition for which treatment may not be effective; or
- Any period of absence to receive multiple treatments, including any period of recovery from the treatments, by a healthcare provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for: restorative surgery after an accident or other injury; or a condition that would likely result in a period of incapacity of more than three (3) consecutive, full calendar days in the absence of medical intervention or treatment, such as cancer, severe arthritis, or kidney disease.

Use of PFML

Employees do not need to use PFML in one block. PFML can be taken intermittently in minimum increments of eight (8) *(four (4) effective January 1, 2026)* consecutive hours in a week. PFML taken on an intermittent basis will not result in a reduction of the total amount of PFML to which the employee is entitled beyond the amount of PFML actually taken.

Employee Notice

Employees must provide Way To Go Merchandising & Staffing at least 30 days' written notice before PFML is to begin if the need for PFML is foreseeable based on an expected birth, placement of a child, or planned medical treatment for a serious health condition. Employees must provide Way To Go Merchandising & Staffing written notice as soon as is practicable when 30 days' notice is not possible, such as because of a lack of knowledge of approximately when PFML will be required to begin, a change in circumstances or a medical emergency. Employees must provide written notice as soon as is practicable for foreseeable PFML due to a qualifying military exigency, regardless of how far in advance such PFML is foreseeable. When the need for PFML is not foreseeable, employees must provide written notice as soon as is practicable under the facts and circumstances of the particular situation. If the employee is unable to provide notice personally, written notice may be given by another responsible party, such as the employee's spouse, neighbor, or coworker.

The employee must provide written notice to make Way To Go Merchandising & Staffing aware that the employee may need PFML. The notice must contain at least the anticipated timing and duration of the PFML. Written notice includes, but is not limited to, handwritten or typed notices and all forms of written electronic communications such as text messages and email.

Whether PFML is to be continuous or is to be taken intermittently or on a reduced schedule basis, written notice need only be given one time, but the employee must inform Way To Go Merchandising & Staffing as soon as is practicable if dates of the scheduled PFML change, are extended or were initially unknown.

Filing Claims with the ESD

The employee may apply for PFML benefits by:

- Using the ESD online services;
- Contacting the paid family and medical leave customer care center by telephone; or
- Using alternate methods authorized by ESD.

When the employee submits an application for PFML benefits, the employee must provide information sufficient for ESD to determine eligibility for benefits. This information includes, but is not limited to, information identifying the employee, the type and anticipated duration of PFML, as well as certification or documentation to validate the qualifying event. If the employee is in a claim year and has need for successive periods of benefits for the same qualifying event beyond what was originally approved, the employee must update the application. If the employee experiences a new qualifying event during a claim year, the employee must reopen the claim and provide additional information required by ESD before benefits can be paid.

Any time the employee applies for PFML benefits, the application must be supported by documentation or certification as required by applicable law. For example, when PFML is taken because of the employee's own serious health condition or the serious health condition of a family member, medical certification from a health care provider will be required. However, the employee does not need to obtain medical certification during the six- (6-) week postnatal period.

The ESD is solely responsible for determining if employees is eligible for benefits.

Supplemental Benefits During PFML

Way To Go Merchandising & Staffing does not offer supplemental benefits to employees who are receiving PFML.

Job Benefits and Protection

Until December 31, 2025, employees' eligibility for health insurance benefits while using PFML depends upon the terms of the insurance plan and/or the employees' use of FMLA, if applicable. If Employees are eligible to maintain their health coverage during PFML, Employees who contribute to the cost of their health insurance must continue to pay their portion of the premium cost while on PFML.

Beginning January 1, 2026, subject to certain exceptions noted below, Way To Go Merchandising & Staffing will maintain any existing health benefits of the employee in force for the duration of PFML as if the employee had continued to work from the date the employee commenced PFML until the date the employee returns to employment. If Way To Go Merchandising & Staffing and employee share the cost of the existing health benefits, the employee remains responsible for the employee's share of the cost. Exceptions to this general continuation entitlement include, if the employee:

1. Is not employed by Way To Go Merchandising & Staffing at the time of filing an application for PFML benefits;
2. Is not entitled to job protection as noted below; or
3. Did not timely exercise the right to employment protections under the PFML Act.

Employees who return from PFML generally will be restored to a same or equivalent job if:

- Until December 31, 2025, Way To Go Merchandising & Staffing has 50 or more employees and the employee has worked for Way To Go Merchandising & Staffing for at least 12 months and has worked 1,250 hours in the 12 months before taking PFML (about 24 hours per week, on average).
- From January 1, 2026, to December 31, 2026, they work for an employer with 25 or more employees and began employment with this employer at least 180 calendar days before taking the leave.
- From January 1, 2027, to December 31, 2027, they work for an employer with 15 or more employees and began employment with this employer at least 180 calendar days before taking the leave.
- Beginning January 1, 2028, they work for an employer with eight (8) or more employees and began employment with this employer at least 180 calendar days before taking the leave.

Otherwise, employees taking PFML are not guaranteed job reinstatement unless they qualify for such reinstatement under federal and/or state leave laws or other applicable laws.

The use of PFML cannot result in the loss of any employment benefits that accrued prior to the start of PFML.

Beginning January 1, 2026, the above-mentioned job protection applies to any period of unpaid leave protected by the federal FMLA where employees are eligible for PFML benefits but did not apply for and receive those benefits, excluding unpaid sick leave or temporary disability taken for pregnancy or childbirth or as an accommodation.

Beginning January 1, 2026, to be eligible for the above-mentioned job protections, employees must exercise their right to reinstatement on the first scheduled workday after their continuous or combined intermittent leave. For any period of leave that exceeds either two (2) workweeks of continuous leave or 14 workdays of combined intermittent leave, Way To Go Merchandising & Staffing will provide the employee with at least five (5) days' written notice of their first scheduled workday, as well as the estimated expiration of the employee's restoration rights.

Beginning January 1, 2026, except by written agreement between Way To Go Merchandising & Staffing and employee or between Way To Go Merchandising & Staffing and employee bargaining unit, the employee forfeits the right to employment restoration if, after receiving at least five (5) business days advance written notice from Way To Go Merchandising & Staffing regarding the estimated expiration of the right of employment restoration and the date of the employee's first scheduled work day, the employee does not exercise it upon the earlier of:

1. The first scheduled work day following the period of leave; or
2. The first scheduled work day following a continuous period of, or combined intermittent periods of a total of, 16 typical workweeks of leave taken during a period of 52 consecutive calendar weeks, except this period is extended to 18 typical workweeks of leave taken during a period of 52 consecutive calendar weeks if any of the leave was taken as a result of a serious health condition with a pregnancy resulting in incapacity.

FMLA Concurrent with PFML

Any leave that the State of Washington grants to an employee for PFML will run concurrently with FMLA, if applicable, with the exception of any leave for sickness or temporary disability because of pregnancy or childbirth, which is in addition to PFML. Please see the "Family and Medical Leave" policy for eligibility requirements under the FMLA and see the "Pregnancy and Childbirth Leave" policy for eligibility requirements for pregnancy leave.

Questions and/or Complaints about PFML

Way To Go Merchandising & Staffing is prohibited from discriminating or retaliating against employees for requesting or taking PFML.

For more information on PFML, employees may go to paidleave.wa.gov or speak with the Head of Human Resources and/or the CFO.

52.8 Washington: Family Military Leave

Eligible employees are entitled to up to 15 days of unpaid family military leave during a period of military conflict. Leave may be taken prior to deployment or during a leave from deployment.

An eligible employee is one who (1) is the spouse of a member of the military called to active duty; and (2) works an average of 20 or more hours per week and is not an independent contractor.

Family military leave is unpaid; however, employees may opt to use accrued paid time off for this purpose.

An employee must notify his/her supervisor of the intention to take family military leave within 5 business days of receiving official notice that his/her spouse will be called to active duty or on leave from deployment.

Upon expiration of the leave, an employee will be reinstated to his or her previous position. The Company strictly prohibits any form of discrimination or retaliation for exercising rights set forth in this policy.

52.9 Washington: Volunteer Emergency Responders Leave

Employees working for an employer with 20 or more full-time employees in the previous year may be eligible for time off work to respond to an emergency as a volunteer firefighter or reserve officer. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated or disciplined for taking time off pursuant to this policy.

Section 53 - West Virginia Addendum

53.1 West Virginia: Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in an election, employees may take off working time to vote. Sufficient time is considered to be three (3) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed up to three (3) hours of voting leave on Election Day without loss of pay or retaliation. Supervisors must be notified in writing of the need for leave at least three (3) days in advance of Election Day.

53.2 West Virginia: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to respond to an emergency as a volunteer firefighter or emergency medical services for reasons shown below:

- a fire call;
- a hazardous or toxic materials spill and cleanup;
- a motor vehicle accident;
- an actual medical emergency to prevent the imminent loss of life; or
- any other situation to which the employee's fire department or emergency medical service entity has been or later could be dispatched.

Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws. No employee will be terminated or otherwise discriminated against for taking time off pursuant to this policy.

Section 54 - Wisconsin Addendum

54.1 Wisconsin: Organ And Bone Marrow Donor Leave

Employees may take up to six (6) weeks of unpaid leave in a 12-month period for the purpose of serving as bone marrow or organ donors. Leave may only be taken for the period necessary to undergo and recover from the bone marrow or organ donation procedure.

In order to take leave to serve as a bone marrow or organ donor, employees must provide Way To Go Merchandising & Staffing with advance notice of the bone marrow or organ donation in a reasonable and practicable manner. Employees must make a reasonable effort to schedule the bone marrow or organ donation procedure so that it does not unduly disrupt Way To Go Merchandising & Staffing's operations (subject to the approval of the bone marrow or organ recipient's health care provider).

Employees may substitute paid time off while taking otherwise unpaid leave under this policy, and the substitution of paid time does not extend the length of leave under this policy. If applicable, this leave also will run concurrently with FMLA and/or applicable state law.

If applicable, Way To Go Merchandising & Staffing will maintain group health insurance coverage under the conditions that applied immediately before the leave began. In these cases, Way To Go Merchandising & Staffing reserves the right to require the employee to have in escrow with Way To Go Merchandising & Staffing an amount equal to the entire premium or similar expense for eight (8) weeks of the employee's group health insurance coverage (which may be paid in equal installments at regular intervals over at least a 12-month period and which Way To Go Merchandising & Staffing will deposit in an interest-bearing account).

Way To Go Merchandising & Staffing may require certification issued by a health care provider (of either the employee or the bone marrow/organ recipient, as appropriate) which indicates:

- the recipient has a serious health condition that necessitates a bone marrow or organ transplant;
- the employee is eligible and has agreed to serve as a bone marrow or organ donor for the recipient; and
- the amount of time expected to be necessary for the employee to recover from the bone marrow or organ donation procedure.

When employees return from bone marrow and organ donation leave, Way To Go Merchandising & Staffing will return them to the position they held immediately before going on leave or, if that position is not available, to an equivalent position with equivalent compensation, benefits, working shift, hours of employment and other terms and conditions of employment. If the employee wishes to return to work before the end of the leave as scheduled, Way To Go Merchandising & Staffing will return the employee

to the same or a similar position (as described above) within a reasonable time (not to exceed the duration of the originally-scheduled leave).

When employees end their employment with Way To Go Merchandising & Staffing, any payments in escrow (as described above) will be returned to them. If employees end their employment during or within 30 days after taking bone marrow and organ donation leave, Way To Go Merchandising & Staffing reserves the right to deduct from the amount returned to the employee any premium or similar expense paid for the employee's group health insurance coverage while the employee was on leave under this policy.

54.2 Wisconsin: Family And Medical Leave

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA) and/or the Wisconsin Family Leave Act ("WFLA"). This policy provides employees information concerning FMLA and/or WFLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA and/or WFLA leave, they should contact your supervisor or ADP TotalSource.

I. Employees Eligible for FMLA and WFLA Leave

The eligibility requirements under the FMLA and WFLA are set forth below. Employees of Way To Go Merchandising & Staffing who do not meet the eligibility requirements for FMLA leave may be eligible only for WFLA leave and vice versa. As applicable, leave under the FMLA and WFLA runs concurrently.

A. FMLA Eligibility

FMLA leave is available to "FMLA eligible employees." To be an "FMLA eligible employee," an employee must: 1) have been employed by Way To Go Merchandising & Staffing for at least 12 months (which need not be consecutive); 2) have been employed by Way To Go Merchandising & Staffing for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

B. WFLA Eligibility

WFLA leave is available to "WFLA eligible employees." To be a WFLA eligible employee, an employee must have worked for ADP TotalSource or an otherwise covered Company* for at least 52 consecutive weeks and have worked at least 1,000 hours in the 52 weeks preceding the commencement of leave.

*** Note that a covered Way To Go Merchandising & Staffing under the FMLA and WFLA is generally one which employs 50 or more employees.**

II. Employee Entitlements for FMLA and WFLA Leave

As described below, the FMLA and WFLA provide eligible employees with a right to leave, applicable health insurance benefits and, with some limited exceptions, job restoration. The FMLA and/or WFLA also entitle employees to certain written notices concerning their potential eligibility for and designation of leave.

A. Basic FMLA and WFLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The WFLA provides eligible employees up to six weeks of unpaid leave during a calendar year if the leave is due to childbirth or adoption, plus an additional two weeks of leave for the employee's serious health condition or to care for a parent, spouse, child with a serious health condition (employees, however, are entitled to no more than a total of eight weeks of family/medical unpaid leave within the 12-month period under the WFLA - see further information below).

The 12-month period is determined based on a rolling 12-month period measured backward from the date an employee uses their FMLA leave. Thus, when a leave is requested, Way To Go Merchandising & Staffing will look back in the relevant time period to determine the amount of available leave as of the date the leave is to begin.]. Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee's child after birth, or placement for adoption (or foster care - FMLA only);
- To care for the employee's spouse, child or parent (and under the WFLA parent-in-law or stepparent) who has a **serious health condition**;
- For the employee's own **serious health condition**); and/or

- Because of any **qualifying exigency** arising out of the fact that an employee's spouse, child or parent is a covered military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces in support of contingency operations or Regular Armed Forces for deployment to a foreign country (FMLA only).

Under the FMLA, 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.

Under the WFLA, a **serious health condition** means a disabling physical or mental illness, injury, impairment or condition involving inpatient care in a hospital, nursing home or hospice, or out-patient care that requires continuing treatment or supervision by a health care provider.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

B. Additional Military Family Leave Entitlement under the FMLA (Injured Servicemember Leave)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, child, parent or next of kin of a **covered servicemember** is entitled to take up 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. FMLA leave to care for a servicemember shall only be available during a single 12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "**covered servicemember**" is 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 on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as “current members of the Armed Forces.”

Covered servicemembers also include a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five years preceding the 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. These individuals are referred to in this policy as “covered veterans.”

The FMLA definitions of a “serious injury or illness” for current Armed Forces members and covered veterans are distinct from the FMLA definition of “serious health condition” applicable to FMLA leave to care for a covered family member.

C. Intermittent Leave and Reduced Leave Schedules

FMLA and/or WFLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees also may be entitled to take leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member (both FMLA and WFLA) or the serious injury or illness of a covered servicemember (FMLA only) or birth or adoption (WFLA only).

D. Leave Because of the Birth or Placement of a Child

Under the WFLA, leave because of the birth of a child or placement of a child with the employee for adoption must commence within six weeks before or after the birth or adoption. Under the FMLA, leave because of the birth of a child or placement of a child with the employee for adoption (or foster care) must be concluded within the 12-month period beginning on the date of birth or placement.

E. Protection of Group Health Insurance Benefits during FMLA Leave

During leave, eligible employees are entitled to receive group health plan coverage (if applicable on the same terms and conditions as if they had continued to work.

F. Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions, including situations where job restoration of "key employees" will cause Way To Go Merchandising & Staffing substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. Way To Go Merchandising & Staffing will notify employees if they

qualify as "key employees," if it intends to deny reinstatement and of their rights in such instances. A "key employee" is defined under the FMLA as an employee among the highest paid 10 percent of all employees who are employed within 75 miles of the worksite. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

As with FMLA leave, at the end of WFLA leave, subject to some exceptions, employees generally have the right to return to the same or equivalent position with equivalent pay, benefits and other terms.

G. Notice of Eligibility for, and Designation of, FMLA and WFLA Leave

Employees requesting FMLA leave are entitled to receive written notice from Way To Go Merchandising & Staffing telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) Way To Go Merchandising & Staffing's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

Way To Go Merchandising & Staffing may retroactively designate leave as FMLA and/or WFLA leave with appropriate written notice to employees provided Way To Go Merchandising & Staffing's failure to designate leave as FMLA- or WFLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA and/or WFLA protection, Way To Go Merchandising & Staffing and employee can mutually agree that leave be retroactively designated as FMLA and/or WFLA leave. **[Note: There is always risk with retroactive designations.]**

III. EEmployee FMLA and/or WFLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees who take FMLA and/or WFLA leave must timely notify Way To Go Merchandising & Staffing of their need for FMLA and/or WFLA leave. The following describes the content and timing of such employee notices

1. Content of Employee Notice

To trigger FMLA and/or WFLA leave protections, employees must inform their supervisor or ADP TotalSource (866-400-6011, Option 2 or email: TotalSource.FMLA@adp.com) of the need for FMLA/WFLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA and/or WFLA leave specifically, or explaining the reasons for leave so as to allow Way To Go Merchandising & Staffing to determine that the leave is FMLA/WFLA-qualifying.

Calling in "sick," without providing the reasons for the needed leave will not be considered sufficient notice for leave under this policy. Employees must respond to Way To Go Merchandising & Staffing's questions to determine if absences are potentially leave-qualifying.

If employees fail to explain the reasons for leave, the leave may be denied. When employees seek leave due to FMLA/WFLA-qualifying reasons for which Way To Go Merchandising & Staffing has previously provided FMLA/WFLA-protected leave, employees must specifically reference the qualifying reason for the leave or the need for FMLA and/or WFLA leave.

2. Timing of Employee Notice

Employees must provide 30 days' advance notice of the need to take FMLA and/or WFLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide Way To Go Merchandising & Staffing notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees, who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA and/or WFLA notice obligations, may have leave delayed or denied.

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with Way To Go Merchandising & Staffing and make a reasonable effort to schedule treatment so as not to unduly disrupt Way To Go Merchandising & Staffing's operations, subject to the approval of an employee's health care provider. Employees must consult with Way To Go Merchandising & Staffing prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both Way To Go Merchandising & Staffing and the employees, subject to the approval of an employee's health care provider. If employees providing notice of the need to take leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, Way To Go Merchandising & Staffing may require employees to attempt to make such arrangements, subject to the approval of the employees' health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, Way To Go Merchandising & Staffing may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave, to the extent permitted by law.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise Way To Go Merchandising & Staffing of the reason why such leave is medically necessary. In such instances, Way To Go Merchandising & Staffing and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting Way To Go Merchandising & Staffing's operations, subject to the approval of the employee's health care provider.

C. Submit Medical Certifications Supporting Need for Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of leave sought, employees may be required to submit medical certifications supporting their need for FMLA/WFLA-qualifying leave. As described below, there generally are three types of medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide Way To Go Merchandising & Staffing with timely, complete and sufficient medical certifications. Whenever Way To Go Merchandising & Staffing requests employees to provide medical certifications, employees must provide the requested certifications within 15 calendar days after Way To Go Merchandising & Staffing's request, unless it is not practicable to do so despite an employee's diligent, good faith efforts. Way To Go Merchandising & Staffing shall inform employees if

submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. The Way To Go Merchandising & Staffing will deny leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, Way To Go Merchandising & Staffing (through individuals other than an employee's direct supervisor) may contact the health care provider to authenticate or clarify completed and sufficient medical certifications. If an employee chooses not to provide Way To Go Merchandising & Staffing with authorization allowing it to clarify or authenticate the certification with the health care provider, Way To Go Merchandising & Staffing may deny leave if the medical certification is unclear.

Whenever Way To Go Merchandising & Staffing deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own, or a family member's serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If Way To Go Merchandising & Staffing has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at Way To Go Merchandising & Staffing's expense. If the opinions of the initial and second health care providers differ, Way To Go Merchandising & Staffing may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by Way To Go Merchandising & Staffing and the employee, to the extent permitted by applicable law.

2. Medical Recertifications

Depending on the circumstances and duration of FMLA leave, Way To Go Merchandising & Staffing may require employees to provide recertification of medical conditions giving rise to the need for leave. Way To Go Merchandising & Staffing will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, an employee returning to work from leave that was taken because of their own serious health conditions that made the employee unable to perform their job must provide Way To Go Merchandising & Staffing medical certification confirming the employee is able to return to work and the employee's ability to perform the essential functions of the employee's position, with or without reasonable accommodation, to the extent permitted by law. Way To Go Merchandising & Staffing may delay and/or deny job restoration until the employee provides a return to work/fitness for duty certification, subject to applicable law.

D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the active duty or call to active duty status of a covered military member, Way To Go Merchandising & Staffing may

require employees to provide: 1) a copy of the covered military member's active duty orders or other documentation issued by the military indicating the covered military member is on active duty or call to active duty status and the dates of the covered military member's active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different active duty or call to active duty status of the same or a different covered military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, Way To Go Merchandising & Staffing may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, Way To Go Merchandising & Staffing may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

E. Substitute Paid Leave for Unpaid FMLA and WFLA Leave

Employees must use any accrued paid time while taking unpaid FMLA and/or WFLA leave (unless Way To Go Merchandising & Staffing specifically informs employees that this will not be required). The substitution of paid time for unpaid FMLA and/or WFLA leave time does not extend the length of FMLA and/or WFLA leaves and the paid time will run concurrently with an employee's FMLA and/or WFLA entitlement.

During the leave, employees may be eligible for compensation, such as temporary disability benefits, family leave benefits or workers' compensation benefits. Any compensation or leave taken in connection with any other policy/plan shall run concurrently with any FMLA/WFLA leave entitlement.

F. Pay Employee's Share of Health Insurance Premiums

As noted above, during FMLA leave, employees are entitled to continued group health plan coverage (if applicable) under the same conditions as if they had continued to work. Unless Way To Go Merchandising & Staffing notifies employees of other arrangements, whenever employees are receiving pay from Way To Go Merchandising & Staffing during leave, Way To Go Merchandising & Staffing will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working. If leave is unpaid, employees must pay their portion of the group health premium through a method determined by Way To Go Merchandising & Staffing upon leave.

Way To Go Merchandising & Staffing's obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If an employee's payment is more than 15 days late, Way To Go Merchandising & Staffing will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse Way To Go Merchandising & Staffing for the cost of the premiums the Way To Go Merchandising & Staffing paid for maintaining coverage during their unpaid FMLA leave.]

G. Report Periodically Concerning Intent to Return to Work

Employees must contact ADP TotalSource at 1-844-448-0325 periodically in accordance with the instructions noted on the Eligibility Notice regarding their status and intention to return to work at the end of the FMLA and/or WFLA leave period. If an employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide Way To Go Merchandising & Staffing or ADP TotalSource at 1-844-448-0325 or email: Leaves@adp.com with reasonable notice (i.e., within two business days) of the employee's changed circumstances and new return to work date). If employees give Way To Go Merchandising & Staffing unequivocal notice of their intent not to return to work, Way To Go Merchandising & Staffing's obligation to maintain health benefits (subject to COBRA requirements) and to restore their positions cease.

IV. Coordination of FMLA/WFLA Leave with Other Leave Policies

The FMLA does not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law that provides greater family or medical leave rights such as the WFLA. However, whenever permissible by law, Way To Go Merchandising & Staffing will run FMLA leave concurrently with WFLA and any other leave provided under state or local law. For additional information concerning leave entitlements and obligations that might arise when FMLA/WFLA leave is either not available or exhausted, please consult Way To Go Merchandising & Staffing's other leave policies in this Handbook or your supervisor or ADP TotalSource.

V. Questions and/or Complaints about FMLA/WFLA Leave

If you have questions regarding this FMLA/WFLA policy, please contact your supervisor or ADP TotalSource at 1-844-448-0325 or email: Leaves@adp.com). Way To Go Merchandising & Staffing is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA/WFLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their rights have been violated, they should contact ADP TotalSource immediately. Way To Go Merchandising & Staffing will investigate any complaints and take prompt and appropriate remedial action to address and/or remedy any violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

54.3 Wisconsin: Leave For Emergency Responders

Eligible employees who are volunteer firefighters, emergency medical technicians, first responders or ambulance drivers for a volunteer fire department, a public agency or a nonprofit corporation (“volunteer provider”) are eligible for unpaid leave to respond to an emergency prior to the time they are to report to work.

Employees who become a member of a volunteer provider must notify Way To Go Merchandising & Staffing in writing within 30 days that they are a volunteer firefighter, emergency medical technician, first responder or ambulance driver. Additionally, if the employee's status changes, including

termination of that status, the employee must notify Way To Go Merchandising & Staffing of the change in status.

Employees who are going to be late or absent from work due to an emergency that involves their service as a volunteer firefighter, emergency medical technician, first responder or ambulance driver, must make every effort to notify Way To Go Merchandising & Staffing that they may be late or absent from work due to the emergency. If prior notification is not possible, the employee must provide a written statement from the chief of the volunteer fire department or person in charge of the ambulance service explaining why prior notification was not possible. Following being late or absent from work due to responding to an emergency, employees must provide a written statement from the chief of the volunteer fire department or person in charge of the ambulance service certifying that they were responding to an emergency and indicating the date and time of the response to the emergency.

54.4 Wisconsin: Volunteer Emergency Responders Leave

Employees may be eligible for time off work to respond to an emergency as a volunteer firefighter, emergency medical technician, first responder, or ambulance driver. Employees should contact their supervisor as soon as they are aware that they will be late to work, or unable to report to work due to the emergency dispatch. Upon request, employees must provide their supervisor with a statement from the appropriate department/organization documenting that the employee was responding to an emergency call. Such time off will be unpaid for nonexempt employees. Exempt employees will be paid in accordance with federal and state wage and hour laws.

Section 55 - Wyoming Addendum

55.1 Wyoming- Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in any primary, general election, or special election to fill a vacancy in the office of representatives in the Congress of the United States , employees may take off working time to vote. Sufficient time is considered to be three (3) consecutive hours between working hours and the opening or closing of polls. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed up to one (1) hour of voting leave (excluding meal periods) on Election Day without loss of pay (if the employee votes) or retaliation. Where possible, supervisors should be notified of the need for leave in advance of Election Day. Supervisors may specify which hours the employee may be absent.

55.2 Wyoming: Time Off For Crime Victims

An eligible employee may take unpaid time off from work to respond to a subpoena in a criminal case if the employee:

- has suffered direct or threatened physical, emotional or financial harm as the result of the commission of a criminal act;
- is a family member of a victim who is a minor or an incompetent; or
- is a surviving family member of a homicide victim.

Employees may substitute any accrued vacation, sick or other time off for leave under this policy.

No employee will be subject to retaliation for taking leave under this policy.

Section 56 - Acknowledgments

56.1 General Handbook Acknowledgment

This Employee handbook is an important document intended to help employees become acquainted with Way To Go Merchandising & Staffing. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because Way To Go Merchandising & Staffing's operations may change, the contents of this handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this handbook.

> ***I have received and read a copy of Way To Go Merchandising & Staffing's Employees handbook. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of Way To Go Merchandising & Staffing at any time.***
>
> ***I further understand that my employment is terminable at will, either by myself or Way To Go Merchandising & Staffing, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.***
>
> ***I understand that no representative of Way To Go Merchandising & Staffing other than the CEO may alter "at will" status and any such modification must be in a signed writing.***
>
> ***I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of Way To Go Merchandising & Staffing's Employee handbook.***

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this acknowledgment should be given to management - it will be filed in your personnel file.

56.2 Montana: General Handbook Acknowledgment

This Employee handbook is an important document intended to help employees become acquainted with Way To Go Merchandising & Staffing. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because Way To Go Merchandising & Staffing's operations may change, the contents of this handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Employee handbook.

I have received and read a copy of Way To Go Merchandising & Staffing's Employee handbook. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of Way To Go Merchandising & Staffing at any time.

I further understand that my employment is terminable at will during the probationary period, either by myself or Way To Go Merchandising & Staffing, with or without cause or notice, regardless of the granting of benefits of any kind, subject to the provisions of the Montana Wrongful Discharge from Employment Act.

I understand that no representative of Way To Go Merchandising & Staffing other than CFO may alter at-will status during the probationary period (subject to the provisions of the Montana Wrongful Discharge from Employment Act) and any such modification must be in a signed writing.

I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of Way To Go Merchandising & Staffing's Employee handbook.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this acknowledgment should be given to management - it will be filed in your personnel file.

56.3 Receipt Of Non-Harassment Policy

I have read and I understand Way To Go Merchandising & Staffing's Non-Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

56.4 Acknowledgment And Receipt Of California: Discrimination, Harassment And Retaliation Prevention Policy

I acknowledge that I have received, read, and understand Way To Go Merchandising & Staffing's Discrimination, Harassment, and Retaliation Prevention Policy. I agree to abide by and be bound by the rules, provisions and standards set forth in Way To Go Merchandising & Staffing's policy. I further acknowledge that Way To Go Merchandising & Staffing reserves the right to revise, delete, and add to the provisions of the Discrimination, Harassment and Retaliation Prevention Policy at any time. I also acknowledge I have received the California Civil Rights Department's brochure, Sexual Harassment Fact Sheet (CRD-185 brochure).

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

56.5 Colorado: COMPS Order Acknowledgment Form

I acknowledge that I have received the Colorado Overtime and Minimum Pay Standards Order ("COMPS Order") 2025 poster.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this acknowledgment should be given to management; it will be filed in your personnel file.

56.6 Illinois: Receipt Of Non-Harassment Policy

In compliance with the Illinois Human Rights Act (Act) and any other related federal or local law/ordinance, all employees have the right to be free from unlawful discrimination or harassment (including sexual harassment). This means that employers may not treat people differently based on race, age, gender, pregnancy, disability, sexual orientation, or any other protected class named in the Act or any other related federal or local law/ordinance. This applies to all employer actions, including hiring, promotion, discipline, and discharge.

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional discrimination or harassment (including sexual harassment) of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race; color; creed; religion; national origin; ancestry; citizenship status; age; sex or gender (including pregnancy, childbirth, and pregnancy-related conditions); gender identity or expression (including transgender status); sexual orientation; marital status; military service and veteran status; physical or mental disability; genetic information; or any other characteristic protected by applicable federal, state, or local laws (referred to as “protected characteristics”). Way To Go Merchandising & Staffing also prohibits retaliation. All such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate the personal morality of employees but to ensure that no one engages in discrimination or harassment (including sexual harassment) of another individual in the workplace, including while on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises), or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, discrimination, harassment, or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual reported or filed a complaint of discrimination or harassment (including sexual harassment) or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of discrimination or harassment (including sexual harassment) as defined by applicable federal, state, or local laws or helped others exercise their right to complain about discrimination or harassment (including sexual harassment) as defined by applicable federal, state, or local laws are unlawful.

Reasonable Accommodation

Employees also have the right to reasonable workplace accommodations based on pregnancy, disability, religious beliefs, or any other reason required by applicable federal, state, or local laws. This means employees can ask for reasonable changes to their job if needed because they are pregnant or disabled or because of their religious beliefs or any other reason required by applicable federal, state, or local laws.

Discrimination Defined

Discrimination under this policy generally means treating an individual differently or denying or granting a benefit to an individual because of any actual or perceived protected characteristic as

defined under federal, state, or local law or ordinance.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails), or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that violate this policy include:

- Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters and drawings;
- Sexually explicit emails, text messages, or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome sexually related comments;
- Conversation about one's own or someone else's sex life;
- Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

Way To Go Merchandising & Staffing Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Head of Human Resources. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the President. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. Employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

Additional Reporting Procedures

Aside from the internal complaint process at Way To Go Merchandising & Staffing described above, employees may choose to file a charge/complaint of discrimination or harassment (including sexual harassment) with the Illinois Department of Human Rights (IDHR).

The charge process for violations of the law can be initiated by completing the form at www.illinois.gov/dhr or by contacting the IDHR at IDHR.Intake@illinois.gov, or either of these offices:

Chicago Office
555 West Monroe Street, Suite 700
Chicago, IL 60661
Tel: (312) 814-6200
TTY: (866) 740-3953
Fax: (312) 814-6251

Springfield Office
524 S. 2nd Street, Suite 300
Springfield, IL 62701
Tel: (217) 785-5100
TTY: (866) 740-3953
Fax: (217) 785-5106

Employees also can contact the Illinois Sexual Harassment and Discrimination Helpline at 1-877-236-7703.

I have read and I understand Way To Go Merchandising & Staffing's Non-Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

56.7 Illinois: Chicago Receipt Of Discrimination And Non-Harassment (Including Sexual Harassment) Policy

I have read and I understand Way To Go Merchandising & Staffing's Discrimination and Non-Harassment (Including Sexual Harassment) Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

56.8 Maine: Receipt Of Non-Harassment Policy

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race; color; creed; religion; national origin; ancestry; citizenship status; age; sex or gender (including pregnancy, childbirth, and pregnancy-related conditions); gender identity or expression (including transgender status); sexual orientation; marital status; military service and veteran status; physical or mental disability; genetic information; or any other characteristic protected by applicable federal, state, or local laws (referred to as “protected characteristics”). Such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate the personal morality of employees but to ensure that no one harasses another individual in the workplace, including while on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises) or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, harassment, or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails), or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;

- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

- Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters, and drawings;
- Sexually explicit emails, text messages, or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome sexually related comments;
- Conversation about one's own or someone else's sex life;
- Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

Reporting Procedures

If employees have been subjected to or witnessed conduct which violates this policy, they should immediately report the matter to the Head of Human Resources. If they are unable for any reason to contact this person, or if they have not received an initial response within five (5) business days after reporting any incident of what they perceive to be harassment, they should contact the CFO. If the person toward whom the complaint is directed is one of the individuals indicated above, they should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. Examples of retaliation include aiding, abetting, inciting, compelling, or coercing another to do any types of unlawful discrimination; obstructing or preventing any person from complying with the Maine Human Rights Act; attempting to do any act of unlawful discrimination; and punishing or penalizing, or attempting to punish or penalize, any person for seeking to exercise any of the civil rights declared by the Act or for complaining of a violation of the Act or for testifying in any proceeding brought in this subsection. If employees feel they have been subjected to any such

retaliation, they should report it in the same manner in which they would report a claim of perceived harassment under this policy.

Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

While employees are encouraged to report claims internally, if they believe they have been subjected to sexual harassment or other harassment in violation of state law, they may file a formal complaint with the government agency set forth below. Using Way To Go Merchandising & Staffing's complaint process does not prohibit employees from filing a complaint with this agency:

Maine Human Rights Commission, 51 State House Station, Augusta, ME 04333-0051, phone 207-624-6050, TTY/TTD: 207-624-6064, fax: 207-624-6063

Employees may file a complaint with the Maine Human Rights Commission within 300 days of the date of alleged sexual harassment.

I have read and I understand Way To Go Merchandising & Staffing's Non-Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

56.9 Massachusetts: Receipt Of Non-Harassment Policy

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race; color; creed; religion; national origin; ancestry; citizenship status; age; sex or gender (including pregnancy, childbirth, and pregnancy-related conditions); gender identity or expression (including transgender status); sexual orientation; marital status; military service and veteran status; physical or mental disability; genetic information; or any other characteristic protected by applicable federal, state, or local laws (referred to as “protected characteristics”). Such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate the personal morality of employees, but to ensure that no one harasses another individual in the workplace, including while on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises), or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, harassment, or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;

- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that violate this policy include:

- Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions, or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters, and drawings;
- Sexually explicit emails, text messages, or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome sexually related comments;
- Conversation about one's own or someone else's sex life;
- Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

Reporting Procedures

If employees have been subjected to or witnessed conduct which violates this policy, they should immediately report the matter to the Head of Human Resources at 9477 NC HWY 127 #1001 HICKORY, NC 28601 or (843) 945-9795. If they are unable for any reason to contact this person, or if they have not received an initial response within five (5) business days after reporting any incident of what they perceive to be harassment, they should contact the CFO at 995 MISSOURI AVE WEST PLAINS, MO 65775 or (417) 204-7134. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If employees feel they have been subjected to any such retaliation, they should report it in the same manner in which they would report a claim of perceived harassment under this policy.

Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

While employees are encouraged to report claims internally, if they believe they have been subjected to sexual harassment or other harassment in violation of state law, they may file a formal complaint with the government agency or agencies set forth below. Using Way To Go Merchandising & Staffing's complaint process does not prohibit the employee from filing a complaint with these agencies.

United States Equal Employment Opportunity Commission (EEOC), JFK Federal Building, Room 475, Boston, Massachusetts 02203, (617) 565-3200

The Massachusetts Commission Against Discrimination (MCAD)

Boston Office One Ashburton Place, Room 601, Boston, Massachusetts 02108, (617) 994-6000

Springfield Office: 436 Dwight Street, Room 220, Springfield, Massachusetts 01103, (413) 739-2145

New Bedford Office: 128 Union Street, Suite 206, New Bedford, Massachusetts 02740, (774) 510-5801

Worcester Office: 484 Main Street, Room 320, Worcester, Massachusetts 01608, (508) 453-9630

I have read and I understand Way To Go Merchandising & Staffing's Non-Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

56.10 Oregon: Receipt Of Non-Harassment Policy

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race; color; creed; religion; national origin; ancestry; citizenship status; age; sex or gender (including pregnancy, childbirth, and pregnancy-related conditions); gender identity or expression (including transgender status); sexual orientation; marital status; military service and veteran status; physical or mental disability; genetic information; or any other characteristic protected by applicable federal, state, or local laws (referred to as “protected characteristics”). Such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate the personal morality of employees but to ensure that no one harasses another individual in the workplace, including while on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises), or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, harassment, or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails), or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;

- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

- Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters, and drawings;
- Sexually explicit emails, text messages, or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome sexually related comments;
- Conversation about one's own or someone else's sex life;
- Conduct or comments consistently targeted at only one (1) gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

Sexual Assault Defined

Sexual assault, defined as unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation, is also specifically prohibited.

Any discrimination, harassment, or retaliation is unacceptable in the workplace and in any work-related settings such as business trips and business-related social functions, regardless of whether the conduct is engaged in by a supervisor, coworker, client, customer, vendor, or other third party.

Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Head of Human Resources. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the CFO. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

All employees are encouraged to document any incidents involving discrimination, harassment, and sexual assault as soon as possible.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Nondisclosure and Nondisparagement Agreements

Way To Go Merchandising & Staffing may not require or coerce employees to enter into a nondisclosure or nondisparagement agreement concerning harassment, discrimination, or sexual assault. A nondisclosure agreement is an agreement wherein a party agrees to not share information with others regarding the subject of the agreement. A nondisparagement agreement is an agreement wherein a party agrees not to criticize or bring negative attention to the other party.

Employees may voluntarily choose to enter into an agreement regarding harassment, discrimination, or sexual assault that contains a nondisclosure agreement, nondisparagement agreement, or an agreement prohibiting the employee from seeking reemployment with Way To Go Merchandising & Staffing, and the employee will have seven (7) days to revoke the agreement after it has been executed.

Time Period to Bring a Legal Claim

Under Oregon law, an individual has five (5) years from the date of an act of unlawful harassment or discrimination to file a claim. This time period applies to acts of unlawful harassment or discrimination occurring on or after September 29, 2020.

Retaliation Prohibited

In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If employees have been subjected to any such retaliation, they should report it in the same manner in which they would report a claim of perceived harassment under this policy.

Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

I have read and I understand Way To Go Merchandising & Staffing's Non-Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

56.11 Rhode Island: Receipt Of Non-Harassment Policy

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer, or any third party on the basis of actual or perceived race; color; creed; religion; national origin; ancestry; citizenship status; age; sex or gender (including pregnancy, childbirth, and pregnancy-related conditions); gender identity or expression (including transgender status); sexual orientation; marital status; military service and veteran status; physical or mental disability; genetic information; or any other characteristic protected by applicable federal, state, or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate the personal morality of employees, but to ensure that no one harasses another individual in the workplace, including while on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises), or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails), or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;

- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that violate this policy include:

- Unwelcome flirtations, leering, whistling, touching, pinching, assault, or blocking normal movement;
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
- Obscene or vulgar gestures, posters, or comments;
- Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- Propositions or suggestive or insulting comments of a sexual nature;
- Derogatory cartoons, posters, and drawings;
- Sexually explicit emails or voicemails;
- Uninvited touching of a sexual nature;
- Unwelcome sexually related comments;
- Conversation about one's own or someone else's sex life;
- Conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
- Teasing or other conduct directed toward a person because of the person's gender.

Reporting Procedures

If employees have been subjected to or witnessed conduct which violates this policy, they should immediately report the matter to the Head of Human Resources. (Phone numbers and addresses are available through Way To Go Merchandising & Staffing directory.) If they are unable for any reason to contact this person, or if they have not received an initial response within five (5) business days after reporting any incident of what they perceive to be harassment, they should contact the CFO. (Phone numbers and addresses are available through Way To Go Merchandising & Staffing directory.) If the person toward whom the complaint is directed is one of the individuals indicated above, they should contact any higher-level manager in the reporting hierarchy.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Retaliation Prohibited

In addition, Way To Go Merchandising & Staffing will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If employees feel they have been subjected to any such retaliation, they should report it in the same manner in which they would report a claim of perceived harassment under this policy.

Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

While employees are encouraged to report claims internally, if they feel subjected to sexual harassment or other harassment in violation of state law, they may file a formal complaint with the government agency or agencies set forth below. Using Way To Go Merchandising & Staffing's complaint process does not prohibit the employee from filing a complaint with these agencies:

Rhode Island Commission for Human Rights 10 Abbot Park Place Providence, Rhode Island 02903, (401) 277-2661

United States Equal Employment Opportunity Commission (EEOC), JFK Federal Building, Room 475 Boston, Massachusetts 02203, (617) 565-3200

I have read and I understand Way To Go Merchandising & Staffing's Non-Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

56.12 Vermont: Receipt Of Non-Harassment Policy

It is Way To Go Merchandising & Staffing's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race; color; creed; religion; national origin; ancestry; citizenship status; age; sex or gender (including pregnancy, childbirth, and pregnancy-related conditions); gender identity or expression (including transgender status); sexual orientation; marital status; military service and veteran status; physical or mental disability; genetic information; or any other characteristic protected by applicable federal, state, or local laws (referred to as “protected characteristics”). Such conduct will not be tolerated by Way To Go Merchandising & Staffing.

The purpose of this policy is not to regulate the personal morality of employees, but to ensure that no one harasses another individual in the workplace, including while on Way To Go Merchandising & Staffing premises, while on Way To Go Merchandising & Staffing business (whether or not on Way To Go Merchandising & Staffing premises), or while representing Way To Go Merchandising & Staffing. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted, or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual, or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts, or emails), or physical conduct (including physically threatening another, blocking someone’s way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

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Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;

- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that violate this policy include:

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- Obscene or vulgar gestures, posters, or comments;
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- Uninvited touching of a sexual nature;
- Unwelcome sexually related comments;
- Conversation about one's own or someone else's sex life;
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Vermont Attorney General's Office Civil Rights Unit, 109 State Street Montpelier, Vermont 05609; (802) 828-3171

United States Equal Employment Opportunity Commission (EEOC), JFK Federal Building, Room 475 Boston, Massachusetts 02203; (617) 565-3200

I have read and I understand Way To Go Merchandising & Staffing's Non-Harassment Policy.

Employee's Printed Name: _____

Employee's Signature: _____

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Date: _____

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