

KBP Employee Handbook Addendum

Delaware

INTRODUCTION

This Addendum is applicable only to **KBP** (“KBP” or “Company”) employees working in the State of Delaware. If any provision in this Addendum conflicts with language in the Employee Handbook (“Handbook”) and/or any other previous policy, this Addendum will control.

This Addendum is to be read in connection with the Handbook. Together, the Handbook and Addendum will provide you with information about your employment and serve as a guide to the Company’s current policies, practices, and procedures.

POLICIES

ELECTRONIC MONITORING

Any and all telephone conversations or transmissions, electronic mail or transmissions, or internet access or usage by an employee using any Company electronic device or through any Company system may be subject to monitoring by the Company, at any and all times, and by any lawful means.

Employees have no expectation of privacy regarding use of Company equipment or systems, regardless of whether the device is used outside of the physical worksite (e.g. remote work) and regardless of whether employee uses a password on such device. Employee communications and use of Company equipment and systems are not private and may be accessed and monitored at any time.

By acknowledging receipt of this Addendum, Employees acknowledge that the Company has given them sufficient notice of its Electronic Monitoring policy as required by 19 Del. Code § 705(b)(2).

EQUAL EMPLOYMENT OPPORTUNITY

In addition to the protected statuses listed in the Handbook, and in accordance with Delaware law, the Company is committed to providing equal employment opportunities to all associates and applicants without regard to race (including traits historically associated with race, like hair texture and protective hairstyles such as braids, locks and twists); status as a registered qualifying medical cannabis or THC-containing products patient or designated caregiver; reproductive healthcare decisions; status as a volunteer emergency responder; status as a victim of domestic violence, sexual offenses, or stalking; family responsibilities (meaning, the obligation to care for a family member as defined under the Family and Medical Leave Act); marital status, or any other protected status in accordance with applicable federal, state, and local laws.

VOLUNTEER EMERGENCY RESPONDER LEAVE

For employees who work at a Delaware location with 10 or more employees, KBP provides unpaid leave to eligible employees who serve as volunteer firefighters, members of a ladies auxiliary of a volunteer fire company, volunteer emergency medical technicians and/or volunteer fire police officers (“volunteer emergency responder”) in order to respond to an emergency call.

Leave under this policy is available to eligible employees for the following purposes:

- to respond to a Governor-declared State of Emergency lasting up to 7 consecutive days;
- to respond to a President-declared National Emergency lasting up to 14 consecutive days;
- or
- because of an injury sustained when acting as a volunteer emergency responder including responding to an emergency.

Employees requesting leave under this policy should provide as much advanced notice as possible of their service and continue to make reasonable notification efforts over the course of any absence consistent with our Company's policies governing absences from work.

Within seven days of taking leave under this policy employees should provide KBP with a written statement signed by the individual in charge of the volunteer department stating that the employee responded to an emergency; the date and time of the emergency; and the date(s) and time(s) the employee completed their volunteer emergency activities.

Within five days of taking leave under this policy due to an injury sustained while responding to an emergency, employees should provide a written statement signed by the relevant medical professional, or another individual authorized to act for said medical professional, that: (1) confirms that the employee was seen by the medical professional; (2) provides the date the employee was seen; and (3) indicates the estimated period of partial or total incapacity to perform the employee's job.

The Company does not discriminate or retaliate against any employee for requesting leave in accordance with this policy. For more information regarding leave under this policy, please contact your KBP HR Business Partner or KBP's HR Ethics Hotline at 888-971-2991.

EMPLOYING MINORS – CHILD LABOR

KBP is committed to full compliance with the federal and state child labor laws. KBP has implemented various compliance and monitoring processes to ensure compliance with KBP's policies and the requirements of the law.

Due to the nature of KBP's business, the Company from time to time may hire minors to fill designated non-hazardous positions. KBP defines a minor as any employee between the ages of 15 and 17. KBP however, strictly prohibits hiring anyone under the age of 15, regardless of the position or location.

KBP also strictly prohibits minors working in any KBP position that is or may be dangerous, hazardous, or harmful in any way to their lives, health, safety, morals, or welfare, including any functions, activities, or occupation declared hazardous by applicable state or federal law. To ensure compliance with this policy, all KBP minor employment placements must be approved by the General Manager or Area Coach in your location. Placing a minor in a position prohibited by this policy or without the appropriate, required approval is grounds for disciplinary action up to and including termination, which may be progressive or immediate. KBP will determine the appropriate level of discipline based upon the particular facts and circumstances.

In locations where federal and state child labor laws differ, KBP is required to follow the more restrictive rules as outlined below. If you are unsure about the child labor laws applicable to your

location, please contact your KBP HR Business Partner or KBP's HR Ethics Hotline at 888-971-2991. For your reference, links to the federal and state child labor laws are provided below:

US DOL: <https://www.dol.gov/agencies/whd/child-labor>

Delaware DOL: <https://labor.delaware.gov/divisions/industrial-affairs/wage-hour/child-labor/>

Hazardous Functions, Activities, Occupations

Federal and state law prohibits minors from working in positions or occupations that are declared hazardous. Minors employed by KBP are **strictly prohibited** from performing any of the following activities:

Minors Under 18:

- Use, set up, adjusting, cleaning of commercial mixers and power-driven bakery machines;
- Working in freezers and coolers, except to momentarily retrieve permitted items; and
- Loading and unloading from motor vehicles.

Minors Age 15 (in addition to those listed above also are prohibited from the following):

- Cooking duties over open flame;
- Use of deep fat fryers unless it has devices that automatically raise and lower the baskets;
- Operating broilers, rotisseries, pressure cookers, high-speed ovens or rapid toasters;
- Performing any baking activities; and
- Using any slicers, grinders, or processors.

Delaware - Hazardous Functions, Activities, Occupations

In addition to the federal rules listed above, Delaware law places *further restrictions* on minors. Delaware prohibits any minor under 18 years of age, from being employed in occupations that are hazardous to their health, safety, welfare, or morals.

Delaware Minors Age 15 (in addition to the federal rules listed above) May Not:

- Work in jobs involving oiling, cleaning, or wiping of machinery or shafting.

Minors Age 15 – Permissible Job Functions at KBP:

KBP has outlined a non-exhaustive list of common job functions performed at its locations that 15-year-olds are permitted to perform as listed below. If you have questions about a particular job function or equipment that may or may not be listed below, contact your HR Business Partner prior to the 15-year-old commencing the work.

Acceptable KBP Job Functions for 15-Year-Old Employees:

- Greet customers and obtain orders;
- Perform cashiering duties;
- Provide drive-thru support;
- Make beverages;
- Pack orders;

- Bag and carry out customer orders;
- Clean up work (wiping tables, sweeping floors, cleaning restrooms, picking up trash in parking lot, washing dishes);
- Prep in the kitchen area (not in the cooler and/or freezer); and
- Prep sides by using the microwave.

Employment Certificates/Work Permits

Minors must present KBP documents as evidence of their age. The original documents KBP obtains for certifying the age of minor employees should be **scanned and uploaded** to KBP's Workday system by the hiring manager prior to returning such documents to the employee.

Delaware - Employment Certificates/Work Permits

Any minor under 18 *must* obtain and present a **work permit** to KBP during the recruiting process prior to being hired. To obtain a permit, a minor will be provided a requisite promise of employment from the employer that sets forth the nature of the prospective occupation and the exact hours per day and days per week during which the minor will be employed. For minors 15 years of age, parental consent is also required. Therefore, KBP prohibits anyone in management from allowing a minor under 18 to begin work without first obtaining a state-issued work permit.

After employing a minor with a work permit, KBP must keep a copy of the minor's work permit in compliance with state law. **Managers are required to upload a copy of the work permit to KBP's Workday system.**

Uniforms for 15-Year-Old Workers

All KBP employees are required to adhere to the Company's uniform, appearance and hygiene standards. Employees who are 15 years old are required to wear specialized hat colors (color dependent upon brand and location) at all times during their shift. The hat colors provide managers a monitoring system to be easily alerted to the employee's specific work limitations and restrictions.

Hours of Work and Scheduling of Minors

Once KBP hires a minor, the Company will strictly comply with the hours of work limitations for minors. In areas where the state and federal laws differ, KBP follows the more restrictive hours limitations for minors. Generally, minors may only be scheduled as follows:

Minors Age 15 (Federal):

- **When school is in session**, may only work between the hours of 7 a.m. to 7 p.m., and
 - May not be scheduled or work more than 3 hours on any school day, including Fridays;
 - May not be scheduled more than 8 hours on any non-school day; and
 - May not work more than 18 hours total in any school week.
- Between June 1 and Labor Day, 15-year-olds may work between the hours of 7 a.m. and 9 p.m., but may not be scheduled or work more than 40 hours per week.

Minors Age 15 (Delaware):

- May not be scheduled for more than 8 hours per calendar day;
- May not be scheduled for more than 6 days in any week; and

- May not work more than five (5) consecutive hours without a break period of at least 30 consecutive minutes.
- For further information see the Delaware Department of Labor posted notice on the bulletin board.

Minors Age 16 & 17:

- May not work more than 12 hours in a combination of school and work hours per day.
- Must have at least 8 consecutive hours of non-work, non-school time in each 24-hour period.
- May not work more than 5 hours continuously without a break period of at least 30 consecutive minutes.

Questions/Reporting

Employees with questions concerning the application of this child labor policy, must consult with Human Resources immediately. Any employee who knows or suspects that this policy is being violated is required immediately to report this information to Human Resources. Any questions or reports relating to child labor should be made by contacting KBP’s HR Ethics Hotline at 888-971-2991.

LEAVE AND ACCOMMODATIONS RELATED TO DOMESTIC VIOLENCE, SEXUAL OFFENSES, OR STALKING

The Company will make reasonable accommodations for the known limitations related to domestic violence, a sexual offense, or stalking, unless such accommodation would impose an undue hardship. Such reasonable accommodations may include, but are not limited to, changes in the schedules or duties of the employee’s job enabling the employee to satisfactorily perform the essential duties of their job and/or allowing the employee to use accrued leave to address the domestic abuse, sexual offense, or stalking.

When taking an unpaid leave to attend or participate in legal proceedings relating to a crime of which the employee was a victim, employees may utilize accrued unused paid time off in lieu of unpaid leave under this policy. In order to use paid leave, eligible employees are required to comply with our Company’s normal procedures for the applicable paid-leave policy.

MEAL AND BREAK PERIODS

KBP is committed to full compliance with federal and state wage and hour laws regarding employee breaks and mealtimes. Employee break schedules, when applicable, are set by store management based upon the business needs and in compliance with any legally required breaktimes. Generally, for our hourly employees, a duty-free meal period of 20 minutes or longer will be unpaid and break period(s) under 20 minutes will be paid. Hourly employees should remember to clock-in/out for all duty-free meal and break period(s) and should not perform any work during these break times. KBP prohibits employees from working off-the-clock under any circumstances including during break/mealtimes. Employees should not perform work unless you are “on the clock.” Violations of this policy will result in disciplinary action up to and including termination.

Delaware Meal Periods

The Company provides all employees working seven and a half (7.5) hours, with a thirty (30) minute duty-free meal period, which should be taken after the employee's first two hours of work and before the employee's final two hours of work. For purposes of this policy, a meal period does not include reasonable time spent using the restroom facilities. See above for breaks required for minors.

PERSONNEL RECORDS

Upon written request, an employee may inspect their own personnel records within a reasonable time after the request is made. The request must state the purpose for the inspection or the particular parts of the file that the employee wishes to inspect. The file will be available during the regular business hours of the office where these records are usually and ordinarily maintained. The Company may require the requesting employee to inspect such records on the free time of the employee.

PREGNANCY ACCOMMODATION

The Company provides reasonable accommodations to employees for any medical or common condition of an employee related to pregnancy, childbirth, or related condition (including, but not limited to, lactation), to the extent the accommodation can be made without imposing an undue hardship on the business.

Reasonable accommodations are reasonable modifications or adjustments to the work environment, or to the manner or circumstances under which the position held is customarily performed, that enable an employee affected by pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth to perform the essential functions of that position, and may include, but are not limited to: more frequent or longer bathroom breaks; breaks for increased water intake; breaks for period rest; private non-bathroom space for expressing breast milk and breastfeeding; seating; assistance with manual labor; light duty; temporary transfer to a less strenuous or hazardous position; the provision of an accessible worksite; acquisition or modification of equipment; job restructuring; part-time or modified work schedule; appropriate adjustment or modifications of examinations, training materials, or policies; reassignment to a vacant position; time off to recover from conditions related to childbirth; and leave necessitated by pregnancy, childbirth, medical, or related conditions resulting from pregnancy or childbirth.

The Company will provide Employees with written or verbal notification of their rights under both the Federal Pregnant Workers Fairness Act and the Delaware Pregnant Workers Fairness Act within ten (10) days of the employee notifying the Company of their pregnancy. A pregnant employee who wishes to notify the Company should provide notice of the pregnancy either to the RGM at the restaurant at which the employee works or through KBP's HR Ethics Hotline at 888-971-2991.

Employees who wish to request an accommodation under this policy should submit the accommodation request to both their supervisor and KBP HR Business Partner in writing. The request should include the frequency and duration of breaks, when feasible. Employees may be required to submit a medical certification that supports the need for an accommodation and/or meet with human resources to complete additional documentation to support their accommodation request.

If leave is provided as a reasonable accommodation, such leave may run concurrently with the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law. For any requests relating to this policy, please contact your KBP HR Business Partner or KBP's HR Ethics Hotline at 888-971-2991.

By acknowledging receipt of this Addendum, Employees acknowledge that the Company has given them sufficient notice of the pregnancy-related discrimination prohibitions and accommodation requirements as required by the Delaware Pregnant Workers' Fairness Act, 19 Del. Code § 716(b)(1).

CRIME VICTIM LEAVE

The Company provides unpaid leave for employees who are victims of crime. Leave may also be granted where the employee's family member is a victim of a crime. Family member includes the employee's spouse, child, parent, stepparent, sibling or an individual designated by the victim or the court. Leave may be taken to prepare for a criminal proceeding necessary to protect the employee's interests.

Any eligible employee who seeks leave under this policy shall provide the Company with (1) a police report indicating that the employee was a victim of violent crime; (2) a court order protecting or separating the employee from the perpetrator of an act of violence against the employee; and/or (3) documentation from a medical professional, psychologist or counselor that the employee is undergoing treatment for physical or mental injuries related to victimization from a violent crime.

Employees are directed to contact their HR Business Partner if they wish to take leave under this policy.

The Company will not discharge or otherwise discriminate against an employee for taking leave under this policy. The Company will make every effort to maintain the confidentiality of any employee who requests leave under this policy.

Exempt employees may be provided time off with pay for any of the above-described leaves when necessary to comply with state and federal wage and hour laws.

ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK ADDENDUM

I acknowledge that I have received a copy of the **KBP** ("Company") Employee Handbook and Employee Handbook Addendum for Delaware ("Addendum"). I will familiarize myself with the Handbook (including the Addendum) and all of its contents.

I understand that the Handbook (including the Addendum) represents only current policies and benefits and that it does not create a contract of employment. The Company may change these policies and benefits at any time, without advance notice, as it deems appropriate.

I understand that I have the right to terminate my employment at any time, for any reason with or without advance notice, and that the Company has a similar right. I further understand that my status as an at-will employee may not be changed except in writing, signed by the Company's CPO.