

## **KBP Employee Handbook Addendum Florida**

### **INTRODUCTION**

This Addendum is applicable only to **KBP** (“Company”) employees working in the State of Florida. 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**

#### **EQUAL EMPLOYMENT OPPORTUNITY**

We are an Equal Employment Opportunity employer committed to providing equal opportunity in all of our employment practices, including selection, hiring, assignment, re-assignment, promotion, transfer, compensation, discipline, and termination. The Company prohibits discrimination, harassment, and retaliation in employment based on race; color; religion; genetic information; national origin; sex; sexual orientation; gender identity and expression; pregnancy, childbirth, or related medical conditions; age; disability or handicap; citizenship status; service member status; marital status; or any other category protected by federal, state or local law. Violation of this policy will result in disciplinary action, up to and including immediate termination. Please see the legal postings on the bulletin board for a full list of state-protected EEO categories.

#### **CIVIL AIR PATROL LEAVE**

Eligible employees who serve as members of the Florida Wing of the Civil Air Patrol (“Civil Air Patrol member”) will be provided with fifteen (15) days of unpaid leave annually for participation in Civil Air Patrol training or missions.

To be eligible, the employee must be a senior member of the Florida Wing of the Civil Air Patrol with at least an emergency services qualification. In addition, the employee must have been employed with the Company for at least ninety (90) days immediately preceding the commencement of leave.

The Company will not require a Civil Air Patrol member to use vacation, annual, compensatory, or other paid leave which may be offered by the Company during the period for which the employee is on Civil Air Patrol leave. However, an employee may elect to use accrued unused vacation, paid time off or other paid leave available during the commencement of their Civil Air Patrol leave.

An employee with such a commitment is expected to notify and provide the Company with a copy of the orders as soon as possible. The Company will not discriminate or retaliate against any employee taking leave in accordance with this policy. At the completion of leave, the employee must promptly notify the Company of their intent to return to work.

The granting of a leave of absence does not guarantee that there will be a position available upon your return from leave. The Company endeavors, however, to place employees returning from leave in their former position, or in a position comparable in status and pay.

## **DOMESTIC AND SEXUAL VIOLENCE LEAVE**

Employees who have been employed for three (3) or more months of employment and who are the victim of domestic or sexual violence, or whose family member or a member of their household is a victim of domestic or sexual violence, will be permitted to take up to three (3) working days of unpaid leave in any 12-month period.

Leave may be used to:

- 1) Obtain or attempt to obtain judicial relief such as a restraining order;
- 2) Seek medical attention and/or mental health counseling;
- 3) Obtain services from a domestic or sexual violence shelter, domestic or sexual violence program, or rape crisis center;
- 4) Seek new housing to escape the perpetrator or make the employee's home secure from the perpetrator; or
- 5) Seek legal assistance arising from the act of domestic or sexual violence or to attend or prepare for court-related proceeding arising from the act of domestic or sexual violence.
- 6) Miami-Dade: Any other reason allowed by state or local law.

Affected employees must give the Company reasonable advance notice of their intention to take leave along with sufficient documentation of the act of domestic or sexual violence, unless providing that notice is not practicable due to imminent danger to the employee, a family member of the employee, or member of the employee's household.

The Company will hold the employee's information in confidence, except to the extent that disclosure is: (1) requested or consented to in writing by the employee; or (2) otherwise required by applicable federal or state law.

Affected employees may elect to use accrued paid or unpaid leave (including family, medical, sick, annual, personal or similar leave) for the time off allowed under this policy. This leave will run concurrently with any other applicable leave.

The Company will not discriminate or retaliate against an employee for taking leave in accordance with this policy or for exercising any rights provided by applicable law.

## **JURY DUTY**

If you receive a call to jury duty, please notify Human Resources immediately so that we can plan our work with as little disruption as possible. The Company will provide you with unpaid leave for jury duty.

Employees with jury duty must provide Human Resources with a copy of the subpoena. Employees who are released from jury service before the end of their regularly scheduled shift or who are not asked to serve on a jury panel are expected to call Human Resources as soon as possible and report to work if necessary.

### **JURY DUTY (Miami-Dade Only)**

If you receive a call to jury duty, please notify Human Resources immediately so that we can plan our work with as little disruption as possible. For employees who work at least thirty-five (35) hours per week and are called to jury duty, the Company will pay such employees their regular hourly rates, less the amount received from jury duty. All other employees will receive unpaid leave.

Employees with jury duty must provide their supervisor with a copy of the subpoena as soon as practicable, at least five (5) days in advance where possible. Employees who are released from jury service before the end of their regularly-scheduled shift or who are not asked to serve on a jury panel are expected to notify their supervisor as soon as possible and report to work if necessary.

### **JURY DUTY (Broward County Only)**

If you receive a call to jury duty, please notify Human Resources immediately so that we can plan our work with as little disruption as possible. For employees who work at least thirty-five (35) hours per week and are called to jury duty, the Company will pay such employees their regular hourly rates, less the amount received from jury duty, for up to five (5) days. All other employees will receive unpaid leave.

Employees with jury duty must provide their supervisor with a copy of the subpoena as soon as practicable, at least five (5) work days in advance where possible.

### **GRANDPARENT LEAVE (Miami-Dade Only)**

Employees are permitted to take leave to care for a grandparent with a serious health condition on the same terms and conditions permitted under the Federal Family and Medical Leave Act to care for a parent with a serious health condition.

### **NO WEAPONS IN THE WORKPLACE**

The Company prohibits you and all other persons (other than law enforcement and authorized security personnel) from having firearms in working areas, in buildings, or on your person during working time or while performing work. Firearms are prohibited on all Company property and in Company vehicles. The only exception to this rule is that a person with a current license to carry a firearm may keep a firearm in their personal vehicle so long as it is kept out of sight in a locked, enclosed compartment or area of their vehicle. For safety and security, anyone maintaining a lawful firearm in their vehicle, is required to notify the Company and may be requested to provide a copy of their license, to the extent applicable. This policy will be interpreted and enforced consistent with applicable law.

Failure to notify the Company with a copy of a current firearm license, to properly secure and protect a firearm or to comply with this policy may subject you to discipline, up to and including immediate termination. Employees who have questions concerning the application of this policy, should consult Human Resources immediately.

## **WITNESS LEAVE**

Employees are provided with unpaid leave when necessary to attend or participate in a court proceeding in accordance with state law.

## **MEAL AND BREAK PERIODS**

KBP is committed to full compliance with federal and state wage and hour laws regarding employee break 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.

### ***Florida***

Florida has no state rule regarding mandatory employee breaks or mealtime. If you have questions about meal periods or breaks, please communicate with your store management.

## **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 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 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>

**Florida:** <http://www.myfloridalicense.com/DBPR/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;
- 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.

### ***Florida - Hazardous Functions, Activities, Occupations***

In addition to the federal rules listed above, Florida law places *further restrictions* on minors. Florida prohibits any minor under 18 years of age from being employed at any time in any occupation deemed to be hazardous.

### **All Florida Minors Under Age 18 (in addition to the federal rules listed above) may not:**

- work on scaffolding.

### **Florida Minors Age 15 (in addition to the federal rules listed above) may not:**

- perform any of the following occupations:
  - work maintaining, repairing, or cleaning machinery;
  - work in freezers or meat coolers;
  - operate meat or vegetable slicers.

## **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 old 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 kept on-site at the work location **and** uploaded to KBP's Workday system, by the hiring manager.

### **Uniforms for 15-Year-Old Workers**

All KBP employees are required to adhere to the Company's uniform, appearance and hygiene standards. Employees 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**

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:

#### **KBP Scheduling Minors Age 15:**

##### **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 (Florida):**

- May not work:
  - for more than 3 hours in a day if there is school the next day, unless enrolled in a career education program;
  - before 7 a.m. and after 7 p.m. and for more than 15 hours per week when school is in session;
  - during school holidays and vacations, for more than 8 hours a day, 40 hours a week, and before 7 a.m. and after 9 p.m.;
  - for more than 6 consecutive days in a week;
- A 30-minute break must be provided every 4 hours. The time may not be interrupted or saved for a later time.

##### **All Minors Under Age 18 (Florida):**

- May not work during school hours;
- May not work more than 4 hours per day without a 30-minute break period;
- May not work for more than 8 hours a day and 30 hours a week,
- May not work more than 6 consecutive days a week during the school year, unless the minor is 16 years or older and has graduated from high school;
- May not work before 6:30 a.m. or after 11 p.m. or for more than 8 hours in a day when there is school the next day;

- The restrictions do not apply to a minor if:
  - a court has defined them as adults or found it is in their best interest to work;
  - they have an exemption from their superintendent;
  - they are or have been in the U.S. Armed Services;
  - they have graduated from high school or have a GED; or
  - they are or have been married.
- For further information see the Florida Department of Labor posted notice on the bulletin board.

### **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.

***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 Florida ("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.