

## **KBP Employee Handbook Addendum** *Indiana*

### **INTRODUCTION**

This Addendum is applicable only to **KBP** (“Company”) employees working in the State of Indiana. 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 or expression; pregnancy, childbirth, or related medical conditions; age; disability or handicap; citizenship status; service member status; ancestry; off duty use of tobacco; filing for a protective order; 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**

Employees who serve as a member of the Civil Air Patrol must notify the Company of their status as a Civil Air Patrol member in writing.

Those serving as a Civil Air Patrol member will be provided with unpaid leave when necessary to serve. The employee may use available vacation, paid time off, or other paid leave to run concurrent with leave provided under this policy. If the employee has already reported to work on the day of their service is required, they must obtain authorization from their supervisor prior to being excused from work.

Employees seeking leave under this policy must provide their supervisor with written documentation from the Commander or other officer in charge of the Civil Air Patrol certifying that the employee engaged in an emergency service operation at the time of their absence from work.

During leave, the employee’s benefits will continue to accrue in accordance with state and federal law.

#### **EMPLOYEE MICROCHIPS**

The Company will not require microchip implantation of employees as a condition of employment.

## **FAMILY MILITARY LEAVE**

Eligible employees who are the spouse, parent, grandparent, or sibling of a person ordered to active military service for a period of eighty-nine (89) days or more may request up to ten (10) days of unpaid family military leave related to such service. Leave may be taken within the thirty (30) day period before active duty begins, while their spouse or family member is on active duty, or within the thirty (30) day period following termination of active duty.

To be eligible, employees must have completed at least twelve (12) months of continuous employment with the Company and must have worked at least 1,500 hours during the 12-month period immediately preceding the leave.

An eligible employee may be required to substitute any available vacation, paid time off, or other paid leave, except for medical or sick leave, for any part of the family military leave.

Employees seeking leave must provide written notice of their need for leave at least thirty (30) days in advance of the need for leave and must include a copy of the active duty orders where possible. If active duty orders are issued less than thirty (30) days before the date for the employee's leave request is set to begin, the employee must provide as much advance notice as possible.

The employee will be expected to make reasonable efforts to schedule leave so as not to unduly disrupt the operations of the Company. The Company may require certification to verify an employee's eligibility for family military leave. Failure to provide requested certification may result in the leave being considered an unexcused absence from employment.

## **JURY DUTY**

If you receive a call to jury duty, please notify your manager immediately so that we can plan our work with as little disruption as possible. Leave for jury duty will be unpaid.

Employees with jury duty must provide their manager 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 their manager as soon as possible and report to work if necessary.

## **LACTATION ACCOMMODATIONS**

To the extent reasonably possible, the Company will provide a refrigerator or other cold storage space for keeping milk that has been expressed or allow the employee to provide her own portable cold storage device for keeping milk that has been expressed until the end of the employee's work day. To the extent reasonably possible, the Company will also provide a private location, other than a toilet stall, where an employee can express the employee's breast milk in privacy during any period away from the employee's assigned duties.

## **PREGNANCY ACCOMMODATIONS**

The Company will provide reasonable accommodations for employee medical conditions related to pregnancy (including childbirth) or related medical conditions. If you need to request such an accommodation, please contact Human Resources. We will promptly discuss the matter with you, investigate your request, and to the extent possible, attempt to reasonably accommodate you.

Obviously, there are limits to the accommodations which we can realistically make. For example, where an accommodation would cause an undue hardship on business operations, we would be unable to make the particular accommodation. Similarly, when placing an employee in a position, with or without accommodation, would cause the employee to be a direct threat to the employee or others, we may be unable to place them in a particular position.

The Company will not discipline, terminate or retaliate against an employee because the employee requested or used such accommodation.

## **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 his or her personal vehicle so long as it is kept out of sight in a locked, enclosed compartment or area of his or her vehicle in the Company's parking lot. Anyone who has a license to carry a firearm and will have the firearm on Company property, must notify the Company and provide a copy of the license.

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.

## **VOLUNTEER FIREFIGHTER LEAVE**

Employees who serve as a volunteer firefighter must notify the Company of their status as a volunteer firefighter. The Company may request written documentation from the fire chief or other officer in charge of the volunteer fire department certifying the employee's status as a volunteer firefighter

Those serving as volunteer firefighters will be provided with unpaid leave when necessary to respond to an emergency call received prior to or during the employee's shift. The Company also provides leave when necessary due to an injury resulting from the employee's service as a volunteer firefighter.

Eligible employees must provide their supervisor with as much advance notice of their need for leave as possible. The Company may request a written statement from your chief or other officer in charge of the volunteer fire department supporting the need for leave.

Any information provided to the Company in connection with leave will be maintained confidential, subject to any legal requirements otherwise. For more information, please see your supervisor.

## **WAGE PAYMENT**

The Company pays you biweekly.

## **WITNESS LEAVE**

The Company provides reasonable and necessary unpaid leave to employees who are

subpoenaed to attend or participate in court proceedings. Employees who receive a subpoena or summons to appear in court, should notify Human Resources immediately so that the Company may plan the department's work with as little disruption as possible.

## **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 non-exempt 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.

### ***Indiana***

Indiana 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>

**Indiana DOL:** <https://www.in.gov/dol/youth-employment/>

## **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.

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

In addition to the federal rules listed above, Indiana law places *further restrictions* on minors.

### **Indiana Minors Age 15 (in addition to the federal rules listed above) are prohibited from the following:**

- perform any jobs involving:
  - maintenance or repair;
  - cooking or baking;
  - working with power-driven food machinery;
  - working in freezers and meat coolers; and/or
  - loading and unloading trucks or other vehicles.

### **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 16 & 17 (Indiana):**

- May work no more than 9 hours per day;
- May work no more than 40 hours per school week;
- May work no more than 48 hours per non-school week;
- May work no more than 6 consecutive workdays;
- May not begin work between 12 a.m. and 6 a.m.;
- May only work until 10 p.m. on nights followed by a school day;
  - May work until 11 p.m. on nights followed by a school day with written parental permission;
- May not work in an establishment open to the public between 10 p.m. and 6 a.m. unless another employee at least 18 years of age works the same hours as the minor.

For further information, see the Indiana 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 **Indiana** ("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.

I understand the vacation/paid time off policy and that all such leave is forfeited at the end of employment and the Company does not pay for accrued unused vacation/paid time off at the end of employment.