

KBP Employee Handbook Addendum *Kentucky*

INTRODUCTION

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

ADOPTION LEAVE AND PARITY

The Company will provide employees with unpaid leave of up to six (6) weeks for the adoption of a child under age ten (10).

The Company will generally provide adoptive parents with paid leave and other benefits on the same terms as if they would for employees who are birth parents, for the birth of a child. Accordingly, if the Company has established a time off policy that offers leave to birth parents greater than six (6) weeks, then the Company will provide such leave to adoptive parents, under the same terms and conditions.

Employees requesting leave under this policy must provide a written request of their need for leave to their supervisor as far in advance as possible.

DISASTER AND EMERGENCY SERVICES LEAVE

Employees who are volunteer firefighters, rescue squad members, emergency medical technicians, peace officers, or members of emergency management agencies (“Emergency Service Personnel”) will be provided unpaid leave when absent or late from work due to responding to an emergency prior to the time the employee is to report to work.

An employee who is absent from work as a result of responding to an emergency is required to provide a written statement from their emergency services supervisor stating that they are responding to an emergency. The documentation must include the time and date of the emergency.

Additionally, employees who are injured while acting as Emergency Service Personnel are provided with up to twelve (12) months of unpaid leave to recover from such injury. Leave may run concurrent with FMLA and/or any other leave where permitted by state and federal law. Employees needing leave pursuant to this policy must provide the Company with:

1. A written statement from their emergency services supervisor; and
2. A written statement from their treating physician that the employee is injured, including the employee's anticipated date of return.

ELECTION OFFICER LEAVE

An employee selected to serve as an Election Officer will be granted unpaid leave when necessary to attend training or serve as an Election Officer. Employees should provide proper documentation of the appointment and the dates of the required service in advance of leave.

JURY DUTY

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

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

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 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.

Kentucky

The Company will provide employees with a reasonable period for lunch, as close to the middle of the employee's work shift as possible. The Company will not require employees to take lunch any sooner than three (3) hours into their shift or later than five (5) hours into their shift.

The Company will provide rest periods of at least ten (10) minutes for each four (4) hours that an employee works. Rest periods will be in addition to the employee's regularly scheduled lunch period.

NO WEAPONS IN THE WORKPLACE

Possession, use or sale of weapons, firearms or explosives on work premises, while operating Company machinery, equipment or vehicles for work-related purposes or while engaged in Company business off premises is forbidden except where expressly authorized by the Company and permitted by state and local laws. This policy applies to all employees, including but not limited to, those who have a valid permit to carry a firearm. This policy does not apply to firearms stored in the employee's locked motor vehicle.

If you are aware of violations or threats of violations of this policy, you are required to report such violations or threats of violations to your supervisor immediately. Violations of this policy will result in disciplinary action, up to and including discharge.

OVERTIME

The Company may periodically schedule overtime work or weekend work to meet our business needs. We will attempt to give you advance notice, if possible. We expect that all employees who are scheduled to work overtime or who are called out to work on a special project or for special hours will be at work, unless specifically excused by Human Resources. Failure to report for scheduled work hours may result in discipline, up to and including immediate termination.

Overtime Hours: All hours worked in excess of forty (40) hours in a work week are overtime hours.

In addition, if an employee is required to work seven (7) days in a work week and work in excess of forty (40) hours, hours worked on their seventh day of the work week are overtime hours. For purposes of calculating overtime hours, only actual hours worked will be counted. Any type of time off (including paid time off) is not counted as hours worked for purposes of calculating overtime hours. If the state or local jurisdiction requires overtime hours to be calculated in a different manner, we will comply with applicable law.

Overtime Compensation: Overtime compensation varies depending on your pay plan, job duties, DOT status and other regulatory factors. For example, our exempt employees paid on a salary basis, normally do not receive extra pay for overtime hours. Likewise, certain other employees not paid on a salary basis are exempt from overtime premium pay, so we pay those employees straight-time pay for overtime hours. Our non-exempt employees paid on an hourly basis receive straight-time pay plus half-time pay (the time-and-one-half rate) for overtime hours. In any event, all overtime work will be paid properly and in compliance with applicable law.

Some non-exempt employees are paid on a salary-plus-overtime basis. These employees' weekly-equivalent salaries are intended to compensate *all* of their hours worked in a work week – not just forty (40) hours, or their scheduled or normal hours, or any other particular number of hours. How their overtime premium is computed is described in more detail in their pay plans.

Overtime Approval: All employees (other than exempt employees paid on a salary basis) must receive approval from the appropriate supervisor prior to performing overtime work, or they may be subject to disciplinary action, up to and including immediate termination.

PAY DAY

The Company pays you biweekly.

PAID TIME OFF/VACATION

The Company pays employees for unused vacation/paid time off at the end of employment.

PREGNANCY ACCOMMODATION

The Company will provide reasonable accommodations to female employees related to pregnancy, childbirth, related medical conditions, including breastfeeding, to the extent the accommodation can be made without imposing an undue hardship on the business.

When an employee requests a reasonable accommodation, the Company will timely explore with the employee the possible means of providing the reasonable accommodation, which may include, but are not limited to:

- more frequent or longer breaks;
- time off to recover from childbirth;
- the acquisition or modification of equipment or seating;
- the temporary transfer to a less strenuous or less hazardous position;
- job restructuring such as providing light duty or a modified work schedule;
- having the employee refrain from heavy lifting; or
- providing a private non-bathroom space for expressing breast milk.

The Company may require the employee to provide 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.

The Company will not require an employee to take leave if there is another reasonable accommodation available.

If leave is provided as a reasonable accommodation, such leave may run concurrent with the Federal Family and Medical Leave Act and/or any other leave permitted by state and federal law.

For more information, or if you require an accommodation, please contact Human Resources.

VOTING LEAVE

Our Company believes that every employee should have the opportunity to vote in any state or federal election, general primary or special primary. Employees will be granted at least four (4) hours of unpaid leave to vote. We reserve the right to select the hours you are excused to vote.

Please notify your supervisor of the need for voting leave as soon as possible, before Election Day. When you return from voting leave, you must present a voter's receipt to your supervisor as soon as possible.

WITNESS LEAVE

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

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>

Kentucky DOL: <https://elc.ky.gov/workplace-standards/Pages/Wages-and-Hours.aspx>

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.

Kentucky - Hazardous Functions, Activities, Occupations

In addition to the federal rules listed above, Kentucky law places *further restrictions* on minors. Kentucky prohibits any minor under 18 years of age from being employed in any occupation declared hazardous by the state Commissioner of Workplace Standards.

Kentucky Minors Age 15 (in addition to the federal rules listed above):

- May not perform any jobs that involve:
 - maintenance or repair of machinery;
 - tasks requiring the use of ladders or scaffolds;
 - cooking (except at soda fountains, lunch counters, snack bars, or cafeterias)

- baking;
- entering freezers or meat coolers;
- all meat cutting and preparation;
- setting up, adjusting, cleaning, or oiling power-driven food slicers, cutters, and bakery-type mixers;
- loading and unloading goods to and from trucks.
- May be employed in the following occupations **in food service**:
 - office and clerical work, including the operation of office machines;
 - cashiering, selling;
 - price marketing and tagging by hand or by machine, assembling orders, packing and shelving;
 - bagging and carrying out customers' orders;
 - errand and delivery work by foot, bicycle, and public transportation;
 - cleanup work, including the use of vacuum cleaners and floor waxers, maintenance of grounds (They **may not** use power-driven mowers or cutters);
 - kitchen work and other work involved in preparing and serving food and beverages, including the operation of machines and devices used in the performance of the work, such as dishwashers, toasters, milk shake blenders, and coffee grinders.

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.

Kentucky - Employment Certificates/Work Permits

Any minor under 18 *must* obtain and present a **certificate of age** issued by the local board of education in order begin employment. Therefore, KBP prohibits anyone in management from permitting a minor under 18 to begin work without first obtaining and presenting a certificate of age.

After employing a minor with a certificate of age, KBP must keep the certificate in compliance with

state law. **Managers are required to upload a copy 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 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 (Kentucky):

- May not work during school hours.
- Restriction on hours of work or work during school hours does not apply to those minors under 16 years of age who have graduated from high school or an approved vocational school equivalent to high school, are enrolled in an approved work-training or career exploration program, are otherwise not required to attend school, or for whom school authorities have made arrangements to attend school at other than the regular hours if the employment will not interfere with the minor's schooling, health, or well-being.
- For further information see the Kentucky Office of Workplace Standards posted notice on the bulletin board.

Minors Age 16 & 17:

- Other than the hazardous functions or occupations that 16- and 17-year-olds may not perform (see above), these individuals may be scheduled and work unlimited hours in compliance with the generally applicable wage and hour laws.

All Minors Kentucky:

No minor under the age of 18 may work for more than 5 continuous hours without a lunch period of at least 30 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.

Exempt employees may be provided time off with pay for any of the above 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 Kentucky ("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.