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# Douglas Polaner Selections, LLC

## Employee Handbook

March 2023

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## ABOUT THIS HANDBOOK

From time to time, Douglas Polaner Selections, LLC will find it necessary to update and redistribute its Employee Handbook. While the core components of the handbook have essentially not changed, some of the language and the policies have been slightly altered. Any changes made were done in order to foster the most positive of work environments, focusing on the clear explanation of company policies and procedures.

Employees should familiarize themselves with the contents of the Employee Handbook as soon as possible, for it will answer many questions about employment with Polaner Selections. Seek out your manager or the Operations Manager with any questions you may have. Ensuring that the contents of this book are clearly understood is paramount.

You will find the Employee Handbook Receipt form attached. Once you have thoroughly reviewed the handbook, taking the time to review the entire contents and secure clarification on any and all points if needed, please sign and return the form to the Operations Manager within two (2) weeks of receipt.

We have a great team of people here. Our future is a bright one, filled with exciting challenges and milestones in the coming months.

Tina Fischer  
Managing Member of Douglas Polaner Selections, LLC

# GENERAL EMPLOYMENT POLICIES

## INTRODUCTORY STATEMENT

This handbook is designed to acquaint you with Douglas Polaner Selections, LLC (“Polaner Selections” or the “Company”) and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. Please read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Polaner Selections to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. Supervisors and Human Resources also serve as major sources of information. Polaner Selections reserves the right at any time, at its sole discretion, to modify, revise, vary, supplement, or rescind any policies or portion of the handbook, as it deems appropriate, at its sole and absolute discretion, with or without notice. Polaner Selections will make every effort to notify their employees of such changes to the handbook as they occur. However, nothing in this handbook shall limit the employment-at-will policy permitting you or the Company to end our relationship at any time, for any reason, with or without notice.

This handbook nor any other verbal or written communication, unless signed by a Managing Member of Polaner Selections, should 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. The terms of any insurance policy, benefit plan, or collective bargaining agreement supersede any statements contained in this handbook.

The policies and procedures set forth in this handbook supersede any prior Company handbooks, policies, or procedures that conflict with those contained herein.

## EMPLOYMENT AT-WILL

The Company’s relationship with its employees is and always will be one of voluntary employment “at-will.” Neither the employee nor the Company has entered into a contract of employment, either express or implied.

Although we hope that your employment relationship with us will be long-term, either you or Polaner Selections may terminate this relationship at any time, for any reason, with or without cause or notice. Please understand that no manager or representative of, other than Managing Members of Polaner Selections, has the authority to enter into any agreement with you for employment for any specified period or to make any promises or commitments contrary to the foregoing. Further, any employment agreement entered into by the Managing Members of Polaner Selections shall not be enforceable unless it is in writing and signed by a Managing Member of Polaner Selections.

## EQUAL EMPLOYMENT OPPORTUNITY

At Polaner Selections, equal employment is not only a legal principle; it is a moral commitment as well. Accordingly, the Company is an equal opportunity employer and will not discriminate on the basis of an individual’s actual or perceived age, race, ethnicity, creed, color, religion, sex, including pregnancy, gender, actual or perceived gender identity or expression, transgender status, actual or perceived sexual orientation, national origin, alienage or citizenship status, marital status, familial status, caregiver status, military status, including past, current, or prospective service in the uniformed services, genetic information, status as a victim of domestic violence status, sexual or reproductive health decision making, actual or perceived physical or mental disability, or any other protected characteristic as established by applicable federal, state or local laws. Discrimination in violation of this policy is prohibited. Polaner Selections’ 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.

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the Company will be based on merit, qualifications, abilities, and other business factors specific to each individual situation.

This policy governs all aspects of employment, including selection, placement, compensation, promotion, transfer, discipline, demotion, termination, and access to benefits and training. Any employee with questions or good faith concerns about any type of discrimination or perceived discrimination in the workplace is encouraged to bring these issues to the attention of their immediate manager or the Operations Manager. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## SEXUAL & OTHER UNLAWFUL WORKPLACE HARASSMENT

### INTRODUCTION

Polaner Selections is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. Therefore, all employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of Polaner Selection's commitment to a discrimination-free work environment. Sexual harassment is against the law, and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with Polaner Selections, or with a government agency, or in court under federal, state or local anti-discrimination laws.

### POLICY

1. Polaner Selections' policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors, and persons conducting business, regardless of immigration status, with Polaner Selections. Therefore, in the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Polaner Selections will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of Polaner Selections who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees working in the workplace who believe they have been subject to such retaliation should inform a manager or the Operations Manager. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Polaner Selections to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. Polaner Selections will conduct a prompt and thorough investigation that ensures due process for all parties whenever management receives a complaint about sexual harassment or otherwise knows of possible sexual harassment occurring. Polaner Selections will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers, are required to cooperate with any internal investigation of sexual harassment.



6. All employees are encouraged to report any harassment or behaviors that violate this policy. Polaner Selections provides all employees a complaint form for employees to report harassment and file complaints, which is available on the Company's website or from the Operations Manager.
7. Managers are required to report any complaint that they receive or any harassment that they observe or become aware of to Polaner Selections.
8. This policy applies to all employees, paid or unpaid interns, and non-employees, and all must follow and uphold this policy. This policy must be provided to all employees and posted prominently in all work locations to the extent practicable (for example, in the main office, not an offsite work location) and be provided to employees upon hiring.

## WHAT IS "SEXUAL HARASSMENT"?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature or is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment; or
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing, hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature or are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements, or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, and interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment, or any other terms, conditions, or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report it so that any violation of this policy can be corrected promptly. In addition, any harassing conduct, even a single incident, can be addressed under this policy.

## EXAMPLES OF SEXUAL HARASSMENT

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body, or
  - Rape, sexual battery, molestation, or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits or detriments; or
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.

- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, and the status of being transgender, 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; or
  - Sabotaging an individual's work; or
  - Bullying, yelling, name-calling.

## WHO CAN BE A TARGET OF SEXUAL HARASSMENT?

Sexual harassment can occur between individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker, or anyone in the workplace, including independent contractors, contract workers, vendors, clients, customers, or visitors.

## WHERE CAN SEXUAL HARASSMENT OCCUR?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer-sponsored events or parties. In addition, calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

## WHAT IS "RETALIATION"?

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency; or
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law; or
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a manager of harassment, or
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.
- Disclosing an employee's personnel files because they opposed any practices forbidden under the NYSHRL, or
- Because they have filed a complaint, testified, or assisted in any proceedings.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

## REPORTING SEXUAL HARASSMENT

Preventing sexual harassment is everyone's responsibility. Polaner Selections cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern, or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a manager or the Operations Manager. In addition, anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a manager or the Operations Manager.

Reports of sexual harassment may be made verbally or in writing. A complaint form for submission of a written complaint is available on the Company's website or may be requested from the Operations Manager. All employees are encouraged, but not required, to use this complaint form. In addition, employees who are reporting sexual harassment on behalf of other employees may use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns, or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

## MANAGER RESPONSIBILITIES

All managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior, or for any reason suspect that sexual harassment is occurring are required to report such suspected sexual harassment to Polaner Selections.

In addition to being subject to discipline, if they engaged in sexually harassing conduct themselves, managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Managers will also be subject to discipline for engaging in any retaliation.

## COMPLAINT AND INVESTIGATION OF SEXUAL HARASSMENT

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately, and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses, and alleged harassers, will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Polaner Selections will not tolerate retaliation against employees who file complaints, support another's complaint, or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of a complaint, Polaner Selections will conduct an immediate review of the allegations and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant) as appropriate. If the complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If they refuse, prepare a Complaint Form based on the verbal reporting of the complainant.
- If documents, emails, or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses.
- Create written documentation of the investigation (such as a letter, memo, or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents; and
  - A list of names of those interviewed, along with a detailed summary of their statements; and
  - A timeline of events; and
  - A summary of prior relevant incidents reported or unreported; and
  - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.

- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported the complaint that they have the right to file a complaint or charge externally, as outlined in the next section.

## LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Sexual harassment is not only prohibited by Polaner Selections but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Polaner Selections, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

### **New York State Division of Human Rights (DHR)**

The Human Rights Law (HRL), codified as N.Y. Executive 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 a violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed at any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Polaner Selections does not extend your time to file with DHR or in court. The one year or three years is counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint 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, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment or redress the damage caused, including paying monetary damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. In addition, you may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized, and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

New York workers may call the New York State Division of Human Rights toll-free, confidential sexual harassment hotline at 1-800-427-2773 during regular business hours to receive legal counsel and information about filing a sexual harassment complaint in New York.

### **United States Equal Employment Opportunity Commission (EEOC)**

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, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other actions, including pursuing cases in federal court on behalf of complaining parties. In addition, 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 employee alleging discrimination at work can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov), or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR 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 sexual 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, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450, or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### **Contact the Local Police Department**

If the harassment involves physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

## **BULLYING IN THE WORKPLACE**

No form of bullying in the workplace will be tolerated. The following activities are examples of bullying in the workplace that are prohibited:

- Using or threatening physical violence
- Using abusive, insulting, or offensive language
- Making belittling or humiliating comments
- Spreading malicious rumors
- Regularly threatening to fire an employee without justification
- Requiring an employee to do humiliating or inappropriate things

This list is illustrative only and not exhaustive. Bullying in the workplace, at employer-sponsored events, and on social media is prohibited and will be grounds for disciplinary action or termination of employment.

Any employee who feels they are a victim of workplace bullying should immediately report the matter to the Operations Manager or any other member of management. Polaner Selections will investigate all such reports as confidentially as possible. No retaliation or adverse action will be taken against an employee who reports or participates, in good faith, in the investigation of a violation of this policy.

This policy is not intended to preclude or dissuade employees from engaging in activities protected by state or federal law, including the National Labor Relations Act.

## **GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008 (GINA)**

GINA prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. Therefore, to comply with this law, we ask that you not provide any genetic information when responding to a request for medical information. “Genetic information,” as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic

tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

## REPRODUCTIVE HEALTH DECISION-MAKING DISCRIMINATION

Polaner Selections 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 the use of a particular drug, device, or medical service.

Polaner Selections 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 Polaner Selections 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 Polaner Selections 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 Polaner Selections 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 Polaner Selections 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 Polaner Selections, a co-worker, or to 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 Polaner Selections

Employees with issues or concerns regarding this policy or who feel they have been subjected to any alleged violation of this policy should contact Tina Fischer, Managing Member of Douglas Polaner Selections, LLC.

## DISABILITY ACCOMMODATION

The Americans with Disabilities Act (ADA), as well as applicable state and local human rights laws, require employers to reasonably accommodate qualified individuals with disabilities. Polaner Selections is committed to complying with these laws and recognizes that some individuals with disabilities may require accommodations at work. Accordingly, Polaner Selections will attempt to reasonably accommodate qualified individuals with a temporary or long-term disability so that they can perform the essential functions of the job unless doing so would create an undue hardship on the Company.

It is our policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of an individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy, the Company will engage in a "cooperative dialogue" when an employee makes a reasonable accommodation request with a "disability" as defined by the ADA or applicable state and local laws or when Polaner Selections has a reasonable basis to believe that an employee's job performance is being negatively impacted by a disability.

Individuals may make a reasonable accommodation request by contacting their manager or the Operations Manager. All reasonable accommodation requests will be addressed on a case-by-case basis and in a timely, good-faith manner and shall include an interactive discussion with the individual. Polaner Selections is committed to engaging in a meaningful dialogue to determine what accommodations may be reasonable. Further, such accommodations must not constitute undue hardship upon

the Company, and the individual must make Polaner Selections aware of their disability. This may require written documentation from the employee's healthcare provider. Under certain circumstances, a leave of absence may be considered a reasonable accommodation. However, it is important to note that regular and on-time attendance is an essential function of every position. At the conclusion of the interactive process, Polaner Selections will notify the employee in writing of its determination regarding the employee's request for accommodation.

Individuals will not be retaliated against for requesting accommodation in good faith. Polaner Selections expressly prohibits any form of discipline, reprisal, intimidation, or retaliation against any individual for requesting an accommodation in good faith.

If employees or applicants feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately to the Operations Manager.

## PREGNANCY ACCOMMODATION

If you become pregnant, have a related medical condition, or are recovering from childbirth, Polaner Selections will reasonably accommodate your medical needs related to pregnancy, childbirth, or related conditions. These accommodations will include providing leave for a period of disability following childbirth, providing a stool or chair if your job requires you to stand, assistance with manual labor, and allowing more frequent breaks, including bathroom breaks and breaks to facilitate increased water intake.

Polaner Selections will follow the same "cooperative dialogue" process to consider reasonable accommodations as described in the above Disability Accommodation section

The employee must cooperate in providing medical or other information 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 Polaner Selections.

Polaner Selections 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, Polaner Selections will hold the employee's job for the employee as long as the Company does for employees who take medical leave for other reasons.

Polaner Selections 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. Polaner Selections 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 your Operations Manager.

## LACTATION ACCOMMODATION (RIGHTS OF NURSING MOTHERS)

For up to three years after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby. Before an employee returns from parental leave, Polaner Selections will provide the employee with written notice of this policy and seek to discuss with the employee whether the employee needs a reasonable accommodation to express breast milk at work.

Polaner Selections has designated the conference room for this purpose. Designated space will be provided in the office refrigerator for the specific storage of breast milk. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date the breast milk was expressed. Any nonconforming products stored in the refrigerator may be thrown out. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration, and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting the Operations Manager. Additional rules for the use of the room and refrigerator storage are posted in the room. Employees who work offsite or in other locations will be accommodated with a private area as necessary.

Employees should use breaks and meal periods for expressing milk when possible. The Company does not require the employee to work while pumping. However, if the employee works while pumping, the employee will be paid at their regular rate for that time.

No employee shall be discriminated against for requesting a lactation room or for breastfeeding or expressing milk during the work period, and reasonable efforts will be made to assist employees in meeting their infant feeding goals while at work. Any act found to be intentional that invades a nursing mother's privacy shall be treated as a disciplinary offense and should be reported to the Operations Manager.

## VICTIM OF DOMESTIC VIOLENCE ACCOMMODATION

Polaner Selections will provide reasonable accommodation to an employee who is a victim of domestic violence and who must be absent from work for a reasonable time unless such accommodation would pose an "undue hardship" on the Company's business.

For the purposes of this policy, A "victim of domestic violence" is defined as any person who is older than 16, married, or a parent accompanied by the parent's minor child in a situation where the person or their minor child is the victim of an act committed by a family or household member that would violate the penal law. The act must have resulted in actual physical or emotional injury or created a substantial risk of physical or emotional harm to the person or their child.

An employee who is a victim of domestic violence may take reasonable time off to:

- seek medical attention for injuries caused by domestic violence, including for a child who is the victim of domestic violence; or
- 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 the victim of domestic violence; or
- participate in safety planning or other action is taken to increase safety from future incidents of domestic violence (e.g., temporary or permanent relocation); or
- obtain legal services, assist in the prosecution of an offense, or appear in court related to an incident of domestic violence.

The time off may be charged against any paid time off to which the employee may be entitled. If the employee has no available paid time off, the time off will be unpaid.

An employee who needs time off for this purpose must provide Polaner Selections with reasonable advance notice, if possible. An employee who must be absent from work without advance notice must provide documentation of the need for accommodation when requested by Polaner Selections, such as a police report, a court order of protection, or medical records.

## IMMIGRATION LAW COMPLIANCE

Polaner Selections is committed to employing only individuals who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, even rehired employees, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

It is the employee's responsibility to notify Polaner Selections of any changes or updates to information used to verify employment eligibility, including any documents establishing identification, such as driver's licenses, social security card, and relevant immigration documents.



Employees with questions or who are seeking more information on immigration law issues are encouraged to contact the Operations Manager. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

## WHISTLEBLOWER ANTI-RETALIATION POLICY

In compliance with NYS Labor Law Section 740, the Company prohibits retaliation against employees who, in good faith, whether or not within the scope of their job duties, do any of the following:

- Disclose, or threaten to disclose to a supervisor or to a public body an activity, policy, or practice of the employer that the employee reasonably believes is in violation of law, rule, or regulation or that the employee reasonably believes poses a substantial and specific danger to the public health or safety;
- Provide information to, or testifies before, any public body conducting an investigation, hearing, or inquiry into any such activity, policy, or practice by such employer; or
- Object to or refuses to participate in any such activity, policy, or practice.

Under NYS Labor Law Section 740, the protection against retaliatory action described above pertaining to disclosure to a public body will not apply to an employee who makes such disclosure to a public body unless the employee has made a good faith effort to notify the Company by bringing the activity, policy or practice to the attention of a supervisor of the Company, and has afforded the Company a reasonable opportunity to correct such activity, policy or practice.

Such notification to the Company shall not be required where:

- There is an imminent and serious danger to the public health or safety;
- The employee reasonably believes that reporting to the supervisor would result in the destruction of evidence or other concealment of the activity, policy, or practice;
- Such activity, policy, or practice could reasonably be expected to lead to endangering the welfare of a minor;
- The employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or
- The employee reasonably believes that the supervisor is already aware of the activity, policy, or practice and will not correct such activity, policy, or practice.

“Retaliatory action” means an adverse action taken by the Company (or their agent) to discharge, threaten, penalize, or in any other manner discriminate against any employee or former employee exercising their rights under this section, including:

- Adverse employment actions, or threats to take such adverse employment actions against an employee, in the terms of conditions of employment including but not limited to discharge, suspension, or demotion;
- Actions or threats to take such actions that would adversely impact a former employee’s current or future employment; or
- Threatening to contact or contacting United States immigration authorities or otherwise reporting or threatening to report an employee’s suspected citizenship or immigration status or the suspected citizenship or immigration status of an employee’s family or household member to a federal, state, or local agency.

If you feel you were subject to retaliation or are aware of retaliation against another employee, you should report this to Human Resources. This policy is not meant to impede you from bringing a claim to, or providing information to, appropriate governmental authorities regarding possible violations of state, local, or federal law or making disclosures pursuant to whistleblower laws. It is also not intended to impede employees from discussing terms and conditions of employment with other employees.

Any employee who engages in retaliation or otherwise violates this policy is subject to disciplinary action, up to and including termination of employment.

# HIRING AND RETENTION

## 60-DAY INTRODUCTORY PERIOD

The 60-day introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance, to determine whether the new position meets their expectations, and lastly, to allow for Polaner Selections to evaluate the performance of its new hires. Polaner Selections uses this period to evaluate employee capabilities, work habits, and overall performance. Consistent with the “at will” policies mentioned within this handbook, either the employee or Polaner Selections may end the employment relationship at will, at any time during or after the 60 Day introductory period, with or without cause or advance notice.

If Polaner Selections determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee’s performance, the introductory period may be extended for a new specified period.

Upon satisfactory completion of the 60-day introductory period, employees will enter their “regular” employment classification.

During the initial introductory period, new employees are eligible to receive all legally mandated benefits (such as Social Security and workers’ compensation insurance) and certain other Polaner Selections benefits subject to the terms and conditions of each benefit program. Employees should read the plan description for each benefit program for details on eligibility requirements.

Polaner Selections reserves the right to initiate a new 60-Day introductory period for employees who are promoted or transferred within Polaner Selections. Benefits eligibility and employment status are not changed during a second introductory period that results from a promotion or transfer within Polaner Selections.

## EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who join Polaner Selections are well-qualified and have a strong potential to be productive and successful, it is the policy of Polaner Selections to check the employment references of all applicants. Therefore, references will be solicited from the perspective/newly hired employee, along with explicit permission to contact those individuals for the purpose of checking the employment history and other relevant data.

Additionally, the Operations Manager will respond to all reference check inquiries from other employers. Please note that only the Operations Manager is authorized to respond to reference check inquiries limiting the information to date of hire, date of discharge, and position held. If you receive a call directly regarding a reference, please refer them to the Operations Manager.

External disclosure of information about a current or previous employee will not be made without written authorization from the employee. Exceptions would be for verification of employment (dates and position only) and information required by governmental legal agencies or in emergency situations.

## PERSONAL DATA CHANGE

It is the responsibility of each employee to promptly notify Polaner Selections of any changes in personal data. Personal mailing addresses, telephone numbers, marital status, names of dependents, individuals to be contacted in the event of an emergency, data collected for the use of processing taxes and/or payroll, educational accomplishments, and other such status reports should be accurate and current at all times. If any personal data has changed, notify the Operations Manager.

## ACCESS TO PERSONNEL FILES

Employee files are maintained by the Operations Manager and are considered confidential. Managers, other than the Operations Manager shall have access to personnel file information on a need-to-know basis.

Representatives of government or law enforcement agencies, in the course of their business, may be allowed access to file information. This decision will be made at the discretion of the Management in response to the request, a legal subpoena, or a court order.

Within a reasonable time after the receipt of a written request, the Company will allow current employees access to their personnel files. Such inspection shall take place during regular business hours and upon reasonable notice. Personnel files are to be reviewed in the presence of the Operations Manager. Personnel files may not be taken outside of the department.

## PERFORMANCE EVALUATIONS

Managers and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Additionally, formal performance evaluations are conducted to provide both managers and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches to meeting goals. Performance evaluations are facilitated by your manager. Please seek them out if you have any questions about the process.

Performance evaluations are completed annually for every year of employment.

Merit-based pay adjustments may be awarded by Polaner Selections in an effort to recognize truly superior employee performance. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by the formal performance evaluation process, and remains within the sole discretion of Polaner Selections. Receipt of a performance evaluation is not a guarantee that the employee will also receive a pay increase.

## COMPENSATION

### EMPLOYMENT CATEGORIES

It is the intent of Polaner Selections to define employee classifications, so employees understand their employment status and benefits eligibility. However, these classifications do not guarantee employment for any specific period of time. Accordingly, the right to terminate the employment relationship “at will” is retained by both the employee and Polaner Selections.

Each employee is designated as either NON-EXEMPT or EXEMPT from federal and state wage and hour laws. NON-EXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee’s EXEMPT or NON-EXEMPT classification may be changed only upon written notification by Polaner Selections’ management.

In addition to the above categories, each employee generally will belong to one other employment category:

Regular Full-Time employees are those who are not in temporary status and who are regularly scheduled to work Polaner Selections’ full-time schedule.

Regular Part-Time employees are those who are not assigned to temporary or introductory status and who are regularly scheduled to work less than 40 hours per week.

Temporary employees are those who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project. Employment assignments in this category are of limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

## PAYDAYS

All office employees are paid on a bi-monthly basis. Each paycheck will include earnings for all work performed through the end of the previous payroll period, less applicable federal and state withholdings, and authorized deductions. All Sales employees are paid on a monthly basis. Each paycheck is issued on the 15<sup>th</sup> of the following month of work so that inventory can be reconciled and commissions calculated.

Employees may have their pay directly deposited into their bank accounts if they provide advance written authorization to Polaner Selections. Employees will receive an itemized statement of wages when Polaner Selections makes direct deposits.

In the event that a regularly scheduled payday falls on a scheduled company day off, such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

## TIMESHEETS

To ensure that compensation accurately reflects time worked, all non-exempt employees are required to record time worked on a weekly basis.

All non-exempt employees are expected to start and end their workday within certain timeframes and should record the time they begin and end their workday in order to keep accurate records of time spent on the job. In addition, they must record the beginning and ending times of any shifts or departure from work for personal reasons. Furthermore, employees must record time off from work, such as holidays, vacations, personal and sick days.

Altering, falsifying, or tampering with time records or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

## OVERTIME PAY

Occasionally it will be necessary for hourly, non-exempt employees to work more than their scheduled hours. The decision to work additional time will be that of the employee's direct manager (or senior management.) Overtime work must be manager approved in advance of the hours being worked. Non-exempt employees will be paid straight time up to 40 hours worked per week. After 40 hours, an employee shall be paid one and one-half times their designated hourly rate (or time and a half rate.) The time-and-a-half rate is paid only after 40 hours are actually worked. Until 40 hours have actually been worked, all hours will be paid at the designated hourly rate. If an employee is sick or a holiday falls during the week, the time paid for these days is not included in the actual work hours. An overtime form must be completed and signed by a manager.

Commute time traveling from the employee's home to the normal place of work and back is not compensable. However, required travel time to a location that is not a normal place of work, overnight travel, and other types of travel beyond a normal commute may be compensable, subject to and in accordance with applicable state and federal law. Please report such travel or questions to the Operations Manager.

## ADMINISTRATIVE PAY CORRECTIONS

Polaner Selections takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. However, in the unlikely event that there is an error in the amount

of pay, the employee should promptly bring the discrepancy to the attention of the Controller so that corrections can be made as quickly as possible.

## PAY DEDUCTIONS AND SET-OFFS

The law requires that Polaner Selections make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. Polaner Selections must also deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." Polaner Selections matches the amount of Social Security taxes paid by each employee.

Polaner Selections offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs. Such authorizations must be made in writing.

Additionally, the IRS has ruled that certain fringe benefits must be treated as compensation. This means that the Company is required to withhold applicable federal, state, and local income taxes based on the imputed value of these benefits. If this IRS ruling impacts you, the Controller will notify you.

Any questions you have concerning why deductions were made from your pay or how they were calculated, please see the Controller, who will assist you in having your questions answered.

## GARNISHMENTS

Polaner Selections maintains a policy to cooperate with legal requirements pertaining to garnishments.

Specifically, by court order, a creditor may force Polaner Selections to withhold wages and turn them over to the court. The Operations Manager will make every effort to assist the employee through this process, as well as keep this information confidential so as to protect the employee's privacy. This situation should not affect the employee's standing with the Company.

If employees find themselves in this situation, they are expected to cooperate with Polaner Selections fully in the execution of the garnishment. In the event the employee disagrees with the court's decision, it is the employee's responsibility to pursue the matter through legal channels. Polaner Selections cannot and will not be involved in the source of the issue, instead meeting its obligation to comply with a court order.

## EXEMPT EMPLOYEE PAY POLICY

In accordance with the Fair Labor Standards Act, exempt employees normally must receive their full salary (including paid leave accruals) for any week in which they perform any work, without regard to the number of days or hours worked. However, exempt employees need not be paid for any workweek in which they perform no work at all for Polaner Selections.

Deductions may be made from the pay of exempt employees for the following reasons as long as they are consistent with other company policies and practices:

- Absences of one or more full days for personal reasons other than sickness or disability (partial days must be paid) if the employee has utilized all available paid leave time or is not yet eligible for paid leave time.
- Absences of one or more full days due to sickness or disability (partial days must be paid) if the employee has utilized all available paid leave time or is not yet eligible for paid leave time.
- Fees received by the employee for the jury or witness duty, and pay received for temporary military duty, may be applied to offset the pay otherwise due to the employee for the week. No deductions can be made, however, for failure to work for these reasons.
- Deductions for the first and last week of employment, when only part of the week is worked by the employee, as long as this practice is consistently applied to all exempt employees in the same circumstances.

- Deductions as penalties imposed in good faith for infractions of safety rules of major significance.
- Deductions for full-day suspensions which result from violations of written workplace conduct rules.

#### IMPROPER DEDUCTIONS FROM PAY

Exempt employees who believe that their pay has been improperly reduced should immediately contact the Controller. Polaner Selections will reimburse any exempt employee whose pay is mistakenly reduced in violation of the law or this policy.

## ON THE JOB

### HOURS OF WORK, ATTENDANCE, AND PUNCTUALITY

The normal work schedule for all full-time employees is eight hours a day, five days a week, with a 45-minute lunch break (30 minutes is unpaid and 15 minutes is paid time) each day.

Polaner Selections' office is open from 9:00am – 5:30pm. The scheduling of employee hours is directed toward our clients' and general business needs. It is, therefore, inappropriate for personnel to take protracted periods of time away from their job or to be late. This puts a burden on the other members of our staff as well as our clients.

Polaner Selections relies on its employees to contribute productively to its success and profitability. Therefore, Polaner Selections expects employees to be reliable and punctual in reporting for scheduled work. Punctuality is one of several factors taken into account when considering promotions, merit increases, and transfers.

Employees must notify their immediate manager if they will be late or absent from work no later than 30 minutes after their scheduled starting time.

An absence is the failure to report for a scheduled work period and is defined as lost time (partial or full day). Excessive absenteeism or tardiness is a serious barrier to good job performance that may lead to disciplinary action ranging from verbal warnings up to and including termination of employment. If absent for two consecutive full days without reporting to their manager, an employee will be considered to have voluntarily resigned.

### LUNCH BREAKS

Employees are entitled to a 45-minute lunch break (30 minutes is unpaid and 15 minutes is paid time), which is generally taken between 12 noon and 2:00 p.m. Generally, employees are required to complete their lunch break no later than 2:00 p.m. Employees will be relieved of all active responsibilities and restrictions during meal periods, and hourly employees will not be compensated for that time.

Your scheduled starting time and lunch break schedule should be discussed with and approved by your immediate manager.

### EMERGENCY CLOSINGS

At times, emergencies such as severe weather, fire, and power failure may disrupt company operations. In extreme cases, these circumstances may require the closing of the office. Polaner Selections will make every effort to open their offices whenever possible.

Employees unable to report to work due to emergency conditions when the office is open should call in by 9:00am. Employees who are unable to report to work may request that time scheduled but not worked be paid and charged to PTO days. Employees who are unable to report to work and have no PTO will not be paid to the extent permitted by law. Overall, each event and each situation will be reviewed on a case-by-case basis.

In the event that such an emergency occurs during non-working hours, management will make every effort to contact you prior to your leaving home for work. In addition, when operations are officially closed due to emergency conditions, the time off from scheduled work will be paid.

## PERSONAL APPEARANCE

Please understand that you are expected to dress and groom yourself in accordance with accepted social and business standards and exercise proper personal hygiene, particularly if your job involves dealing with clients or visitors in person.

A neat, tasteful appearance contributes to the positive impression you make on our clients. Therefore, you are expected to be suitably attired and groomed during working hours and when representing the Company. Additionally, when working at a client's site, please dress appropriately according to their corporate culture.

Personal appearance should be a matter of concern for each employee. If your manager or designated company representative feels your attire and/or grooming is out of place, you may be asked to leave your workplace until you are properly attired and/or groomed. In addition, employees who violate dress code standards may be subject to appropriate disciplinary action.

## WORKPLACE VIOLENCE PREVENTION

Polaner Selections is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, Polaner Selections has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises. The prohibition against threats and acts of violence applies to all persons involved in the operation of the Company, including, but not limited to, Polaner Selections personnel, contract and temporary workers, and anyone else on Polaner Selections' property.

All employees, including managers and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others.

Conduct that threatens, intimidates or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate manager or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

Polaner Selections will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. Polaner Selections will make the sole determination of whether and to what extent the Company will act upon threats or acts of violence. In making this determination, the Company may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that workplace violence has occurred. No provision of this policy shall alter the at-will nature of employment at Polaner Selections.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Polaner Selections encourages employees to bring their disputes or differences with other employees to the attention of their managers before the situation escalates into potential violence. Polaner Selections is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

## INTERNAL COMMUNICATION

Effective and ongoing communication within Polaner Selections is essential. As such, the Company maintains systems through which important information can be shared among employees and management.

Employee Bulletin boards are posted in designated areas of the workplace to display important information and announcements. It is the responsibility of each employee to check at the beginning and end of each shift for new notices that have been posted on the employee bulletin board. Should you have questions or are in need of clarification on any notice that has been posted, please check with your Supervisor.

In addition, the Company uses the Intranet and email to facilitate communication and share access to documents. For information on appropriate email and Internet usage, employees may refer to the Computer, Email, and Internet Usage Policy. To avoid confusion, employees should not post or remove any material from the bulletin boards.

All employees are responsible for checking internal communications on a frequent and regular basis. To avoid confusion, unless authorized by management, employees should not post or remove any material from the bulletin board. Employees should consult their supervisor with any questions or concerns about the information disseminated.

## REMOTE WORK/TELECOMMUTING

Polaner Selections may allow employees to work remotely if their job duties and work performance are determined to be eligible for remote work. Eligibility will be decided on a case-by-case basis by Polaner Selections. Employees also may be required to work remotely during periods of public health emergencies if government orders and mandates recommend such work.

This policy provides general information regarding remote work/telecommuting. Employees who are approved to work remotely should consult their individual agreement for specific details of their remote work/telecommuting arrangement, such as expected work hours, equipment provided, and other important information.

Any remote work/telecommuting arrangement may be discontinued by Polaner Selections at any time and at the discretion of Polaner Selections. Employees also may discontinue the arrangement but may not be guaranteed office space at Polaner Selections' location.

## COMPUTER, EMAIL & INTERNET USAGE

### INTRODUCTION

Polaner Selections recognizes that the use of the Internet has many benefits for Polaner Selections and its employees. The Internet and e-mail make communication more efficient and effective. Therefore, employees are encouraged to use the Internet appropriately. However, unacceptable usage of the Internet can place Polaner Selections and others at risk. Therefore, this policy discusses acceptable usage of the Internet.

### GUIDELINES

The following guidelines have been established for using the Internet and e-mail in an appropriate, ethical and professional manner.

1. Polaner Selections' internet and e-mail access may not be used for transmitting, retrieving, or storing of any communications of a defamatory, discriminatory, or harassing nature or materials that are obscene or pornographic. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes, or sexual preference shall be transmitted. Harassment of any kind is prohibited.
2. Disparaging, abusive, profane, or offensive language; materials that would adversely or negatively reflect upon Polaner Selections or be contrary to Polaner Selections' best interests; and any illegal activities -- including piracy, cracking,



extortion, blackmail, copyright infringement, and unauthorized access to any computers on the Internet or e-mail -- are strictly forbidden.

3. Copyrighted materials belonging to entities other than Polaner Selections may not be transmitted by employees on the company's network. All employees obtaining access to other companies or individual's materials must respect all copyrights and may not copy, retrieve, modify, or forward copyrighted materials except with permission or as a single copy to reference only. If you find something on the Internet that may be interesting to others, do not copy it to a network drive. Instead, give the URL (uniform resource locator or "address") to the person who may be interested in the information and have that person look at it on their own.
4. Do not use the system in a way that disrupts its use by others. This includes excessive dial-in usage, sending or receiving many large files, and "spamming" (sending e-mail messages to thousands of users.)
5. Each employee is responsible for the content of all text, audio, or images that they place or send over the Company's internet and e-mail system. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else. Also, be aware that Polaner Selections' name is attached to all messages, so use discretion in formulating messages.
6. E-mail is not guaranteed to be private or confidential. All electronic communications are Polaner Selections property. Therefore, Polaner Selections reserves the right to examine, monitor, and regulate e-mail messages, directories, and files, as well as Internet usage. Also, the Internet is not secure, so don't assume that others cannot read -- or possibly alter -- your messages.
7. Internal and external e-mail messages are considered business records and may be subject to discovery in the event of litigation. Therefore, be aware of this possibility when sending e-mails within and outside the Company.

#### POLANER SELECTIONS' RIGHT TO MONITOR AND CONSEQUENCES

All company-supplied technology, including computer systems and company-related work records, belong to Polaner Selections and not the employee. In addition, Polaner Selections routinely monitors usage patterns for its e-mail and Internet communications. Although encouraged to explore the vast resources available on the Internet, employees should use discretion in the sites that are accessed.

Since all the computer systems and software, as well as the e-mail and internet connection, are Company-owned, all Company policies are in effect at all times. Any employee who abuses the privilege of Polaner Selections' facilitated access to e-mail or the internet may be denied access to the Internet and, if appropriate, be subject to disciplinary action up to and including termination.

#### QUESTIONS REGARDING THE USE OF THE INTERNET OR E-MAIL

If you have questions regarding the appropriate use of the internet or e-mail, contact the Operations Manager.

#### SOCIAL NETWORKING POLICY

The following is the Company's social media and social networking policy. The absence of, or lack of, explicit reference to a specific site does not limit the extent of the application of this policy. Where no policy or guideline exists, employees should use their professional judgment and take the most prudent action possible. Consult with your manager if you are uncertain.

1. Personal blogs should have clear disclaimers that the views expressed by the author in the blog is the author's alone and do not represent the views of the company. Be clear and write in the first person. Make your writing clear that you are speaking for yourself and not on behalf of the company.

2. Information published on your blogs should comply with the company's confidentiality and disclosure of proprietary data policies with respect to trade secrets and other business-related information. This also applies to comments posted on other blogs, forums, and social networking sites.
3. Be respectful of the company's products and services, customers, partners, and competitors.
4. Social media activities should not interfere with work commitments. Refer to IT resource usage policies.
5. Your online presence reflects the company. Be aware that your actions captured via images, posts, or comments can reflect that of our company.
6. Do not reference or site company clients, partners, or customers without their express consent. In all cases, do not publish any information regarding a client during the engagement.
7. Respect copyright laws and reference or cite sources appropriately. Plagiarism applies online as well.
8. Company logos and trademarks may not be used without written consent.

Employees must also be aware of and abide by the Federal Trade Commission guidelines regarding the use of endorsements and testimonials. Under these guidelines, employees who use social media to make statements about the Company's products may create unintended legal liability for the Company if a consumer later claims to have been misled into purchasing an allegedly dangerous or defective product by such a posting. Therefore, in an effort to avoid such liability, the Company strictly prohibits illegal endorsements by any employee.

An "endorsement" is an advertising message that consumers are likely to believe reflects the opinions, beliefs, findings, or experiences of a party other than a sponsoring advertiser. Consequently, Company employees must ensure that an endorsement does not include any representation that would be deceptive or misleading. Further, employees may not make false or unsubstantiated statements through endorsements, and employees are always required to disclose their relationship with the Company in endorsement postings.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, Twitter, or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous, or violent is forbidden. Polaner Selections policies apply equally to employee social media usage.

Polaner Selections encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, and/or social networking site is received and often misunderstood by readers. Therefore, employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their manager.

Employees in violation of the Company social networking policy may be disciplined up to and including termination. However, this policy is not intended to prohibit employees from communicating via social media on their own time and using their own computer resources or other electronic devices and is not intended to restrict any employee's right to discuss wages and working conditions with co-workers or in any way limit an employee's rights pursuant to the National Labor Relations Act. Employees should bear in mind that they are far more likely to resolve work-related complaints by speaking directly with their manager than by posting complaints on social media.

## CELLULAR PHONE/SMART PHONE/TABLET POLICY

### PERSONAL CELLULAR PHONES AND/OR SMART PHONES AND/OR TABLETS ETC.

While at work, employees are to exercise the same discretion in using personal cellular phones and associated equipment as they do for company phones. Excessive personal calls and messages during the workday can interfere with employee productivity and be distracting to others. The company encourages a reasonable standard of limiting personal calls during work time to no more than one per day as needed. Employees are therefore asked to make any other personal calls on non-work

time where possible and to ensure that friends and family members are aware of the company's policy. Flexibility will be provided in the circumstances demanding immediate attention.

Personal cell phones should be set to silent or vibrate mode while in the office.

The use of phones or tablets with cameras in the workplace is strictly prohibited due to privacy and security concerns. The Company reserves the right to confiscate any employee's cell phone in order to determine if this policy has been violated.

The Company will not be liable for the loss of personal cellular phones or smartphones brought into the workplace.

Please note that whether employees use their personal PCD or a Polaner Selections-issued device, Polaner Selections electronic communications policies, including but not limited to proper use of communications and computer systems, remain in effect.

#### PERSONAL USE OF COMPANY-PROVIDED CELLULAR PHONES OR SMART PHONES

Where job or business needs demand immediate access to an employee, the Company may issue a business cell phone or laptop to an employee for work-related communications.

Employees in possession of Company equipment, such as cellular phones and/or laptops, are expected to protect the equipment from loss, damage, or theft. Upon resignation or termination of employment or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the equipment and associated accessories in good working condition within the time period requested (for example, 24 hours) may be expected to bear the cost of a replacement.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

#### SAFETY ISSUES FOR CELLULAR PHONE AND TABLET USE

Employees whose job responsibilities include regular or occasional driving and who are issued a smart or cell phone for business use are expected to refrain from using their phone while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to find a suitable place to safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, New York and New Jersey state law mandates the use of a hands-free device; thus, the acceptance of a phone call while driving without such a device is illegal. The company encourages employees to refrain from discussion of complicated or emotional issues and pay attention while driving. Special care should be taken in situations where there is traffic, inclement weather, or the employee is driving in an unfamiliar area. All employees are required to abide by the applicable state law. No employee should be texting while driving at any time for any reason. In situations where job responsibilities include regular driving and accepting business calls, hands-free equipment will be provided to facilitate the provisions of this policy.

Employees whose job responsibilities do not specifically include driving as an essential function but who are issued a cell phone for business use are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Violations of this policy will be subject to the highest forms of discipline, including termination.

#### SPECIAL RESPONSIBILITIES FOR MANAGERIAL STAFF

As with any policy, managers are expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy.

## PERSONAL PHONE CALLS

Personal phone calls during working hours distract employees from their job responsibilities and may be disruptive to coworkers. Employees should therefore limit the placing or receiving of personal calls during working hours.

This policy applies to the use of the Company's phone equipment as well as cellular phones.

Employees are expected to inform friends and family members of this policy and will be held accountable for their actions under the company's disciplinary procedure.

Employees contacted by creditors or collection agencies should immediately inform the caller of this policy and end the call. They should then follow up with the agency in writing, advising them not to call them at work. Creditors failing to honor such a request can be reported to the Federal Trade Commission at [www.ftc.gov](http://www.ftc.gov).

## SOLICITATION, DISTRIBUTION, AND POSTING

Polaner Selections prohibits the solicitation, distribution, and posting of materials on or at Company property by any employee or non-employee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by Polaner Selections management and Company-sponsored programs related to Polaner Selections products and services.

### PROVISIONS:

- Non-employees may not solicit employees or distribute literature of any kind on Polaner Selections' premises at any time. Employees may only admit non-employees to work areas with management approval or as part of a Company-sponsored program. These visits should not disrupt workflow. The Polaner Selections employee must accompany the non-employee at all times. Former employees are not permitted onto Company property except for official Company business.
- Employees may not solicit other employees during work times except in connection with a Company approved or sponsored event.
- Employees may not distribute literature of any kind during work times or in any work area at any time except in connection with a Company-sponsored event.
- The posting of materials or electronic announcements is permitted with approval from a Manager.

Violation of this policy should be reported to the Operations Manager.

## PUBLIC RELATIONS / MEDIA INQUIRIES

Polaner Selections will generally provide a response to media inquiries within 24 hours of receipt. Individuals designated to speak on the organization's behalf are the Owners and Marketing team, and all media inquiries should be directed to them for a response. No one other than these individuals should represent the company's position to the media.

## WORKPLACE MONITORING

Workplace monitoring may be conducted by Polaner Selections to ensure quality control, employee safety, security, and customer satisfaction. Nonetheless, the Company will not monitor areas designed for the health or personal comfort of the

employees, such as restrooms. Employees can request access to information gathered through workplace monitoring that may impact employment decisions. Access will be granted unless there is a legitimate business reason to protect the confidentiality or an ongoing investigation.

Because Polaner Selections is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

## SMOKING

In keeping with Polaner Selections' intent to provide a safe and healthful work environment, as well as in accordance with New York State law, smoking is prohibited throughout the workplace.

The Company's smoking policy seeks to balance our desire to provide courteous customer service with respect to individual rights and our commitment to upholding government regulations.

This policy applies equally to all employees, clients, and visitors. Employees who choose to smoke must do so outside of the building. Time for smoking breaks should be limited accordingly. Excessive breaks taken of this nature are not acceptable and may result in disciplinary action, up to and including termination.

## DRUG & ALCOHOL-FREE WORKPLACE

Polaner Selections' employees are its most valuable resource. Therefore, this policy seeks to provide a safe and healthy work environment for all our employees. The Company is committed to providing a safe, healthy, and productive workplace that is free from alcohol and unlawful drugs as classified under local, state, or federal laws while employees are working on Company's premises and while operating employer-provided vehicles. Employees that work while under the influence of drugs or alcohol pose a safety risk to themselves, their co-workers, and the Company's clients, and such conduct will not be tolerated.

The legal use of prescribed drugs is permitted on the job if it does not impair an employee's ability to perform the essential functions of the job and permits the employee to effectively function in a safe manner that does not endanger themselves or other individuals in the workplace. Polaner Selections reserves the right to request a note from an employee's doctor confirming the medication in use was prescribed and will not affect an employee's ability to perform their job.

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.

Compliance with this policy by every employee is an express condition of employment with Polaner Selections. The Company reserves the right to conduct an investigation to determine whether there has been a violation of this policy while an employee is on Company premises or while conducting Company business off premises. This may include drug testing under certain circumstances and, if appropriate, mandatory participation in a substance abuse rehabilitation program. An employee's failure to cooperate fully in an investigation, or any employee's violation of this policy, shall be grounds for severe disciplinary action up to and including termination from the Company.

Furthermore, in accordance with the Drug-Free Workplace Act of 1988, any employee convicted of a drug statute violation occurring in the workplace must notify the Company of such conviction within 5 days of conviction.

Employees with drug or alcohol problems that have not resulted in and are not the immediate subject of disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program through the Company's health insurance benefits coverage. Leave may be granted if the employee agrees to abstain from the use of the problem substance; abides by all Polaner Selections' policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not cause Polaner Selections any undue hardship.

The Managing Members of Polaner Selections and the Operations Manager will determine the best course of action in the event of an employee's drug or alcohol problem. They will also be responsible for educating and informing employees and management regarding the Drug-Free Workplace Act and its policies.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their manager or the Operations Manager without fear of reprisal.

## VISITORS IN THE WORKPLACE

Only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures orderly operations, and provides the best possible work environment.

If an unauthorized individual is observed on Polaner Selections' premises, employees should immediately notify their manager or, if necessary, direct the individual to the entrance area.

## SAFETY / WORKER'S COMPENSATION INSURANCE

It is the Company's intent to provide a safe and secure work environment for all employees. If an employee becomes aware of or has concerns involving safety, they should contact their manager immediately. Any actions by employees, which jeopardize the safety and welfare of co-workers, will not be tolerated. Such inappropriate behavior may result in disciplinary action up to and including termination of employment.

All work-related accidents and injuries while on Company property must be reported to a manager immediately so that an appropriate investigation and report can be completed.

Polaner Selections provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Any employee who is injured on or off the job may not be allowed to return to work, depending on the injury (even in a restricted or light-duty capacity), until released by the treating physician. Prior to returning to work, the employee must provide a copy of the release documentation.

Neither Polaner Selections nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by Polaner Selections.

## BUSINESS TRAVEL EXPENSES/TRAVEL & ENTERTAINMENT POLICY

Polaner Selections will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. However, all business travel must be approved in advance by management.

Employees whose travel plans have been approved are responsible for making their own travel arrangements.

When approved, the actual costs of travel, meals, lodging and other expenses directly related to accomplishing business travel objectives will be reimbursed by Polaner Selections. Employees are expected to limit expenses to reasonable amounts.

To be reimbursed for monthly expenses, employees must process expenses through the Company's online expense management program. Receipts for all expenses, except mileage, must be uploaded to this online program. Expenses will not be processed if the expense management program is not used.

Expense forms must be submitted by the 5<sup>th</sup> of the following month in order to be reimbursed for the previous month. All expense forms received after the 5<sup>th</sup> will not be reimbursed until the following month after. For example, if an expense form is two months late, those expenses will not be reimbursed.

Employees should contact their manager for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

## EMPLOYEE RELATIONS/COMPLAINT PROCEDURE

Polaner Selections strives to provide its employees with competitive compensation and benefits and a work environment conducive to personal and professional development. When concerns or questions arise, Polaner Selections offers an employee relation and problem-resolution process to ensure that employees continue to be satisfied and comfortable throughout their tenure.

Issues that should be addressed through this program include allegations of harassment (sexual and other), discrimination, verbal abuse, physical abuse, drug or controlled substance issues, compensation, and benefits concerns, and any other violation of policies and procedures contained in this Employee Handbook.

All regular and temporary, full- and part-time employees and interns are encouraged to utilize this program.

### PROCEDURE

#### Issue with a Co-Worker

If you have a concern involving a co-worker, you are encouraged to speak openly and professionally to the co-worker to resolve the problem. If you are unsuccessful at this level or are uncomfortable approaching your co-worker directly, you should discuss the issue with your immediate manager. If you address the issue with your manager and are not satisfied with the results, you are encouraged to bring the issue directly to the next-level manager.

#### Issue with a Policy, Process, or On-site Non-employee Third Parties

If you have a concern involving a policy, process, or on-site non-employee (vendor, visitor, member, contract worker), you are encouraged to bring the issue immediately to your manager for investigation and resolution. If you address the issue with the manager and are not satisfied with the result, you are encouraged to bring the issue directly to the next-level manager.

#### Issue with a Manager

If you have a work-related concern involving a manager, you are encouraged to speak openly and professionally to the manager to resolve the problem. However, if this is not successful, or if you are unsatisfied with the results, you are encouraged to bring the issue to the Operations Manager for investigation and resolution.

Management will make every effort to ensure that the issues remain as confidential as possible while still investigating and resolving the issues expeditiously. Any internal investigation will involve only those individuals who are reasonably necessary. In addition, no employee will be penalized or retaliated against for using this program. However, anyone found to have breached the confidentiality or retaliation provisions of this program will be subject to disciplinary action, up to and including termination. Also, any employee that is found to have misused this process by knowingly making false allegations will be subject to disciplinary action, up to and including termination.

This policy is not designed to be rigid or inflexible. Thus, if it is your preference, you should feel free to contact the Operations Manager to raise any work-related concern without following the recommended steps set forth above.

## OPEN DOOR POLICY

Polaner Selections believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. However, if employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their managers or the Operations Manager.

## HEALTH AND SAFETY

The health and safety of employees and others on Polaner Selections' property are of critical concern to Polaner Selections. Polaner Selections intends to comply with all health and safety laws applicable to our business. To this end, we must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Therefore, 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. In addition, any suspicion of a concealed danger present on Polaner Selection's premises or in a product, facility, piece of equipment, process, or business practice for which Polaner Selections is responsible should be brought to the attention of management immediately.

Periodically, Polaner Selections may issue rules and guidelines governing workplace safety and health. In addition, Polaner Selections 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.

## HERO ACT INFECTIOUS DISEASE EXPOSURE PREVENTION PLAN

Polaner Selections has created an Infectious Disease Exposure Prevention Plan (IDEPP), as required by the New York HERO Act, to help prevent the transmission of infectious diseases in the workplace. Employees are provided a copy of this plan at the time of hire, and they may view the IDEPP in the employee document section of Polander Selections – Living Room. The Company will implement this plan when an airborne infectious agent or disease is designated by the New York Commissioner of Health as a highly contagious communicable disease that presents a serious risk of harm to public health.

At this time, no such designation has been made, and this IDEPP is not currently in effect but is provided to employees so that they may become familiar with the IDEPP. However, in the event that such a highly contagious communicable disease designation is made by the New York Commissioner of Health, Polaner Selections will review the IDEPP, make any necessary changes to address the particular contagious communicable disease, and distribute and implement the updated IDEPP as required by law.

All employees should become familiar with the IDEPP and follow its provisions when activated.

## STANDARDS OF CONDUCT

### EMPLOYEE CONDUCT AND WORK RULES

Polaner Selections expects an employee to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. However, the following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Failure to change or improve inappropriate behavior or performance.



- Abusive or threatening language to any employee, visitor, or customer.
- Sleeping or loafing while on the job at any time other than during established break periods.
- Inappropriate behavior while on Company property.
- Disclosing proprietary information about the Company.
- Inappropriate/excessive socializing during business hours.
- Leaving the Company or assigned workplace (other than breaks & meal periods) during working hours without permission from a manager or other person authorized to grant permission.
- Conduct that violates common decency or morality (i.e., bribery, harassment, etc.).
- Involvement in the following activities may result in prosecution: obtaining material, property, or money from the Company by fraudulent means or misrepresentation; stealing, willfully damaging, or maliciously hiding any property of an employee, guest, or the Company.
- Falsifying records/data or reports (including but not limited to personnel records, timekeeping, attendance, production, inventory, accounting, or other records of the organization).
- Falsification of information provided or given in connection with employment.
- Divulging information of a confidential nature to unauthorized persons.
- Failure to disclose in an application for employment a conviction of any criminal offense (felony or misdemeanor).
- Failure to accept job assignments or the refusal to obey legitimate orders of a manager or authorized individual.
- Reporting to work under the influence of alcohol or an unauthorized controlled substance; possessing or using liquor or an unauthorized controlled substance on Company premises.
- Carrying a weapon on Company premises.
- Failure to return to work as scheduled at the end of an authorized leave of absence.
- Inappropriate use of Company communication devices.
- Violation of safety rules and policies.
- Failure to follow lawful instructions of a supervisor
- Violation of time and attendance policies, including but not limited to irregular attendance, habitual lateness, or unexcused absences.

Employment with Polaner Selections is at the mutual consent of Polaner Selections and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

## EMPLOYEE DISCIPLINE

Except in those cases where immediate suspension and/or discharge is determined to be appropriate (e.g., in response to an egregious act of misconduct by an employee), the following disciplinary steps may be implemented at the sole discretion of the Company:

- Verbal warning
- Written warning
- Probation or suspension
- Termination

It is the policy of the Company to utilize the concept of progressive discipline in appropriate cases. However, this policy does not alter any employee's at-will employment status and does not limit the right of the Company to skip any step in this disciplinary process or to terminate employees without prior warning, even for a first offense.

## SUSPENSION

Employees may be placed on paid or unpaid suspension pending investigation of an allegation or incident of a serious nature or as the final disciplinary disposition for an incident or repeated unacceptable behaviors or performance.

## DISCIPLINARY PROBATION

Employees may be placed on probation for unsatisfactory performance or for violating a company policy. Employees will receive a disciplinary notice that includes a corrective action plan at the beginning of their probationary period outlining the areas requiring improvement, the activities comprising the corrective action, and the timeframe within which improvement must be made in order to avoid further discipline and/or termination.

## NON-DISCLOSURE/CONFIDENTIALITY

The protection of confidential business information and trade secrets is vital to the interests and the success of Polaner Selections. Such confidential information includes, but is not limited to, the following examples:

- Compensation data
- Computer Processes
- Computer programs and codes
- Customer and supplier lists and contact information
- Pending Projects and Proposals
- Customer preferences
- Inventory Reports
- Daily / Monthly Reports
- Allocation Lists
- Internal Emails

Any employee may be required to sign a confidentiality agreement as a condition of employment. Employees who improperly use or disclose trade secrets or confidential business information will be subject to disciplinary action, up to and including termination of employment. Additionally, even if they do not personally benefit from disclosing the information, said employees may be subject to legal action. This policy is designed to protect and safeguard confidential business-related information; it is not intended to in any way limit, curtail or interfere with the rights of employees to discuss the terms and conditions of their employment or otherwise engage in protected concerted activities.

Notwithstanding the foregoing, and pursuant to the Defend Trade Secrets Act of 2016: (1) an individual shall not be held criminally or civilly liable under any federal or state trade secret law for the disclosure of a trade secret that (A) is made (i) in

confidence to a federal, state, or local government official, either directly or indirectly, or to an attorney; and (ii) solely for the purpose of reporting or investigating a suspected violation of law; or (B) is made in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal; and (2) an individual who files a lawsuit for retaliation by an employer for reporting a suspected violation of law may disclose the trade secret to the attorney of the individual and use the trade secret information in the court proceeding if the individual (A) files any document containing the trade secret under seal; and (B) does not disclose the trade secret, except pursuant to a court order.

## CONFLICTS OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which Polaner Selections wishes its business to operate. The purpose of these guidelines is to provide general direction so employees can seek further clarification on issues related to the subject of acceptable standards of operation.

Examples of inappropriate activity that may be perceived as a conflict of interest include, but are not limited to, the offering of special arrangements for clients outside the scope of general business dealings, dealings involving friends or relatives that could be seen as unfairly balanced or structured, or cases involving personal gains by the employee.

Given the very broad nature of this highly sensitive area, employees are strongly encouraged to seek out their manager for their interpretation of ANY AND ALL possible conflict of interest situations prior to entering into any agreements.

Contact the Operations Manager for more information or questions about conflicts of interest.

## NEPOTISM/INTERPERSONAL RELATIONSHIPS

Polaner Selections allows for the employment of spouses, significant others, and immediate family members. However, the Company does not allow employees in such relationships to supervise one another.

Polaner Selections reserves the right to discipline, transfer, discharge, or terminate an employee whose interpersonal relationships with relatives or others at the workplace conflict with the Company's business needs or which negatively impact the work environment.

## OUTSIDE EMPLOYMENT

Employees may hold outside jobs as long as they meet the performance standards of their job with Polaner Selections. However, employees may not directly or indirectly act as or become a principal, agent, 5% or more stockholder, employee, independent contractor, or counselor of any business that engages in the same business as Polaner Selections.

All employees who are holders of solicitor's permits are restricted from holding a job with another organization licensed to sell alcoholic beverages.

If Polaner Selections determines that any employee's outside work interferes with their performance or the ability to meet the requirements of the position, as they are modified from time to time, the conflict between jobs may need to be addressed. Polaner Selections expects the employee to make every effort to resolve the conflict, possibly including terminating the outside employment if they wish to remain with Polaner Selections.

Outside employment that, in the judgment of Polaner Selection's management, constitutes a conflict of interest is prohibited. Any employees who suspect a possible conflict of interest should seek out the Operations Manager to discuss the matter further prior to the potential conflict occurring. Employees may not receive any income or material gain directly from individuals outside Polaner Selections for materials produced or services rendered while performing their jobs at Polaner Selections.

## PAID TIME OFF

### HOLIDAYS

Regular full-time employees are immediately eligible for holiday pay on the following holidays:

New Year's Day  
MLK Day  
Presidents' Day  
Memorial Day  
Juneteenth  
Independence Day  
Labor Day  
Thanksgiving Day  
Day after Thanksgiving  
Christmas Day

Polaner Selections reserves the right to not pay an employee for a holiday in the event that the employee does not work the last scheduled workday immediately before a holiday, as well as the first scheduled workday immediately following the holiday. Polaner Selections may require the delivery of a doctor's note in the event either of these days is claimed as a sick day, as well as for other days missed.

Based on the needs of the business, the observance of holidays may fluctuate by departments; therefore, holidays will be discussed during an employee's orientation to the Company. Hourly paid employees who work on any of these designated paid holidays will be paid for their hours worked.

Regular part-time employees who work at least 30 hours per week are eligible for holiday pay for the hours normally worked only if the holiday falls on a day they are usually scheduled to work. If a recognized holiday falls during an eligible employee's paid absence, such as vacation, holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

If a recognized holiday falls on a weekend, it will be celebrated either on the Friday before or the Monday after at the discretion of Polaner Selections.

### RELIGIOUS HOLIDAYS

Reasonable accommodation is made to give an employee the opportunity to be off from work to observe a non-designated religious holiday. This time should be scheduled and approved in advance by their manager. An employee may use PTO days for these holidays. If there is no available time remaining, an employee may take the time off without pay if approved by their manager.

### VACATION TIME

Polaner Selections recognizes that your time away from work is important to you. Vacation time is designed to offer you the maximum flexibility and choice in scheduling and managing your individual time off needs while simultaneously ensuring that Polaner Selections maintains the ability to meet our commitments to our customers and our other employees throughout the year.

Vacation time places joint responsibility on managers and employees to schedule time off.

Vacation time is available to regular full-time employees and regular part-time employees who work at least 30 hours per week to provide opportunities for relaxation/vacation or personal business. Vacation time is paid at the employee's base salary rate; it does not include overtime or any special forms of compensation such as incentives, commissions, or bonuses.

Vacation time is awarded on a calendar year basis (i.e., January 1 through December 31). In the event that available vacation time is not used by the end of the calendar year, employees will forfeit unused time. Employees will also forfeit unused vacation time upon termination of their employment with Polaner Selections.

The amount of vacation time an employee receives each year is based on your date of hire and length of service.

Following the 60-day introductory period, full-time employees will be eligible for up to 10 days of vacation time annually. For new employees, vacation time will be prorated based on the hire date.

After completing 3 years of continuous, full-time employment, employees are entitled to 15 days of vacation time. After completing 5 years of continuous, full-time employment, employees are entitled to 20 days of vacation time. The maximum number of allowed vacation days is capped at 20.

Vacation time can be used in minimum increments of ½ days and maximum increments of 10 consecutive workdays. To take vacation time, employees must request advance approval from their managers. All vacation time requests must be made in writing on a vacation time request form a minimum of 30 days in advance. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

## SICK LEAVE BENEFITS

After completion of two consecutive months of employment, Polaner Selections provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illness or injury. During the first two months of employment, there is no paid sick leave or paid absence. Regular full-time and part-time employees are eligible for sick leave benefits. Regular part-time employees are paid in proportion to time usually worked (i.e., if a regular part-time employee who usually works 4 hours per day takes a sick day, if they have sufficient sick time accumulated, they will receive 4 hours of sick pay accordingly.)

Regular full-time and part-time employees will be eligible for 5 sick days annually. For new employees, sick days will be prorated based on the hire date. These sick days will also count as the sick time to which employees are entitled under the New York State, New York City, or Westchester County sick leave laws and may be used by an employee for any of the purposes covered by those laws without any condition prohibited by those laws. Sick time that is not used prior to year-end will not be carried over to the next year except as required by the New York State, New York City, or Westchester County sick leave laws.

Sick leave pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation such as overtime, commissions, or bonuses.

Employees who are unable to report to work due to illness or injury should notify their direct manager before the scheduled start of their workday. The manager must also be contacted on each additional day of absence. While leaving a message on a manager's voicemail is acceptable, employees calling in sick are generally expected to be available by phone in the event their manager needs to secure information about their work.

If an employee is absent for **three or more** consecutive days due to illness or injury, a physician's statement must be provided to confirm the illness or injury. Such verification may be requested for other sick leave absences as well and may be required as a condition for receiving sick leave benefits. Sick leave benefits are intended solely to provide income protection in the event of illness or injury and may not be used for any other absence. Unused sick leave benefits will **not** be paid out to employees while they are employed or upon the termination of employment.

## NEW YORK STATE SICK LEAVE

As of September 30, 2020, employees are eligible upon hire to accrue paid sick leave (PSL) at a rate of one (1) hour for each thirty (30) hours worked, up to a maximum of 40 hours per calendar year. Employees may begin taking leave pursuant to this policy as of January 1, 2021. The five days of sick leave provided to regular full and part-time employees pursuant to the Company's Sick Leave Benefits policy above will count as the PSL to which employees are entitled under this policy. The purpose of this separate policy is to set forth the legal requirements for the use of PSL pursuant to New York State law.

### PERMISSIBLE USES OF PSL

PSL may be used for the following:

- For a mental or physical illness, injury, or health condition of such employee or such employee's family member, regardless of whether such illness, injury or health condition has been diagnosed or requires medical care at the time that such employee requests such leave; or
- For 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, such employee or such employee's family member; or
- For an absence from work due to any of the following reasons when the employee or employee's family member has been the victim of domestic violence as defined under New York law, a family offense, sexual offense, stalking, or human trafficking:
  - to obtain services from a domestic violence shelter, rape crisis center, or other services program; or
  - 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, or
  - 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; or
  - to file a complaint or domestic incident report with law enforcement; or
  - to meet with a district attorney's office; or
  - to enroll children in a new school; or
  - to take any other actions necessary to ensure the health or safety of the employee or the employee's family members or to protect those who associate or work with the employee.

### DEFINITIONS

For the purposes of this policy, "family member" is defined as an employee's child, spouse, domestic partner, parent, sibling, grandchild, or grandparent, and the child or parent of an employee's spouse or domestic partner.

"Parent" includes a biological, foster, step- or adoptive parent, or a legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child.

"Child" includes a biological, adopted, or foster child, a legal ward, or a child of an employee standing in loco parentis.

### PROCEDURES FOR SCHEDULING PSL

If the need is foreseeable, PSL time should be scheduled seven (7) days in advance by contacting their manager.

Employees who are unable to report to work due to personal illness or injury or any other reason covered by this policy must contact their manager as soon as possible and no later than thirty (30) minutes prior to their normal starting time. If their manager is unavailable, the employee should leave a message and contact the Operations Manager by text or email within 1 hour after their normal starting time. If an employee becomes sick during the day, they should notify their manager before leaving the office. Failure to follow these procedures may result in the time away from work being counted as an unexcused absence and/or disciplinary action, including time off without pay.

The minimum increment of PSL that an employee may take in a workday is four (4) hours.

## DOCUMENTATION OF NEED FOR LEAVE

The Company will require documentation to support the absence. The Company may require a note signed by a licensed health care provider for sick leave or documentation from a social service provider, legal service provider, member of the clergy, or a notarized letter written by you indicating the need for safe leave.

Failure to provide the required documentation may result in the time away from work being counted as an unexcused absence and/or disciplinary action, including time off without pay. In addition, the Company may delay payment of PSL until the required documentation is provided.

The Company will not require the disclosure of confidential information relating to a mental or physical illness, injury, or health condition of an employee or the employee's family member, or information related to absence from work due to domestic violence, a sexual offense, stalking, or human trafficking, as a condition of requesting or taking PSL.

## PSL ANNUAL ENTITLEMENT AND PAYOUT

PSL annual entitlement is credited to each employee on January 1 for use during the current year. Full-time employees will be credited with 40 hours of PSL on January 1. Part-time employees will be credited with a prorated amount calculated at the rate of 1 hour for every 30 hours scheduled to work to the maximum of 40 hours per calendar year. For example, an employee hired to work 20 hours per week, annualized at 1,040 per year divided by 30 hours equals 35 hours. Thirty-five hours will be credited on January 1 for use during the current year.

Employees hired during the calendar year will receive a prorated PSL entitlement based on their hire date.

PSL hours may not be redeemed for pay in lieu of carry-over, and unused, accrued PSL hours will not be paid out upon separation of employment.

## ANTI-RETALIATION AND MISUSE OF PSL

The Company will not discharge, threaten, penalize, or in any other manner discriminate or retaliate against an employee because the employee has requested or used PSL. However, the use of PSL for purposes other than those described in this policy and/or excessive unplanned or unapproved absences may result in disciplinary action up to and including termination.

## INTERACTION WITH LOCAL SICK LEAVE LAWS

The New York State Sick Leave law is not intended to pre-empt any local sick leave law to the extent that those laws provide covered employees with more generous rights or benefits than those provided by the state law. Accordingly, the Company will continue to comply with any applicable local laws, and the leave accrued pursuant to this policy will also satisfy the leave accrual requirements for those laws.

## NYC AND WESTCHESTER COUNTY PAID SICK TIME

Employees who work in New York City or at least 90 days in a calendar year in Westchester County shall be entitled to paid safe/sick time (PST) based on the following:

- Full-time employees are eligible upon hire for five (5) PST days (or 40 hours of PST) per calendar year.
- Part-time employees are eligible upon hire to accrue PST at a rate of one (1) hour for each thirty (30) hours worked, up to a maximum of 40 hours per calendar year.
- The five days of sick leave provided to regular full and part-time employees pursuant to the Company's Sick Leave Benefits policy will count as the PST to which employees are entitled under this policy. The purpose of this separate policy is to set forth the legal requirements for the use of PST pursuant to the New York City and Westchester County laws.

PST hours may be used for the following:

- your own physical or mental illness, injury or health condition, or preventive medical care; or
- to care for a family member in need of a medical diagnosis, care, treatment, or preventive care, or
- closure of the Company because of a public health emergency, as declared by a public health official, or if you need to care for a child whose school or childcare provider has been closed because of such a declared emergency.

In addition, if you or a family member are the victims of any act or threat of domestic violence or unwanted sexual or physical contact, stalking, or human trafficking, you may use PST for the following purposes:

- to obtain services from a domestic violence shelter, rape crisis center, or other shelter or services program; or
- 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, or
- to meet with a civil attorney or other 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 a family offense matter, sexual offense, stalking, human trafficking, custody, visitation, matrimonial issues, orders of protection, immigration, housing, discrimination in employment, housing or consumer credit; or
- to file a complaint or domestic incident report with law enforcement; or
- to meet with a district attorney's office; or
- 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 you or your family members or to protect those who associate or work with you.

Family member for the purposes of NYC Safe and Sick Leave is defined as a child, spouse, domestic partner, parent, sibling (including half-siblings, step-siblings, or siblings related through adoption), grandchild, or grandparent, or the child or parent of the employee's spouse or domestic partner, household member, 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.

#### PROCEDURES FOR SCHEDULING PST

If the need is foreseeable, PST time should be scheduled seven (7) days in advance by contacting their manager.

Employees who are unable to report to work due to personal illness or injury or any other reason covered by this policy must contact their manager as soon as possible and no later than thirty (30) minutes prior to their normal starting time. If the manager is unavailable, the employee should leave a message and contact the Operations Manager by text or email within 1 hour after their normal starting time. If an employee becomes sick during the day, they should notify their manager before leaving the office. Failure to follow these procedures may result in the time away from work being counted as an unexcused absence and/or disciplinary action, including time off without pay.

The minimum increment of PST that an employee may take in a workday is four (4) hours (e.g., an employee cannot charge only two (2) hours of PST unless the employee only has two (2) hours of PST available to use). After the initial four-hour increment minimum, the employee may take any additional PST on that day in 30-minute increments.

#### DOCUMENTATION OF NEED FOR LEAVE

If an absence is for more than three (3) consecutive workdays, the Company will require documentation to support the absence. The Company may require a note signed by a licensed health care provider for sick leave or documentation from a social service provider, legal service provider, member of the clergy, or a notarized letter written by you indicating the need for safe leave.

The Paid Safe and Sick Leave Law prohibits the Company from requiring that documentation specify the reason for safe or sick leave use. Disclosure may be required by other laws, however. Any health information about an employee or an employee's family member will be treated as confidential.



Failure to provide the required documentation may result in the time away from work being counted as an unexcused absence and/or disciplinary action, including time off without pay. In addition, the Company may delay payment of PST until the required documentation is provided.

### CARRY OVER AND PAY OUT OF PST

For employees who accrue PST, a maximum of forty (40) unused PST hours may be carried over to the following year. This means if you accrued PST but did not use it by the end of the calendar year, you will start the next calendar year with the unused PST from the previous calendar year and be eligible to accrue up to an additional 40 hours of PST (at the rate of one hour of PST per 30 hours worked) in the new calendar year. However, the maximum PST that may be taken per calendar year is 40 hours. PST hours may not be redeemed for pay in lieu of carry-over.

Full-time employees who receive 40 hours of PST “front-loaded” at the beginning of each calendar year (rather than accruing the time) cannot carry over any unused PST from one calendar year to the next.

Upon termination of employment, employees will not be paid for unused, accrued PST hours.

### ANTI-RETALIATION AND MISUSE OF PST

It is unlawful for an employer to take any adverse action against an employee for engaging in any activity protected by this law. However, the use of PST for purposes other than those described in this policy and/or excessive unplanned or unapproved absences may result in disciplinary action up to and including termination.

### NEW JERSEY PAID SICK AND SAFE ACT TIME (PST)

In accordance with the New Jersey Earned Sick Leave Law, employees who work in New Jersey are entitled to accrue and use up to 40 hours of paid sick/safe time (PST) in any period of 12 consecutive months as designated by the employer (the “Benefit Year”). Polaner Selections has designated the Benefit Year to run from January to December.

The five days of sick leave provided to regular full and part-time employees pursuant to the Company’s Sick Leave Benefits policy above will count as the PST to which employees are entitled under this policy. The purpose of this separate policy is to set forth the legal requirements for the use of PST pursuant to New Jersey State law.

Employees are entitled to use accrued PST for the following reasons:

- Diagnosis, care, or treatment of, or recovery from, an employee's own mental or physical illness, including preventive medical care; or
- Aid or care for a covered family member during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, including preventive medical care; or
- Circumstances related to an employee's or their family member's status as a victim of domestic or sexual violence (including the need to obtain related medical treatment, seek counseling, relocate, or participate in related legal services); or
- Closure of an employee's workplace or of a school/childcare of an employee's child because of a public official's order relating to a public health emergency; or
- 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 condition or disability.

For the purposes of this policy, “Family member” is defined as:

- a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, parent-in-law, or grandparent of an 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
- or any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship, regardless of biological or legal relationship.

#### PROCEDURES FOR SCHEDULING PST

If the need for PST is foreseeable, the Company requires advance notice of seven (7) calendar days of the intention to use PST and the expected duration. Employees must make a reasonable effort to schedule the use of PST in a manner that does not unduly disrupt the operations of the company. The Company may prohibit employees from using foreseeable PST on certain blackout dates where there are verifiable high-volume periods or special events during which permitting the use of foreseeable PST would unduly disrupt the operations of the employer. The Company may require reasonable documentation if PST that is not foreseeable is used during those dates.

For unexpected absences, the Company requires employees to give notice of the intention to use PST as soon as practicable under the circumstances.

PST must be taken in increments of four (4) hours. However, in no instance is an employee required to use PST for a shift in an increment that exceeds the number of hours the employee was scheduled to work during that shift.

Employees will be paid the same rate for PST as they would have earned had they worked those hours. PST taken in a given week does not count as hours worked, and PST will not count as hours worked in calculating an employee's entitlement to overtime in any given week.

Upon the mutual consent of the company and an employee, the employee may voluntarily choose to work additional hours or shifts during the same or following pay period in lieu of hours or shifts missed, but the employee shall not be required to work additional hours or shifts or use accrued earned sick leave. The Company may not require an employee to find a replacement to cover the employee's absence for PST.

#### DOCUMENTATION OF NEED FOR LEAVE

If an employee is absent for three or more consecutive days, the Company may require reasonable documentation that confirms that the employee used PST for a covered purpose. Reasonable documentation shall include the following:

- For leave taken for the employee's or employee's family member's mental or physical illness or preventive care: documentation signed by a health care professional indicating the need for leave and, if possible, the expected duration.
- For leave taken for circumstances related to an employee's or their family member's status as a victim of 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.
- For leave taken due to the closure of an employee's workplace or of a school/childcare of an employee's child because of a public official's order relating to a public health emergency: a copy of the order of the public official or the determination by the health authority.
- For leave taken due to a school-related event: 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.

#### **CARRY OVER AND PAYOUT OF PST**

Employees may carry over up to 40 hours of unused, accrued PST from one Benefit Year to the next. For employees who receive 40 hours of PST front-loaded at the beginning of each Benefit Year, this means that the employee may have more than 40 hours of available PST, but the employee still may not use more than 40 hours of PST per Benefit Year.

Employees will not be paid out for unused accrued PST at the end of the Benefit Year or upon the termination of employment. If an employee is separated from employment and then reinstated within six months, all of the employee's unused and accrued PST must be reinstated.

#### **ANTI-RETALIATION AND MISUSE OF PST**

It is unlawful for an employer to take any adverse action against an employee for engaging in any activity protected by this law. However, the use of PST for purposes other than those described in this policy and/or excessive unplanned or unapproved absences may result in disciplinary action up to and including termination.

## **PENNSYLVANIA PAID SICK TIME**

### **ALLEGHENY COUNTY PAID SICK TIME**

#### **Eligibility**

Polander Selections provides paid sick time to employees who have worked in Allegheny County for at least 35 hours in the calendar year in accordance with Article XXIV ("Paid Sick Days") of the Allegheny County Health Department Rules and Regulation (the "Ordinance"). For employees who work in Allegheny County 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 time pursuant to this policy on December 15, 2021, or at the start of employment, whichever is earlier. Employees accrue one (1) hour for every 35 hours worked, up to a maximum accrual of 40 hours each calendar year and an overall accrual cap of 40 hours at any time. 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 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 paid sick time beginning on the 90th calendar day following commencement of employment. Paid sick time may be used in the smaller of hourly increments or the smallest increment that the Company payroll system uses to account for absences or use of other time. Employees may not use more than 40 hours of paid sick time in any calendar year.

Employees may use paid sick time:

- for their own mental or physical illness, injury or health condition; for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; for preventive medical care;

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

For purposes of this policy, family member includes: a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner or a child to whom the employee stands in loco parentis; a biological, foster, adoptive, step-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 was a minor child; a person to whom the employee is legally married under the laws of any state; a grandparent or spouse or domestic partner of a grandparent; grandchild; a biological, foster or adopted sibling; a domestic partner; or any individual for whom the employee has received permission from the employer to care for at the time of the employee's request to make use of paid sick time.

Employees' use of paid sick time will not be conditioned upon searching for or finding a replacement worker.

Unless employees advise the Company 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**

Requests to use 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 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 the Employee's Supervisor seven (7) days in advance of the use of the paid sick time or as early as possible under the circumstances and make a reasonable effort to schedule the use of paid sick time in a manner that does not unduly disrupt Polaner Selection's operations. When the use of paid sick time is not foreseeable, the employee is required to provide notice to the Employee's Supervisor at least one (1) hour prior to the start of the employee's workday or as soon as possible under the circumstances.

For paid sick time of three (3) or more full consecutive days, the Company may require reasonable documentation that the paid sick time has been used for a covered purpose. Documentation signed by a health care professional indicating that sick time is necessary shall be considered reasonable documentation. Documentation provided to the Company should not explain the nature of the employee's or a family member's illness or health condition.

### **Payment**

Paid sick time will be paid at the same base rate of pay and with the same benefits, including health care benefits, as the employee would have earned at the time of the use of the paid sick time, but no less than the applicable minimum wage, unless otherwise required by applicable law. Use of paid sick time is not considered hours worked for purposes of calculating overtime.

### **Carryover and Payout**

Employees may carry over up to forty (40) hours of accrued, unused paid sick time to the following calendar year. Unused paid sick time will not be paid at separation.

### **Enforcement and Retaliation**

Polander Selections prohibits retaliation or discrimination against any employee because the employee has exercised rights protected under the Ordinance. Such rights include but are not limited to the right to use sick time pursuant to the Ordinance, the right to file a complaint with the Allegheny County Department of Administrative Services to effectuate the provisions of the Ordinance, the right to inform any person about alleged violations of the Ordinance and the right to inform any person of the employee's potential rights under the Ordinance. Employees may file a complaint if sick time is denied or if they are subjected to retaliation for requesting or taking sick time.

Questions about rights and responsibilities under the law can be answered by the Managing Member of Polander Selections.

## **PITTSBURGH PAID SICK TIME**

### **Eligibility**

Insert Company Name provides paid sick time to employees who work in the City of Pittsburgh for at least 35 hours in the calendar year in accordance with the Paid Sick Days Act (the "Ordinance") and the County of Allegheny in accordance with Article XXIV ("Paid Sick Days") of the Allegheny County Health Department Rules and Regulation (the "County Ordinance"). In addition, for employees who work in the City of Pittsburgh 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 time pursuant to this policy at the start of employment. Employees accrue one (1) hour for every 35 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 paid sick time accrues based upon that normal workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning on January 1 and ending on December 31.

### **Usage**

Employees may use paid sick time on the 90th calendar day following the commencement of employment. Paid sick time may be used in the smaller of hourly increments or the smallest increment that the payroll system uses to account for absences or use of other time. Employees may not use more than their maximum hours of paid sick time in any calendar year.

Employees may use paid sick time for absences due to:

- their mental or physical illness, injury, or health condition; their personal need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; their personal need for preventive medical care;
- 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
- 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 a family member when it has been determined by the health authorities having jurisdiction or by a health care provider that the family member's presence in the community may jeopardize the health of others because of the family member's exposure to a communicable disease, whether or not the family member has actually contracted the communicable disease.

For purposes of this policy, a family member includes:

- a biological, adopted, or foster child, stepchild or legal ward, a child of a domestic partner, 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 domestic partner 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 any state;
- a grandparent or spouse or domestic partner of a grandparent;
- a grandchild;
- a biological, foster, or adopted sibling;
- a domestic partner; or
- any individual for whom the employee has received oral permission from the employer to care for at the time of the employee's request to make use of sick time.

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

Unless the employee advises otherwise, the Company 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**

Requests to use 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 absence. When the use of 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 the Employee's Supervisor seven (7) days in advance of the use of the paid sick time or as early as possible under the circumstances and make a reasonable effort to schedule the use of earned paid sick time in a manner that does not unduly disrupt operations. When the use of paid sick time is not foreseeable, the employee is required to provide notice to the Employee's Supervisor at least one (1) hour prior to the start of the workday or as soon as possible under the circumstances.

For paid sick time of three (3) or more full consecutive days, the Company may require reasonable documentation that the paid sick time has been used for a covered purpose. Documentation signed by a health care professional indicating that sick time is necessary shall be considered reasonable documentation. The documentation provided to Polaner Selections should not explain the nature of the illness or health condition.

### **Payment**

Paid sick time will be paid at the same base rate of pay and with the same benefits, including health care benefits, as the employee would have earned at the time of their use of the paid sick time, but no less than the applicable minimum wage, unless otherwise required by applicable law. The 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 to the following calendar year. Unused paid sick time will not be paid at separation.

### **Enforcement and Retaliation**

Polaner Selections Name prohibits retaliation or discrimination against employees because they have exercised rights protected under the Ordinance or County Ordinance. Such rights include but are not limited to the right to use sick time pursuant to the Ordinance and County Ordinance; the right to file a complaint with the Mayor's Office of Equity or the Department or other County Agency designated by the Allegheny County Manager to effectuate the provisions of the County Ordinance or court; the right to inform any person about any employer's alleged violations of this Ordinance or County Ordinance; and the right to

inform employees of their potential rights under the Ordinance or County Ordinance. Employees may file a complaint if sick time is denied or if they are subjected to retaliation for requesting or taking sick time.

Questions about rights and responsibilities under the law can be answered by the Managing Member of Polaner Selections.

## STATUTORY LEAVE

### JURY DUTY

Polaner Selections encourages employees to fulfill their civic responsibilities by serving jury duty when required. All regular full and part-time employees who have completed their introductory period qualify for paid jury duty. Employees will be compensated at their current salary rate for the first three days of jury service. Employees who have not completed their 60-day introductory period will be compensated at \$40 for up to 3 days of service in accordance with New York State law. An employee who must serve longer may choose to take the paid time or unpaid time off. Employees should submit a copy of the jury duty summons to their manager as soon as it is received so that arrangements can be made to accommodate their absence. While on jury duty, employees are expected to call their manager on a daily basis. Of course, employees are expected to report for work whenever the court schedule permits or as soon as they are released from jury duty service. A copy of the release documentation should be provided to the manager.

Polaner Selections may request that an employee be excused from jury duty if, in Polaner Selections' judgment, the employee's absence would create serious operational difficulties.

### WITNESS AND CRIME VICTIM LEAVE

The Company will grant reasonable and necessary leave from work, without pay, to employees who are witnesses or victims of a crime or to attend or participate in legal proceedings pertaining to a crime. Affected employees must give the Company reasonable notice that leaves under this policy are required.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour rules.

### VOTING LEAVE

A registered voter may, without loss of pay for up to two hours, take off so much working time as will enable them to vote. Time taken to vote must be at the beginning or the end of their working shift, as designated by the employer, unless another time is mutually agreed upon. Employees must give the Company at least two working days' notice that leave under this policy is necessary.

### BLOOD AND BONE MARROW DONATION LEAVE

All employees working an average of 20 or more hours per week are eligible for an unpaid leave of (a) up to three (3) hours in any calendar year in order to donate blood and; (b) up to twenty-four (24) hours in any calendar year in order to donate bone marrow. Advance notice is requested, at least three (3) working days is required; however, some exceptions can be made if the employee is donating blood or bone marrow for their own surgery or that of a family member.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour rules.

The benefit does not carry over and, if not used in any given year, does not accumulate. The Company reserves the right to require proof of attendance from the blood bank and/or the employee's physician or healthcare provider.

## NEW YORK VOLUNTEER EMERGENCY RESPONDER LEAVE

The Company provides emergency response leave to employees who serve as volunteer firefighters, volunteer ambulance personnel, reserve peace officers, or emergency rescue personnel in the event of a declared local or state emergency. The leave may be granted for as long as the employee is engaged in the actual performance of emergency response duties. Leave under this policy will be unpaid. Employees may choose to use available accrued vacation in lieu of unpaid leave.

If you are requesting volunteer emergency response leave, you must give advance written documentation from the head of your department or service, notifying the Company of your status as a volunteer emergency responder. Upon return from this leave, the Company may request a notarized statement from the head of your department or service, certifying the period of time that you responded to the emergency.

## NEW JERSEY VOLUNTEER EMERGENCY RESPONDER LEAVE

Polaner Selections will not terminate, dismiss, or suspend you if you are not able to report to work because you are serving as a protected volunteer emergency responder during a state of emergency declared by the President of the United States or the State of New Jersey, or if you are actively engaged in responding to an emergency alarm. You are not protected if, by law or contract, you are an essential employee.

You are a protected emergency responder if your official duties include responding to a fire or emergency call as:

- A member of a volunteer fire company.
- A volunteer member of a first aid, rescue, or ambulance squad.
- A member of any county or municipal volunteer Office of Emergency Management.
- You must provide the Company with the following:
  - Notice that you are providing emergency services at least one hour before you are scheduled to report to work.
  - A certification from the incident commander or other official or officer in charge stating that you were actively engaged in and necessary for providing emergency services, and the date and time you were relieved from emergency duty, as well as a copy of the incident report when you return to work.

You may use accrued vacation or sick time for time missed from work to serve as a volunteer emergency responder.

## PENNSYLVANIA EMERGENCY RESPONDER LEAVE

Employees who are active volunteer firefighters, fire police, or members of a volunteer ambulance service or rescue squad will be provided with unpaid time off from work or will be excused for being late to work when late or absent for the purpose of responding to a fire or ambulance call prior to regular hours of employment. Proof of service may be required.

## MILITARY LEAVE/ UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)

The Company will not deny initial employment, re-employment, promotion, or any benefit of employment to, or terminate a person who is a member of, applies to be a member of, performs, has performed, applies to perform, or has an obligation to perform service in a uniformed service on the basis of that membership, application for membership, the performance of service, application for service, or obligation. Additionally, the Company will not retaliate against a person who asserts their USERRA rights, assists someone else to assert USERRA rights or assists in a USERRA investigation.

Polaner Selections is committed to supporting employees who may be called or volunteer to serve on active military duty. Polaner Selections complies with and supports federal law, which provides for an unpaid leave of absence for National Guard



and Military Reserve members, those who volunteer or are involuntarily inducted into military service, those who are called to attend military training, and those who are called for active duty. All employees are eligible to take military leave.

Polaner Selections will grant unpaid leave for regular employees who are called to, or volunteer for, active military duty in accordance with Federal guidelines. To be eligible for USERRA rights, the employee shall provide the Company advance notice, written or verbal, of the employee's military service unless notice is impossible, unreasonable, or precluded by military necessity. In addition, the employee must submit a timely reemployment application in accordance with the timelines provided by federal law.

The Company is committed to reemploying an employee returning from military leave to the position the employee would have attained if his or her continuous employment had not been interrupted due to the military service ("escalator position") or in a position of equivalent seniority status, and pay or in the pre-military leave position if the employee meets certain conditions prescribed by federal law.

Exceptions:

The Company may not reemploy an employee under the following limited circumstances:

- Change in the Company's circumstances. If reemployment is unreasonable or impossible because Polaner Selections' circumstances have changed, The Company may deny reinstatement. For example, if the employee's job has been eliminated in a reduction-in-force, reinstatement may not be required, or
- If, after reasonable efforts to accommodate a disability, rehiring a disabled employee causes the Company an undue hardship; or
- If the pre-military leave position was a brief, non-recurrent period of employment and there was no reasonable expectation that such employment would continue indefinitely; or
- If the employee is discharged from the uniformed services with a punitive military discharge (e.g., a court-martial discharge) or any other than honorable administrative discharge.

This policy is neither exhaustive nor exclusive. The Company is committed to taking all other actions necessary to comply with all other applicable federal and state laws.

## NEW YORK MILITARY SPOUSE LEAVE

Pursuant to New York State Law, employees who work an average of twenty (20) hours per week may be eligible for a military leave of up to ten (10) days. To qualify, employees must be the spouse of a member of the U.S. Armed Forces, National Guard, or Reserves who has been deployed during a period of military conflict to a combat theater or combat zone of operations. This leave cannot exceed ten (10) days and is unpaid.

## NEW JERSEY MILITARY LEAVE LAW

In addition to USERRA, the Company fully complies with the New Jersey Military Leave law that provides reemployment rights to U.S. or state military service members. The law protects any employee who leaves work other than a temporary position to do any of the following:

- Complete military service for the U.S. armed forces
- Participate in military assemblies or annual training
- Attend service schools conducted by the U.S. armed forces for up to three months in a four-year period

Following active duty, an employee will be reinstated to the same or similar position previously held. If this is not possible, the employee will be restored to any available position for which they are qualified upon request. The employee will not be discharged without cause for one year after reemployment.

Any employee who is reemployed will be:

- considered to have been on furlough or leave of absence during the period of military service, training or schooling; and
- restored without loss of seniority; and
- entitled to participate in insurance or other benefits offered by the Company to employees on furlough or leave of absence in effect at the time the employee began military leave.

In general, an employee must apply for reemployment within 90 days after completing military service and must provide a certificate of completion from an officer of the military force. However, employees who participate in annual training, military assemblies, or service schools must apply for reemployment within 10 days after completing the training or service school.

## PENNSYLVANIA MILITARY SERVICE LAW

Employees who are members of the state National Guard or the U.S. reserves are entitled to reinstatement upon completion of emergency or other military duty. The employee will be restored to their former position or to a position of like seniority, status, and pay, provided they are still qualified to perform the duties of the job.

If the employee is not qualified to perform the job's duties because of a service-related disability, they will be restored to a position they are qualified for, with like seniority, status, and pay, unless the Company's circumstances have so changed as to make it impossible or unreasonable to do so.

The Company will continue an employee's health insurance and other benefits for at least the first 30 days of active duty at no extra cost to the employee. After 30 days, the employee will have the option of continuing insurance at their own expense.

# FAMILY AND MEDICAL LEAVES OF ABSENCE

## BEREAVEMENT LEAVE

An employee who wishes to take time off due to a death of an immediate family member should notify and seek approval from their manager immediately.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements.

Up to three (3) days of paid bereavement leave will be provided to regular full-time and regular part-time employees. Bereavement pay is calculated based on the base rate at the time of absence and will not include any special forms or compensation such as overtime, commissions, or bonuses. Employees may, with management approval, use any available paid leave for additional time off as necessary.

Polaner Selections defines "immediate family" as the employee's spouse, parent, child, sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren.

## NEW YORK PAID FAMILY LEAVE

Paid Family Leave (PFL) is a benefit provided and administered by the State of New York. It may provide compensation to New York employees who take time off from work to:

- Bond with a newborn child, newly adopted child, or newly placed foster child up to the age of 18. Bonding must occur within one (1) year of the birth, adoption, or foster care placement.
- Provide physical care or psychological comfort to a family member with a serious health condition. Family members include a spouse, registered domestic partner, parent, child, parent-in-law, grandparent, and grandchild, regardless of whether they live in the state.
- PFL benefits are available for families eligible for time off under the military provisions in the federal Family Medical Leave Act when a spouse, child, sibling – biological, adopted, half-sibling or stepsibling, domestic partner, or parent of the employee is on active duty or has been notified of an impending call or order of active duty.
- PFL benefits are not available for the employee's own medical condition or qualifying military event, it may only be taken to care for your spouse, domestic partner, child, or parent.

PFL will cover employees whose regular employment schedule is at least 20 hours per week and who have worked at least 26 consecutive weeks before the first full day of family leave begins. Part-time employees whose regular employment schedule is less than 20 hours per week will be eligible for benefits under the law after such part-time employee has worked for 175 days for the employer.

PFL coverage is funded by employee payroll contributions and is paid directly to employees by our insurance carrier, similar to how short-term disability insurance works. As of 2022, eligible employees are entitled to up to 12 weeks of PFL, paid at 67% of their average weekly wage up to a maximum of the New York State Average Weekly Wage for that year.

For example, for employees starting leave in 2023:

- An employee who makes, on average, \$1,000 a week would receive a benefit of \$670 a week (67% of \$1,000).
- An employee who makes, on average, \$2,000 a week would receive a benefit of \$1,131.08 because this employee is capped at 67% of the New York SAWW. The SAWW for the 2023 calendar year is \$1,688.19. Sixty-seven percent of the SAWW would mean the employee gets \$1,131.08 per week on PFL starting in 2023.

For employees requesting intermittent leave (as opposed to continuous leave), the number of days of intermittent leave to which you are entitled may be less than the equivalent of the maximum weeks available shown in the chart below. The number

of days of intermittent leave entitlement will depend on the average number of days you worked per week during the last eight (8) weeks before taking paid leave.

An employee's average weekly wage is computed by adding their wages for the eight weeks prior to the start of Paid Family Leave and dividing the total by eight.

Eligible employees are guaranteed to be able to return to their same or a comparable job and continue their health insurance. If you contribute to the cost of your health insurance, you must continue to pay your portion of the premium cost while on PFL. The PFL program is funded through employee contributions, and claims are administered by the Company's Paid Family Leave insurance carrier. An employee is not entitled to continue to accrue Paid Time Off while out on PFL.

When practical, employees should provide 30 days advance notice of their intention to use Paid Family Leave.

Please contact the Operations Manager for additional information on these benefits.

## NEW JERSEY FAMILY LEAVE

The Company provides eligible employees with up to 12 weeks of unpaid, job-protected leave for specified family reasons under the New Jersey Family Leave Act (NJFLA).

### ELIGIBLE EMPLOYEES

To be eligible for NJFLA leave, you must have worked at least 12 months for the Company and have worked at least 1,000 hours for the Company over the previous 12 months within the state of New Jersey.

### QUALIFYING REASONS FOR LEAVE

You may take NJFLA leave to care for:

- A newly born or adopted child or a child placed for foster care, but the leave must start within 12 months of the birth of the child or the placement of the child for adoption.
- A family member (defined as a child age 18 or older, siblings, grandparents and grandchildren, parents-in-law, domestic partners, any individuals related to the employee by blood, as well as any other individual that the employee shows to have a close association with the employee who is the equivalent of a family relationship) with a serious health condition.
- Engage in activities for which unpaid leave may be taken pursuant to the New Jersey Security and Financial Empowerment Act (NJ SAFE Act) on the employee's own behalf if a victim of an incident of domestic violence or a sexually violent offense or to assist a family member of the individual who has been a victim of an incident of domestic violence or a sexually violent offense (except for any time for which the employee receives disability benefits for a disability caused by the violence or offense);
- 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 the spread of the communicable disease, provide in-home care or treatment of the family member of the employee required due to:
  - the issuance by a healthcare provider or the commissioner or other public health authority of a determination that the presence in the community of the family member may jeopardize the health of others; and
  - the recommendation, direction, or order of the provider or authority that the family member be isolated or quarantined as a result of suspected exposure to a communicable disease.

### LEAVE BENEFITS

You may take up to a maximum of 12 weeks of NJFLA leave in a 24-month period, which is measured as a rolling 24-month period, measured backward from the date of any NJFLA leave.

You may take NJFLA leave to care for a seriously ill family member:

- as a single block of time; or
- by reducing your normal weekly (but not daily) work schedule for no more than 12 consecutive months in a 24-month period; or
- intermittently in increments lasting at least one week but less than 12 weeks in a consecutive 12-month period.

Employees permitted to take intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the Company's operations.

Depending on the purpose of your leave, you may choose to use accrued paid leave concurrently with some or all of your NJFLA leave. In addition, you will not be eligible to accrue seniority or benefits, including vacation and holidays, during any period of your NJFLA leave.

While on approved NJFLA leave, you may seek income replacement benefits from the State of New Jersey per the New Jersey Family Leave Insurance Benefit (NJFLI) law (see NJFLI policy below).

During the period of your NJFLA leave, your health benefits shall continue under the same terms and conditions that applied during active employment. The Company will notify you of your options to continue your participation in our group health plans during NJFLA leave.

#### REQUIRED NOTICE AND CERTIFICATIONS

When requesting NJFLA leave, you must give the Company 30 days' advance written notice, except that 15 days' advance written notice is required prior to taking intermittent leave to care for a family member with a serious health condition. If advance written notice is not possible because of an emergency, you must give the Company reasonable oral notice and then follow up with written notice.

You also must give the Company medical certification supporting the need for leave. The Company reserves the right to require second or third medical opinions and periodic re-certification. You must also provide periodic reports during your leave regarding your status and intent to return to work as deemed appropriate by Human Resources Department.

If you fail to provide the required documentation, the Company may delay the start of your leave, withdraw any designation of NJFLA leave, or deny the leave, in which case your absences will be treated in accordance with the Company's standard leave of absence and attendance policies, and you may be subject to discipline up to and including termination of employment. If you provide false or misleading information or omit material information about a NJFLA leave, you will be subject to discipline up to and including immediate termination of employment.

#### RETURNING TO WORK AFTER NJFLA LEAVE

On returning to work after NJFLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

Any employee who fails to return to work as scheduled after NJFLA leave or exceeds the 12-week NJFLA entitlement will be subject to Polaner Selections' standard leave of absence and attendance policies. This may result in the termination of employment if your continued absence is unauthorized (for example, if you have no other Company-provided leave available to you).

#### NO OTHER EMPLOYMENT

The Company generally prohibits employees from holding other employment. This policy remains in force during all leaves of absence, including NJFLA leave, and violation of this policy may result in disciplinary action, up to and including immediate termination of employment.

#### RETALIATION PROHIBITED

The Company and the NJFLA prohibit the following:

- Interference with, restraint of, or denial of any right provided under the NJFLA.
- Discharge or discrimination against any person for opposing any practice made unlawful by the NJFLA or for involvement in any proceeding under or relating to the NJFLA.

The Company encourages employees to bring any concerns or complaints about retaliation or compliance with the NJFLA to the attention of the Operations Manager.

#### NEW JERSEY PAID FAMILY LEAVE INSURANCE

All regular New Jersey employees are eligible for up to 12 weeks of Paid Family Leave Insurance (PFLI) benefits. Benefits are payable to covered employees from the New Jersey State Plan to:

- Bond with a child during the first 12 months after the child's birth, if the covered individual or the domestic partner or civil union partner of the covered individual is a biological parent of the child or the first 12 months after the placement of the child for adoption with the covered individual.
- Care for a family member with a serious health condition supported by a certification provided by a health care provider. Claims may be filed for 12 consecutive weeks, for intermittent weeks, or for 56 intermittent days during a 12-month period beginning with the first date of the claim. Family member means a child, spouse, domestic partner, civil union partner, or parent of a covered individual.

Child means a biological, adopted, or foster child, stepchild, or legal ward of a covered individual, child of a domestic partner of the covered individual, or child of a civil union partner of the covered individual who is less than 19 years of age or is 19 years of age or older but incapable of self-care because of mental or physical impairment.

Covered employees are eligible for 85% of their average weekly wage up to \$881 per week. PFLI is not available for an employee's own serious health condition.

Employees intending to take leave to bond with a newborn or newly adopted child must provide the Company with a minimum of 30 days notice prior to the commencement of the family leave. An employee's failure to provide this notice will result in a two-week (14-day) reduction in the claimant's maximum PFLI entitlement for the 12-month period unless the time of the leave is unforeseeable or the time of the leave changes for unforeseeable reasons.

Employees intending to take leave to care for a seriously ill family member on a continuous, non-intermittent basis must provide the Company with prior notice of the family leave in a reasonable and practicable manner unless an emergency or other unforeseen circumstance precludes prior notice.

Employees intending to take leave to care for a seriously ill family member on an intermittent basis must provide the Company with a minimum of 15 days' notice before the commencement of the intermittent family leave unless an emergency or other unforeseen circumstance precludes prior notice.

Employees may apply for PFLI benefits to cover periods of unpaid leave taken pursuant to the NJ SAFE Act.

## MATERNITY AND/OR CHILD BONDING LEAVE

The Company recognizes that there are cases when a leave of absence from active employment is necessary due to the birth, adoption, or placement for foster care of a child. Employees who experience the birth of a child, or placement of a child for adoption or foster care, are eligible for the following types of leave:

### New York Employees

- Female employees who give birth are entitled to 6-8 weeks (depending on the type of delivery) of short-term disability (STD) insurance and leave immediately after giving birth. This leave will be unpaid, except for the use of available paid vacation or sick time and/or any payments from the Company's insurance carrier (which is capped at \$170/week).
- Female and male employees may take up to 12 weeks of child bonding leave within the first year of the child's birth, or placement for adoption or foster care pursuant to the NY Paid Family Leave Law (NYPFLL).
- For employees who, at the time the leave commences, have been employed by the Company for at least *twelve* months and who have *worked at least 1,000 hours* during the previous *twelve-month* period, the Company will pay employees their full salary for the first six (6) weeks of PFL bonding leave, in lieu of the partial salary replacement provided by our PFL insurance provider (which will be paid to the Company as reimbursement). Please note that this Company-paid benefit is only available to employees who take the PFL bonding leave in one consecutive six-week block of time rather than intermittently. The remainder of the child bonding leave will be unpaid except for the partial salary replacement provided by the PFL benefit. Employees may choose to supplement this wage replacement with any available paid vacation or sick time.
- Female employees who give birth may waive their right to STD and start PFL right away or take PFL after STD.

### New Jersey Employees

- Female employees who give birth are entitled to 6-8 weeks (depending on the type of delivery) of short-term disability (STD) insurance and leave immediately after giving birth. This leave will be unpaid, except for the use of available vacation or sick time and/or any payments from the state short-term disability insurance program.
- Female and male employees may take up to 12 weeks of child bonding leave within the first year of the child's birth or placement for adoption or foster care.
- For employees who, at the time the leave commences, have been employed by the Company for at least *twelve* months and who have *worked at least 1,000 hours* during the previous *twelve-month* period, the Company will pay employees their full salary for the first six (6) weeks of child bonding leave. Please note that this Company-paid benefit is only available to employees who take the PFL bonding leave in one consecutive six-week block of time rather than intermittently. In order to be eligible for this paid leave, the employee must waive their right to apply for New Jersey Family Leave Insurance while receiving full pay from the Company.

For employees being paid on 100% commission, the weekly pay rate is calculated based on the average weekly salary over the prior 12-month period.

All health insurance benefits in effect will continue in full during maternity and/or child bonding leave, provided that the employee continues to pay their share of the premiums.

Employees who fail to return to work at the end of their maternity and/or child bonding leave, absent extenuating circumstances, will be presumed to have voluntarily resigned their employment.

## PERSONAL LEAVES OF ABSENCE

The Company recognizes that there are cases when a leave of absence from active employment may be necessary for various reasons. Accordingly, Polaner Selections may grant eligible employees unpaid leave of absence in unusual, extenuating circumstances where the reason falls outside the normal boundaries of the Company's other leave policies and programs.

Personal leave is approved on a case-by-case basis by your manager, the Operations Manager, and the Managing Members of the Company.

The decision whether to grant leave is based on several factors, including but not limited to:

- reason for the request, or
- time of the year; or
- effect on client services or the operation of the department, or
- duration of the leave request; or
- availability of qualified resources to temporarily fill in; or
- overall work record of the employee.

Personal leave is not designed for the employee who is terminating employment or who is not planning on returning to work.

Personal leave is unpaid and will not exceed six months. All employees of the Company who have completed one year of service are eligible to request a personal leave. Any time off accrued must be utilized first before taking any unpaid leave time. Further, during a leave, time off accrual is suspended.

Benefit coverage may be continued throughout the duration of the leave provided the employee was covered under the Company's benefits on the day before the leave was requested. However, the employee will assume the full cost of the premiums. Checks should be made payable to Polaner Selections and should be mailed to the Operations Manager by the first of each month that the employee is out on leave. Please check with the Operations Manager prior to your leave to obtain the amount of the premium you will be responsible for paying.

There is no guarantee of a job with Polaner Selections at the end of the leave. The Company will make every effort to try and place the employee in their former position or a comparable position. If no such position is available, the employee may have to be terminated. Please seek out the Operations Manager to review the particulars of this policy.

## EMPLOYEE BENEFITS

### BENEFIT PROGRAMS

Eligible employees of Polaner Selections are provided with a wide range of benefits. A number of programs (such as Social Security, Worker's Compensation, and Unemployment Insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Part-time employees are required to work a minimum number of hours to be eligible for some paid benefits. Your manager or the Operations Manager can identify the programs for which you are eligible.

Please see your Operations Manager for more details and the summary plan descriptions for any and all benefits offered each calendar year.

### BENEFITS CONTINUATION (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under Polaner Selections' health plan when a "qualifying event" would normally result in the loss of eligibility.

Events that are "qualifying events" for COBRA purposes are:



- a termination of employment or reduction in hours
- divorce or separation
- death
- entitlement to Medicare
- losing dependent status under the plan

If an employee or their spouse or dependent is a "qualified beneficiary," then they can elect COBRA coverage. Generally, a qualified beneficiary is a person who is actually covered by Polaner Selections' health plan on the day before the event causing termination of coverage occurs. A qualified beneficiary also includes a child born to or placed for adoption with a qualified beneficiary.

If one of these events occurs, the employee and any spouse or dependent eligible under the plan can elect continuation or COBRA coverage. The employee will generally have 60 days to decide whether to elect COBRA coverage. A qualified beneficiary who is eligible for 18 months of COBRA coverage may extend the coverage period to 29 months if the employee becomes disabled or was already disabled during the first 60 days of COBRA coverage. The COBRA coverage period can be extended from 18 or 29 months (in the event of a disability extension) to 36 months if the beneficiary has a second "qualifying event" during the period of coverage. If Polaner Selections' medical plan is insured under a policy issued in New York State, qualified beneficiaries may extend medical coverage to 36 months, regardless of the type of qualifying event. However, 36 months is the maximum amount of time an employer is required to provide continuation coverage.

Generally, the COBRA coverage provided to the employee (or spouse/dependent) must be the same as the coverage the individual had on the day before the qualifying event. The employee can be asked to pay the entire cost of the insurance premium, including any portion previously paid by Polaner Selections. The employee may also be asked to pay a 2% administrative fee for a total of 102% of the cost of health insurance coverage. An amount up to 150% of the cost of coverage can be charged during the additional 11-month disability extension period unless Polaner Selections' medical plan is insured under a policy issued in New York State, in which case, the cost of coverage may not exceed 102% of the premium, even during an extension to 36 months of continuation coverage. Coverage begins on the date that coverage would otherwise have been lost by reason of a qualifying event and will end at the conclusion of the maximum period. It may end earlier if:

- Premiums are not paid on a timely basis.
- The employer ceases to maintain any group health plan.
- After the COBRA election, coverage is obtained with another employer group health plan that does not contain any exclusion or limitation with respect to any pre-existing condition of such beneficiary.
- After the COBRA election, a beneficiary becomes entitled to Medicare benefits.

## WORKERS' COMPENSATION INSURANCE

The Company provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately. Workers' compensation insurance provides assistance with medical expenses and lost wages.

Employees who sustain work-related injuries or illnesses must inform their manager immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. In addition, failure to report work-related injuries or illnesses in a timely manner may adversely affect an employee's entitlement to workers' compensation benefits.

The provision of workers' compensation benefits does not guarantee that the employee will receive any specific amount of leave time from work. Entitlement to insurance benefits under this policy and entitlement to leave away from work are considered separately.

Individuals will not be retaliated against for reporting work-related injuries or illnesses or for filing a workers' compensation claim in good faith. The Company expressly prohibits any form of discipline, reprisal, intimidation, or retaliation against any individual engaging in these activities in good faith.

Neither the Company nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the Company.

## SHORT-TERM DISABILITY BENEFITS

State short-term disability laws protect you when you are unable to work for at least eight (8) calendar days due to an illness or injury that occurs off the job. This benefit is generally subject to a seven (7) day non-payable waiting period, as required by law. Employees contribute to the short-term disability insurance premiums, as permitted by law, via payroll deductions.

If you are unable to work due to your own illness, contact your manager as soon as possible to obtain the appropriate short-term disability insurance forms because these forms must be submitted to the insurance carrier within 30 days of the onset of your disability.

During any period of disability, you must communicate with your manager on a regular basis (at least every two weeks) in order to keep the Company informed of any changes in your condition and your expected date of return to work.

## UNEMPLOYMENT INSURANCE

Unemployment insurance is protection for employees who are out of work through no fault of their own. Benefits are paid to employees who have worked long enough and earned enough in covered employment, are capable of work, and are ready, willing, and actively seeking work. The Company finances this benefit through payroll taxes at no cost to you. Employees terminated for misconduct may not be entitled to benefits.

## PRE-TAX TRANSPORTATION FRINGE BENEFIT (NJ EMPLOYEES)

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 Operations Manager for further information about the program or to sign up for benefits.

## EMPLOYMENT TERMINATION

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Some of the most common circumstances under which employment is terminated include resignation, discharge, layoff, and retirement.

All Polaner Selections property, including, but not limited to, keys, security cards, parking passes, laptop computers, issued equipment, uniforms, etc., must be returned at separation. Employees also must return all of Polaner Selections' Confidential Information upon separation.

Polaner Selections will make every effort to conduct exit interviews at the time of employment termination. The exit interview affords an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to

Polaner Selections, and/or return of -owned property. Since employment with Polaner Selections is based on mutual consent, both the employee and Polaner Selections have the right to terminate employment at will, with or without cause, at any time. Employees will receive their final pay in accordance with the applicable state law.

Employee benefits will be affected by employment termination. However, some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

## EMPLOYEE HANDBOOK ACKNOWLEDGMENT FORM

The Polaner Selections Employee Handbook describes important information about the Company, and I understand that I should consult my manager and/or the Operations Manager regarding any questions not answered in the handbook. I have entered into my employment relationship with the Company voluntarily and acknowledge that there is no specified length of employment. Accordingly, either the Company or I can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to the Company policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only a Managing Member of Polaner Selections has the ability to adopt any revisions to the policies in this handbook.

I agree and acknowledge that no manager or representative of the Company, other than a Managing Member of Polaner Selections, has the authority to enter into any agreement with me for employment and that such agreement must be in writing and signed by a Managing Member of Polaner Selections and by me in order to be effective.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

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Printed Name

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Signature

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Date

# RECEIPT OF SEXUAL & OTHER UNLAWFUL WORKPLACE HARASSMENT POLICY

## INTRODUCTION

Polaner is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of Polaner's commitment to a discrimination-free work environment. Sexual harassment is against the law<sup>1</sup>, and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with Polaner, or with a government agency, or in court under federal, state or local anti-discrimination laws.

## POLICY STATEMENT

1. Polaner's Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors, and persons conducting business, regardless of immigration status, with Polaner. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Polaner will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of Polaner who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees<sup>2</sup> working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or HR Representative. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Polaner to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. Polaner will conduct a prompt and thorough investigation that ensures due process for all parties whenever management receives a complaint about sexual harassment or otherwise knows of possible sexual harassment occurring. Polaner will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. Polaner will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are required to report any complaint that they receive or any harassment that they observe or become aware of to Polaner.

8. This policy applies to all employees, paid or unpaid interns, and non-employees, and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in the main office, not an offsite work location) and be provided to employees upon hiring.

## WHAT IS “SEXUAL HARASSMENT”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature or is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing, hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements, or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment, or any other terms, conditions, or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should report it so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

## EXAMPLES OF SEXUAL HARASSMENT

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee’s body or poking another employee’s body;
  - Rape, sexual battery, molestation, or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target’s job performance evaluation, a promotion, or other job benefits or detriments;

- Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, and the status of being transgender, 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, name-calling.

## WHO CAN BE A TARGET OF SEXUAL HARASSMENT?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker, or anyone in the workplace, including independent contractors, contract workers, vendors, clients, customers, or visitors.

## WHERE CAN SEXUAL HARASSMENT OCCUR?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer-sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

## WHAT IS "RETALIATION"?

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;

- opposed sexual harassment by making a verbal or informal complaint to management or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

## REPORTING SEXUAL HARASSMENT

Preventing sexual harassment is everyone's responsibility. Polaner cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern, or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager, or HR Representative. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or HR Representative.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns, or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

## SUPERVISORY RESPONSIBILITIES

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring are required to report such suspected sexual harassment to Polaner.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

## COMPLAINT AND INVESTIGATION OF SEXUAL HARASSMENT

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner and will be confidential to the extent possible.

An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately, and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses, and alleged harassers, will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Polaner will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.



While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of a complaint, Polaner will conduct an immediate review of the allegations and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant) as appropriate. If a complaint is verbal, encourage the individual to complete the “Complaint Form” in writing. If they refuse, prepare a Complaint Form based on the verbal reporting.
- If documents, emails, or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo, or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents reported or unreported; and
  - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported the right to file a complaint or charge externally, as outlined in the next section.

## LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Sexual harassment is not only prohibited by Polaner but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Polaner, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

### **New York State Division of Human Rights (DHR)**

The Human Rights Law (HRL), codified as N.Y. Executive 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 a violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed at any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Polaner does not extend your time to file with DHR or in court. The one year or three years is counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint 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, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment or redress the damage caused, including paying monetary damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized, and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

New York workers may call the New York State Division of Human Rights toll-free, confidential sexual harassment hotline at 1-800-427-2773 during regular business hours to receive legal counsel and information about filing a sexual harassment complaint in New York.

### **United States Equal Employment Opportunity Commission (EEOC)**

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, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other actions, 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 employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov), or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR 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 sexual 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, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450, or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### **Contact the Local Police Department**

If the harassment involves physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

## Acknowledgment of Training & Policy Sexual & Other Unlawful Harassment in the Workplace

I acknowledge that I received training regarding the prevention of workplace discrimination and unlawful harassment. I also acknowledge receipt of Polaner Selections' Workplace Unlawful Harassment policy and complaint form.

I agree to abide by the Company's policies, procedures, and principles that were explained in this training. I understand that if I have any questions that were not addressed in training or if I encounter any problems, I can contact any supervisor or manager or Tina Fischer, Managing Member of Douglas Polaner Selections, LLC

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Signature

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Print Name

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Date

# COMPLAINT FORM FOR REPORTING SEXUAL HARASSMENT

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to Tina Fischer. Once you submit this form, your employer must follow its sexual harassment prevention policy and investigate any claims. If you are more comfortable reporting verbally or in another manner, your employer is still required to follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form. For additional resources, visit [ny.gov/combating-sexual-harassment](https://ny.gov/combating-sexual-harassment).

## COMPLAINANT INFORMATION

Name:

Home Address:

Work Address:

Home Phone:

Work Phone:

Job Title:

Email:

Select Preferred Communication Method:

## SUPERVISORY INFORMATION

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

## COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made against:

Name:

Title:

Work Address:

Work Phone:

Relationship to you: ☐ Supervisor ☐ Subordinate ☐ Co-Worker ☐ Other

2. Please describe the conduct or incident(s) that is the basis of this complaint and your reasons for concluding that the conduct is sexual harassment. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual harassment occurred:

Is the sexual harassment continuing? ☐ Yes ☐ No

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint: