

J.S. VENTURES, INC.



POLICY MANUAL AND REFERENCE GUIDE FOR HOURLY EMPLOYEES

**J.S. VENTURES, INC.
EMPLOYEE POLICY MANUAL**

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INTRODUCTION

WELCOME TO J.S. VENTURES, INC.

Welcome to the J.S. Ventures, Inc. team!

We believe that each employee contributes directly to J.S. Ventures, Inc.'s growth and success, and we hope you will take pride in being a member of our team.

This policy manual was developed to describe some of the guidelines, programs and benefits available to employees. Employees should familiarize themselves with the contents of the employee policy manual as it will provide them with valuable information about employment with J.S. Ventures, Inc.

We hope that your experience here will be challenging, enjoyable and rewarding. Again, welcome!

INTRODUCTORY STATEMENT

This policy manual is designed to acquaint you with J.S. Ventures, Inc. and provide you with information about working conditions, employee benefits and some of the guidelines affecting your employment. You should read, understand and acquaint yourself with all provisions of the policy manual as it describes many of your responsibilities as an employee as well as the programs developed by J.S. Ventures, Inc. to benefit employees. J.S. Ventures, Inc. takes pride in providing all employees with a work environment that is conducive to both personal and professional growth.

The policies and procedures contained in this policy manual constitute guidelines only. They should not be construed as a guarantee of employment for any specific period of time, any specific type of work or any specific term. You have the right to terminate your employment at any time, with or without cause, and with or without notice. J.S. Ventures, Inc. has this same right and may terminate your employment at any time, with or without cause, and with or without notice. Your employment with J.S. Ventures, Inc. is commonly referred to as employment-at-will. A supervisor or manager at J.S. Ventures, Inc. has no authority whatsoever to make any contrary representation to you.

Employee policy manuals cannot anticipate every circumstance or question about guidelines. As J.S. Ventures, Inc. moves forward, the need to change these guidelines may arise. J.S. Ventures, Inc. reserves the right to revise, supplement or rescind any guideline or portion of the policy manual from time to time as it deems appropriate, in its sole and absolute discretion. Employees will, of course, be notified of such changes to the policy manual as they occur.

The provisions in this policy manual supersede all existing guidelines and practices. They may be amended or modified in writing by authorized management personnel at any time, with or without prior notice.

TEAMWORK

As J.S. Ventures, Inc. employees, we are linked to one another by a common purpose: serving our guests and our communities. Our co-workers, therefore, are our teammates. They deserve our respect. Without their contributions, none of us could perform our jobs. Just as we rely on our fellow employees, they rely upon us. Each of us has obligations to our co-workers.

J.S. Ventures, Inc. is a fun and fast-paced place! The atmosphere can be enjoyable, but it can be high-pressure, too. Nerves can get frazzled at a moment's notice; therefore, it is very important that you adopt a few rules for yourself. These will help everyone get through these tense moments:

- ◆ Rudeness is never appropriate. We must at all times treat one another with courtesy, respect and dignity.
- ◆ Avoid negative talk and gossip.
- ◆ Treat every co-worker as a professional. Recognize we each have an area of expertise.
- ◆ Show consideration. Be sensitive to a fellow employee's inconvenience. Consider another's priorities in addition to your own.
- ◆ Be tolerant of fellow employees. Recognize that conflicts may exist among co-workers, but professional courtesy is expected. Set aside differences when working together.
- ◆ Welcome new employees. Be supportive by offering help and setting an example of the cooperation expected in the workplace.
- ◆ Respect the privacy of fellow employees.
- ◆ Do not chastise or embarrass fellow employees in the presence of others.
- ◆ Relate to all co-workers fairly regardless of race, color, sex, religious belief, national origin, ancestry, disability, marital status and/or age.
- ◆ Ask for help when you need it, and provide help to others without being asked. If this is done, true teamwork develops.

When you help another employee get his/her job done, you're helping yourself. If the guest gets served great food and beverages in record time and by a person with a dynamite attitude, everybody benefits. This means that cooperation of all the staff is essential. It is very obvious that the server and bartender are contributing to customer service and satisfaction, but here are a few other people who assure that a J.S. Ventures, Inc. guest is comfortable and happy.

- ◆ *The host/hostess is the "Ringmaster" who keeps the circus running smoothly.* A top-notch host/hostess spots trouble before it has a chance to begin. Nothing is harder on guest service than other abusive guests. Nobody wants to come to a place where they don't feel safe or where they are not assured of having a hassle-free time.
- ◆ The service assistants help to assure the guest that he/she is eating in a clean, sanitary place. Who wants to eat or drink somewhere that has dirty dishes on the bar? Those things give a general impression of sloppiness. The service assistants also help to provide guests with a positive view of J.S. Ventures, Inc. If they do not take care of their jobs quickly and efficiently, guests walk in and walk out

immediately. Slow table and bar seating turnover has a tremendous effect on tipping. If the table or bar isn't clean, the guests will not want to sit there. It's as simple as that!

- ◆ If the kitchen staff doesn't do its job well, everybody will be hurting! People can go many places for a drink. They can't go many places for excellent drinks and high quality meals. These are the two factors that make J.S. Ventures, Inc. stand out from all the rest. Good food servers can make great tips! It's hard to be a good food server without good food. Think about it.

How can this service team support one another? A few ideas:

- ◆ *Tell people you appreciate what they are doing for you.* Thank each person who helps serve that guest. They all play a role in guest satisfaction and we all know how guests show that satisfaction. To give you a hint: It's green, and you pay your rent with it!
- ◆ *Watch your attitude.* Who wants to work with a grump, or worse? If you're a little down, you spread it around, and who needs it? So, you had a fight with your significant other. You just double your trouble by bringing your private life and rotten attitude to work. Forget it! Live in the present. Enjoy your guests and fellow employees. Get away from it for awhile. Don't carry your heavy mood to work. Your friends care that you're hurting, but you're hurting them if you bring them down with you.

Teamwork at J.S. Ventures, Inc. is essential to everyone's morale. Try it! Help out a fellow employee and watch it come back to you in the form of appreciation, a smile or maybe even some extra money.

HOURLY EMPLOYEES

This Policy Manual applies to all hourly employees. Positions currently designated as hourly employees are Bartenders, Carside Servers, Expeditors, General Utility employees, Hosts and Hostesses, Line Cooks, Prep Cooks, Servers, and Service Assistants.

EMPLOYMENT POLICIES

CASH ADVANCES

J.S. Ventures, Inc. does not allow advances on paychecks. Don't ask!

AGE REQUIREMENTS

In Kansas, Nebraska and Iowa, an employee must be 16 or older to work for J.S. Ventures, Inc. You must be 18 or older to operate a trash compactor. In Kansas, you must be 18 or older to take orders for and serve alcohol. You must be 21 or older to mix or dispense alcohol. In Nebraska, you must be 19 or older to take orders, serve and mix or dispense alcohol. In Iowa, you must be 18 or older to take orders, serve and mix or dispense alcohol. An employee must be at least 21 to consume alcoholic beverages. J.S. Ventures, Inc. complies with ABC regulations in Kansas, Nebraska and Iowa.

CLAIMING TIPS

Depending on the requirements of your position, you may be eligible to receive tips in addition to your base rate of pay.

As an employee of J.S. Ventures, Inc., all of the tip income you receive, whether cash or included in a charge card, is taxable income. Every day you work, you are required to report 100% of the tips you receive on your server checkout slip.

Forging a guest's signature on a credit card receipt to claim the tip is completely unacceptable. Forging a guest's signature will result in immediate termination.

Servers and carside employees are required to report all cash and credit card tips on a daily basis. In addition, you will need to write the dollar amount of tips you will be claiming on the top of your server checkout slip and initial it.

Bartenders are required to report all cash and credit card tips on a daily basis. In addition, you will need to write the dollar amount of tips you will be claiming on the top of your server checkout slip and initial it. We will then add your daily tip share amount to the total you have provided.

Host/Service Assistant's daily tip share will be claimed for you.

If you are unsure of what you are required to claim, ask your General Manager.

Willful falsification, dishonesty or failure to report all cash or credit card tips will result in disciplinary action, up to and including termination of employment.

EMPLOYEE CHECK CASHING

Company paychecks are to be cashed outside the restaurant to enable us to keep a full supply of operating cash. No exceptions will be made to this policy. Employees are not allowed to write personal checks at the restaurant.

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

J.S. Ventures, Inc. provides all candidates with equal opportunity for employment and promotion without regard to race, color, sex, religious belief, national origin, ancestry, disability, marital status, age, veteran status, or any other characteristic protected by law. The equal employment opportunity includes, but is not limited to, interviewing and selection, advertising, rates of pay or other forms of compensation, benefit administration, transfers, training programs, discipline and termination. This policy will be administered to conform to local, state and federal regulations.

J.S. Ventures, Inc. will strive to maintain the best possible employee staff. All present and potential employees will be employed, promoted, demoted, transferred, recruited, compensated, trained and terminated based on individual qualifications in relation to job demands and availability of qualified persons. At no time will an individual be evaluated on characteristics of a group to which a person may or may not be thought to belong.

We hire on qualifications—promote on performance.

GARNISHMENTS AND SUPPORT ORDERS

It is J.S. Ventures, Inc.'s practice to comply with all valid claims against the wages of employees. If a wage garnishment, child support order or some other legally valid claim is received against your wages, J.S. Ventures, Inc. will be required to comply with the provisions of the garnishment notice or order, as soon as practical after it is received, to ensure its compliance with applicable laws. J.S. Ventures, Inc. reserves the right to charge the state-allowed fee to collect a garnishment.

GUEST CHECKS/DEBIT CARDS/CREDIT CARDS

Guest checks, debit cards and credit cards are accepted for only the amount of purchase plus any gratuity.

Closing out the wrong ticket to a guest's credit card (if non-fixable) or giving the guest back the wrong credit card may result in disciplinary action as follows:

- ◆ First Offense will result in a written warning.
- ◆ Second Offense will result in a second written warning.
- ◆ Third Offense will result in termination of employment.

Depending on the severity of the conduct, any violation of this policy may lead to disciplinary action, up to and including termination.

If a guest leaves without paying for the food and/or beverages they were served, the employee assigned to that table will face disciplinary action. This rarely happens. If you are paying attention to your tables, it should not happen at all. If a guest does leave without paying, disciplinary action may be taken as follows:

- ◆ First Offense will result in a written warning.

- ◆ Second Offense will result in a second written warning.
- ◆ Third Offense will result in termination of employment.

Depending on the severity of the conduct, any violation of this policy may lead to disciplinary action, up to and including termination. At no time can an employee pay for a “walk out” to avoid any stage of the disciplinary action.

Forging a guest’s signature on a credit card receipt, changing a check amount or a credit card receipt amount in any way is completely unacceptable. If a guest’s signature is forged or a check amount or credit card receipt amount is changed in any way, it will result in immediate termination and prosecution.

HOLIDAYS

Applebee’s observes the following holidays:

- ◆ Thanksgiving Day.
- ◆ Christmas Day.

The restaurant is open for business on all other holidays.

INFORMATION SECURITY

All employees of J.S. Ventures, Inc. and Vendors/Suppliers engaged in the collection, use, transfer, storage or destruction of sensitive Company information are expected to abide by the information security policy. Sensitive records include but are not limited to, personnel files, payroll records, medical information, financial, trade secrets, legal, credit card information, etc. This sensitive information may be recorded by means of paper/hard copy or in an electronically stored manner.

All such records are to be maintained under the control of an individual who is authorized to collect, use, transfer, store or destroy such records as determined by J.S. Ventures, Inc.

The records are to be kept in a secure, locked or otherwise safeguarded manner at all times. Electronic records may be stored or conveyed in a variety of mediums, including but not limited to computer networks drives, personal computers, recordable/removable media such as DVD’s, CD’s, USB thumb drives, compact flash and other media, the internet/intranet, Bluetooth or other wireless transfer methods. All of these storage and conveyance methods must be safeguarded and secure to prevent unauthorized access.

The Information Technologist specifically is responsible for safeguarding the information contained and transferred to the company servers. This includes the safeguarding of backups, restores and their storage and at times their complete destruction of equipment being discarded that stores information.

Internal theft of a guest’s credit card information poses a serious threat to the profitability of the company. Any act of internal theft will be investigated and prosecuted. The

following list identifies acts of internal theft that will result in immediate termination and prosecution:

- ◆ Illegal/unauthorized use of guest credit card.
- ◆ Theft of guest credit card.
- ◆ Storage of credit card numbers.
- ◆ Selling or sharing credit card information.
- ◆ Any fraudulent behavior or conduct detrimental to the best interest of the employer.

Employees must promptly notify their immediate supervisor and the human resources department or any member of management upon learning of violations of this policy. Employees may also use the Employee Hotline to report violations.

Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment and prosecution.

Vendors/Suppliers are responsible for safeguarding any sensitive information received from J.S. Ventures, Inc. The Vendor/Supplier is also accountable for notifying J.S. Ventures, Inc. of any breach of security or loss of sensitive information, such as credit card information and social security records.

The VP of Operations, Director of Operations, or Director of HR and the appropriate Area Director or Managers are responsible for investigating the situation and taking appropriate action.

MEETINGS

Meetings are held at the restaurant on a regularly scheduled basis. These meetings are mandatory, compensated, and beneficial in keeping you updated on new policies, training procedures, upcoming events, and trends we can look for in our business.

MISHANDLING OF MONEY

At the beginning of each shift a bar drawer is issued to the bartender(s) with \$250.00 and a carside drawer is issued to the carside server(s) with \$100.00. You are responsible for that drawer and all the funds that are accumulated during your shift. If there is more than one person scheduled for that shift, you are jointly responsible for the cash drawer.

If the cash drawer is over or short by \$3.00 or more within a six-month period, disciplinary action will be taken as follows:

- ◆ First Offense will result in a written warning.
- ◆ Second Offense will result in a second written warning.
- ◆ Third Offense will result in termination of employment.

Depending on the severity of the conduct, any violation of this policy may lead to disciplinary action, up to and including termination.

NOTICE TO TIPPED EMPLOYEES

This is to let you know how your pay will be calculated and paid if/when you work as a “tipped employee,” that is, when you work in a position that ordinarily and customarily receives tips.

Under the Fair Labor Standards Act (FLSA) (29 U.S.C. § 203(m)) and various state laws, J.S. Ventures, Inc. is required to pay tipped employees at least \$2.13 per hour, or a higher rate in some states (\$4.35 in Iowa.) If an employee’s hourly wage rate is less than the applicable minimum wage rate, then J.S. Ventures, Inc. may take a credit on account of the tips received by the employee equal to the difference between the hourly wage rate and the applicable minimum wage rate. This is known as a “tip credit.” The additional amount on account of tips (the “tip credit”) may not exceed an employee’s actual tips. J.S. Ventures, Inc. must inform employees of the FLSA’s tip credit provision in order to take a tip credit, and employees must always retain their tips, except when employees pool their tips with other tipped employees, which the law allows. We are informing you of the following as a result of this requirement:

- ◆ The amount of cash wage to be paid to you per hour will be a minimum of \$2.13 (or \$4.35 in Iowa.)
- ◆ The amount of tip credit taken by J.S. Ventures, Inc on account of tips received by you, assuming you have received a sufficient amount of tips to cover the tip credit will not exceed \$5.12 (or \$2.90 in Iowa.)
- ◆ You have the right to retain all the tips you receive, except for a valid tip pooling arrangement limited to employees who customarily and regularly receive tips. Your required tip-pool contribution or percentage is 3% of sales. The tip credit being taken is only on the amount you actually receive and your tips will otherwise not be retained except for your contribution to the tip pool.
- ◆ The tip credit shall not apply unless you have been informed of these requirements.

You will be told the amount of your hourly pay rate when you begin work, and any time your pay rate changes. Your pay rate will also be shown on your pay stub. If you are being paid less than minimum wage, then your wages will be considered your hourly wage + the tip credit = minimum wage rate. Your wage and tips will never be less than minimum wage. If your tips do not cover the amount of the tip credit, then J.S. Ventures, Inc will make up the difference so you receive the full minimum wage, with your tips and wages combined. The amount of tip credit taken by J.S. Ventures, Inc will be shown on your pay stub (codes Q and 8.) In addition, you can determine the amount of the tip credit by subtracting your wage rate from the minimum wage rate. For example, if the minimum wage is \$7.25 per hour, and your wage rate is \$2.13 (or \$4.35 in Iowa) per hour, J.S. Ventures, Inc. will take a tip credit equal to \$5.12 (or \$2.90 in Iowa) per hour, assuming you receive tips equal to at least \$5.12 (or \$2.90 in Iowa) per hour.

You are being provided this information in accordance with Section 203 (m) of the Fair Labor Standards Act.

PAYCHECKS/PAYDAY

Pay periods begin on Thursday and end on Wednesday and run for two weeks. The training program is paid for and will be included in your first paycheck. Paychecks may be picked up at the restaurant after 2:00 p.m. on the second Thursday following the end of the pay period. If there is a problem with your paycheck, please bring it to the attention of your manager immediately. For your protection, you are the only authorized person to pick up your paycheck. If you desire someone else to pick up your paycheck, written authorization must be given to the General Manager in advance.

Unless otherwise required by local, state, or federal law, final paychecks for terminated employees will be issued on the following scheduled payday. If you do not pick up your paycheck within two weeks of the last pay date, your check will be mailed to the address listed on your pay stub.

PCI COMPLIANCE – SECURITY

It is absolutely critical that all employees actively protect customer cardholder information from thieves and hackers. This is a legal requirement, and a business requirement, and must not be ignored.

This document is the company's security policy. It describes what employees should do, and what they should not do. All employees are required to have read this document, and follow its directions at all times.

Employees who violate this policy will be subject to disciplinary action, up to and including immediate termination of employment.

General Notes

These policies apply everywhere (to all computers, to all people, etc.) but apply particularly to any computers, devices or records involved with cardholder information such as account numbers, names, and so on.

Computers and Software

No one is to add any sort of computer to the network without management approval. This includes things like smart-phones and PDAs. No one is to move any computer or change how it is connected to other devices or computers without management approval. Every computer must have its security settings checked before it is allowed to connect to any other device, computer or network. No one is to change any computer's settings or configuration without management approval. THIS ESPECIALLY MEANS THAT NO ONE IS ALLOWED TO DOWNLOAD OR USE NEW SOFTWARE, GAMES, MOVIES, ETC, WITHOUT MANAGEMENT APPROVAL. Every computer must have an anti-virus program running. NO ONE IS ALLOWED TO TURN THIS OFF. Access to computers holding cardholder data (or to computers connected to other computers holding cardholder data) is to be restricted to those with a business need for that access. Everyone with permission to use a work computer must have their own account, and must not share their account information with anyone else. Passwords need to be (a little bit) complicated to prevent other people from guessing them too easily. Passwords should have at least one upper-case character,

at least one lower-case character, and at least one number. Do not write your password down anywhere, or share it with others.

Computer Networks and Connections

No computers are to be connected to the Internet or Web without formal management approval. No one is to move any computer or change how it is connected to other devices or computers without formal management approval.

Information and Records Stored On Computers and Devices

Cardholder data shall be stored only if strictly necessary, and only for as long as necessary. Data that is prohibited by other parts of this security policy must not be stored at all. Cardholder data must not be copied from company computers to any other computers (for example, home computers of staff using remote access) without written management permission. DO NOT record, copy, or store the three-digit number printed on the signature panel of any card. If account numbers are recorded anywhere (on computer, or thumb drive, CD, DVD, etc.), they must be encrypted. If account numbers are displayed ANYWHERE (on receipts, print-outs, audit records, etc.), ONLY the last four digits must be shown. Never share cardholder data with anyone outside the company, or with anyone inside the company who does not have management approval to use those data. Any computer that has been used to record, copy, or store cardholder information MUST NOT be given away or thrown away when it is no longer useful. The data on it must be carefully destroyed by specialists selected by management. NEVER, UNDER ANY CIRCUMSTANCES, record, copy, or store cardholder PINs ANYWHERE. Physical copies of records (paper records, thumb drives, CD, DVDs, etc.) holding cardholder data shall be stored only if strictly necessary, and only for as long as necessary. Data that is prohibited by other parts of this security policy must not be stored at all. NEVER, UNDER ANY CIRCUMSTANCES, write down, record, copy, or store cardholder PINs ANYWHERE.

If a crash kit is used: The manual imprint copies of guest credit card must be sent into Woodlawn with the weekly paper work. Manual imprint copies are NEVER to be stored at the restaurant.

DO NOT record, copy, or store the three-digit number printed on the signature panel of any card. All paper records of cardholder data, and all thumb drives, CDs, DVDs, etc., holding cardholder data are to be treated like cash. They must be kept in a locked area and access to them must be tightly restricted. Paper records or electronic records of cardholder information must not be removed from the secure area without formal management approval and a formal record made. Never share cardholder records with anyone outside the company, or with anyone inside the company who does not have management approval to use those records. Paper records of cardholder data, and thumb drives, CD, DVDs, etc., holding cardholder data must not be thrown out or re-used for other purposes. When you are finished with them, they must be destroyed via shredding, using a company or machine approved of by management. Paper records or thumb drives, CD, DVDs, etc., of cardholder data are to be destroyed via shredding after five years, using a company or machine approved of by management.

Transmitting Information and Records

Cardholder information must never be sent outside the work network unless it is protected by encryption. That encryption can either be on the communications channel (like SSL version3 for the web), or on the data itself (such as PGP). It is NOT enough to use winzip.

Physical Security

Physical access to all Point of Sale terminals is restricted to those who have formal management approval. If you see anyone (staff-member or not) near a Point of Sale terminal who does not have approval, you are required to report it to management immediately. All visitors must either be in the presence of a staff member who is responsible for supervising them, or be wearing a visible visitor's badge. All unsupervised visitors who are not wearing a visible visitor's badge must be escorted away from sensitive systems such as computers or paper records, and reported to management immediately. Paper records or electronic records of cardholder information must be kept in a locked drawer or box inside a separate room (like a back office), and the door must be locked unless someone with formal management approval is in the room at the time. Physical access to paper records with cardholder information on them is restricted to those who have formal management approval. If you see anyone (staff-member or not) near such paper records who does not have approval, you are required to report it to management immediately.

Policies and Procedures

In the event of suspicious behavior, or a security problem, contact management immediately. Management is required to have in place a formal incident management plan, ready to be executed in case of a security incident.

Final Comments

This document, and the requirements described in it, helps J.S. Ventures, Inc. in several important ways:

- ◆ It reduces the chance that the company will be damaged by hackers or thieves.
- ◆ It reduces the chance that customer information will be stolen, and so reduces the chance that the company will be sued.
- ◆ It helps the company comply with an industry standard called the Payment Card Industry Data Security Standard (PCI DSS). Failure to do so can result in large fines, and the termination of the company's credit card processing services.

Employees should notify their immediate supervisor, the Human Resources Department or any member of management upon learning of security issues and/or violations of this policy.

PERFORMANCE EVALUATIONS

Performance reviews provide a framework for communicating about performance by giving constructive feedback on how well an employee has met specific competencies and job expectations, as well as reinforcing the employee's role in contributing to the overall success of J.S. Ventures, Inc. It further provides the employee the opportunity to contribute ideas for enhancing his/her own performance and productivity in his/her assigned responsibilities.

To ensure that you perform your job to the best of your abilities, it is important that you be recognized for exceptional performance and that you receive appropriate suggestions for improvement when necessary. Consistent with this goal, your performance may be evaluated by your manager on an ongoing basis.

We will attempt to give all employees an initial performance evaluation after the first 30 days of employment. After that, so long as you remain employed, the company will attempt to conduct formal performance evaluations every six months to provide both the manager and employee the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths and discuss positive, purposeful approaches for meeting goals and expectations.

In addition to the formal performance evaluations described above, your manager may conduct special written performance evaluations at any time to advise you of the existence of performance concerns.

PERMITS

You may be required by local and state agencies to obtain and keep up to date any and all permits required by local regulations. Your manager will inform you of any necessary permits. If you are in a position requiring a permit, you are responsible for maintaining a current permit and providing a copy to your manager. You will not be allowed to work a shift without an up-to-date permit.

REFERENCE INQUIRIES

J.S. Ventures, Inc. will respond to reference inquiries from other employers and third parties regarding employees, such as a bank verifying employment for an employee applying for a mortgage or personal loan. All requests for reference information should be directed to the human resources department. Unless otherwise required by law, J.S. Ventures, Inc. will only respond to written inquiries. Information will be released only after a written release has been received from the employee or former employee, whichever the case may be. However, J.S. Ventures, Inc. reserves the right to release any information it deems appropriate in its discretion without authorization.

REHIRES

If you leave J.S. Ventures, Inc. in good standing, you may be eligible for rehire if and when an opening is available. All rehires must have the Area Director's prior written approval.

If you are involuntarily terminated from J.S. Ventures, Inc., you may not be eligible for rehire in any J.S. Ventures, Inc. location.

TRAINING

We provide each employee with the skills and material necessary to do the job. During your orientation and five-day training program, we ask you to complete all of the duties and procedures assigned to you. Doing this will help you establish yourself as a knowledgeable and productive member of the staff.

On your first day of employment, you and the manager will have the opportunity to get acquainted with and go through the Policy Manual. In order to be considered as able to

advance from the training program, you must demonstrate the core competencies and attain the minimum requirement on all test scores. Completion of the training program and attaining the minimum requirement on all test scores does not guarantee you any right to continued employment. If it appears to either you or the company during or following completion of the training period that the job situation is not beneficial to both parties, then you may resign and/or the company has the right to terminate your employment at any time, for any reason.

TRANSFERS

To be considered for a transfer, you must meet the minimum hiring specifications for the position, be capable of performing the essential functions of the job with or without accommodation and be an employee in good standing in terms of your overall work record. Employees with written warnings on file, on probation or on investigative leave are not eligible for a transfer. All transfers must have the Area Director's prior written approval. This includes the Area Director from the transferring facility as well as the receiving facility.

If you are involuntarily terminated from J.S. Ventures, Inc. while in the course of a transfer, you will not be considered eligible for transfer to any J.S. Ventures, Inc. location.

WORK HOURS

You will work as scheduled unless changes are authorized in writing by your manager. Hours and shifts are not guaranteed; therefore, schedules may be changed at the discretion of your manager to meet business needs. Changes in work schedules will be done by your manager as far in advance as possible.

Accurately recording time worked is the responsibility of every employee. Time worked is all the time actually spent on the job performing assigned duties.

You should accurately record the time you begin and end your work. Do not clock in for work prior to the beginning of your scheduled shift. Clock in for work when your shift begins and begin to work immediately. Do not clock out until you have finished your duties and then do so immediately. Never clock in or out for another employee.

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

EMPLOYEE CONDUCT

ACCEPTANCE OF GIFTS

Employees may not solicit or accept gifts from any guest, supplier, or salesperson. Tips are not considered gifts.

ALCOHOL

No employee may purchase or consume alcoholic beverages outside of business hours inside or on Applebee's property under any circumstances. An employee of legal drinking age may purchase and drink alcohol in the restaurant when off duty; however, an employee is not allowed to consume alcoholic beverages anytime before his/her shift. Employee's consuming alcoholic beverages on the premises must be completely out of uniform and be in street clothes. Putting on a sweatshirt, sweater or any other form of cover up over your uniform will not be allowed. Employees consuming alcoholic beverages must carry a valid ID just as a regular guest does and must produce it upon request. Employees may NEVER sit at the bar or order directly from the bartender in any J.S. Ventures, Inc. Applebee's restaurant. There is ZERO TOLERANCE for this. Any employee attempting to do so or any bartender allowing this practice will be subject to discipline up to and including termination of employment.

All products, whether it is food or alcohol, must be ordered and served by the server assigned to that section just as a normal guest would be treated. Any employee attempting to or receiving any food or beverage items for free or at a reduced price or by any form of deception or being served "mistakes" and/or "over pours" will be subject to discipline, up to and including termination of employment. This includes the employee assisting them with this theft.

Employees are expected to have a higher awareness for their own personal behavior as well as their co workers when serving or consuming alcohol in the work environment.

Any employee who is a guest in our building and is in any way being disruptive in any fashion towards Management, other staff members or guests will be asked to leave immediately and will face disciplinary action, up to and including termination of employment. As a guest of the restaurant, it is the off duty employees responsibility to prevent their table becoming the "staff hangout." This form of disruption to our core business will never be tolerated. No employee can have any further type of discount on any of our half price appetizer specials. These items cannot be discounted any further. Kids meals cannot be ordered by employees who are off duty as guests for their own consumption.

Entry into the kitchen is strictly prohibited for any reason if an employee is consuming alcohol or is a guest in any J.S. Ventures, Inc. Applebee's restaurants. Any employee attempting to enter the kitchen under any of these circumstances will be asked to leave the premises immediately and will face disciplinary action, up to and including termination of employment.

Abuse of this alcohol policy in any manner may result in the loss of alcohol privileges or more serious disciplinary action, up to and including termination of employment.

ATTENDANCE AND TARDINESS

You are required to report for work on time and as scheduled. This means being at your station in proper uniform and ready to work at the scheduled time. Absenteeism and tardiness are expensive and disruptive and place an unfair burden on your co-workers.

If an absence is caused by an emergency, you must advise the manager on duty as soon as possible. If you are ill and cannot come to work, you are responsible for notifying the manager on duty at least two hours before the beginning of your scheduled shift. Failure to properly notify the manager on duty will result in disciplinary action, up to and including termination. If you desire an adjustment in your schedule to accommodate a personal need, you must obtain advance permission from your supervisor.

Absenteeism and/or tardiness that is excessive may result in disciplinary action, up to and including termination of employment.

Note: Tardiness is defined as any variance in time from the beginning of your scheduled shift.

Three consecutive scheduled shifts of no-call/no-show is considered job abandonment and a voluntary resignation. Two separate incidents of no-call/no-show will result in separation.

DISPUTE RESOLUTION PROGRAM

Our dispute resolution program is a unique five-step process that enables all employees, including management employees, to voice any complaints, problems or concerns, in confidence and without fear of retaliation, to members of management who will promptly address those complaints, problems or concerns and, if necessary, take action to remedy the situation.

We value your employment, and your job satisfaction is important to us. Through the use of this dispute resolution program and open two-way communication, we believe that all workplace disputes, no matter how minor you believe them to be, can be resolved internally to the satisfaction of all employees.

Workplace disputes do not typically resolve themselves and management is oftentimes unaware of any problems. It is, therefore, critically important that you report any problems, concerns or complaints as quickly as possible. Should any situation arise that you believe deserves management attention, or should you believe that another has violated any Company policy, you must follow the following steps outlined in this dispute resolution program.

Step One: Report your concern to your General Manager. If necessary, he/she will conduct a prompt and thorough investigation and make an appropriate determination.

Step Two: If you are unsatisfied with the result of Step 1, or if you are uncomfortable addressing your concern with your General Manager, then you may report

your concern to your Area Director. If necessary, he/she will conduct a prompt and thorough investigation and make an appropriate determination.

Step Three: If you are unsatisfied with the result of Step 1 and/or Step 2, or if you are uncomfortable addressing your concern with your General Manager or the Area Director, then report your concern to the Director of Operations. We have developed an employee hotline for employees to initiate contact with the Director of Operations. The number for the hotline is 402-333-6335. The Director of Operations will contact you within 72 hours after you make a report to the hotline operator and will, if necessary, conduct a prompt and thorough investigation and make an appropriate determination. The Director of Operations will provide you a written notice of his or her determination. The hotline is available for use by any employee at any time, regardless of whether he/she has used Step 1 and/or Step 2.

Step Four: If you are unsatisfied with the result of Step 3, you may appeal the decision to the Vice President of Operations. The Vice President of Operations will review all relevant facts and documents and may, if necessary, conduct an additional investigation. The Vice President of Operations will make an appropriate determination that shall be the Company's final say in the matter.

CONTACTING HUMAN RESOURCES: You may contact the Human Resources Department at any time for any reason. You are, however, encouraged to attempt to resolve all workplace disputes with your General Manager or Area Director before contacting Human Resources.

Step Five: MANDATORY BINDING ARBITRATION

1. Arbitration Clause: Any controversy or claim arising out of or relating to this dispute resolution program, and all claims or controversies for which a federal or state court or other dispute-resolving body otherwise would be authorized to grant relief, whether arising out of, relating to or associated with your employment with J.S. Ventures, Inc., whether sounding in contract, statute, tort, fraud, misrepresentation, discrimination or any other legal theory that you may have against J.S. Ventures, Inc. or that J.S. Ventures, Inc. may have against you shall be settled by mandatory binding arbitration administered by the American Arbitration Association in accordance with the terms and conditions agreed upon by you and J.S. Ventures, Inc. in the Mandatory Arbitration Agreement, and judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof.

2. Requesting Arbitration: If you are not satisfied with the results of Steps 1 through 4 of the Dispute Resolution Process, you may complete a "Demand for Arbitration" form available from the Human Resources Department, or at the American Arbitration Association's Web site, <http://www.adr.org>. Complete and sign the "Demand for Arbitration" form in triplicate. You may also file a "Demand for Arbitration" online at the American Arbitration Association's Web site. ****Please keep copies of all documents for your records.****

- (a) The American Arbitration Association is an independent alternate dispute company that will organize the arbitration proceedings and ensure the arbitration process is completely independent and objective.
- (b) Attach a copy of the Mandatory Arbitration Agreement to each completed "Demand for Arbitration." You have been provided a copy of your signed Mandatory Arbitration Agreement. Should you need an additional copy, it can be obtained from the Human Resources Department.
- (c) Mail one copy of the "Demand for Arbitration" to the Vice President of Operations, 6592 South 118th Street, Omaha, Nebraska 68137.
- (d) Send the two remaining copies of the "Demand for Arbitration" to the Case Management Center of the American Arbitration Association at 1750 Two Galleria Tower, 13455 Noel Road, Dallas, Texas 75240-6636.

3. *Selecting an Arbitrator:* Once you file your "Demand for Arbitration," the parties will select a neutral arbitrator in accordance with the American Arbitration Association's National Rules for the Resolution of Employment Disputes in effect at the time you file the demand.

4. *Mandatory Binding Agreement:* The arbitration will be governed by the Mandatory Arbitration Agreement entered between you and J.S. Ventures, Inc.

No employee is to disclose information learned during any investigation to anyone not having a legitimate business need to know the information.

Any employee who discloses information learned during any investigation to anyone not having a legitimate business need to know will be subject to disciplinary action, up to and including termination of employment.

It is against company policy to retaliate against any employee, including management employees, for voicing issues through this process or for participating in any investigation conducted pursuant to the dispute resolution program.

Retaliation will not be tolerated and will result in disciplinary action, up to and including termination.

DISHONESTY AND FALSIFICATION OF DOCUMENTS, RECORDS OR REPORTS

Dishonesty, willful falsification, or misrepresentation on your application for employment or other work records, falsifying or intentionally altering company records or other company documents, lying about sick or personal leave, and/or falsifying reason for a leave of absence will result in discipline, up to and including termination of employment.

ELECTRONIC COMMUNICATIONS

We encourage our employees to explore in a responsible manner all forms of electronic communications to build relationships, learn and collaborate, while abiding by J.S.

Ventures, Inc. values and policies. This policy amplifies those values and our policies. J.S. Ventures, Inc. considers electronic communications to include but not be limited to, blogging, micro-blogging, social networking systems such as Facebook, Twitter, MySpace, LinkedIn, Instant Messaging (IM), the internet/intranet, websites, computers, e-mail systems, telephones, cell phones, smart phones, and PDA's.

Below are listed some principles every employee must follow when using any form of electronic communication. In other sections of this policy we will cover specific requirements we are making of our employees. Keep in mind we cannot cover every possible contingency in this or any other policy and if you are in doubt about your actions seek guidance from the human resources department before you do anything.

- ◆ Use your good judgment. Just like in the physical world, when communicating electronically exercise good judgment as to how you react to what is said by others and what you are saying to other people. Be professional.
- ◆ Protect the privacy of others. Do not disclose confidential information of J.S. Ventures, Inc. or personal information of any person including employees using electronic communications, unless such disclosure is for business purposes, authorized by J.S. Ventures, Inc. and specific to your job responsibilities.
- ◆ Know the rules for electronic communications. Violation of Federal, State, Local laws, this policy or any other policy related to employee behavior while using any form of electronic communications including but not limited to: blogging, micro-blogging, social networking system such as Facebook, Twitter, MySpace, LinkedIn, Instant Messaging (IM), the internet/intranet and e-mail systems will result in disciplinary action up to and including termination of employment.
- ◆ Employees, including management employees, are not permitted to use any form of electronic communications to conduct Company business outside of scheduled work hours, without approval in advance from the Director of Operations. The Director of Operations approving such work must ensure the employee is paid as may be required by the applicable wage & hour law for any time-spent working outside regularly scheduled work hours.
- ◆ Employees are personally responsible for the content they publish on any form of electronic communication. If you are sending a communication that pertains to J.S. Ventures, Inc., its employees, your job, or anything else related to J.S. Ventures, Inc., that is not part of your assigned job duties and not within the course and scope of your job, you must make it clear that you are speaking for yourself and not on behalf of J.S. Ventures, Inc.
- ◆ If anyone identifies themselves as an employee of J.S. Ventures, Inc. in a posting or other electronic communication and you are not performing your assigned job duties or responding as an authorized representative of J.S. Ventures, Inc., you must do the following:

For written communications, pertaining to J.S. Ventures, Inc., Applebee's, or any affiliated company or Applebee's franchisee include this disclaimer: "The opinions expressed here are the personal opinions of [your name]. Content published here is not approved by J.S. Ventures, Inc. or Applebee's before it is posted and does not necessarily represent the views and opinions of J.S. Ventures, Inc. or Applebee's." This disclaimer may also be posted onto your profile, "bio" or other suitable permanent location for social networking sites/systems as well.

For verbal communications state clearly the same statement made above that is used for written communications.

- ◆ Employees have no expectation of privacy in communication with respect to the use of any of the Company's electronic communications services, including but not limited to computers, internet connectivity, e-mail, voice mail, IM, and social networking services. Specifically, employees have no right of privacy when posting on a social-networking site, regardless of when or where employees connect to these systems. If it is on the site, it can be read. Violations of this or any other Company policy in connection with any electronic communication, whether such communication is part of your job or personal, may result in disciplinary action up to and including termination of employment.
- ◆ All employees must immediately report any suspected violation of this policy by using the Dispute Resolution Hotline number: 1-402-333-6335. You may also contact your immediate supervisor, General Manager, Area Director, Director of Operations, Director of Human Resources or Vice President of Operations. The Company will thoroughly investigate any complaint, verify the identity of all parties to the extent possible, and take action the Company deems appropriate to resolve the situation.

Social Media, Networking and Blogging

Social media, for the purposes of this policy, refers to all means of communicating or posting information or content of any sort on the Internet. This shall include, but not be limited to, posting information, comments, ideas or pictures on a weblog or blog, journal or diary, website, Instant Messaging (IM), social networking or affinity website (Facebook, Twitter, LinkedIn), web bulletin board or in a chat room whether or not associated or affiliated with J.S. Ventures, Inc. or the posting employee.

In general, J.S. Ventures, Inc. views social media positively, and it respects the right of employees to access and utilize social media as a medium of self-expression. Using social media can be a fun and rewarding way to share opinions with friends, family and co-workers around the world. When posting information online, however, an employee must comply with the following requirements to prevent harm to others:

- ◆ Employees may not expressly or implicitly publicly indicate their affiliation with the Company in bulletin board discussions, chat sessions, a personal or professional website, or other offerings on the Internet, unless first approved by a supervisor or manager. If approved, the employee must also clearly indicate the opinions expressed are his or her own, and not necessarily those of the Company.
- ◆ Employees may not speak on behalf of J.S. Ventures, Inc.
- ◆ When expressing personal opinions, employees shall not represent himself/herself as a spokesperson for J.S. Ventures, Inc. If an employee chooses to publish a blog or post online related to the employee's work or subjects associated with J.S. Ventures, Inc. employees must make it clear that the statements are not being made on behalf of J.S. Ventures, Inc. It is best to include a disclaimer such as: "The postings on this site are my own and do not necessarily reflect the views of J.S. Ventures, Inc."
- ◆ Employees should speak respectfully about J.S. Ventures, Inc. and its current

and potential employees, clients, customers, affiliates, and competitors. Do not engage in name calling or behavior that will reflect negatively on J.S. Ventures, Inc.'s reputation or make a J.S. Ventures, Inc. employee feel fearful, intimidated, embarrassed or harassed in the workplace. Examples of such prohibited conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or Company policy.

- ◆ Employees should write knowledgeably, accurately, and use appropriate professionalism. Despite disclaimers, an employee's Web interaction can result in members of the public forming opinions about J.S. Ventures, Inc. and its employees, clients, customers, and affiliates.
- ◆ Employees should make sure that the information or news is always accurate and, if a mistake is made, it is corrected quickly. The Internet archives almost everything; therefore, even deleted postings can be searched. Employees should never post any false information or rumors about J.S. Ventures, Inc., J.S. Ventures, Inc. employees, or J.S. Ventures, Inc. customers, suppliers, agents or competitors.
- ◆ Employees must honor the privacy rights of J.S. Ventures, Inc. and its employees by seeking permission before writing about or displaying internal J.S. Ventures, Inc. happenings that might be considered to be a breach of privacy and confidentiality. This shall include, but not be limited to, posting of photographs, video, or audio of J.S. Ventures, Inc., J.S. Ventures, Inc.'s employees or J.S. Ventures, Inc.'s customers, suppliers, agents or competitors, without first obtaining written approval from the Vice President of Operations.
- ◆ Employees must respect copyright and trademark laws. Employees must not use the J.S. Ventures, Inc./Applebee's Neighborhood Grill and Bar logo, trademarks or proprietary graphics. Employees may not create a link from their blog, website or other networking to a J.S. Ventures, Inc./Applebee's website.
- ◆ Employees must not disclose, distribute, forward, share, or provide access to J.S. Ventures, Inc. confidential information or trade secrets. This shall include, but not be limited to, client lists, client health information, employee lists or personal information (home addresses, unlisted telephone numbers, social security numbers, pay rates, etc.), and rates or costs for services or products.

The same principles and guidelines found in the J.S. Ventures, Inc.'s policies apply to employees' social media activities. Any conduct that adversely affects the employee's performance, the performance of fellow employees, or otherwise adversely affects customers, suppliers, agents or J.S. Ventures, Inc.'s legitimate business interests, may result in disciplinary action, up to and including termination.

Employees are prohibited from participating in social media while on J.S. Ventures, Inc.'s time, or on J.S. Ventures, Inc.'s provided equipment, unless it is work-related. This includes tweeting, texting, using cell phone and/or cameras during work hours. Employees are prohibited from using their J.S. Ventures, Inc. e-mail addresses to register on social networks, blogs or other online tools utilized for personal use.

Nothing in this policy shall prohibit an employee from maintaining a personal websites or weblog on his/her own time using his/her own personal equipment and facilities.

However, each employee is responsible for ensuring that blogging activity does not interfere with his/her work or otherwise violate the J.S. Ventures, Inc.'s policies. The content of weblogs maintained by employees should not be offensive, obscene, defamatory, threatening, infringe on intellectual property rights, invade the privacy of anyone, contain illegal content, or be illegal or injurious to another person.

Nothing in this policy prohibits employees from discussing the terms and conditions of their employment, including wages and workplace conditions. Nothing in this policy should be construed or applied to limit or interfere with an employee's rights under Section 7 of the National Labor Relations Act.

All employees are subject to disciplinary action up to and including termination of employment for conduct while making use of any form of electronic communication, where that conduct:

- ◆ Is an unlawful act as defined by Federal, State or local laws.
- ◆ Divulges trade secrets, confidential, proprietary or privileged information regarding the Company, its current or former employees, vendors, or customers.
- ◆ Is trademark infringement
- ◆ Contains offensive comments based on race, sex, or any other category protected by law or posting/transmitting this type of content.
- ◆ Is unauthorized use of Company logos, name or brand information.
- ◆ Violates our Company values or any Company policy.

Virtual Life – Virtual Social Worlds Systems

These web-based services are defined as systems that allow a person to define an alter-ego personality in an interactive forum. Use of these types of services such as SecondLife.com, There.com and other “virtual social worlds” while on Company time or using Company equipment are prohibited and users may not brand or identify themselves as an employee or representative of J.S. Ventures, Inc. or Applebee's.

(i) Cell Phones, Smart Phones and PDA's

- ◆ Any employee using a Smart Phone such as a Blackberry, iPhone, Treo, Palm or a PDA that receives Company e-mail is required to set up the device to automatically lock it using a pass code. The device must lock automatically after a short interval of no use and at all times when not in use. This is for security purposes to protect any confidential information should it be lost or stolen.
- ◆ All employees must ensure that any confidential information of the Company transmitted, stored or received is protected from unauthorized access.
- ◆ Hourly employees are prohibited from using Cell Phones, Smart Phones and/or PDA's. Cell Phones, Smart Phones and PDA's are not to be used by hourly employees at any time while on duty.
- ◆ Except in cases of emergency, all employees are prohibited at all times from using Cell Phones, Smart Phones, PDA's or any recording device to record images (still or video) or audio of any activity in or on any Company property, while on or off the clock, unless expressly authorized by the Vice President.
- ◆ Any kind of video taping of any guests, staff or events on J.S. Ventures, Inc.

property without prior permission from the Vice President and persons being recorded will result in disciplinary action, up to and including termination of employment.

- ◆ Any staff member found using any form of electronic device, smart phone, cell phone, and/or PDA to copy, store, or capture credit or debit card information for any reason not expressly permitted by the owner of such information will be terminated immediately and a police report will be filed.
- ◆ While on Company time, employees must use a “Hands Free” device when driving and using Cell Phones and Smart Phones where required by law.

(ii) *Computer, E-mail and Internet Usage*

Computers, computer files, and software furnished by J.S. Ventures, Inc. are the property of J.S. Ventures, Inc. and intended for business use only.

J.S. Ventures, Inc. strives to maintain a secure internet and e-mail system. The equipment, services, and technology provided to access the internet and e-mail system remain at all times the property of J.S. Ventures, Inc. As such, J.S. Ventures, Inc. reserves the right to monitor internet traffic and retrieve and read any data composed, sent or received through our online connections and stored in our computer systems. All content of the Company computer systems is subject to search, review and use by the Company at any time. **If you use these or any other Company electronic communications system for personal use, there is no expectation of privacy.**

No employee is to move a computer or change how it is connected to other devices or computer network without prior approval from the IT Department.

To ensure a virus-free environment, no external files may be downloaded without prior authorization from the Vice President of Operations. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

No employee can download any data from any J.S. Ventures, Inc. computer or POS terminal. Any activity of this nature may result in disciplinary action, up to and including immediate termination of employment.

No employee can attach any type of storage device to any JSV POS terminal or computer. This includes but is not limited to thumbdrives, CD's, and magnetic card readers. Any activity of this nature will result in immediate termination of employment.

J.S. Ventures, Inc. strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, J.S. Ventures, Inc. prohibits the use of computers, Internet, and the e-mail system in ways that are disruptive, offensive to others, or harmful to morale. Data that is composed, transmitted, accessed, or received via the computer or Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others. Examples of unacceptable content may also include, but

are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, or any other characteristic protected by law.

J.S. Ventures, Inc. takes reasonable precautions to prevent employees from receiving offensive material through e-mail or other means. However, with the advent of spam/unsolicited e-mail, and despite our efforts to screen e-mail, you might receive offensive material from sources outside our complete control. **In signing the acknowledgment, you agree to hold the Company, its officers and employees harmless for any inadvertent contact with offensive material.**

E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters. Computers and E-mail cannot be used for the unauthorized communication of confidential or proprietary information

The Company purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the Company does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. The Company prohibits the illegal duplication of software and its related documentation.

Internet access to global electronic information resources on the World Wide Web is provided by J.S. Ventures, Inc. to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. All Internet usage is limited to job-related activities. **Personal use of our restaurants' computers is not allowed.**

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of J.S. Ventures, Inc. and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful. **Personal use of company e-mail or other electronic transmissions is without any expectation of privacy.**

The equipment, services, and technology provided to access the Internet remain at all times the property of J.S. Ventures, Inc. As such, J.S. Ventures, Inc. reserves the right to monitor E-mail, intranet and internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems at any time. Company equipment is always subject to inspection. Monitoring will be accomplished by electronically recording all E-mail transmissions, intranet/internet traffic will be monitored by other electronic means. This information may be used by J.S. Ventures, Inc. or duly authorized government officials.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. Generally, if an employee did not create the material, does not own the rights to it, or has not received authorization for its use, it should not be downloaded on to a Company computer or otherwise put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

Employees should notify their immediate supervisor, the Human Resources Department or any member of management upon learning of violations of this policy.

Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

Personal use of the computer system is not permitted. Abuse of the Internet access provided by J.S. Ventures, Inc. in violation of law, Company values or policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action, up to and including termination:

- ◆ Sending or posting discriminatory, harassing, or threatening messages or images.
- ◆ Using the organization's time and resources for personal gain.
- ◆ Utilizing the computer for personal purposes.
- ◆ Stealing, using, or disclosing someone else's code or password without authorization.
- ◆ Copying, pirating, or downloading software and electronic files without permission.
- ◆ Sending or posting confidential material, trade secrets, or proprietary information outside of the organization.
- ◆ Violating copyright law.
- ◆ Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions.
- ◆
- ◆ Participating in the viewing or exchange of pornography or obscene materials.
- ◆ Sending or posting messages that defame or slander other individuals.
- ◆ Attempting to break into the computer system of another organization or person.
- ◆ Refusing to cooperate with a security investigation.
- ◆ Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities.
- ◆ Using the Internet for political causes or activities without authorization from a company officer.
- ◆ Using the Internet for religious activities.
- ◆ Using the Internet for any sort of gambling.
- ◆ Jeopardizing the security of the organization's electronic communications systems.
- ◆ Passing off personal views as representing those of the organization.
- ◆ Sending anonymous e-mail messages.

- ◆ Engaging in any other illegal activities.

Nothing in this policy prohibits employees from discussing the terms and conditions of their employment, including wages and workplace conditions. Nothing in this policy should be construed or applied to limit or interfere with an employee's rights under Section 7 of the National Labor Relations Act.

GAMBLING

The company ensures that all federal, state and local laws are followed. Gambling in any form for any amount is prohibited. Use of the phone for this purpose is also prohibited. Such activities will result in discipline, up to and including termination of employment.

GRAZING AND GARBAGE MOUTHING

Employees are not to graze on any food item, including bar garnish. This includes any mis-cooks or wrong orders from the kitchen. Employees are not to eat any leftovers off a guest's plate. Employees are not to prepare any food item for a fellow employee without first seeing a correct order ticket rung in from front of house. All food eaten must be rung in from front of house and properly discounted by a manager.

Eating food that has not been rung in and paid for properly will be considered theft. Disregarding or failing to follow this policy will result in discipline, up to and including termination of employment.

GUIDELINES FOR APPROPRIATE CONDUCT, BEHAVIOR AND ATTITUDE

As an integral member of the J.S. Ventures, Inc. team, you are expected to conduct yourself professionally and in a friendly, courteous manner. You are encouraged to observe the highest standards of professionalism at all times. Whether you are on or off duty, your behavior, conduct and attitude shall apply to guests, managers, fellow employees and all other persons with whom you come in contact while on company premises or while on the telephone.

If your performance, work habits, overall attitude, conduct or demeanor becomes unsatisfactory in the judgment of J.S. Ventures, Inc., you may be subject to discipline, up to and including termination of employment.

Some examples of performance issues that may result in discipline include but are not limited to the following:

- ◆ Attendance.
- ◆ Tardiness.
- ◆ Inappropriate or unprofessional behavior, obscene or abusive language, indifference or rudeness and/or any disorderly or antagonistic conduct toward any member of management, employee, guest or supplier.

- ◆ Malicious gossip and/or spreading rumors, engaging in behavior designed to create discord and lack of harmony.
- ◆ Interfering with another employee on the job or willfully restricting work output or encouraging others to do the same.

Some types of behavior are so detrimental to J.S. Ventures, Inc., the employees or guests that a single occurrence may be grounds for termination. In these instances management retains the discretion to make immediate termination decisions. These include but are not limited to the following:

- ◆ Theft.
- ◆ Sexual or any other unlawful harassment.
- ◆ Any act of discrimination, language or gesture, whether serious or in a joking manner, that is construed to be discriminatory toward any manager, employee or guest.
- ◆ Engaging in criminal conduct or acts of violence, making threats of violence, fighting, horseplay or provoking a fight toward anyone on company premises.
- ◆ Threatening, intimidating or coercing any member of management or fellow employees on company premises.
- ◆ Willful destruction or negligent damage of J.S. Ventures, Inc. property.
- ◆ Insubordination or refusal to comply with guidelines, policies or procedures of J.S. Ventures, Inc.
- ◆ Absence for three consecutive scheduled shifts without proper notification or two separate incidents of no-call/no-show.
- ◆ Selling, possessing, consuming, procuring or distributing illegal or unauthorized substances on J.S. Ventures, Inc. property.
- ◆ Intoxication or being under the influence of alcohol or drugs on J.S. Ventures, Inc. property.
- ◆ Possession of a firearm, weapon, explosives or other dangerous devices on J.S. Ventures, Inc. property.
- ◆ Neglect of duty.

MEAL PERIODS AND BREAK PERIODS

An employee is allowed to purchase meals (excluding kids' meals, desserts and other discounts) to be eaten either before or after his/her scheduled shift. These meals are reduced by 50% from the menu price up to \$4.00. This means the menu price cannot exceed \$8.00 without paying an overage. No employee can have any further type of discount on any of our half price appetizer specials. These items cannot be discounted any further. Kids meals cannot be ordered by employees who are off duty as guests for their own consumption. **All meals must be coordinated with the manager on duty prior to the order being rung in. Meal comps do not accrue.**

Employees are allowed to have soda, coffee, tea and/or water during their shift without charge. These are the only beverages allowed and should not be consumed in customer view. Employees are not allowed to bring outside beverages into the restaurant.

Scheduled breaks are given only to those employees who are on an evening shift and are scheduled to CLOSE. Scheduled breaks are coordinated by the manager on duty. This

doesn't eliminate the "5er", a five-minute break that employees will occasionally be allowed during a shift. However, five-minute breaks are not allowed between the hours of 11:00 a.m. to 2:00 p.m. and 5:00 p.m. to 8:00 p.m. Breaks are at the discretion of management and will be granted only as volume permits.

PERSONAL BUSINESS AND TELEPHONE CALLS

J.S. Ventures, Inc. requires that you conduct your personal business off company premises, on your own time. We ask that you schedule personal appointments during non-scheduled work hours.

Personal telephone calls can be disruptive and tie up telephones needed for business use. Business telephones are to be used for J.S. Ventures, Inc. business purposes only. Personal telephone calls are **not** allowed unless it is an emergency or you need to contact a ride. If a personal telephone call is received, a message will be taken and you may return the call when you are off duty. If a call is received for a manager, always get the name of the person calling.

The use of cellular telephones, pagers, or other personal electronic communication devices are prohibited while on the clock or while in Applebee's uniform. Please reference the Electronic Communication Policy for further guidelines on use of electronic communication devices.

Violation of this policy shall be considered misuse of company time and will result in disciplinary action, up to and including termination of employment.

SEXUAL HARASSMENT AND OTHER UNLAWFUL HARASSMENT

It is the policy of J.S. Ventures, Inc. to promote a productive work environment and not tolerate verbal or physical conduct by anyone, including members of management, employees, guests or suppliers, that harasses, disrupts or interferes with another's work performance or that creates an intimidating, offensive or hostile environment.

Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated, including harassment for the following reasons: race, religion, color, sex, age, national origin, pregnancy, disability, military status or other factors protected by federal, state or local law. Special attention should be paid for the prohibition of sexual harassment.

With respect to harassment, the conduct prohibited includes:

1. Unwelcome sexual advances; requests for sexual favors; and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:
 - ◆ Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 - ◆ Submission to or rejection of such conduct is used as the basis for decisions such as promotion, discharge, performance review, pay adjustments, corrective

action, work assignments or any other condition of employment or career advancement; or

- ◆ Such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, abusive, hostile or offensive working environment, even if it leads to no adverse job consequences.

2. Offensive comments, jokes, innuendoes and other sexually oriented statements.

Examples of the types of conduct expressly prohibited include, but are not limited to, the following:

- ◆ Touching, such as rubbing or massaging someone's neck or shoulders, stroking someone's hair or brushing against another's body.
- ◆ Lewd, off-color or sexually oriented comments or jokes.
- ◆ Offensive e-mail or voice-mail messages.
- ◆ Sexually suggestive touching, grabbing, groping, kissing or fondling.
- ◆ Foul or obscene language.
- ◆ Leering, staring or stalking.
- ◆ Suggestive or sexually explicit posters, calendars, photographs, graffiti or cartoons.
- ◆ Unwanted or offensive letters or poems.
- ◆ Sexually oriented or explicit remarks, including written or oral references to sexual conduct, gossip regarding one's sex life, body or sexual activity.
- ◆ Repeated requests for dates.

If you experience or witness sexual or other unlawful harassment in the workplace or anywhere where employees do business on behalf of J.S. Ventures, Inc., please report the conduct in accordance with the company's Dispute Resolution Program. J.S. Ventures, Inc. prohibits retaliation against anyone for reporting harassment, assisting in making a harassment complaint or cooperating in a harassment investigation. Retaliation can include disparaging comments, uncivil behavior or any other negative treatment of an employee by members of management, employees, guest or suppliers or others resulting from the harassment complaint of the employee or the cooperation of the employee in a harassment investigation.

Any manager who becomes aware of possible sexual or other unlawful harassment should immediately report the conduct pursuant to the company's Dispute Resolution Program so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment or inappropriate behavior will be subject to disciplinary action, up to and including termination of employment.

J.S. Ventures, Inc. shall investigate all allegations of sexual or other unlawful harassment thoroughly and promptly. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

SUPERVISOR/MANAGER ON DUTY

Each employee will be introduced to the management team. You are responsible to the supervisor or manager on duty at the time you are scheduled to work.

TELEPHONE ETIQUETTE

Answering the telephone is everyone's responsibility. Answer the phone promptly, within two rings. Always be polite and speak clearly.

Answer all calls by saying, "Thank you for calling Applebee's at *(location)* now featuring *(restaurant specific)*; this is *(name)* speaking. How may I help you?"

Be sure to thank the caller at the end of the conversation.

Never put someone on hold for more than one minute. Thank the caller for holding when you return to that line. If a call is received for a manager, always get the name of the person calling.

Questions you cannot answer should be referred to the manager on duty.

TERMINATION OF EMPLOYMENT

Termination of employment may occur for voluntary or involuntary reasons.

Voluntary termination may result from the formal resignation of an employee or from an extended absence without notification (three consecutive scheduled days of absence without notification or two separate incidents of no-call/no-show). The employee may tender formal resignation either orally or in writing to his/her manager. In the case of absence without notification, resignation is based on job abandonment.

Employees terminating voluntarily are requested to provide a two-week notice. The requested notice is a courtesy to help ensure that appropriate coverage is maintained.

Involuntary termination may occur at any time. If you are involuntarily terminated from J.S. Ventures, Inc., you are terminated from all J.S. Ventures, Inc. locations.

THEFT

Theft of company time, company property, or the property of employees, unauthorized possession or removal of any company property from the premises without prior permission from management (this includes but is not limited to food, documents, records or reports), unauthorized use of company equipment or property for personal reasons or using company equipment for profit is prohibited and will result in discipline up to and including termination of employment.

UNIFORMS AND PERSONAL APPEARANCE

Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affect the business image J.S. Ventures, Inc. presents to customers.

During business hours or when representing J.S. Ventures, Inc., employees are expected to present a clean, neat and tasteful appearance. If your manager feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstances, you will not be compensated for the time away from work. Consult your manager if you have questions as to what constitutes appropriate appearance.

Without unduly restricting individual tastes, the following guidelines should be followed:

- ◆ Report to work in full uniform. Uniforms should be clean and pressed.
- ◆ Well-groomed hair, personal hygiene and clean nails are essential.
- ◆ Perfume, cologne and aftershave lotion should be used moderately or avoided altogether, as some individuals may be sensitive to strong fragrances.
- ◆ Chewing gum is prohibited while on the clock.
- ◆ Cell phones, pagers, and other electronic communication devices are **not** part of the Applebee's uniform and cannot be utilized while on the premises.

You must be appropriately dressed when visiting off-duty. No open-toe shoes are permitted in the back of the house.

FOH employees are required to furnish their own shirts; we will furnish you with your server apron. Kitchen employees will be furnished with two shirts and a hat. Additional uniforms may be purchased through the restaurant and will be deducted through payroll. All employees will be required to furnish their own pants.

You should dress and groom yourself according to the requirements of your position as follows:

Server, Bartender, Host/Hostess and Service Assistant:

SHIRTS A plain black, button down collared shirt. May be long or short sleeved. Shirts must be tucked in at all times. Shirts cannot be faded, torn or stained. A black T-shirt may be worn underneath the shirt. No prints, logos, slogans, halter tops, tank tops, tube tops, bulky pullovers. Shirts that are too small or transparent are not acceptable.

PANTS Black dress pants. Jeans, corduroys, cotton baggies and "pedal pushers" are not acceptable. No patterned (plaid, striped or checked) pants. No stitched pockets or elastic waistbands.

- SKIRTS** Women: Black skirts may be worn, but may not be shorter than 2” above the knee. Jean and corduroy skirts are not acceptable. No patterned (plaid, striped or checked) skirts. No stitched pockets or elastic waistbands.
- BELT** A black belt is required if the pants or skirts are made with belt loops.
- APRON** A current approved black Applebee’s apron will be provided.
- SHOES** Clean, polished black leather shoes are required. All shoes must be closed-toe and slip resistant! Sandals, boots, high heels, clogs, slings and jellies are not acceptable. Slip resistant shoes are specified for your safety.
- SOCKS** Appropriate socks matching the shoes must be worn.
Women: Suntan-color hosiery may be worn.
- JEWELRY** No more than one ring per hand (a wedding set qualifies as “one ring”). One necklace is acceptable. Earrings should be in good taste. Gauges may be no bigger than dime size. A watch is also acceptable. No other jewelry is acceptable unless approved by your Area Director or Director of Operations. (Medical ID bracelets are an exception to this rule.) Facial jewelry, such as eyebrow rings, nose rings, lip rings and tongue piercing is not professional and will not be permitted. Covering them with a band aid or putting in a clear stud is not acceptable.
- TATTOOS** Tattoos should be in good taste. Store managers will set in-store policies accordingly. If J.S. Ventures, Inc. deems a tattoo inappropriate, you will be required to cover the tattoo.
- HAIR** Hair must be neat, washed and groomed and, if longer than collar length, tied back for health reasons, with no loose strands hanging around the face and neck. Extreme hair colors and styles will not be permitted. All male employees must report to work each day clean shaven. If you did not have a beard when you were hired, you may not grow one while working for J.S. Ventures, Inc. unless you want to be taken off the schedule until the beard is fully grown in, neatly trimmed and acceptable in appearance.
- GROOMING** Women: Brassieres are required.
All: You must maintain a professional image (including good personal hygiene, clean nails, appropriate makeup and groomed hair) that reflects the importance of your position and the high standards of the restaurant.
- NAME TAG** A name tag must be worn by all FOH staff (bartenders included) while on duty. One “To Go” button and one “We ID” button are provided at no cost by J.S. Ventures, Inc. and must be worn while on duty with no exceptions. If you lose your name tag, it is your responsibility to purchase another one from your manager. In addition to the above requirements, service pins or other J.S. Ventures, Inc.-approved stickers may be worn while on duty.
- CARSIDE** All front of the house uniform policies apply with a carside apron. If weather is inclement, an approved carside jacket may be worn.

Kitchen Staff:

- SHIRTS An Applebee's red kitchen T-shirt or any Applebee's logo shirt.
- PANTS Dark blue or black slacks or jeans are acceptable. Corduroys, pastels, overalls and shorts are not acceptable.
- APRON An apron will be provided and is required to be worn at all times during your shift.
- HAT One Applebee's baseball cap will be provided and is required to be worn at all times during your shift. A hat is required whether you have hair or not.
- SHOES Dark leather or leather (no canvas or nylon) tennis shoes are required. All shoes must be closed-toe and slip resistant—this is for your safety! Sandals, boots, high heels, clogs, slings and jellies are not acceptable.
- SOCKS Socks must be worn.
- JEWELRY FOR YOUR OWN SAFETY, it is better not to wear jewelry in the kitchen. Rings, dangling necklaces and/or bracelets can easily get caught in kitchen machinery possibly causing injury to yourself. Earrings should be in good taste. Gauges may be no bigger than dime size. No other jewelry is acceptable unless approved by your Area Director or Director of Operations. (Medical ID bracelets are an exception to this rule.) Facial jewelry, such as eyebrow rings, nose rings, lip rings and tongue studs, is not professional and will not be permitted. Covering them with a band aid or putting in a clear stud is not acceptable.
- TATTOOS Tattoos should be in good taste. Store managers will set in-store policies accordingly. If J.S. Ventures, Inc. deems a tattoo inappropriate, you will be required to cover the tattoo.
- HAIR Hair must be neat, washed and groomed and, if longer than collar length, tied back for health reasons, with no loose strands hanging around the face and neck. Extreme hair colors and extreme styles will not be permitted. All male employees must report to work each day clean shaven. If you did not have a beard when you were hired, you may not grow one while working for J.S. Ventures, Inc. unless you want to be taken off the schedule until the beard is fully grown in, neatly trimmed and acceptable in appearance.
- GROOMING Women: Brassieres are required.
All: You must maintain a professional image (including good personal hygiene, clean nails, appropriate makeup and groomed hair) that reflects the importance of your position and the high standards of the restaurant.
- NAME TAG One name tag, one "To Go" button and one "We ID" button are provided at no cost by J.S. Ventures, Inc. and must be worn while on duty with no exceptions. If you lose your name tag, it is your responsibility to purchase another one from your manager. In addition to the above requirements,

service pins or other J.S. Ventures, Inc.-approved stickers may be worn while on duty.

USE OF COMPANY EQUIPMENT AND PROPERTY

When using J.S. Ventures, Inc. equipment, employees are expected to exercise care, perform required maintenance and follow all operating instructions, safety standards and guidelines. It is your responsibility to understand the equipment you use to perform your duties. The manager can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

Please notify your manager if equipment, machines or tools appear to be damaged, defective or in need of repair. Prompt reporting of damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or others.

Under no circumstances should you operate a machine you deem unsafe.

Engaging in any act of sabotage, or willfully or with gross negligence causing the destruction or damage of company property or the property of fellow managers, employees, guests or suppliers, is not tolerated.

The improper, careless, negligent, destructive or unsafe use or operation of equipment and/or property may result in disciplinary action, up to and including termination of employment.

VIOLATIONS OF POLICIES

All employees, including management, are expected to abide by the policies in this Policy Manual. Failure to do so will lead to appropriate disciplinary action, up to and including termination of employment. A written record of all policy violations is maintained in each individual's personnel file.

COMPENSATION/ EMPLOYEE BENEFITS

401(K) RETIREMENT PLAN

Hourly employees are eligible to participate in the company's 401(k) Retirement Plan after one year of service. You will be notified by the benefits department when you are eligible.

BEREAVEMENT LEAVE

J.S. Ventures, Inc. recognizes that employees need time off to be with family and assist with arrangements in the event of the death of an immediate family member.

Employees who suffer the loss of an immediate family member may receive up to three days of unpaid funeral leave. Please let a manager know if this situation occurs and he/she will help you make arrangements to cover your schedule.

J.S. Ventures, Inc. defines "immediate family" as the employee's spouse, child, stepchild, parent, stepparent, grandparent, stepgrandparent, grandchild, sibling, stepsibling, parent-in-law, sibling-in-law or legal guardian.

Misuse or abuse of this policy will result in discipline up to and including termination of employment.

FAMILY AND MEDICAL LEAVES OF ABSENCE (FMLA)

In compliance with the federal Family and Medical Leave Act (FMLA), J.S. Ventures, Inc. provides eligible employees up to 12 weeks of unpaid leave within any 12-month period for certain family and medical reasons or for any qualifying exigency arising out of the fact that a covered military service member is on active duty. Under certain conditions, the FMLA entitles eligible employees to take up to 26 weeks of job-protected unpaid leave in a single 12-month period to care for a military member with a serious illness or injury. Employees are eligible if they have worked for J.S. Ventures, Inc. for at least 12 cumulative months within the last seven years unless the break in service of more than seven years was occasioned by the employee's fulfillment of his or her National Guard or Reserve military obligation, have worked a minimum of 1,250 hours during the 12 months prior to the effective date of leave, if at least 50 employees are employed by the employer within 75 miles and have a qualifying reason for the leave. Qualifying reasons for the leave include:

Basic 12-Week Leave Entitlements

Employees may receive up to 12 weeks of unpaid, job-protected leave for the following reasons:

- ◆ For incapacity due to pregnancy, prenatal medical care or child birth;
- ◆ To care for the employee's child after birth or placement for adoption or foster care;
- ◆ To care for the employee's spouse, child or parent who has a serious health condition;
- ◆ For a serious health condition that makes the employee unable to perform his or her job; or
- ◆ For a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status. This applies to all members of the Armed Forces deployed in a

foreign country. Son or daughter for this type of FMLA leave is defined the same as “child” for other types of FMLA leave, except that the person does not have to be a minor. Employees requesting this type of leave must provide proof of the qualifying family member’s call-up or active military service before leave is granted.

Military Caregiver 26-Week Leave Entitlement

FMLA also includes a special leave entitlement that permits eligible employees who are the spouse, son, daughter, parent or next of kin (i.e., the closest blood relative) to take up to 26 weeks of leave to care for a covered service member with a serious injury or illness during a single 12-month period. A covered service member is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. Employees requesting this type of FMLA leave must provide certification of the family member or next of kin’s injury, recovery, or need for care. This certification is not tied to a serious health condition or qualifying exigency as for other types of FMLA leave. This is the only type of FMLA leave that may extend an employee’s leave entitlement beyond 12 weeks to 26 weeks.

Definitions

Child – A child shall include a newborn, a child 18 and under, a child 18 and over unable to care for self due to disability, foster children, wards of the state, stepchildren.

Inpatient Care – Inpatient care shall include an overnight stay in a hospital, hospice or residential medical-care facility, including any period of incapacity (i.e., inability to work, attend school or perform other regular daily activities) or subsequent treatment in connection with such inpatient care.

Serious health condition – Means an illness, injury or impairment, or physical or mental condition that involves either: (1) an overnight stay in a medical care facility; or (2) continuing treatment by a health care provider for a condition which includes at least one of the following:

- A. A condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.
- B. A period of incapacity of more than three consecutive, full calendar days combined with at least two visits to a health care provider (i.e., in-person visits) or one visit to a health care provider (i.e., an in-person visit) and a regimen of continuing treatment (e.g., prescription medication, physical therapy).
- C. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each such absence.

- D. Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity.
- E. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment.
- F. Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

Qualifying exigencies – Qualifying exigencies, for purposes of the military leave provisions of the FMLA, shall include:

- A. Issues arising from a military member's short notice deployment for a period of *seven* days from the date of notification;
- B. Military events and related activities, such as official ceremonies, programs or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations or the American Red Cross, that are related to the covered active duty or call to active duty status of a military member;
- C. Certain childcare and related activities arising from the active duty or call to active duty status of a covered military service member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or daycare facility, and attending certain meetings at a school or a daycare facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military service member;
- D. Making or updating financial and legal arrangements to address a covered military service member's absence;
- E. Attending counseling provided by someone other than a health care provider for oneself, the covered military service member, or the child of the covered military service member, the need for which arises from the active duty or call to active duty status of the covered military service member;
- F. Taking up to *fifteen* days of leave to spend time with a covered military service member on temporary, rest and recuperation leave during deployment. Employees requesting this type of leave must provide a copy of the qualifying service member's orders that indicate the dates of the military member's Rest and Recuperation leave before leave is granted.
- G. Qualified employee may take leave to care for a service member's parent who is incapable of self-care.

Parent – A parent is a biological or legal guardian to the employee since childhood.

Requesting Leave

Employees desiring to take FMLA leave must provide verbal notice of the need for leave, and the reason(s) therefore, to their manager. Requests should be made no later than 30 days prior to the anticipated start date of leave except where the need for leave is unforeseeable or such notice is impracticable. If the leave is foreseeable less than 30 days in advance, the employee must provide notice as soon as practicable, either the same or next business day. When the need for leave is not foreseeable, the employee must provide notice as soon as practicable, but generally no later than two business days after the leave is taken. Failure to timely provide notice of the need for FMLA leave—in other words, to put J.S. Ventures on notice of the need for leave—may mean that all, or part, of the employee's time off may not qualify as FMLA leave. Whenever possible, employees should make an effort to schedule leave in such a fashion that J.S. Venture's operations are not unduly disrupted. Once leave is taken, employees must regularly report their status to the Human Resources Department, including the employee's anticipated return to work date. If an employee gives unequivocal notice of intent not to return to work, J.S. Venture's obligations under FMLA to maintain health benefits (subject to COBRA requirements) and to restore the employee cease. However, these obligations continue if an employee indicates he or she may be unable to return to work but expresses a continuing desire to do so.

Employees requesting leave to care for an injured service member, in addition to providing the notice above, must provide documentation of the family member's or next-of-kin's injury, recovery, or need for care. This documentation may be a copy of the military medical information, orders for treatment, or other official Armed Forces communication pertaining to the service member's injury or illness incurred on active military duty that renders the service member medically unfit to perform his or her military duties.

Certification and Recertification Requirements

J.S. Ventures will require medical certification, by a health care provider, to support an employee's request for leave due to the employee's own serious health condition, or to care for a seriously ill child, spouse, or parent. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave or may mean that all, or part, of the employee's time off may not qualify as FMLA leave. J.S. Ventures will make any request for certification, or recertification, in writing to the employee.

J.S. Ventures may request recertification no more often than every 30 days and generally only in connection with an absence by the employee. If, however, the medical certification indicates that the minimum duration of the condition is more than 30 days, J.S. Ventures will not request recertification until that minimum duration expires. Additionally, J.S. Ventures may request recertification more frequently than every 30 days if (1) the employee requests an extension of leave; (2) circumstances described by the previous certification have changed significantly; or (3) J.S. Ventures receives information that casts doubt upon the employee's stated reason for the absence or the continuing validity of the certification. Employee's taking intermittent or reduced schedule FMLA leave will be required to recertify their need to leave following the first absence taken for such intermittent leave after the employee has been on certified intermittent or reduced schedule FMLA leave for six months. This recertification requirement applies continuously

so long as the employee continues needing intermittent or reduced schedule leave. The employee must provide the requested recertification to J.S. Ventures within 15 calendar days after the J.S. Ventures' request, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. Any recertification requested J.S. Ventures shall be at the employee's expense.

Certification or recertification of an *employee's* own serious health condition must include, among other things, a statement that the employee is unable to work at all or is unable to perform at least one of the essential functions of his or her position. *For leave to care for a seriously ill child, spouse, or parent*, the certification or recertification must include among other things, an estimate of the amount of time the employee is needed to provide care. If the employee plans to take intermittent or reduced schedule leave, the certification or recertification must also include, among other things, anticipated dates or duration of treatment (if any), as well as a statement of medical necessity for taking intermittent or reduced schedule leave.

J.S. Ventures' health care provider or Human Resources representative may clarify a medical certification of a serious health condition with the employee's health care provider. *J.S. Ventures may require a second medical opinion at its expense.* If the employee's and the employer's opinions conflict, J.S. Ventures may require the binding opinion of a third health care provider, whose identity J.S. Ventures and the employee must approve and which shall be paid for by J.S. Ventures. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion. No second or third opinion on recertification is required.

Intermittent or Reduced Schedule Leave

Family medical leave for personal or family illness may be taken intermittently or on a reduced schedule only when medically necessary and may be taken only in hourly increments. Employees taking intermittent or reduced schedule medical leave may be temporarily transferred to an alternative position with J.S. Ventures, Inc., for which the employee is qualified, to facilitate the employee's leave. The transferred employee will be placed in either the same or an equivalent position when the circumstances necessitating the transfer cease to exist. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave to care for a seriously injured or ill service member may also be taken on an intermittent basis.

Spouses' Combined Leave

If a husband and wife both work for J.S. Ventures and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent in-law) with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement. On the other hand, if one spouse is ineligible for FMLA leave, the other spouse would be entitled to a full 12 weeks of FMLA leave. Where the husband and wife both use a portion of the total 12 week FMLA leave entitlement for either the birth of a child, for placement for adoption or foster care, or to care for a parent, the husband and wife would each be entitled to the difference between the amount he or she has taken individually and 12 weeks for FMLA leave for other purposes. For example, if each spouse took 6 weeks of leave to care for a healthy, newborn child, each could use an additional 6 weeks due to his or her own

serious health condition, to care for a child with a serious health condition, or to take military exigency leave. If a husband and wife both work for J.S. Ventures and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

Substitution of Paid Leave

Employees will be required to use any accrued vacation before taking unpaid family leave. In such a case, the leave will be counted against the employee's FMLA leave time and the employee's accrued vacation leave bank unless the leave is also taken pursuant to a disability benefit plan or for a workers' compensation injury for which the employee is receiving temporary total disability benefits. If an employee is taking leave pursuant to a workers' compensation injury for which disability payments are received, the employee may, at his or her discretion, substitute accrued vacation for that portion of his or her FMLA leave which is unpaid by the disability benefit plan or the workers' compensation benefits. For example, if an employee on leave for an FMLA-qualifying reason receives 60% of his or her weekly salary pursuant to a workers' compensation injury, the employee may substitute accrued vacation for the remaining 40% of the workweek that is unpaid. In such situation, all leave time will be counted as FMLA leave and the employee's vacation bank will be docked for the amount of substituted vacation time used.

Continuation of Benefits

For the duration of the FMLA leave, the employee's health coverage under the group health plan, as well as other paid benefits, will be maintained. Under current policy, the employee pays a portion of his or her benefits premiums. While on paid leave, J.S. Ventures will continue to make payroll deductions to collect the employee's share of the premiums. While on unpaid leave, the employee will be responsible for the premium payments. If the employee does not pay the premium during the leave, insurance will be canceled.

Employee Return to Work from FMLA Leave

Employees must notify their manager at least 15 days prior to the expected return date from the leave of absence. Upon return, the employee will be reinstated to his/her original position or to an equivalent position with equivalent pay, benefits and other employment terms.

Employees returning to work from FMLA leave for their own serious health condition, except those employees taking approved intermittent FMLA leave, will be required to obtain and present certification from their health care provider that the employee is able to return to work. The employee shall be responsible for costs associated with such certification. An employee who fails to provide certification that the employee is fit to return to work will not be allowed to return to work until such certification is provided.

If an employee fails to return to work on the day indicated in the original FMLA application, in any approved extension or within three days of release by the employee's doctor, the employee will be considered to have voluntarily resigned.

Limitations of Policy Provisions

This policy is intended to comply with and incorporate the provisions of the Family and Medical Leave Act of 1993 and any regulations adopted pursuant to the Act. Any circumstance not covered in this written policy is governed by the conditions of the FMLA

and the regulations. In the event of any conflict between this policy and the FMLA, the provisions of the Act shall govern. J.S. Ventures, Inc. may require or impose any additional conditions permitted by FMLA.

INSURANCE

Hourly employees are eligible for group health, dental and voluntary life insurance. Coverage is effective the first day of the pay period following 30 days of employment, provided the forms have been completed, signed and turned into the benefits department. See your General Manager for details.

MILITARY LEAVE

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service may be required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Employees are encouraged to provide a copy of orders, their annual drill schedule or other types of documentation as soon as available and, if possible, before the commencement of military duty.

The leave will be unpaid. However, employees may use any available vacation for the absence. Military leave does not constitute hours worked for purposes of overtime.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Upon return from military leave, employees must return to work or apply for re-employment within the prescribed time period under USERRA. To be eligible for re-employment rights under USERRA, an employee must have been discharged under honorable circumstances.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

JURY DUTY

J.S. Ventures, Inc. encourages employees to fulfill their civic responsibilities by serving jury duty when required. If summonsed for jury duty, you must show the jury duty summons to their General Manager as soon as possible so that the General Manager may make arrangements to accommodate your absence. You are, of course, expected to report for scheduled work shifts whenever the court schedule permits.

UNPAID PERSONAL LEAVE

J.S. Ventures, Inc. may provide a personal leave of absence without pay. Personal leaves may be granted for, but are not limited to, a death in the family or a natural disaster affecting home or family. As soon as employees become aware of the need for a personal leave of absence, they should request a leave from their manager. Requests for a personal leave must be approved in advance by the General Manager and the benefits department. Requests for personal leave will be evaluated based on a number of factors, including but not limited to individual necessity, anticipated workload requirements and staffing considerations during the proposed period of absence.

Employees must use any available vacation days during the period of this absence. All accrued but unused benefits, and any applicable FMLA leave, must be used prior to taking any unpaid personal leave.

Subject to the terms, conditions and limitations of the applicable plans, health insurance benefits will be maintained during the personal leave of absence. The employee will be responsible for the costs of these benefits during the personal leave of absence. If the employee does not pay the premium during the leave, insurance will be canceled.

When a personal leave of absence ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, J.S. Ventures, Inc. cannot guarantee reinstatement in all cases. Employees returning to work following a medical leave of absence will be required to obtain and present certification from their health care provider that the employee is able to return to work.

If an employee fails to report to work promptly at the expiration of the approved leave period, J.S. Ventures, Inc. will assume the employee has voluntarily resigned.

PAID VACATION

Guidelines for Paid Vacation Eligibility:

- ◆ Employees must have one year of continuous service with J.S. Ventures, Inc. to qualify.
- ◆ Requests for vacation must be submitted in writing 30 days in advance on the proper request form. The manager has the right to refuse the timing of the vacation request (i.e. holidays).
- ◆ Employees must keep track of their employment dates. Employees will not receive a notice of vacation eligibility.
- ◆ Vacation time will not carry over from year to year.
- ◆ Employees must use their vacation within one year from the date of eligibility.
- ◆ Employees must be employed and actively working, not on an investigative leave or correction plan, at the time of his/her vacation.
- ◆ Employees must return and work at least one day following their vacation.
- ◆ Employees will NOT receive pay in lieu of vacation—**USE IT OR LOSE IT.**
- ◆ Unused vacation is NOT paid out at the time of separation, unless mandated by state law.

Guidelines for Paid Vacation Compensation:

- ◆ After one year of service, employees will receive one week of their average hours, not to exceed 35 hours.
- ◆ After three years of service, employees will receive two weeks of their average hours, not to exceed 35 hours each week. These weeks may not be taken consecutively.
- ◆ After ten years of service, employees will receive three weeks of their average hours, not to exceed 35 hours each week. These weeks may not be taken consecutively.
- ◆ All employees, tipped and non-tipped, will be paid a weekly average of their annual hours, not to exceed 35 hours, times their annual average rate of pay. Tips will be included as earnings when calculating the annual average rate of pay; no separate tip average will be paid.

CUSTOMER/PUBLIC RELATIONS

COMMUNITY

Our good reputation in the community is vital to our success. People from neighborhood groups, churches and various local agencies help support our operation. Please help us to continue to remain in good standing.

CONFIDENTIALITY OF COMPANY INFORMATION

We ask that you do not speak to radio, television or newspaper personnel as a representative of J.S. Ventures, Inc. Any requests for information should be made to a manager. Daily sales and other financial data are confidential. Be cautious of rumors as a source of true information. Employees who divulge confidential information or have discussions with competitors, organizations or other outsiders will result in disciplinary action, up to and including termination of employment.

CONFIDENTIALITY OF EMPLOYEE INFORMATION

Employee personnel files/records are confidential. Personnel files/records are the property of J.S. Ventures, Inc. and access to the information they contain is restricted. While appropriate management personnel have access to personnel files/records on a need-to-know basis only, information about performance, corrective action or other job-related situations may not be released to outside companies without proper authorization. Any inquiries from an outside company should be referred to the human resources department.

J.S. Ventures, Inc. respects the privacy of each employee. Unless otherwise required by law, telephone numbers and addresses will not be given to outside individuals or outside companies without a written release from the employee or former employee, whichever the case may be.

Discussion of tips, wages, work schedule and/or personal business with fellow employees either before or after your shift has begun is considered unprofessional. Discussion and/or solicitation of tips with guests will result in disciplinary action up to and including termination of employment.

CUSTOMER SERVICE

All individuals should be made to feel welcome and treated in a kind, courteous manner. Customers are among our company's most valuable asset. Every employee represents J.S. Ventures, Inc. to our customers and the public. The way we do our jobs presents an image of our entire organization. Customers judge all of us by how they are treated with each employee contact. Therefore, our first business priority is to assist any customer. Nothing is more important than being courteous, friendly, helpful and prompt in the attention you give to our customers.

The goal is to ensure that our customers feel welcome and are treated with dignity, courtesy and respect. On occasion, a guest may express dissatisfaction about his/her food, drink, atmosphere or service. The manager on duty should be notified of the nature

of the complaint immediately. Always handle complaints in a positive, professional manner. If the guest did not think the complaint was valid, he/she would not have voiced it.

Our personal contact with the public, our manners on the telephone and the communication we send to our customers are a reflection not only of ourselves, but also the professionalism of J.S. Ventures, Inc. Positive customer relations not only enhance the public's perception or image of J.S. Ventures, Inc., but also offer great rewards in increased customer loyalty.

A couple of things to remember:

- ◆ **Never** argue with a guest.
- ◆ Any guest complaint, large or small, should be brought to the attention of the manager on duty immediately.
- ◆ Always ask what you can do to correct the situation.
- ◆ Our goal is NO GUEST LEAVES DISSATISFIED!

GUEST APPEARANCE

Management should be notified of any unusual or offensive dress on the part of a guest. Pants, shirt and footwear are required by law.

IDENTIFICATION OF MINORS

It is every employee's responsibility to check for proper identification. State laws prohibit us from selling alcoholic beverages to any person under 21 years of age. If a guest does not clearly appear to be at least 30 years old, you must ask for and take the identification to the Manager on Duty for them to verify the guest's age. The Manager on Duty will be the one responsible to give approval for this guest to be served an alcoholic beverage. The Manager on Duty is the one to go to the table to return the identification to the guest. Failure to bring identification to the Manager on Duty for a guest that does not clearly appear to be at least 30 years old will result in disciplinary action up to and including termination of employment. Acceptable forms of identification for all guests include a valid driver's license, a passport or a military identification card. You may NOT accept Social Security cards, student identification cards, voter registration cards, work identification cards, birth certificates, marriage certificates, alien registration cards or any other form of identification as the primary source to verify age. When in doubt, check the guest's identification. If the guest does not have a valid driver's license, a passport or a military identification card, ask a manager for assistance or refer to the Photo Identification Reference Book located in the bar area. Serving alcohol to a minor will result in immediate termination of employment.

LIQUOR LIABILITY

We encourage our guests to "enjoy in moderation." State laws and moral awareness prohibit us from serving alcoholic beverages to an intoxicated guest. We want all of our

guests to arrive home safely. Therefore, we will arrange transportation for any guest needing another way home. However, it will be the guest's responsibility for any cost incurred for transportation. Notify a manager immediately if a guest is obviously intoxicated or acting disorderly.

LOST AND FOUND

If you find something left by a guest or employee, take it to the manager on duty. All items of value such as credit cards, money or jewelry will be placed in the safe. Other items will be kept in the manager's office. All inquiries regarding lost items must be referred to a manager.

PARKING

There are designated parking areas for on-duty employees. Your manager will explain where you should park your car. At no time should an employee park in areas designated for our guests.

PERSONAL PROPERTY

J.S. Ventures, Inc. cannot guarantee the protection of your personal property while on company property. Therefore, employees are encouraged not to bring personal property to the workplace. All personal property left in the workplace is done so at the risk of the employee. No legal obligation is assumed by the organization in the event of loss or damage to personal property.

J.S. Ventures, Inc. will prosecute anyone caught in the act of theft or destruction of such property to the full extent of the law.

The best rule of thumb is if you don't need it for work, don't bring it to work.

ROBBERY

Restaurants are a prime target for armed robberies. If you are confronted with a robbery situation, follow these guidelines:

- ◆ Be cooperative.
- ◆ Be calm.
- ◆ Do what is requested of you.

“Money and property can be replaced—YOU cannot!”

VISITORS

Employees on duty may not have visitors. Loitering of off-duty employees is prohibited.

No visitor(s), previous employee(s) and/or off-duty employee may enter the back of the house unless accompanied by a manager.

Salespersons must use the front door; take their business card, ask them to be seated and give their card to the manager on duty. Always be polite and professional to these visitors.

WORK ENVIRONMENT

BAR AREA

Only on-duty bartenders and managers are allowed behind the bar. Sitting at the bar is prohibited at any time by any hourly employee of J.S. Ventures, Inc., whether on-duty or off-duty.

DRUG-FREE WORKPLACE

As a responsible individual, J.S. Ventures expects you to report to work fit to do your job. The presence of drugs and alcohol in the workplace limits our ability to provide high quality service to our customers and threatens the well-being of others. Drug and alcohol use in the workplace or on company time will not be tolerated. Any employee, including management, who engages in the following forms of conduct may be subject to discipline, up to and including termination:

- ♦ Reporting to work under the influence of any drugs or alcohol;
- ♦ Manufacture, distribution, sale, possession, solicitation or use of illegal drugs at any time on company premises;
- ♦ The use, or being under the influence, of illegal drugs or substances, or misuse of legal drugs, at any time on company premises, while on company business or while driving vehicles owned, rented or leased by our company; or
- ♦ Unauthorized use or possession of alcohol on company premises or time.

Drug or alcohol testing or retesting by J.S. Ventures will be carried out within the terms of this policy which has been provided to every employee subject to testing, and is available for review by employees and prospective employees.

The Drug and Alcohol Testing Program is mandatory for all employees. Any employee who is tested under this program, whether “reasonable suspicion” or “post-accident”, and fails the drug and/or alcohol test will be immediately terminated. If an employee is tested for “reasonable suspicion” and the test comes back negative, the employee will be compensated for time off and return to normal work activities.

Definitions

- a. “Alcohol” shall mean any product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, synthetic ethyl alcohol, spirits, wine, beer, every liquid or solid, patented or not, containing alcohol, spirits, wine, or beer, and alcohol used in the manufacture of denatured alcohol, flavoring extracts, syrups, or medicinal, mechanical, scientific, culinary, and toilet preparations;
- b. “Breath-testing device” shall mean intoxilyzer model 4011AS or other scientific testing equivalent that has been approved by and is operated in accordance with the state law, rules and/or regulations;
- c. “Breath-testing-device operator” shall mean a person who has obtained or been issued a permit pursuant to state law, rules and/or regulations;

d. "Drug" means a substance considered a controlled substance and included in schedule I, II, III, IV, or V under the federal Controlled Substances Act, 21 U.S.C. § 801 et seq. Although the use of all illicit drugs are prohibited in the workplace, drugs specifically tested for under this policy include any form or derivative of controlled substances commonly referred to as cocaine, THC, opiates, methamphetamines and PCP. Please refer to schedule I, II, III, IV, or V under the federal Controlled Substances Act, 21 U.S.C. § 801 et seq. for a description of the basic or parent chemical of these substances.

Testing Conditions

To ensure a safe, drug-free workplace, J.S. Ventures shall conduct alcohol and drug testing under the following circumstances: (1) reasonable suspicion testing; and (2) post-accident testing.

a. "Reasonable suspicion" is defined as a good faith belief based upon relevant facts including but not limited to, impaired performance and/or observations that an employee's behavior/performance is impaired or affected by mood altering substances. Reasonable suspicion observations or relevant facts include, but are not limited to the following:

- ♦ The employee is in possession of drugs, alcohol or other mood altering substances.
- ♦ The employee is disoriented.
- ♦ The employee is exhibiting unusual or potentially dangerous behaviors including, but not limited to:
 - Mood swings
 - Slurred or incoherent speech
 - Odor of alcohol
 - Unexplained disappearances while on duty
 - Confusion or lapses in memory
 - Staggering walk
 - Red or glossy eyes or dilated pupils
 - Involvement in a work related accident
 - Two or more reported injuries in any three-month period
 - Pattern of accidents and/or injury involving the employee
- ♦ The employee is exhibiting unusual or potentially dangerous behaviors including, but not limited to:
 - There are signs of performance problems including, but not limited to tardiness, absences, or imprudent judgment.

b. "Post-accident" is defined as accidents in the workplace in which the accident (1) resulted in an injury to a person for which injury, if suffered by an employee, a record or report could be required under state or federal occupational safety laws or

regulations (including workers compensation laws) and the injury requires professional medical care in the opinion of yourself or your supervisor; or (2) resulted in damage to property, including to equipment, in an amount reasonably estimated at the time of the accident to exceed one thousand dollars.

Collection, Testing and Reporting

a. **Collection of samples.** In conducting drug or alcohol testing, J.S. Ventures may require the collection of samples from its employees and prospective employees, and may require presentation of reliable individual identification from the person being tested to the person collecting the samples. Collection of a sample shall be in conformance with the requirements of this section. J.S. Ventures may designate the type of sample to be used for this testing. A written record of the chain of custody of the specimen shall be maintained from the time of the collection of the specimen until the specimen is no longer required. J.S. Ventures or its agents shall not release or disclose the test results to the public, except that such results shall be released as required by law or to the employee upon request. Test results may be released to those officers, agents, or employees of J.S. Ventures who need to know the information for reasons connected with their employment.

b. **Confirmatory drug or alcohol test.** J.S. Ventures may employ preliminary screening procedures for alcohol and drugs. When these preliminary screening procedures result in a positive test result, such results will be confirmed in accordance with the following:

(1) A positive finding of drugs by preliminary screening procedures will be subsequently confirmed by gas chromatography-mass spectrometry.

(2) A positive finding of alcohol by preliminary screening procedures will be subsequently confirmed by either:

(a) Gas chromatography with a flame ionization detector or other scientific testing technique which has been or may be approved by the department; or

(b) A breath-testing device operated by a breath-testing-device operator. Nothing in this subdivision shall be construed to preclude an employee from immediately requesting further confirmation of any breath-testing results by a blood sample if the employee voluntarily submits to give a blood sample taken by qualified medical personnel in accordance with the rules and regulations adopted and promulgated by the department. If the confirmatory blood test results do not confirm a violation of the employer's work rules, any disciplinary or administrative action shall be rescinded.

(3) All specimens which result in a finding of drugs or alcohol shall be refrigerated and preserved in a sufficient quantity for retesting for a period of at least one hundred eighty days.

Consequences of a Positive Test or Test Refusal

If an employee refuses to submit to the testing procedure, or who engages in any conduct prohibited by this policy, they will be considered insubordinate and subject to immediate discipline, up to and including, termination of employment.

FIRE PROTECTION

In the event of a fire, notify the manager on duty immediately. The kitchen is equipped with an Ansul Dry Powder System that is automatically activated in the event of a kitchen fire. There are handheld fire extinguishers throughout the restaurant. Each employee will learn where these are during his/her training program. The building also has multiple doors for guest evacuation.

FIRST AID

Administer first aid to any employee who requests it. Any accident, no matter how minor, involving an employee or guest(s) must be reported to the manager on duty.

To administer first aid, do so in the following manner:

- ◆ **Always** wear gloves!
- ◆ For cuts: Wash, cover, stop the bleeding and bandage. If bleeding profusely, send the individual to an emergency room or nearest medical center.
- ◆ For burns: Ice and mineral oil (no butter or ointment!).
- ◆ For foreign objects or chemicals in the eye: Read the label directions for all chemicals before treating. Never try to remove an object lodged in the eye. Send the individual to the emergency room. If no one is available to take the injured individual to the emergency room, call an emergency squad.

HOUSEKEEPING

All employees should take pride in their J.S. Ventures, Inc. facility. Employees are expected to cooperate with other employees in keeping the work areas clean, orderly, safe and pleasant. You will find that if you “clean as you go,” there will be less to do at the end of your shift.

MUSIC

J.S. Ventures, Inc. strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore at no time can any store play music that would not be played once the doors are open. Music that contains content that could be considered

discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person is prohibited. This includes radio stations, CD's and tapes.

SAFETY AND ACCIDENTS/WORKERS' COMPENSATION

J.S. Ventures, Inc. is committed to providing a safe working environment. The safety of our employees and guests is extremely important. Therefore, J.S. Ventures, Inc. makes every effort to develop the best feasible operations, procedures, technologies and programs conducive to such an environment.

All J.S. Ventures, Inc. employees are expected to work diligently to maintain safe working conditions and to adhere to proper operating practices and procedures designed to prevent accidents and injuries.

The time to prevent an accident or injury is before it happens. Please follow these simple safety rules to maintain a safe environment:

- ◆ If you drop it, pick it up.
- ◆ If you spill it, wipe it up.
- ◆ Keep floors clean of debris and keep them dry.
- ◆ Watch your step on tiled floors.
- ◆ Walk—do not run!
- ◆ Remove or report all aisle obstructions to management.
- ◆ Report all leaking or dripping equipment to management.
- ◆ Report unsafe conditions, equipment or practices to management.
- ◆ Wear a cutting glove at all times when using all slicing/dicing equipment and knives.
- ◆ Use a sav-a-day and/or tongs at all times when cutting meat on the line.

Any accident or injury, regardless of the severity, must be reported to the manager on duty immediately.

J.S. Ventures, Inc. provides workers' compensation benefits as required by law and at no cost to employees. The workers' compensation program covers on-the-job injuries to the extent required by law. Subject to applicable legal requirements, workers' compensation benefits begin after a short waiting period.

No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. Employees who sustain work-related injuries must notify the human resources department within 24 hours of sustaining the injury. The failure to report these

injuries in a timely manner may affect your eligibility for workers' compensation benefits and shall subject you to discipline up to and including discharge from employment.

Neither J.S. Ventures, Inc. nor its insurance carrier will be liable for payment of workers' compensation benefits for injuries occurring during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by J.S. Ventures, Inc.

Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

SANITATION

All equipment and work areas must be maintained in clean and sanitary conditions at all times. Unclean and/or unsanitary conditions will not be tolerated.

Failure to follow the sanitation standards as outlined in the J.S. Ventures, Inc. and Applebee's training program will result in disciplinary action, up to and including termination of employment.

SECURITY

The only time employees should enter through the kitchen backdoor is prior to the restaurant opening for business. Otherwise, all employees must enter and exit the building through the customer entrance. The carside door is not considered a customer entrance and therefore should not be used by employees to enter and exit the building at any time.

Access to the manager's office is limited to the Administrative Assistant, Assistant Managers, the General Manager, the Area Director, the Director of Operations, the Vice President of Operations and other authorized management personnel.

Access to restaurant keys is limited to the General Manager and Assistant Managers unless otherwise approved by the General Manager, Area Director, Director of Operations or Vice President of Operations.

Violation of this policy will result in disciplinary action, up to and including termination of employment.

SMOKING

Smoking is prohibited in the manager's office, front of house and back of house of the restaurant at any time by any employee, including management; this includes the use of electronic cigarettes or E cigarettes and smokeless tobacco products. Smoking on the back dock or designated smoking area is permitted.

Smoke breaks are not allowed between the hours of 11:00 a.m. to 2:00 p.m. and 5:00 p.m. to 8:00 p.m. Breaks are at the discretion of management and will be granted only as volume permits.

SOLICITATION AND DISTRIBUTION OF LITERATURE

In an effort to ensure a productive and harmonious work environment, J.S. Ventures, Inc. prohibits the solicitation or distribution of literature in the workplace at any time for any purpose. This includes the solicitation of employees and/or guests by both employees and non-employees.

WEAPONS-FREE WORKPLACE

J.S. Ventures, Inc. strives to provide a safe and healthy work environment. In keeping with this objective, J.S. Ventures, Inc. has adopted a Weapons-Free Workplace Policy. All persons, except authorized law enforcement officers, who enter J.S. Ventures, Inc. property are prohibited from carrying any weapon as defined below, regardless of whether the person is licensed to carry the weapon or not. This Policy applies to all persons, including without limitation, any and all employees, guests, vendors and contractors on J.S. Ventures, Inc. property. Employees are also prohibited from carrying a weapon while engaged in the duties of the employee's employment, whether they are on J.S. Ventures, Inc. property or not. This Policy also prohibits weapons at any J.S. Ventures, Inc. sponsored events. Any exceptions to this Policy shall be made at the sole discretion of the Vice President of Operations.

A "weapon" includes: Any form of weapon or explosive device including, but not limited to, all guns and firearms, explosive agents, substances or other hazardous devices, stun guns, knives, brass knuckles, Ninjitsu weapons (e.g., Asian Fighting Stars and nunchucks) or other weapons as further defined under federal, state and local laws, ordinances or regulations. The foregoing list is not all-inclusive and any additional classification of an item as a prohibited weapon shall be within the authority of the Vice President of Operations.

J.S. Ventures, Inc. property includes, without limitation, all J.S. Ventures, Inc. owned or leased buildings/structures and surrounding areas such as sidewalks, walkways, driveways and parking lots under J.S. Ventures, Inc.'s ownership or control. This policy also applies to all J.S. Ventures, Inc. owned or leased/rented vehicles.

At its discretion, J.S. Ventures, Inc. reserves the right, at any time, to conduct a search for weapons. Violations of this Policy may result in disciplinary action up to and including termination of employment. Any person who is not an employee and is determined to have violated this policy may be barred from J.S. Ventures, Inc.'s property. J.S. Ventures, Inc. reserves the right to refer any violations of this Policy to appropriate law enforcement agencies.

WORKPLACE MONITORING/SEARCHES

To ensure quality control, employee safety, security and customer satisfaction, J.S. Ventures, Inc. reserves the right to monitor or search the workplace.

J.S. Ventures, Inc. may conduct video surveillance of non-private workplace areas. Video monitoring may be used to identify safety concerns, maintain quality control, detect theft and misconduct and discourage or prevent acts of harassment and workplace violence.

J.S. Ventures, Inc. recognizes and respects every employee's right to privacy. However, all employees and/or their personal property are subject to search and/or inspection while on or departing from company premises. Where reasonable suspicion exists to believe that an employee or group of employees unlawfully or without permission remove and/or possess company, member of management, fellow employee, guest and/or supplier's property, J.S. Ventures, Inc. reserves the right to search and/or inspect a suspected employee and his/her personal property. As used in this section, "personal property" includes but is not limited to bags, boxes, pocketbooks, purses, briefcases, suitcases or duffle bags.

While incidents of employee theft are quite infrequent, the possibility exists that you may witness or suspect a member of management, another employee, guest and/or supplier of dishonesty. Employees who witness or reasonably suspect a member of management, another employee, guest or supplier of dishonesty shall immediately report such information to a member of management. All information received by management will be held in strict confidence.

J.S. Ventures, Inc. is sensitive to the legitimate privacy rights of employees, and every effort will be made to guarantee that workplace monitoring or searches are done in an ethical and respectful manner.

Failure to report, cooperate in an investigation and/or allow a search may subject an employee to disciplinary action, up to and including termination of employment.

WORKPLACE VIOLENCE PREVENTION

J.S. Ventures, Inc. is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, J.S. Ventures, Inc. 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.

All employees, including managers, should be treated with courtesy and respect at all times. All employees, including management, are expected to refrain from fighting, "horseplay" or other conduct that may be dangerous to others. Dangerous or illegal firearms, weapons, explosives (including fireworks) and other dangerous or hazardous devices or substances are prohibited from the premises of J.S. Ventures, Inc.

Conduct that threatens, intimidates or coerces another manager, employee or 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 manager or any other member of management. This includes threats by managers and employees, as well as threats by customers, suppliers, solicitors or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

Employees have a duty to notify their manager or the human resources department of any suspicious workplace activity, situations or incidents that they observe or are aware of involving other managers, employees, customers, suppliers, solicitors or other members of the public. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts and threatening or offensive comments or remarks.

J.S. Ventures, Inc. encourages employees to bring their disputes or differences with other employees to the attention of their manager or the human resources department before the situation escalates into potential violence.

Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

J.S. Ventures, Inc. 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. In order to maintain workplace safety and the integrity of its investigation, J.S. Ventures, Inc. may suspend managers and/or employees, either with or without pay, pending investigation.

J.S. Ventures, Inc. is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns. J.S. Ventures, Inc. has established a telephone "hotline" that employees may use to call in reports if they desire. The hotline number to call is 1-402-333-6335 and is also posted in all J.S. Ventures, Inc. facilities.

Anyone 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.

EMPLOYEE ACKNOWLEDGMENT

**J.S. VENTURES, INC.
EMPLOYEE POLICY MANUAL**

EMPLOYEE ACKNOWLEDGMENT FORM

Introduction

Welcome to J.S. Ventures, Inc _____
Introductory Statement _____
Teamwork _____
Hourly Employees _____

Employment Policies

Cash Advances _____
Age Requirements _____
Claiming Tips _____
Employee Check Cashing _____
Equal Employment Opportunity (EEO) _____
Garnishments and Support Orders _____
Guest Checks/Debit Cards/Credit Cards _____
Holidays _____
Information Security _____
Meetings _____
Mishandling of Money _____
Notice to Tipped Employees _____
Paychecks/Payday _____
PCI Compliance Security _____
Performance Evaluations _____
Permits _____
Reference Inquiries _____
Rehires _____
Training _____
Transfers _____
Work Hours _____

Employee Conduct

Acceptance of Gifts _____
Alcohol _____
Attendance and Tardiness _____
Dispute Resolution Program _____
Dishonesty and Falsification of Document, Records or
Reports _____
Electronic Communications _____
Gambling _____
Grazing and Garbage MOUTHING _____
Guidelines for Appropriate Conduct, Behavior and
Attitude _____
Meal Periods and Break Periods _____
Personal Business and Telephone Calls _____
Sexual Harassment and Other Unlawful Harassment ... _____

- Supervisor/Manager on Duty.....
- Telephone Etiquette
- Termination of Employment.....
- Theft.....
- Uniforms.....
- Use of Company Equipment and Property
- Violations of Policies

Compensation/Employee Benefits

- 401(k) Retirement Plan.....
- Bereavement Leave
- Family and Medical Leaves of Absence (FMLA).....
- Insurance
- Military Leave
- Jury Duty
- Unpaid Personal Leave.....
- Paid Vacation.....

Customer/Public Relations

- Community.....
- Confidentiality of Company Information
- Confidentiality of Employee Information.....
- Customer Service.....
- Guest Appearance.....
- Identification of Minors
- Liquor Liability.....
- Lost and Found.....
- Parking.....
- Personal Property.....
- Robbery
- Visitors

Work Environment

- Bar Area
- Drug-Free Workplace
- Fire Protection
- First Aid.....
- Housekeeping
- Music.....
- Safety and Accidents/Workers' Compensation.....
- Sanitation.....
- Security
- Smoking
- Solicitations and Distribution of Literature.....
- Weapons-Free Workplace
- Workplace Monitoring/Searches
- Workplace Violence Prevention.....

I have reviewed a copy of the Employee Policy Manual and Reference Guide and understand the company's policies and procedures set forth in the Employee Policy Manual and Reference Guide. I also understand that it is my responsibility to comply with the policies and guidelines contained in the Employee Policy Manual and Reference Guide and any revisions made to it.

The Employee Policy Manual and Reference Guide describes important information about J.S. Ventures, Inc., and I understand that I should consult my manager or the human resources department regarding any questions not answered in the Employee Policy Manual and Reference Guide.

I acknowledge that the Employee Policy Manual and Reference Guide may be amended or modified in writing by authorized management personnel at any time, with or without prior notice.

Furthermore, I acknowledge that this Employee Policy Manual and Reference Guide is neither a contract of employment nor a legal document. I have entered into my employment relationship with J.S. Ventures, Inc. voluntarily and acknowledge that there is no specified length of employment. Accordingly, either J.S. Ventures, Inc. 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.

I understand that I may request a copy of the Employee Policy Manual and Reference Guide from my manager and that I may also obtain a copy online at jsvapplebees.com

Employee's Name: _____
Please Print

Employee's Signature: _____

Manager's Signature: _____

Date: ____/____/____