

*TEAM MEMBER*

*HANDBOOK*

*NORTH TEXAS CONVENIENCE STORES (NTCS)*

*Circle K/Payless*

*FIELD OPERATIONS*

*MANAGEMENT*

*And*

*NON-MANAGEMENT*

*January 2022*

## Introduction:

### About Our Company:

**HEADQUARTERS:** 1111 Belt line Rd Suite 100, Garland, TX. 75040  
(214) 319-9100

NTCS LLC. operates chains of Circle K and other convenience stores, restaurants and gas stations in the state of Texas. As a fuel distributor we offer a wide selection of branded fuels including: Circle K, Exxon/Mobil, Shell, Chevron/Texaco, Shamrock, Valero and unbranded. As a restaurant operator we offer branded restaurants including: Dickies BBQ, Taco Casa, Golden Chick, Subway, and Worlds' Best Taqueria.

Our success has been built over 30 years by offering our customers exceptional service . We measure our success by the professional growth of our team members and disciplined financial results.

**Mission Statement:** "Operate the **Best** most Convenient Community Stores/Restaurants with growing Profit per Customer visit".

**Vision Statement:** "**Best** is being Friendlier, Faster, Cleaner and more disciplined than the competition."

Being "family" owned we are not a "faceless" employer". We respect each team member as a member of the NTCS family. We continue to grow and recently became the Circle K Master Franchisee for four counties in Dallas/Ft. Worth Texas. There are growth opportunities for those who can execute our Mission and Vision.

## IMPORTANT ACKNOWLEDGMENT

This handbook describes important information about North Texas Convenience Stores LLC (NTCS), Payless Convenience Stores LLC and all affiliations, Quick Service Restaurants (QSR), Officers, Managers, Employees (Herein after referred to as NTCS) and my employment. I understand that I should consult my Store Manager, Multi Unit Manager, Retail Operations Manager or Corporate Operations Manager about questions I may have that are not answered in this handbook. I have entered into my employment relationship with NTCS voluntarily and acknowledge that NTCS has not committed to me that my employment relationship is for a specific period of time. Accordingly, either NTCS or I can terminate the relationship at will, with or without cause, at any time, as long as there is no applicable federal or state law.

Since the information, policies and benefits described here are necessarily subject to change. I acknowledge that revisions to policies may occur, including but not limited to those in this handbook, with the exception or practice of employment-at-will. I understand that revised information may supersede, modify, or eliminate existing policies. Only the President of NTCS has the authority to adopt any revision to the policies in this handbook. I acknowledge that I have been granted the ability review the handbook at the location, request a PDF copy from the Operations Manager, or visit our website ([www.dfwoilenergy.com](http://www.dfwoilenergy.com)). I understand that it is my responsibility to read and comply with the policies contained in this handbook, as well as any revisions made to it from time to time.

**For all Team Members employment is subject to and contingent upon signing the mandatory arbitration agreement presented to you and signed with your new hire paperwork, If you have any questions related to the mandatory arbitration agreement do not hesitate to contact the Retail Operations Manager (817) 851-6926. Changes to this Employment Handbook shall not alter nor have any effect upon the provisions contained within the mandatory arbitration agreement.**

I ACKNOWLEDGE THAT THIS HANDBOOK DOES NOT CONSTITUTE OR CREATE A CONTRACT OF EMPLOYMENT. I ACKNOWLEDGE THAT THIS HANDBOOK SUPERSEDES ANY AND ALL OLD VERSIONS OF THIS HANDBOOK. MOREOVER, I ACKNOWLEDGE THAT NTCS RESERVES THE RIGHT TO AMEND, ALTER OR MAKE EXCEPTIONS TO THIS HANDBOOK AT ANY TIME AND AT ITS SOLE DISCRETION. I FURTHER ACKNOWLEDGE THAT MY EMPLOYMENT WITH NTCS IS COMPLETELY AT-WILL. FURTHER I ACKNOWLEDGE THAT ANY ISSUES WHICH MIGHT ARISE DURING MY EMPLOYMENT, INCLUDING ISSUES RELATED TO DISCRIMINATION, HARRASSMENT, AND FULL PAYMENT FOR ALL HOURS WORKED SHOULD BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE RETAIL OPERATIONS MANAGER.

## Table of Contents

PAGE	PAGE		
Acknowledgement .....	3	Gifts.....	29
Over view.....	5	Hiring Relatives.....	29
Open Door Policy.....	6	Inclement Weather.....	29
Chain of Command/contact numbers..	6	Inspection of Personnel Records.	29
Americans with Disability Act.....	7	Distribution of Literature.....	30
Equal Employment Opportunity.....	7	Media Requests.....	30
Discrimination and Harassment.....	8	Parking.....	30
Workplace Violence and Weapons.....	10	Personal Property.....	30
Workplace Bullying.....	11	Political Contributions.....	31
Pay, Holidays & PTO (paid time off)....	11	Promotions and Transfers.....	31
Leaves of Absence.....	13	References.....	31
Reviews, Bonuses.....	16	Rehire Policy.....	31
Conduct, Arrests, Employee Reporting	16	Service of Paperwork.....	31
Attendance.....	16	Cell Phones.....	32
Cash and Money Order Control.....	16	Child Labor.....	32
Code of Ethics.....	17	Injuries on the job.....	33
Company Property.....	17	Safety.....	33
Conduct, Courtesy & Cleanliness.....	18	Safety Vest Policy.....	35
Confidential Info .....	18	On-boarding/Training Policy.....	35
Conflicts of Interest.....	19	Travel Policy.....	35
Discipline.....	19		
Discussion of Price.....	20		
Distracted Driving.....	20		
Electronic Communications.....	21		
Fraternization.....	21		
Illness Policy.....	22		
Insubordination.....	22		
Loyalty Card Policy.....	23		
Moonlighting.....	23		
Personal Appearance Standards.....	23		
Smoking and Tobacco Usage.....	24		
Social Media Policies.....	24		
Substance Free Workplace.....	24		
Drug/Alcohol Testing.....	25		
Tobacco and Alcohol Sales.....	27		
Amusement Devices.....	27		
Changes in Team Member info.....	28		
Food Discounts.....	28		
Falsification of Records.....	29		

## HANDBOOK OVERVIEW/DISCLAIMER

An interesting and challenging experience awaits you as a Team Member of North Texas Convenience Stores (NTCS). This handbook is designed to communicate personal policies and work standards. Please read it thoroughly and for future reference or refer to it frequently at the store. The policies stated in this handbook are subject to change at the sole discretion of NTCS with or without notice. From time to time you may receive updated information concerning changes in policy, and your continued employment constitutes acceptance of such changes. If you have any questions regarding policies, please ask your General Manager or the Retail Operations Manager.

Additionally, this handbook is not a contract, expressed or implied, guaranteeing employment for any specific duration. Each Operations Team Member is **hired with a six-month probationary**/training period. This period allows for NTCS to evaluate and appraise each Team Members development and to insure the ability to meet the requirements of the position. Either the Team Member or NTCS may terminate the employment relationship at any time, or for any reason, with or without cause or notice during both the probationary period and anytime thereafter. No individual, other than the President has the authority to enter into any agreement with anyone for employment for any specified period or to make any promises or commitments contrary to the foregoing. Furthermore, any employment agreement entered into by the President shall not be enforceable unless it is in writing.

Employment is subject to and contingent upon signing of the mandatory arbitration agreement. If you have any questions related to the mandatory arbitration agreement, do not hesitate to contact your Manager or Retail Operations Manager. Changes to this Employment Handbook shall not alter nor have any effect upon the provisions contained within the mandatory arbitration agreement.

We hope your employment relationship with NTCS will be a rewarding experience.

After reviewing this handbook, please sign the Acknowledgement.

## **COMPLAINTS, OPEN DOOR POLICY**

Misunderstandings or conflicts will arise in any organization. To ensure effective working relations, it is important such matters be resolved before serious problems develop. Each Team Member should make every effort to resolve the misunderstanding or conflict themselves. If a situation persists that a Team member believes is detrimental to the individual, NTCS, or they are unable to resolve it themselves, follow the procedures described below for bringing a problem or complaint to Management's attention. If a Team Member does not believe a discussion with their supervisor was satisfactory the Team member may contact the Retail Operations Manager (817) 851-6926 or Employee Relations (214) 319-9100 ext 116.

Please follow these steps when making a complaint:

- Step 1: Discuss the problem or complaint with your Manager.
- Step 2: If the problem or complaint is not resolved after that discussion or the complaint is about your manager, contact the Retail Operation Manager.
- Step 3: If the problem or complaint is still not mutually resolved, immediately contact the Employee Relations.

NTCS does not tolerate any form of retaliation against Team members who utilize this procedure. However, use of the Open Door Policy should not be construed as preventing, limiting, or delaying NTCS from taking disciplinary action against any individual, including termination in circumstances (such as those involving problems with overall performance, conduct, attitude or behavior) where NTCS deems disciplinary action appropriate. Each Team Member should obtain and note the following telephone numbers of the chain of responsibility for his/her store. If there are things that NTCS can do to provide a better work place, we need to know about it! Team members are asked to work within the chain of responsibility outlined to resolve any situation. However, if a Team Member does not feel that he/she has been listened to, take the concern to the next level of responsibility.

### NTCS Chain of Command

Level 1 - Your Manager

Level 2 - Retail Operations Manager- Essam Shehata 214-664-2125

Level 3 – Director of Operations – Ehab Mikhail (214) 319-9100 ext 107

## **AMERICANS WITH DISABILITIES ACT**

### Nondiscrimination Against & Accommodation of Individuals with Disabilities

NTCS complies with the Americans with Disabilities Act (“ADA”), the ADA Amendments Act (“ADAAA”) and all applicable state and local laws providing for nondiscrimination in employment against qualified individuals with disabilities. NTCS also provides reasonable accommodation for such individuals in accordance with these laws. It is NTCS policy, without limitation, to:

- Ensure that qualified individuals with disabilities are treated in a nondiscriminatory manner in the pre-employment process and that Team members with disabilities are treated in a non-discriminatory manner in all terms, conditions, and privileges of employment.
- Keep all medically related information confidential in accordance with the requirements of ADA, ADAA and HIPAA and to retain such information in separate confidential files.
- Provide applicants and Team Members with disabilities with reasonable accommodation, except where such an accommodation would create an undue hardship to NTCS.
- Notify individuals with disabilities that NTCS provides reasonable accommodation to qualified individuals with disabilities by including the policy in Team member Handbook, and by posting the Equal Employment Opportunity Commission’s poster.
- Regarding the prohibition of discrimination against individuals with disabilities and other protected groups conspicuously throughout NTCS facilities.

### Procedure for Requesting an Accommodation:

- Qualified unit level individuals with disabilities should make a written request for reasonable accommodation to the Manager (Level 1)
- Upon receipt of an accommodation request the Manager will meet with the requesting individual to discuss and identify precise limitations from the disability, as well as any potential accommodation that can be made to overcome those limitations based on labor hours available and the ability to perform the duties of the position.
- The Manager in conjunction of the Retail Operations Manager (Level 2) and appropriate management representatives identified as having a need to know will determine the feasibility of the requested accommodation. In making this determination, various factors will be considered, including but not limited to, the nature and cost of the accommodation, the facilities overall financial resources and staff level. And the accommodation’s impact on the operation of the facility, including its impact on the ability of other team members to perform their duties and on the facility’s ability to conduct business.
- The Retail Operations Manager will advise the team member of decision on the accommodation request, and if granted, how the accommodation will be implemented.

## **Equal Employment Opportunity**

### Statement

NTCS is committed to providing equal employment opportunity. NTCS makes its decisions on hiring, training, advancement and pay solely on the basis of job-related qualifications. Not only is this the right thing to do, but it assures that NTCS remains compliant with Federal and State regulations that prohibit discrimination based on sex, race,

color, religion, national origin, age, disability, genetic information, sexual orientation, gender identity, or any other protected class. Federal and State regulations clearly state that not providing equal employment opportunity is unlawful. NTCS does not tolerate violations of laws in our workplace, including violations if the laws are directed toward individuals in protected classes. Similarly, NTCS does not tolerate harassment or discrimination directed toward or demonstrated by vendors, guests, prospects or anyone with whom Team Members come into contact.

### **Discrimination and Harassment of Team Members**

NTCS is committed to a mutually respectful environment in which all Team Members are treated with respect and dignity. Every individual has the right to work in a professional atmosphere in which discriminatory practices and harassing behaviors are prohibited. All forms of harassment are discriminatory and are prohibited by law. NTCS does not tolerate harassment on the part of any of its team members, customers or vendors directed toward team members. The goal of this policy is to inform all team members of our position regarding harassment and discrimination, to define behaviors, and to outline the mechanisms available for dealing with issues of that nature. This policy is not intended to constrain social interaction or to inhibit positive, harassment-free relationships between individuals. This policy applies to all team members and covers all workplace relationships including Team Member/Supervisory relationships and all relationships between colleagues.

*Discrimination* occurs when an individual is treated less favorably than another in a comparable situation because of their race, color, sex, religion, national origin, age disability, genetic background, sexual orientation, gender identity or other protected class.

*Harassment* is unwelcome conduct that is based on race, color, sex, religion, national origin, age disability, genetic background, sexual orientation, gender identity or other protected class. Harassment is unlawful when enduring the offense conduct becomes a condition of continued employment or when conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or abusive.

*Age Discrimination:* Individuals who are 40 years of age or older are protected from employment discrimination based on age with regard to any term, condition, or privilege of employment, including hiring, firing, promotion, layoff, compensation, benefit, job assignment, or training.

*Disability Discrimination:* Individuals with an ADA-identified disability are protected from discrimination in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions and privileges of employment.

*National Origin:* An individual cannot be treated less favorably because he/she comes from a particular place, because of his/her ethnicity or accent, or because it is believed that he/she has a particular ethnic background. This includes treating someone less favorably at work because of marriage or association with someone of a particular nationality.

*Race/Color Discrimination:* Equal Employment Opportunity cannot be denied a person because of his/her racial group or perceived racial group, his/her race linked characteristics, or because of his/her marriage to or association with someone of a particular race or color. This applies to Caucasians, Blacks, Asians, Latinos, Arabs, Native Americans, Native Hawaiians, and Pacific Islanders, multi-racial individuals, or persons of any other race, color or ethnicity.

*Religious Discrimination:* Employers may not treat Team Members or applicants more/less favorably because of their religious beliefs or practices. Team Members cannot be forced to participate, or not participate, in a religious activity as condition of employment. Employers must reasonably accommodate a Team Members sincerely held religious practices, unless doing so would impose an undue hardship on NTCS.

*Sex Discrimination* includes an employment policy or practice that has a negative impact on the employment of people of a certain sex and is not job-related or necessary to the operation of the business.



*Sexual Harassment:* In general sexual harassment is a course of conduct involving unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. While sexual harassment is usually a pattern of behavior, it may also include a single act of serious misconduct when such conduct might reasonably be expected to cause insecurity, discomfort, offense or humiliation to another person or group: submission to such conduct is made an implicit or explicit condition of employment: submission to or refusal to accept such conduct is used as a basis for any employment decision (including, but not limited to, matters of promotion, salary increases, job security, and benefits affecting the team member); or such conduct has the purpose or effect of interfering with a person's work performance or creating an intimidating hostile or offensive work environment.

In order to help team members understand the types of conduct that may constitute harassment, the following examples are offered (please note this is not an all inclusive list and each team member is expected to use his or her best judgment);

- Remarks;
- Jokes;
- Innuendos about sex, sexual orientation or gender identity where the speaker has been told that they are offensive or where a reasonable person would know that they are offensive;
- Leering;
- Derogatory or degrading remarks about an individual's sex, sexual orientation or gender identity;
- Sexually suggestive or obscene comments, gestures, photos, drawing, cartoons or depictions;
- Display or the distribution by mail, fax, e-mail, text, messaging, social media, or other electronic means of sexually explicit or otherwise offensive material;
- Unwelcome advances, invitations, or propositions of a sexual nature;
- Unwelcome inquiries or comments about a person's sex life;
- Unwanted touching;
- Verbal abuse or threats; or
- Sexual assault

Sexual harassment may occur not only in the working environment, but also in any situation that is work related, such as outside assignments, travel and social events. Behavior does not need to be intentionally offensive in order to constitute harassment. While some behaviors are clearly inappropriate in a work setting, other behaviors may be more difficult to judge. Team Members should realize that what may not be offensive to one individual may be extremely offensive to another. Team Members should always employ tact and sensitivity in their dealings with others and comply with the directives of this policy at all times.

*Genetic Information* means information about an individual's genetic tests; the genetic tests of his or her family members and the manifestation of a disease or disorder in his/her family members. "Genetic test" means an analysis of human DNA, RNA, chromosomes, proteins or metabolites that detects genotypes, mutations, or chromosomal changes. "Manifestation of a disease or disorder" means that the person has been, or reasonably could be, diagnosed with the disease, disorder, or psychological condition (e.g. cancer or Parkinson's disease) by a trained medical professional. "Family Members" include a spouses dependent children (including adopted) and parents. The term also includes distant relatives, however, such as aunts, uncles, cousins, grandparents, and even great-great-great grandparents.

*Retaliation:* NTCS will not tolerate retaliation against any individual who files a complaint under this procedure or who testifies as a witness during an investigation. Acts of retaliation may include or are not limited to, firing, demoting, harassing, or taking other types of adverse action against a team member based solely upon that team member having filed a complaint or participated in an investigation. Acts of retaliation will be condemned as strongly as acts of discrimination and/or harassment themselves.

**Complaint Procedure:** When a Team Member feels that he/she is being discriminated against, harassed or retaliated against in any way, he/she should respond in one of the following ways:

- The Team Member is encouraged to tell the person responsible for the conduct that his/her conduct is inappropriate and that the behavior must immediately stop. NTCS recognizes that direct confrontation is difficult, but this approach is often the most effective means of handling inappropriate conduct quickly.
- If a Team Member is uncomfortable approaching the person creating the problem directly or if a direct challenge has failed or the Team Member wants further assistance, the Team Member should immediately report the incident or situation to their Manager or Assistant Manager so that it can be investigated and stopped.
- If the Team Member does not feel he/she can discuss the inappropriate behavior with the Manager the team member may call the Retail Operations Manager (817) 851-6926.
- Once reported, the complaint will be investigated and, if the complaint is found to be merited, corrective action will be taken.

If a Team Member believes that a co-worker has experienced or is experiencing harassment or retaliation and reports this belief to the GM or contacts the Retail Operations Manager, the person who is believed to be harassed will be contacted and his/her rights explained. Likewise if NTCS believes that he/she has been subjected to harassment by a person who is not a Team Member, such as a customer or vendor the Team Member should follow the reporting process detailed above.

**Confidentiality:** NTCS understands that it is difficult to come forward with a complaint of harassment, discrimination or retaliation and offers several reporting options. NTCS also recognizes that it is in the interest of both the complainant and the alleged violator to keep the matter confidential. To protect the interests of the complainant, the person complained of, and others who may report incidents of harassment, discrimination or retaliation, all involved individuals must maintain confidentiality throughout the informal or formal complaint procedure, the investigation, and afterwards, to the extent practical and appropriate.

It is equally important that all other persons, including the complainant, the person complained of, and anyone involved in the investigative process maintain confidentiality as well. All records relating to a complaint will be kept confidential by to the extent NTCS can reasonably do so.

### **Workplace Violence and Weapons**

NTCS does not tolerate any type of workplace violence committed by or against Team Members. Team Members are prohibited from unprofessional and inappropriate behaviors as detailed below:

- Making or conspiring to make physical, verbal or electronic threats:
- Engaging in violent activities that could cause physical injury to another individual:
- Making threatening remarks or demonstrating aggressive or hostile behavior that creates reasonable fear of injury to another person, or enabling such behavior.
- Intentionally damaging NTCS property or the property of another team member;
- Engaging in actions motivated by or related to sexual harassment, discrimination or domestic violence.

Under no circumstance will a Team Member have possession of any weapon, such as a gun, knife, razor blade, club, and etc. while on NTCS premises. This includes having such items inside the team member vehicle or PTC vehicle, unless such policy is otherwise deemed unenforceable or illegal under applicable state law. Team Members who violate this policy are subject to disciplinary action, up to and including termination.

A Team Member who becomes aware of potentially dangerous situation must immediately report this information to the Shift Leader, General Manager, or Retail Operations Manager. Reports of incidents warranting confidentiality will be handled appropriately and information will be disclosed on a need-to know basis.

### **Workplace Bullying**

NTCS does not tolerate bullying in the workplace under any circumstances. Workplace bullying is behavior that harms, intimidates, offends, degrades or humiliates a co-worker, subordinate or supervisor, whether in private or in front of other Team Members, vendors, clients or customers. If you are caught bullying at work, you will be subject to disciplinary action, up to and including discharge.

#### **Examples of bullying include but are not limited to:**

- Unwarranted or invalid criticism.
- Blame without factual justification.
- Exclusion or social isolation.
- Name calling, being sworn at, shouted at or being humiliated.

NTCS believes all Team Members should be able to work in an environment free of bullying.

**NTCS understands it may be difficult to come forward with a complaint of workplace bullying and offers several reporting options, including your Manager and Retail Operations Manager.**

## **PAY, HOLIDAYS, PAID TIME OFF, REVIEWS (PTO)**

### **Breaks**

NTCS provides breaks for team members in accordance with Federal and State regulations. Except where required by law, NTCS allows an unpaid 30-minute break after 4 hours of work as well one 10-minute rest break for every 4 hours work that is paid. You must take your full 10 minute break. If for some reason you cannot take the full 10 minutes, you must immediately notify your Manager on Duty. Breaks shall be scheduled and Team Members should inform that manager on duty when taking them. This allows management to maintain an even workflow and avoid disruptions to customer service at critical times. Where required by law, under no circumstances is the Team Member to work during the meal and rest break periods.

### **Payday**

**NTCS workweek** runs from Monday through Sunday and every other Thursday is the “pay date” for the previous two pay cycles. NTCS Team Members will receive their pay via check. If a Team Member does not receive funds he/she is entitled to they should report the issue to the General Manager. If the issue is not resolved timely he/she should report the issue to the Retail Operations Manager immediately.

**NTCS must obey all laws as they pertain to pay, including garnishment (i.e. wage attachments, child support, bankruptcy, ECT.). Questions regarding pay should be directed to your manager. It is the policy of NTCS to deduct for a Team Members paycheck only those amounts that are required by law or authorized by the Team Member. If you believe that an improper or unauthorized deduction has been taken from your paycheck, it is your duty to report your complaint to our Human Resources Manager at (214) 319-0100 Ext 116. If upon investigation, the deduction is**

improper, you will be reimbursed for the deduction and NTCS will make the appropriate changes to its payroll system. It is NTCS policy that no adverse action (i.e. retaliation) will be taken against Team Member who takes advantage of this complaint procedure.

### Time Clocks and Time Cards

All team members must clock in and out. For non-management Team Members and hourly managers, this confirms the number of hours worked during the Monday through Sunday pay period and provides NTCS with information for calculation of wages. Team Members must take the opportunity at the end of their pay period to review and verify their time card. Team Members should sign the bottom of the time card approving accuracy of punches. If a Team Member disagrees with his/her time entries it should be reported immediately to the Manager. If not resolved to the Team Members satisfaction the team member should immediately call Human Resources at (214) 319-9100 ext 116. If a team member believes he/she was not being paid for time worked during the previous pay period he/she should immediately contact their Manager. If not resolved the Team Members satisfaction he/she should contact Employee Services. NTCS will investigate any concerns brought to its attention and strive to correct errors with respect to reporting of time and payment of wages.

NTCS wants its employees to be paid in accordance with the law for all hours worked and takes allegations regarding working off the clock or not being paid overtime very seriously. Asking someone to work off the clock, forcing someone to do so or altering time records to avoid paying of hours or overtime is strictly prohibited and anyone found to have done so shall be terminated.

NTCS understands that times may arise that an off the clock Team Member may feel compelled to help in the store or restaurant to complete a task or help with customers before his/her shift begins or break is over. While NTCS greatly appreciates each Team Member's willingness to help when needed, NTCS cannot allow any Team Members to work without being paid for all time worked. Team Members should always clock in before performing work. If a Team Member forgets to punch in or clock out at any time, the Team Member should take immediate action to notify his/her manager on duty so the issue can be addressed immediately. Team Members found to have willingly worked off the clock without documenting the time worked and following the procedures noted herein shall be subject to disciplinary action up to and including termination.

In order to comply with Federal and State wage and hour laws, Team Members must punch in and out for meals and shifts. If a Team Member shift is less than 5 hours, a manager can approve the Team Member not taking a lunch break.

**Managers must** also clock in and out each shift. This information allows NTCS to have an accurate history of attendance for reporting and risk purposes, as well as to more accurately project and allocate labor costs.

Failure to comply with this policy will result on the Team Members being subject to progressive disciplinary action up to and including termination. Disciplinary action will be based on the number of **unexcused** missed punches during a 30 day rolling calendar. If unexcused missed punches exceed three during the 30 days, the team member's employment will be terminated.

As stated in this policy, Team Members that have unexcused missing punches will be subject to the following progressive discipline:

#### Unexcused Missed Punch

#1

#2

#### Discipline Level

Verbal Coaching

Written Coaching

#3  
#4

Final written warning  
Termination

### **Base Pay**

NTCS Compensation Program is designed to:

- Reward a Team Members current performance.
- Recognize increases in on-the-job responsibility.
- Provide encouragement for advancement.
- Compensate Team Members fairly and consistently.

A fair, consistent compensation program helps NTCS attract and retain the best possible high-quality; career oriented Team Members to meet the present and future needs of NTCS and the customers who shop with us. As a way to help achieve these objectives NTCS has adopted a uniform approach to compensation with adjustments based solely on performance. The compensation of each team member is reviewed periodically through a formal, written review program (See Performance Review Section). Compensation adjustments may be made at any time to recognize outstanding performance or individual promotions. Please note, no Team Member is guaranteed a pay raise at any time except as required by law.

### **Overtime Pay**

NTCS complies with Federal, state and local labor laws regarding calculation of overtime compensation. While overtime should be kept to a minimum, when it is necessary, Team Members who are considered non-exempt are generally entitled to overtime pay at the rate of one-and-one-half times their regular pay for hours worked in excess of 40 hours per week. Payment is not made for overtime in excess of 8 hours per day or for work on Saturdays, Sundays, holidays or regular days of rest if the 40 hour requirement has not been met., unless required by law. NTCS will make every reasonable effort to distribute overtime as equitably as possible among team members qualified to do the work required within their own job classification. **Overtime is considered a condition of employment**, and refusal to accept it when reasonable notice has been given is cause for discipline, including termination. No team member is to clock in early or late without authorization, and no Team Member is allowed to work overtime without authorization of their manager. Team Members are prohibited from taking work home. Further no team member is to ever work off the clock. If ever asked to work off the clock, immediately report this action to the Manager or Retail Operations Manager (817 851-6926).

### **Holiday Pay**

NTCS allows 4 specific holidays for all Leadership and team members;

New Years Day      4<sup>th</sup> of July      Thanksgiving      Christmas Day

Salaried Managers and Salaried Restaurant Managers who work a specific holiday receive their standard pay, with the option of taking a day off at another time during the existing calendar year. The Salaried Manager must work a full shift the day of, before and after to have the option of an additional day off. Hourly Managers and Team Members receive pay at time-and-a-half for hours worked on any of the four specific holidays. If a manager or team member calls in sick the day before or after a holiday the time is paid at regular time.

## **Excused Absences**

### **Jury Duty**

Team Members must notify the Manager as soon as possible after a jury duty notice is received but in no event less than (7) seven days prior to the service so that scheduling adjustments can be made and keep the manager informed of any scheduling changes. A Team Member who works the overnight shift and is serving on jury duty must notify the manager as soon as he/she is informed that jury service is required so that attendance accommodations can be made. Please note unless prohibited by law the Team Member is expected to return to work on the day of jury duty (1) he/she is scheduled to work that day and (2) His/her jury duty service ends before the scheduled shift is completed. If your absence would result in undue hardship to NTCS the company may petition the court to excuse you from jury duty and schedule you for another time.

### **Military Leave**

Team Members who are required to attend annual 2-week training sessions will be granted an excused absence to fulfill this obligation. The Team Member must furnish his/her General Manager with a copy of the training session orders.

### **Using Family and Medical Leave (FMLA) While Working at NTCS**

For full details of the Family and Medical Leave Act contact Employee Services Department (214) 319-9100. A Team Member who has been employed at least 12 months and has worked at least 1250 hours in the previous 12 month period may be eligible for a non-paid leave of absence (up to 12 weeks) under the conditions of FMLA for the following reasons:

- Birth of a child or to care for the infant;
- A father may take FMLA leave for a pregnant spouse's pre-natal care and appointments (including providing transportation) and to provide care if the spouse has a serious health condition;
- Placement of a child for adoption or foster care;
- To care for a spouse, child, or parent with a serious health condition;
- For a Team Members own serious health condition that renders him unable to perform the essential functions of the job;
- To be with a spouse, son, daughter, parent with a serious health condition;
- To be with a spouse, son, daughter, parent or next of kin who has a serious illness or injury incurred while on active duty

#### Definitions:

- A "serious health condition" is a condition that:
  1. Lasts more than three (3) full consecutive days;
  2. Requires in-person treatment by a healthcare provider at least once in the last seven (7) days of full incapacity; and
  3. Requires either a regimen of continuing treatment by the health care provider during the first treatment or a second in-person visit to the health care provider for treatment within 30 days of the first day of incapacity.
- A "chronic serious health condition" is a condition that:
  1. Requires visits for treatment by a health care provider at least twice a year;
  2. Continues over an extended period of time (including recurring episodes of a condition); and
  3. May cause episodic incapacity rather than a continuing period of incapacity.

NTCS follows all Federal and state regulations concerning FMLA, and all leaves approved will conform to those regulations. **All FMLA leave must be approved by NTCS Human Resources. Upon notice of a potential FMLA leave and to ensure that all proper documentation and paperwork is completed both prior to FMLA leave and prior to returning to work please call Human Resources (214) 319-9100 ext 116.**

### **Personal Leave (Non FMLA)**

a personal leave of absence is an authorized period away from work for up to 6 weeks without pay to meet an immediate, pressing need that does not fall under the protection of FMLA. In order to be eligible for a personal leave, the team member should provide 30 days notice to their manager. If the leave is for medical reasons a physician's certification is required. If a Team Member has paid time available, such as PTO, that time will be paid and tracked as part of the Personal Leave.

As a general policy, Personal Leave is determined at the discretion and judgment of the General Manager with approval from the Retail Operations Manager **and is not guaranteed**. The General Manager must notify Human Resources personal leave of absence has been approved for a team member. Team Members who take a personal leave for medical reasons must provide a fitness-for duty statement from their physician before returning to work. Failure to report to work at the end of a Personal Leave will result in termination.

**NOTE: NTCS follows and all applicable Federal and state laws with respect to additional periods of leave to which team members may be entitled. If you feel that you are entitled to a leave of absence in accordance with Federal and state law not mentioned herein, please contact Employee Services at (214) 310-9100**

### **Paid Time Off ("PTO")**

PTO is available to all management team members. Management team members include General Manager, Assistant Manager and Shift Leader. PTO may be used for such things as vacation, personal illness, family issues, immediate family bereavement or personal reasons. Bereavement is defined as immediate family: Parents/children. PTO is based on continuous service from a Team Member's seniority date. The amount of PTO earned is determined by the average number of hours worked which is multiplied by the Team Member's "years of service" multiplier up to a maximum amount as set forth below. Our policy is that PTO is to be used as such. The leadership team will not be paid out in addition to working the week.

Years of Service	Maximum Hours Earned
1-2	40 Hours
3-10	80 Hours
11-15	120 Hours

**Note:** Requests for PTO should be made at least Fourteen (14) calendar days in advance except in cases of emergency. Calendaring of PTO use from vacation is at the discretion of the GM on in the case of the GM the Operations Manager who will consider: the timeliness of the request, workloads, scheduling, and seniority and whether the request, duration of time requested and ultimate approval of the request are in accordance with terms of this policy. In cases of emergency it will be the Team Members responsibility to call at least (4) hours prior to the start of his/her shift and the Team Member should do everything possible to find a replacement. PTO cannot be used during holidays or periods where there is an increase in customer flow/traffic.

PTO is a fringe benefit and accumulation from one year to another is prohibited. Additionally, Payout of unused PTO upon dismissal or resignation from NTCS is prohibited unless required by applicable law. If a manager needs time off due to illness and does not have or is not eligible for PTO said time shall be treated as unpaid leave unless otherwise prohibited by law, and a doctor's note shall be required to return to work. Any questions regarding PTO or this policy should be directed to Employee Services (214) 319-9100.

### **REVIEWS :**

New Team Members should receive a performance review after 90 days. This review can include a "raise" if the result is Meets Standards. All other team members can receive a performance review yearly. Both the 90 day and yearly reviews are cost-of-living increases and/or performance increases. Merit increases are available upon promotion or taking on greater volume locations.

**BONUSES:**

Bonuses are available to the Leadership position within a location. Depending on sales volume/Customer Shops/Customer Feedback we may provide for bonus opportunities for an additional person at the location. Quarterly Bonuses will vary according to sales volume. Quarterly Bonuses are paid based upon specific measurable performance results such as sales, losses, and food costs. Company reserves the right to discontinue bonuses for any reason. Bonuses are earned at the time they are paid. Team member must be employed with us at the time of payout and must achieve Meets Standards at the last review to be awarded bonuses

**CONDUCT RULES**

**Arrests & Employee Reporting of Criminal Activity**

A Team Member must immediately report any arrest, pending criminal matter, as well as any criminal disposition, felony or misdemeanor, against the Team Member beyond a simple traffic ticket, such as a parking meter fine. The report must be made in writing to the Retail Operations Manager who in turn will notify Employee Relations. Failure to report an arrest, pending matter and/or conviction can result in discipline, including termination of employment.

**Theft Investigations**

In the event that a Team Member discovers or has a suspicion of Team Member theft, it must be reported as soon as possible, preferably before the end of the shift, to the individual noted below:

	<b>Your Job Category is:</b>	<b>Report Theft To:</b>
	Non-management Team Member	Your Manager
	Team Leader	Your Manager
	General Manager	Your Director of Retail Operations

Once reported, a member of the store’s management team will secure evidence related to the incident, such as store security videotapes and place them in a secure location. Team Members are to fully cooperate in the ensuring investigation, but are not to discuss details of the incident with any other team member. Team Members will be fully compensated for any time they are required by management to spend in cooperation with an investigation. **No Team Member or manager has the responsibility, authority or discretion to resolve loss situations on their own.** Under no circumstances will a Team Member begin a criminal prosecution, based on allegations of internal theft or other related crime, against another NTCS Team Member or customer without written approval from Employee Relations except in cases of emergency. The process of beginning a criminal prosecution means, among other things, swearing out a warrant or contacting the police or other law enforcement agency. Any NTCS Team Member who violates this policy will be subject to disciplinary action up to and including termination of employment. False reports of Team Member theft will not be tolerated and are subject to disciplinary action up to and including termination of employment.

**Attendance**

NTCS needs reliable Team Members in order to attend to our customers with the best service possible. Two of the most important things you do at NTCS are to report for work on time and on a regular basis. Unnecessary absenteeism and lateness cause tension in the unit and lead to poor customer service. Absenteeism and lateness also place an unfair



burden on other Team Members who are consistently on time. If you are going to be absent or late for any reason, you must notify your supervisor as early as possible, Unless prohibited by law, at a minimum, you must notify NTCS at least 4 hours prior to beginning of your shift on the date you are absent or tardy. A friend or family member speaking on behalf of a Team Member cannot notify NTCS. The Team Member must personally report the problem, unless the Team Member is unable to personally communicate for medical or emergency reasons or where allowed by law. Team Members who do not report for work as scheduled or do not follow proper notification procedures are subject to discipline, including termination. Please note that doctor's notes do not necessarily exclude Team Member from disciplinary actions depending on the circumstances of the situation.

### **Cash Control**

Breaches of store security, including failure to control cash (all types of tenders), secure the work station, or change funds, as well as other similar acts, with cash control items (Money Order/lottery tickets/Checks ect.) may result in disciplinary action by NTCS, up to and including termination. This includes, but is not limited to, participating in fraudulent check-cashing activity, counterfeit currency and not completing shift review.

**NTCS takes all reasonable measures to ensure that proper safeguards exist to mitigate risk associated with the sale of money orders to customers at store locations. The compliance officer is appointed as the Compliance Officer to act as a focal point for the oversight of all activities relating to the prevention, detection and providing support and guidance to all employees to ensure training of risks are adequately managed in regards to money order sales. All money order sales are restricted to not exceed more than \$500 to any person in one or more transaction in one day.**

### **Code of Ethics & Business Conduct**

NTCS has adopted a Code of Ethics and Business Conduct ("Code") that communicates commitment to high ethical standards and reinforces prompt and consistent actions in the maintenance of and compliance with those standards. The Code addresses the following areas:

Accountability and Responsibility	External Communications
Alcohol/Substance Abuse	Fraternization & Team Member
Business Records & Communications	Relationships
Computer Applications & Software	Gifts & Entertainment
Conflicts of Interest & Corporate	Political Activities
Opportunities	Protecting Assets & Brand name
Dignity, respect & Fairness	Purchasing Practices
Environmental Health and Safety	Reporting Non –Compliance
Equal Opportunity	Workplace Harassment and Violence

All NTCS Team members are expected to abide by the policies contained in the Code. To report unethical conduct, call the Retail Operations Manager (817) 851-6926.

Other conduct rules of note are:

- Only Team Members, who are on duty and are wearing a complete uniform, including name tag, are allowed behind checkout counter.
- Team Members are not allowed in a shower while it is being used by a customer at any time.

- Team Members are not allowed to enter the vehicle of a driver for any reason without the authorization of the manager-on-duty.

### **Company Property**

All Team Members are expected to exercise care in the use of company property. Negligence in the care and use of company property or unauthorized removal or personal use of company property may be cause for discipline, up to and including termination. Company property issued to you, including uniforms, keys, software, manual, and proprietary information, must be immediately returned if your employment with NTCS is terminated, either voluntary or involuntarily. If company property is not returned, you may be responsible for the value of the property. No Team member will remove company property from the premises without express permission from the GM. Examples of the property subject to this policy include but not limited to:

- NTCS– issued uniforms
- Materials, equipment, and tools
- Personal property owned by NTCS or other Team members
- Confidential literature, including technical, sales and quality control documents
- Information identified as proprietary or designed as a trade secret
- Training manuals, material, videotapes, etc.
- Merchandise that has not been purchased

Theft of property, equipment or money from NTCS, vendors, customers, or other Team Members will not be tolerated. Removing or attempting to remove property without proper permission can result in discipline, up to and including termination. Breaches of store security, failure to control cash, failure to secure the work station or safe, or similar acts may result in disciplinary action, up to and including termination.

**Please note: Team Members have no expectation of privacy when using Company Property, especially, technology.**

### **Conduct, Courtesy and Cleanliness Standards**

Team Members have a duty and professional expectation to conduct themselves in their interactions with co-workers, customers and vendors in a way that reflects the highest possible standards of behavior. Hospitality training describes the way NTCS expects its team members to interact with our guests and fellow Team Members. Likewise, NTCS vendors are absolutely essential for our success and are to be given the same courtesy and same consideration extended to customers.

To our customers, each individual Team Member represents NTCS, especially when there is a problem. NTCS believes that every guest that registers a complaint deserves to be given special consideration. If a Team Member is aware of repeated complaints concerning the same issue and it is not being resolved by the Manager it must be reported to the Retail Operations Manager, regardless if the team member normally handles complaints.

NTCS locations should be clean and welcoming. It is the responsibility of every Team Member to maintain his/ her work place in a neat, clean, and organized manner. Well managed facilities and clean organized work areas convey a sense of professionalism and confidence to those within our organization, as well to our guests and vendors.

Team Members are expected to respect the rights of co-worker and guests to use common areas, such as break area, restrooms, parking area, ECT. And to keep these areas neat and clean at all times. The following guidelines have been established to assist in maintain NTCS premises:

- Eating is not allowed at workstations.
- Littering, particularly in the parking areas, is prohibited.
- All work stations are to be maintained in a neat and organized manner. Team Members are expected to take a few moments prior to clocking out at shift break to clean and organize the work area in preparation for the next shift.

- Smoking is not allowed inside locations or near the front doors, and Team Members are expected to abide by local regulations regarding smoking activity.
- Loitering or off duty (hanging out) at or in NTCS facility is not allowed. Customers must not perceive that they are being prevented from utilizing any service offered at a unit. Non-loitering applies to Team Members, whether on or off duty, as well as their friends and family members.
- Team member parking is never allowed at the front of the facility. Ask your manager where the team member parking is allowed.

All Team Members are encouraged to learn as much as possible about products and services to better assist NTCS customers. Information is provided to assist in most situations, but there will be occasions when a Team Member must rely on his or hers judgment. Team Members should always feel free to contact a member of the Management Team at any time to answer any questions that may arise.

### **Confidential Information**

Confidential information regarding operations and business activities is generated as a result of day to day operations. Information is confidential that is not common/or known to competitors, customers, suppliers, and others, including other Team Members of NTCS who do not have a valid business reason for obtaining this information. Confidential information includes pass codes and log-in codes used by Managers. NTCS operates in a business where competitors are intensely interested in obtaining financial and operational information, Team Members who are privy to such information must safe guard and protect against disclosure. If asked to share confidential information, codes or log-ins, you are to immediately terminate the conversation and notify the Manager-on –duty or the Retail Operations Manager. If a Team Member ever needs clarification regarding confidential information, ask the GM. In addition, Team Members should refer to code of conduct and anti-trust policy signed at new hire for additional information on confidentiality.

### **Conflicts of Interest**

NTCS reserves the right to request that a Team member involved in what may be a conflict of interest resolve the conflict immediately or they may be subject to corrective action, up to and including termination.

### **Discipline**

NTCS expects Team Members to perform their assigned duties at or above satisfactory levels, to follow accepted standards of workplace behavior and to comply strictly with all laws, rules, and regulations. NTC S does not take disciplinary action with the intent to punish. The purpose of disciplinary action is to correct unsatisfactory performance in an atmosphere in which the Team Member can learn from past mistakes while minimizing loss of dignity and self-esteem.

**BELOW IS LIST OF PROCEDURES NTCS USES FOR DISCIPLINARY ACTION. THIS IS NOT AN EXHAUSTIVE LIST AND NTCS, IN ITS DISCRETION, MAY CHOOSE TO SET PROCEDURES WHICH MAY VARY FROM THOSE LISTED BELOW. NTCS ALSO RESERVES THE RIGHT TO IMMEDIATELY TERMINATE A TEAM MEMBER. NOTHING IN THIS POLICY SHOULD BE CONSTRUED TO EITHER CREATE A CONTRACT OF EMPLOYMENT BETWEEN NTCS AND ITS TEAM MEMBER’S OR EXCEPT THIS OR ANY OTHER POLICY OF NTCS FROM THE EMPLOYMENT – AT- WILL DOCTRINE.**

1. **Performance Coaching/Verbal Warning:** A member of management counsels the Team member privately on an informal basis. The seriousness of the problem and the possible consequences if correction is not made will be explained and the specific policies that apply to the situation will be reviewed. Although an official record is not always made of a verbal counseling session, the member of management may note that a “Level A” discussion was held on a Corrective Action Notice and place in the Team Members file.
2. **Written Warning:** For repeated or serious problems, either in performance or conduct, a member of management will counsel the Team member formally and issue a Written Corrective Action that explains the nature of the problem, what must be done to correct it, and when it must be corrected. The member of

management's discussion maybe documented, and the team member may be given a specific timetable for improvement. The Written Corrective Action will include a description the more serious forms of discipline, including termination, which may occur if the problem is not resolved. The form is usually signed by the member of management and the Team Member to assure only that the Team member has been presented with the disciplinary notice. The signature does not necessarily mean that the counseled Team member agrees with the notice, only that the Team member had had an opportunity to review the notice. A copy of the signed form is placed in the Team members' personnel file. In the event the warned Team Member refuses to sign the form, a witness may sign the form stating the Team member refused to sign the document, Often in the presence of the warned Team member, and the warning will still be placed in the Team Member's personnel file.

3. **Final Written Warning:** If a Team member has received a Written Warning and has not changed their behavior or conduct, it may be necessary to issue Final Written Warning. The procedure governing such a warning are the same as those described in the section dealing with written warnings. In some instances, a Final Written Warning may be appropriate without previous corrective action.
4. **Termination:** Generally, if there is no satisfactory response to the first two steps in the progressive discipline process, a Written Corrective Action notice may include a final warning, indicating termination as the next step in the process. Team Members who fail to respond satisfactory in the progressive discipline process may be terminated.
5. **Immediate Termination:** In addition to termination for poor work performance or work habits, employees may be subject to termination for cause. This may be appropriate, for example, when an employee's action demonstrates a disregard for the company, its policies and/ or the wellbeing of others. For example, a flagrant disregard for policies and practices including but not limited to gross insubordination, physical violence, sexual harassment, theft, dishonesty, drug or alcohol abuse, or falsifying personnel records may warrant immediate discharge without any prior warning or discipline. NTCS retains the right, in its absolute discretion, to avoid this discipline process and immediately terminate a Team Member for these or any other reasons. All terminations MUST be approved by the Retail Operations Manager or executive leadership prior to completion of the termination process.

The duration of each of the above steps depend upon the seriousness of each situation. Some or all progressive discipline steps may be skipped if the gravity of the offense warrants. Questions regarding this policy should be directed to your GM, or Retail Operations Manager.

#### **Discussion of Price:**

NTCS and its Team members shall not engage in the fixing of prices with competitors, nor shall it and its Team Members engage in conduct that may give the appearance of price fixing. The following guidelines shall be adhered to throughout employment with NTCS.

- The only price information that may be divulged to a competitor is the current posted price. The posted price is the price advertised to the general public.
- No other information regarding process and pricing policies may be divulged or received whatsoever.
- The only price information a Team member may receive is a discussion with a competitor is his/her current posted price.
- No Team member can agree with a competitor, expressly or implicitly, to exchange any price information in the future.
- Other than discussing current posted prices, price discussion of any sort with competitors is forbidden.
- If a competitor calls on the telephone and starts to discuss with a Team Member, immediately tell him/her that is against policy and stop the conversation. Hang up the telephone if the caller continues the conversation. Immediately notify your GM of the conversation.
- If a Team member is in a meeting with competitors where prices are discussed, he/she must leave the meeting immediately.

**Failure to comply with this policy will result in immediate termination! In addition, Team Members should refer to Anti- Trust Policy for additional information regarding his/her obligations**

**Distracted Driving:**

Safety for both Team Members and other travelers is important to NTCS. If you are conducting business for NTCS and are driving, whether in a person, company –owned or rented vehicle, you are to take every precaution to assure that you are not distracted. All Team members are to abide by all state , federal and local laws and regulations associated with driving, including driving while using cell phones, smart phones, and other electronic devices. **Unless state, federal or local laws imposes stricter guidelines, which should be followed whenever applicable, it is NTCS policy that Team members are not to send or read text messages and/or emails while driving or ever place or accept telephone calls while driving. A team member who needs to send or read a text message and /or email or need to accept or make a telephone call while in transit should stop his/her in a safe and designated parking area before doing so. Failure to abide with this policy may result in disciplinary action, including termination.**

**Electronic Communications**

All electronic and telephonic communications systems, including e-mail, text messages and voice mail, as well as all communications and information transmitted by, received from , or stored in NTCS systems are the property of NTCS and, as such, are to be used for job-related purposes only. For NTCS business purposes, no team Member may use an e-mail account, the internet, NTCS cell phone, or voice mail box that has not been issued to that Team member by NTCS.

It is strictly prohibited, unless expressly permitted by a supervisor, to use any software or business equipment (including, but not limited to headsets, cell phone, facsimiles, telecopy's, computers, and/or copies) for private use. **Cell phones are not be used or in view behind the counters or in the registers.**

Members of management are prohibited from disclosing passwords to other Team members and will be subject to discipline, up to termination, if such disclosure occurs.

Team Members are not permitted to use a password, access a file, or retrieve any stored information unless authorized to do so by a NTCS member of management. This includes all point of sale approval codes for returns and voided items. Only a member of management is authorized to conduct this type of transaction. All passwords for use on electronic systems are the property of NTCS. Team Members may not use unauthorized codes, passwords, or other means to attempt to use or to gain access to voice mail or e-mail belonging to others.

Individual passwords should not be shared with anyone or visibly displayed. Individual passwords are changed on a regular basis to maintain security. An individual's password selection should not be one that is easily identifiable. For example, John Smith should not use "John" as an individual password. Authorized representatives of NTCS randomly monitor electronic security to determine if anyone employed by or outside of NTCS is improperly using systems.

**To ensure that the use of electronics, telephonic systems, and business equipment is consistent with legitimate business interest, authorized representatives of NTCS may monitor the use of such equipment from time to time with or without notice. All communication and equipment is the property of NTCS and the Team member has no expectation of privacy.**

Sensitive information is not to be sent via- e-mail or voice mail. For example, performance reviews should not be sent through e-mail. A Team Member may not use e-mail as a substitute for direct communication with their supervisor, such as when reporting anticipated lateness or absence.

Foul inappropriate, or offensive messages, such as racial, sexual, or religious slurs are strictly prohibited on e-mail, voice mail, cell phones, social media outlets, computers, or any other medium used by NTCS. Defamatory remarks about competitors, customers, Team members or vendors are also strictly prohibited. Violation of the Communication Policy may lead to disciplinary action, up to and including termination.

### **Fraternization & Team Member Personal Relationships**

NTCS had adopted a Code of Ethics and Business Conduct that includes specific information about Team Member behaviors related to fraternization and personal relationships. NTCS must, in the interest of a good working environment and to promote effective supervision, prohibit fraternization among supervisors, including hourly shift and Managers-on-duty and managers. Violation of his policy may result in disciplinary action, up to and including termination.

Examples of fraternization include:

- A Team member dating or personal involved with someone who has a high level of authority; or
- A supervisor becoming personally or socially involved with Team members that they supervise. This includes, but is not limited to, non-business related telephone calls, text messages, emails or use of social media between a supervisor and Team Member.

To report unethical conduct, call Retail Operations manager (817) 851-6926

### **Illness Policy**

Food safety is every employee's responsibility. NTCS mandates that Team Members stay home if they are ill. NTCS Team Members who are sick can infect Customers or other Team Members and the potential to contaminate food greatly increases when you are ill. Do not come to work if you have a food borne illness, a communicable disease or one or more of the following symptoms

- Sneezing or coughing excessively;
- Sore throat with fever;
- Vomiting or nausea;
- Diarrhea or loose stools (any change in normal bowel movements), light colored feces, dark colored urine (cola or tea colored);
- Jaundice (yellowish eyes or skin);
- Exposed, infected, and/or weeping/pustule cuts/lesions on the face, neck, hands, arms, or scalp, which cannot be adequately covered with a blue bandage and glove, and could possibly cause product contamination. Common facial acne is not considered in this category.

If your symptoms are from a chronic or non-infectious condition such as pregnancy, Crohn's Disease, Irritable Bowel Syndrome, Etc., you must provide a note from your physician to the Manager-on-duty to keep on file so that you may continue to work during times when you experience symptoms of this condition.

**NTCS Team members must inform the manager in Charge if they are diagnosed with:**

- Norovirus3;
- Hepatitis A virus;
- Shingella spp;
- Escherichia coli (E coli) (STEC, EHEC and 0157:H7)
- Salmonella ( All Types)

NTCS Team Members diagnosed with any of the above five listed diseases or any other food borne illness/communicable disease must remain off the work schedule until release by a physician

**If you are ill with vomiting or diarrhea, you MUST stay home for an additional 24 -48 hours after your symptoms have ended to reduce the chance of bringing your illness into the Facility**

### **Insubordination**

Insubordination includes refusing or disobeying a legitimate request, impeding an investigation, or the use of obscene or otherwise objectionable language to a supervisor. Insubordination undermines the discipline and authority needed in the workplace. The act of insubordination may result in corrective action, up to and including termination.

The easiest way to avoid insubordination is to follow the instructions and requests made to you by a supervisor or member or management. If a team member disagrees with the instructions, they can challenge the instruction at a later time using the Open Door Procedure described or immediately request that the Retail Operations Manager be called (817) 851-6926 in the event of illegal or dangerous behavior. No Team member is ever expected to carry out an order that is unsafe or that may result in death or serious injury, or that has no job related connection, or that is in violation of a Federal, State or local law. No corrective action will be taken against a Team member if it is determined through investigation that an order was refused because of a genuine belief that the Team Member's safety was at stake or that a safer course of action was available.

### **Loyalty Card Policy**

Team members are not authorized to personally use a branded loyalty card while on the clock. Any team member, who misuses the program or is found to be using points, cash discounts for personal gain shall be subject to disciplinary action up to and including discharge.

### **Moonlighting**

NTCS depends on you to devote your full attention and effort to the duties to which you have been assigned. Our fulltime Team Members are asked to refrain from working elsewhere if at all possible. Under no circumstances should a Team Member of NTCS work at another company that is in the same line of business as or in competition with NTCS. Failure to comply with this policy may be grounds for termination. We consider, and you must agree, that your employment with NTCS is our primary employment responsibility. Outside employment will not be considered an excuse for poor performance, absenteeism, tardiness or refusal to work overtime. Should outside employment cause or contribute to any of these situations, you must agree to discontinue the outside employment.

### **Personal Appearance Standards**

All NTCS Team Members are responsible for reporting to each shift in a clean, approved NTCS uniform. A Team Member must wear an appropriate, approved uniform for his/her position whenever the Team member is on company premises. Uniform requirements include the following:

#### **Management and Managers on Duty:**

NTCS (branded) logo shirt, dark or khaki dress pants, slip resistant and closed-toe shoes, name badge, no cap. A belt must be worn at all times. At the time of employment, managers and Service leaders receive 5 NTCS logo shirts and a name tag. Uniforms can be ordered by the General Manager.

#### **Sales Associate & Retail Sales Specialist:**

Polo shirt (branded), solid dark or khaki pants, slip resistant and closed toe shoes, name badge and no cap. A belt at all times. A long-sleeved, black t-shirt or turtle neck can be worn under the uniform shirt. At the time of employment, these Team Members receive a NTCS polo shirt and a name tag.

#### **Franchised Restaurant:**

Team Members must wear the complete designated uniform for their respective restaurant concept. At the time of employment, full time restaurant Team members receive 4 concept-specific uniforms; part time Team Members receive 3 uniforms. A long-sleeved, black t-shirt or turtle neck can be worn under the uniform shirt.

**Note:**

Stretch pants, jeans, sweats or exercise wear, non NTCS uniform shirts, or any other clothing items not identified above are not allowed. A Team Member will be sent home from work if he/she is not properly attired.

Uniforms shirts are provided at NTCS expense and remain the property of NTCS. As such, uniforms must be returned immediately upon separation of employment

Uniform appearance, personal grooming, and hygiene are of the utmost importance in our business. Daily attention to personal cleanliness and grooming is important for all Team members. A totally comprehensive list of personal grooming guidelines would be impractical; however, the following items address some specific areas.

- Hair: Hair should be worn in a clean, neat and conservative manner, restrained appropriately to comply with any health department guideline or requirements.
- Facial Hair: Beards or goatees are not allowed. All travel centers and restaurants Team members must report to work clean shaven, although a neatly trimmed mustache is acceptable.
- Tattoos & Piercing: Tattoos must be covered or hidden from guest view. Exposed body piercing, other than conservative earring, is not allowed.
- Jewelry: Jewelry worn on the job should be tasteful and conservative. Wearing jewelry is subject to all franchised restaurant restrictions and government regulations. For safety reasons, jewelry, such as dangling necklaces, dangling earrings, and /or items inserted into exposed body piercings are not permitted on the job
- Make up: Make up, if used, should be tasteful and conservative
- Footwear: Footwear that will maximize comfort and appearance, while minimizing the risk of injury, is best. For safety reasons, canvas, open toes, or high heeled shoes are not permitted.
- Fragrance Products: Since the scent of fragrance products interferes with the aroma and taste of food, only minimal product of this nature may be used. Additionally, team members and visitors may have sensitivity to and /or allergic reactions from fragrance products. For this reason, you may be asked to discontinue the use of personal fragrance products. Any Team member who has concerns about the use of fragrance products should contact the GM.

Management will determine what is appropriate and acceptable for any situation that is not addressed in the handbook or is open to interpretation. No deviations from this policy are allowed without the permission of the Retail Operations Manager unless otherwise required by law, at which time, reasonable accommodations will be made.

**Smoking and Tobacco Usage**

Team Members are only allowed to smoke, use smokeless/chewing tobacco or e-cigarette products in designated outdoor areas and only if they are at least 18 years of age. E- Cigarette products are treated in the same manner as any other tobacco product and may not be used inside the facility, unless demonstrating the product to a customer. There is no designated smoking or tobacco usage area in any NTCS or restaurant, including the office area or storage area. Additionally Team Members and member of management are prohibited from using any type of tobacco product, including smokeless/chewing tobacco or e-cigarette products, near NTCS main entrances. Approved designated smoking area will be established and communicated by the GM. Receptacles are provided for the proper disposal of cigarettes and other tobacco –related materials.

This policy applies to all Team members, including members of management. NTCS will make every effort to assure that is followed, and failure to do so will result in disciplinary action, up to termination.

**Social Media Policies:**

Team members may maintain personal websites or blogs on their own time (I.E. OFF DUTY) using their own facilities. Team members must ensure that social activities do not interfere with their work. In general, the company considers social media activities to be personal endeavors, and Team Members may use to express their thoughts or promote



their ideas as long as they do not conflict with company policies and business. In addition, all team Members should be aware that anything posted on social media is open to the public. As such, violations of the Social Media Policy, including but not limited to posting financial, confidential or proprietary information about NTCS, defaming and /or threatening a co-worker, NTCS, competitor, vendor or customer, discriminatory or illegal remark, falsely representing NTCS, or violating state, federal or local law can result in discipline of the Team member, up to and including termination.

### **Substance Free Workplace:**

NTCS is a drug –free workplace and is committed to providing a safe work environment that fosters the well-being and health of its Team Members. NTCS defines the workplace to include all buildings, offices, facilities, grounds, parking lots, places and vehicles owned, leased or managed by NTCS, or any site on which NTCS is conducting business. This commitment is jeopardized when a NTCS Team Member illegally uses prescription or non-prescription drugs on or off the job, including medical marijuana, legalized marijuana or a legal substitute for marijuana; comes to work under the influence; possesses, distributes, or sells drugs in the workplace; abuses alcohol on the job; or reports for work under the influence of alcohol. NTCS has established the following Substance Abuse Prevention Policy, which will be implemented to the greatest extent allowed by the state and Federal Law:

1. It is a violation of NTCS policy for any Team member to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use or dissemination of drugs (prescription or nonprescription) on the job or off the job where such conduct has any effect whatsoever on NTCS, its reputation, or the reputation of NTCS Team Members.
2. It is a violation of NTCS policy for any Team Member to report to work under the influence of or impaired by alcohol or drugs, including legalized marijuana or medical marijuana.
3. It is a violation of the NTCS policy for any Team member to use illegal drugs or prescription drugs illegally, i.e. to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than prescribed or to use prescription drugs not prescribed to the Team member. However, nothing in this policy precludes the appropriate use of legally prescribed medications
4. Violations of this policy are subject to disciplinary action up to and including termination.

NTCS encourages Team Members who have a problem with substance abuse to seek help and will advise Team Members who ask about available resources for getting help. Each person shares responsibility for maintain a safe work environment, and co-workers should encourage anyone who had an issue with either the illegal use or sale of drugs or alcohol to seek help.

The goal if this policy is to balance our respect for individuals with the need to maintain a safe, productive and drug – free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment at NTCS.

### **General Procedures:**

- a. Any Team Member who reports to work visibly impaired will be deemed unable to perform required duties and will not be allowed to work.
- b. If possible, the Team member’s Manager-on-Duty will first seek the GM’s opinion to confirm the Team member’s status.
- c. Next, the supervisor will consult confidentially with the Team member to determine the cause of the observation, including whether substance abuse is a factor.
- d. If , in the opinion of the supervisor, the Team member is considered impaired, the Team Member will be sent home or to a medical facility by taxi or other safe transportation alternative, depending on the determination of the observed impairment, and accompanied by the supervisor or another Team Member if necessary.
- e. A drug or alcohol test may be ordered.

- f. An impaired Team member will be asked not to drive.

**Opportunity to Contest or Explain Test Results:**

Team members and job applicants who have a positive confirmed drug or alcohol test result may explain or contest the result to the medical review officer with 10 working days after receiving notification of the test result from the medical review officer. If a Team Member's or job applicant's explanation or challenge is unsatisfactory to the medical review officer, the medical review officer will report a positive test result back to NTCS. A Team Member or applicant may contest the drug result at his/her own expense.

**Confidentiality:**

The confidentiality of any information received by the employer through a substance abuse testing program shall be maintained, except as otherwise provided by law.

**Job Applicant Drug Testing:**

Where allowed by law, NTCS may require all job applicants to undergo testing for substance abuse as a condition of employment. Any applicant with a confirmed positive test result will be denied employment. Applicants may be required to submit voluntarily to a drug test at a laboratory chosen by NTCS and sign a consent agreement to release NTCS from liability where not to contrary to law. If the physician, official or lab personnel has reasonable suspicion to believe that the job applicant has tampered with the specimen, that suspicion will be reported to NTCS and the applicant will not be considered for employment. It is the current illegal use of drugs and /or abuse of alcohol that NTCS will not tolerate.

**Team Member Drug Testing:**

NTCS have adopted testing practices to identify Team members who illegally use drugs on or off the job or who abuse alcohol on the job. Where allowed by law, it shall be a condition of employment for all Team Members to submit to substance abuse testing under the following circumstances:

When there is reasonable suspicion that a Team member is illegally using drugs or abusing alcohol. Reasonable suspicion is based on a belief that a Team Member is using or has used drugs or alcohol in violation of NTCS policy based upon specific behaviors and reasonable inferences may be based upon, but not limited to, the following:

- a. Observable phenomena while at work, such as direct observation of substance abuse or the physical symptoms or manifestations of being impaired due to substance abuse;
  - b. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
  - c. A report of substance abuse provided by a reliable and credible source;
  - d. Evidence that an individual has tampered with any substance abuse test during his or her employment with the current employer;
  - e. Information that a Team member has caused or contributed to an accident while at work;
  - f. Evidence that a Team member has used, possessed, sold, solicited, or transferred drugs while working or while on the employers premises or while operating the employer's vehicle, machinery, or equipment; r
  - g. Any combination of the above
1. When a Team member has caused or contributed to an on-the-job injury that has resulted in injury or loss of work time, meaning any period of time during which a Team Member stops performing the normal duties of employment and leaves the place of employment to seek care from a licensed medical provider. NTCS may also send Team Members for a substance abuse test if they are involved in on-the-job accidents where damage to company property or to a person, including the Team Member, occurs

2. As part of the follow-up program to treatment for drug abuse;
3. Routine fitness-for-duty drug or alcohol testing. NTCS will require a Team member to submit to a drug or alcohol test if the test is conducted as part of a routinely scheduled Team Member fitness – for –duty medical examination where the examinations are required by law or regulation, are part of the covered employer’s established policy, or are scheduled routinely for all members of an employment classification group
4. Required group testing. NTCS may require an entire unit to undergo substance abuse testing where it is deemed necessary or advisable by NTCS.
5. Random testing where allowed by law.

**Alcohol Testing:**

**The consumption or possession of alcoholic beverages on premises or in a NTCS vehicle is prohibited.** A Team member shall be determined as “under the influence of alcohol” if the alcohol concentration is equal to or greater than .04 or the Team member exhibits actions, appearance, speech or bodily odors that reasonably cause a supervisor to conclude that the individual is impaired because of alcohol use and is subject to discipline up to and including termination.

**Tobacco Product and Alcoholic Beverage Sales**

Policy is to abide by all local, state and Federal laws concerning the handling and sale of tobacco products and alcoholic beverages. It is the responsibility of all team members to enforce this policy. A driver’s license, state-issued identification card, and/or military identification card are considered proper identification in most cases. While policy is that any guest who appears to be 40 years of age or younger must provide identification, it is recommended that every guest be carded, especially if there is any doubt as to the guests age. If the identification appears to have been altered or stolen, the sale is not to be made.

**Remember:**

- Alcoholic beverages cannot be sold to anyone who is intoxicated.
- Alcoholic beverages cannot be sold to anyone under the age of 21 years of age.
- Tobacco products cannot be sold to anyone under the age of 21 years. Individuals aged 18 and above on the effective date of the bill (Sept 1, 2019) are exempt from the new age requirement
- Beer licenses are for off-premises consumption only. No alcoholic beverages may be consumed on premises.

All Team Members must be aware of the hours that alcohol sales are permitted within the jurisdiction of the location and the age that a Team Member must be to sell alcoholic beverages at the location.

If a Team Member fails to follow age-verification guidelines with respect to alcohol sales, the Team Member will be terminated, unless extenuating circumstances exist. A Team Member found in violation of guidelines associated with the sale of alcoholic beverages by an outside agency, such as a government sting that uses a minor to purchase alcohol, may be terminated immediately. With respect to tobacco sales, if a Team Member fails to follow age-verification guidelines, the Team Member may be subject to further disciplinary action, up to and including termination. A Team Member found in violation of guidelines associated with the sale of tobacco products by an outside agency, such as a government sting that uses a minor to purchase tobacco, may be subject to further disciplinary action, up to and including termination. Any violation must be reported immediately to the Operations Manager.

**GENERAL POLICIES**

**Amusement & Gaming Devices, Lottery & Lotto**

Provides amusement and gaming devices for the enjoyment of our customers at some locations. Team Members, whether in uniform if not, on or off duty, should not use these machines. A guest who sees a NTCS Team Member winning a game may feel that the Team Member has an unfair advantage. To avoid the appearance of a conflict of

interest, Team Members are not allowed to utilize any amusement or gaming device at any time. **This includes purchasing lotto and lottery tickets.** The amusement/gaming devices in our facilities are closely regulated by various government agencies. In the unlikely event that an amusement or gaming device is confiscated by any government agency or the government agency appears on the property asking questions, immediately contact the Retail Operations Manager at (214) 319-9100.

**Changes in Team Member Information**

NTCS needs to maintain data on Team Members to satisfy legal requirements. If information in a Team Members records is not correct, problems could arise concerning taxes or paycheck. Please work with your General Manager if information needs to be updated:

Name and Marital Status	Address	
Dependents	Emergency Notification	W4

A team member may be required to provide documentation to support changes in specific information. All information furnished is kept confidential, unless we receive duly authorized requests from governmental agencies, including investigators, summonses, subpoenas and judicial orders.

**Discounts, Food Products (Drink, Meal Customer)**

**All Team Member purchases must have the receipt attached to the product for the duration of the shift. The receipt must be initialed by the General Manager**

This list is an all-inclusive and no other discounts will be offered or redeemed for Team Members or customers. All discounts have a \$6.00 maximum per transaction: meal costs before discount cannot exceed \$12.00. The receipts will be signed and attached to the Shift review form.

**Team Member Discounts**

Team Members are welcome as customers of NTCS. However, all Team Members must follow the following policies below regarding beverage and meal discounts:

**Beverages**

NTCS allow Team Members who meet the guidelines below to receive free fountain soft drinks or hot coffee products that are dispensed into a vending cup. Team Members can never ring up their own purchases.

**The free drink option does not apply to closed-container beverages, products dispensed into personal mugs or to any frozen or milkshake product. Full price must be paid for these products by all Team Members.**

**All Team Member purchases must have the receipt attached to the product for the duration of the shift. The receipt must be initialed by the General Manager**

**Meals**

Allows team members who meet the guidelines detailed below to receive 50% discount for meals purchased for them, up to \$6.00 at NTCS owned and operated restaurants. The total cost of the meals cannot exceed \$12.00. Discounts cannot be combined with any other offer or any other Team Members discount. This policy is for the Team Member only, during their lunch break, in their respective store. Due to our internal auditing process, it is necessary for each team member to have his/her meal rang up individually. Meals must not be rung through the drive through register. A copy of the discounted receipt must be attached to the cashiers shift review form and initialed by the team member and cashier.

To obtain a meal discount, a Team Member:

- Must be a current Team Member of the Retail Unit or restaurant where the discount is offered:
- Must be scheduled to work a minimum of 5 hours and be on their 30 minute lunch break
- Must sign the receipt of the discounted meal purchase
- Must order and pay for the discounted meal at the front counter.

### **Customer Discounts**

The following non-Team Member Discounts is authorized:

Customer	Discount
Police Discount 25%	Restaurant Dine-in only; in uniform; signature required.
Police Discount 100%	Coffee Fountain and Soda Fountain Drinks (FREE)

### **Falsification of Records**

All NTCS applicants provide written information on an employment application and/or resume that is used in making employment decisions. Applicants attest to the truthfulness of the information provided on the application form and agree to the consequences, up to termination, if the information provided is later found to be incorrect. Falsification of reports pertaining to work or absence from work, falsification of claims made about injuries while on the job or on or on premises, and falsification of communications, business data or time records is **STRICTLY PROHIBITED** and subject to disciplinary action, up to and including termination.

### **GIFT'S**

It is our policy that no team member shall directly or indirectly seek to accept any payments, fees, services or other gratuities in the normal course of the Team Members business duties. Gifts of cash or cash equivalents are strictly prohibited, with the exception of company paid gratuities paid in direct correlation with a Team Member performing his/her job duties. If a customer/vendor offers you a gratuity or product, you must get approval from Retail Operations Manager. Failure to follow this policy, may lead to disciplinary action, up to and including termination.

### **Hiring Relatives (Nepotism)**

NTCS Is happy to receive employment applications from relatives of Team Members. There are 4 situations that would prevent from hiring a relative of a current Team Member because of a family relationship.

1. If the relative would supervise or have disciplinary authority over the relative;
2. If one relative would audit the work of the other relative;
3. If a conflict of interest exists or arises between the relatives or either of the relatives and ;
4. If the hiring of relatives could result in a conflict of interest with customers.

A relative include a spouse, domestic partner, child, parent, brother, sister, aunt, uncle, grandparent, grandchild, ECT. This definition also applies to "in-law" and step relations. If such a situation is created through promotion, transfer, or marriage one of the affected Team Members must be transferred, terminated or given accommodation acceptable to Employee Relations at NTCS if two Team Members marry, they will be subject to the same procedures described above, unless dictated by law.

### **Inclement Weather**

In the event of inclement weather, a Team Member must notify his/her manager at least (4) four hours prior to start of his/her shift if the team member is unable to report to work. Team Members will not be paid for the missed shift.

### **Inspection of Personnel Records**

Personnel records, including corrective action documents, are the exclusive property of NTCS, although an existing Team Member may make a written request to examine his/her records. If a Team member makes a written request to examine his/her records, the current Team member will be permitted to review his/her personnel records in the presence of a manager. Notwithstanding the forgoing, NTCS will follow applicable state law guidelines with respect to any such written request. A Team Member may also request to correct, to ask for a deletion, or to write a statement of disagreement with any item in the file, but the Team member cannot remove documents from a file unless a specifically authorized by the Retail Operations Manager. To review a personnel file, the Team Member must submit a written request to the Manager for an appointment to review the file. In order to make corrections in a personnel file, a Team member must first submit a written request to the Manager. IF the request is granted by the Retail Operations Manager, then the Manager will make the adjustment while the Team Member is present. If the request of an adjustment is denied, the Team member may request that a statement of disagreement with the personnel record be placed in the personnel file. The statement of disagreement then becomes a permanent fixture in the personnel file. A Team Member's right to see his/her personnel file ends upon the termination of employment, unless required by law. If a former Team Member makes a written request to examine his/her records, NTCS will follow applicable state law guidelines with respect to the any such written request.

### **Literature Distribution**

No one may distribute non-NTCS literature or post notices while on the job without express permission from the Retail Operations Manager. All requests for such activities will be evaluated in accordance with these standards:

- Whether the activity would interfere with work performance;
- Whether the activity would be offensive to other Team Members or guests;
- Whether the activity is provided for, governed by or prohibited by statute or law;
- The relevance of the activity to the Team members, guests and PCS; and
- The effect and impression the activity would have on guests or visitors.

### **Media Requests**

NTCS business interest is served by good relationships with the news media. Reporters may contact you on routine news stories or for breaking news. Both situations require careful handling to protect NTCS interests. These guidelines are intended to help you respond to these situations and let you know where to go for support:

**Request for Interview** – If a newspaper, television or radio reporter contacts you regarding a story about NTCS, immediately refer them to our corporate office at (214) 319-9100. All media responses must be approved in advance by our President. He will determine how NTCS will respond to the media inquiry. Media inquiries include both telephone and in-person interviews. It is important for you to follow this guideline so that we can monitor out media activity and make sure that we are consistent in responding to issues associated with our business and industry. Keep in mind that anything you say to the media can be broadcast or put into print. Always be respectful and professional. When referring media to Public Affairs, politely explain that it is NTCS policy that all media requests be answered through our Corporate Office. Then give them the phone number noted above. Do not allow the media to interview any Team Member or customers. If you find them interviewing customers at your pumps, you may interrupt and tell them that they must seek permission to be interviewed on our property by the corporate office and refer them to the number above. In an emergency situation (i.e., fuel spills, hurricane, fatality on property, etc.) you may request a statement from the corporate office. This will be written by and approved by our President.

**Requests to take photographs of the store** - All photography requests must be approved in advance by our President. Do not allow vendor or competitors to photograph anything.

**Endorsements** – If a vendor asks you to endorse a product or to release to the press a partnership or relationship established with that vendor, you must obtain approval from our President. This information could be defined as proprietary information or could lead to public knowledge of influential financial information. As a private company, NTCS does not disclose this type of information.

Our President is responsible for the release of any published information or any broadcasted information. **Willful violations of this policy could result in disciplinary action up to and including termination.**

### **Parking**

NTCS provided parking facilities for the use of Team members and guests. Team Members are to park only in designated areas. Automobiles parked for long periods of time will be towed at the owner's expense. NTCS assumes no responsibility for damage to vehicles, theft of vehicles, or theft of articles from vehicles while on NTCS property.

### **Personal Property**

NTCS Team Members who choose to bring personal belongings of value onto NTCS property assume responsibility for the safeguarding of that property. Team Members are expected to exercise reasonable care to safeguard personal items of value brought to work. Such items should never be left unattended or in plain view. **NTCS does not assume responsibility for the loss or theft of personal belongings.** NTCS Team Members are advised not to carry unnecessary amounts of cash or other valuables with them when they come to work. Articles of personal property found on NTCS property should be returned to the owner, or turned in to the manager on duty. Inquiries regarding lost property should be directed to the GM.

### **Political Contributions**

No NTCS Team Member is authorized to make or approve a contribution of corporate funds or property for any political cause unless approved by the President.

### **Promotions and Transfers**

NTCS believes strongly in promotion from within and routinely has opportunities NTCS also believes in selecting the best qualified candidate for a promotion or transfer. Promotions and transfers within the operations area will be determined by, but not limited to, the following factors:

Prior work experience	Demonstrated skills
Tenure within PCS	Eligibility to transfer or relocate
Tenure in position	Completion of appropriate training programs

If a team Member is interested in being transferred or promoted within the NTCS Operations structure, discuss this interest with your GM, then contact the Retail Operations Manager

### **Reference/Employment Verification/Background Checks**

All requests for information regarding a Team Member must be referred to Employee Services. Employee Services may only disclose to prospective employers the dates of employment, final title or position, and ending wage rate. Information will be given to duly authorized requests from law enforcement agencies, including investors, summons, subpoenas and judicial orders. NTCS will run background checks with results going to the Regional manager for positions of Team Leaders and above.

### **Rehire Policy**

There are certain conditions under which a former Team Member may return to employment with NTCS. A request for rehire shall be treated as any application for employment: **therefore, any Team Member who leaves NTCS and attempts to return must satisfactorily complete all pre-employment screening.** Team Member who resigned employment and provided two-weeks notice may be eligible for rehire with approval from the Retail Operations Manager.

### **Service of Paperwork –**

If a Team Member is approached by a member of law enforcement, or process server about the service of paperwork, including, but not limited to, a subpoena, summons, or garnishment directed to NTCS, the Team Member should

immediately contact his/her GM. If documentation of this nature is received, please call the NTCS Corporate Office at (214) 319-9100, as soon as possible to make arrangement to send the documentation to the appropriate NTCS representative. **Note: Documentation of this nature is extremely important and needs to be taken very seriously.**

### **Solicitation**

Contributions may not be solicited on NTCS property without the permission of the Retail Operations Manager. Solicitations should be kept to a minimum, because they often prove embarrassing to Team Members/Customers who cannot or do not wish to contribute. The following guidelines should be followed regarding solicitations:

- Distribution of non- NTCS written materials or solicitation by non – Team members on NTCS premises is prohibited.
- Distribution of non –NTCS written materials by Team Members are prohibited in working areas or during work time.
- Solicitation by Team members is prohibited during working time or in the guest service area.
- A Team Member may not engage in solicitation of other Team Members during their work time.

### **Telephones, Cell Phones and PDAs**

The telephone is an important and necessary tool for conducting business. Compliance with these guidelines is necessary so that our ability to conduct business is not impaired. The store telephone is for business use only. As a general rule, a customer should not use the store telephone.

No personal telephone calls may be made or received by a team Member at work except in case of an emergency. If an emergency situation arises, the outside caller can contact the Team Member using the store's telephone number. The Manager-on Duty must be notified of an emergency call immediately. Receipt of a long- distance call does not constitute an emergency. Calls to notify the Team member's family that he/ she is working later than expected, to check on their ride home, etc. should be as brief as possible, but can be made on the store telephone with the approval of the Manager-on-Duty.

Team Members should plan to make call to conduct personal business, routine call to babysitters, etc., from a public telephone or their private cell phone while on break. A team Member must not have a cell phone, smart phone, pager, pad, or other electronic communications instrument that may interrupt customer service. Team members are not allowed to use other electronic devices, such as hand-held video games or personal music devices while working and are not to receive or send text messages. However these devices can be used with the Team member is on break or during meal period.

All management personnel must have a personal telephone as a condition of employment. No long distance telephone call can be charged to the store unless authorized. No team Member is authorized to contract for any directory advertising.

## **SAFETY STANDARDS**

### **Child Labor**

NTCS policy is to abide by all local, state and Federal laws concerning child labor. While local and state laws vary and be more restrictive with respect to safety. Federal laws prohibit Team Members under the age of 18 from setting up, operating or feeding power driven machines (including meat slicers) regardless of the product being processed. **The prohibitions noted herein are not meant to be exhaustive and any questions about what a Team Member under the age of 18 can and cannot do should be directed to the Retail Operations Manager. Team Members including managers found in violation of child labor law violations shall be subject to disciplinary action up to and including termination.**



NTCS policy is to also abide by all local and state laws concerning work permit restrictions and hours of work restrictions applicable to Team Members under the age of 18. In Texas, scheduled work hours cannot interfere with a child's education. **Team Members found in violation of child labor law violations shall be subject to disciplinary action up to and including termination.**

If a Team Member believes that that child labor laws with respect to safety, work permit restrictions or hours of work are being violated, he/she should immediately contact the General Manager or Retail Operations Manager. NTCS will investigate any concerns brought to its attention and strive to correct any issues found to exist.

### Age Restrictions Overview

1. The company complies with all Age Restrictions and Child Labor Laws. In general we seek to hire team members 18 years of age and older. We may accommodate team members between the ages 16 and 17 with the approval of the Operations Manager or Executive Leadership Team. Any Team member that is a minor must have a parent or legal guardian sign the new hire paperwork where required. **We do not hire under the age of 16** due to the requirements of running our business and the hour/work restrictions as outlined below.
2. **Beer/Alcohol Sales** - Off Premises License or Permit there is no age restriction on employees. On-Premises License or Permit – must be 18 or over to serve/sell. **Package or Liquor Store employees must be 21 or over to sell.**
3. There are no hour restrictions on 16 and 17 year olds. There are work restrictions.
  - a. They cannot use power driven circular saws
  - b. They cannot drive a motor vehicle while punched in for any reason.
  - c. Under no circumstances can a child go on the roof.
4. There are hour/work restrictions on 14 and 15 year olds which impede the daily operations of our business.
  - a. They cannot work more than 8 hours in one calendar day or more than 48 in a week.
  - b. They cannot work before 5am or after 10 pm on a day that is followed by a school day.
  - c. They cannot work before 5am or work past midnight on any day excluding summer vacation when not enrolled in summer school.
  - d. They cannot bake but may cook under limited circumstances.
  - e. They cannot do any repair or maintenance of the establishment, machines or equipment.
  - f. They cannot use ladders or do any outside window washing including sills
  - g. They cannot unload or load any goods from trucks

### Injuries on the Job

**Regardless of the nature or severity, all injuries sustained on the job must be reported to the supervisor immediately. The manager-on duty must fill out an accident report; take photos of the scene and injury if possible. The MOD should also check to see if video footage is available.** A Team Member Accident Form will be filled out by the Manager on Duty and immediately forwarded to the Retail Operations Manager and Employee Relations. Fax to (214) 319-9102. Team Members who fail to report an injury may be subjected to discipline, including termination. The following should trigger a call to the Retail Operations Manager and Corporate Operations Manager immediately:

- Accident, fatality or discovery of a body
- Violent crime such as robbery, assault or rape
- Accident with serious injury, such as fracture or head injury
- Major fire and/or explosion
- Natural disaster that causes damage to the unit
- Fuel contamination that suddenly causes numerous claims
- Chemical release requiring evacuation
- Rental/Company vehicle accident

**Without exception, NTCS requires that every injury or work related illness be reported.** NTCS is concerned about the safety of our Team Members. A Team Member who is treated for an on-the-job injury must return to work as soon as the treating physician releases him/her and must communicate any temporary work restrictions to the GM upon his/her return. The Team Member

Must provide written documentation from a physician regarding his/her work status upon return to work and after each follow-up visit. If modified duty is necessary, the Team Member must accept the modification of work, as long as it is within the physician's restrictions or recommendations. An offer of modified duty is not a permanent position and is extended for a limited, undetermined amount of time.

### **Safety, General**

Team Member health and safety are important to NTCS and Team Members must adhere to all OSHA, Federal and state regulations as well as comply with the following general rules:

- All accidents or injuries must be reported immediately to the Manager-on-Duty
- Horseplay and practical jokes in the work areas are not allowed and are subject to discipline, up to and including termination.
- First-aid kits are available at every NTCS unit

### **Team Member Responsibilities, Including Management**

1. Work in compliance with the provisions of OSHA, the provisions of Industrial Relations and NTCS policies and procedures.
2. Use or wear the equipment, protective devices or clothing that NTCS requires be using or wearing for a specific task.
3. Report to the Manager-on-Duty the absence of or defect in any equipment or protective device of which a worker is aware and which may endanger him/herself or another worker.
4. Report to the Manager-on-Duty the existence of any hazard or condition as soon as it is discovered.
5. Do not remove or make ineffective any protective device without providing an adequate temporary protective device. When work is completed, the original protective device must be replaced immediately.
6. Use and operate equipment, machinery, or devices in the manner for which designed and not in a manner that may endanger the Team Member or any other individual. Each Team Member must be the appropriate age to operate equipment, machinery or devices.
7. Conduct him/her in a manner appropriate to the circumstance in which the Team Member is working. This includes not engaging in any prank, contest, and feats of strength, unnecessary running, or any rough or boisterous conduct.
8. Use all safety devices as designed.
9. Monitor the condition of all safety devices and report defects immediately to a supervisor or member of management.
10. Use equipment and materials only in the manner for which they are intended.
11. Complete required logs on equipment in a timely manner.
12. Report all injuries/illnesses/incidents and/or unusual conditions immediately to a supervisor or member of management.
13. Inspect the work area daily and report any hazards identified to a supervisor or member of management.
14. Complete a required Accident Report and return it to a supervisor or member of management when an injury occurs at the work place.
15. Participate in return-to-work actions if a work place injury results in time away from work.

### **Employer Responsibilities**

1. Take every precaution reasonable in the circumstance for the protection of a Team Member.

2. Provide equipment, materials and protective devices that are maintained in good condition.
3. Provide information, instruction, and supervision to Team Members to protect the health and safety of each individual.
4. Acquaint a Team Member or person in authority over a Team Member with any hazard in the workplace.
5. Instruct a Team Member or person in authority over a Team Member on the safe handling, storage, use and disposal of any item identified as a hazard in the work place.

### Supervisor/Manager Responsibilities

1. Assure that Team Members use or wear the equipment, protective devices or clothing that NTCS indicates must be worn and that complies with regulatory guidelines.
2. Inform Team Members of the existence of any potential or actual danger to the health or safety of which the supervisor or Manager is aware.
3. Provide Team Members with written instruction that detail the measures and procedures to be taken for their protection.
4. Respond to a Team Member's concern about any hazard or condition.
5. Assure that every precaution reasonable in the circumstances is taken for the protection of the Team Member.
6. Develop and demonstrate a positive "health and safety" attitude and working climate.
7. Uphold safety rules and procedures; support safety enforcement, including disciplinary action.
8. Complete a monthly inspection of the work place and document findings.
9. Show interest in and involvement with the organization's health and safety performance.
10. Inform the Management Team of any known occupational health and safety concern.
11. Make every reasonable attempt to resolve the health and safety concerns of Team Members.
12. Correct unsafe acts and unsafe conditions when identified.
13. Ensure that Team Members are trained in safe working practices.

### Safety Vest Policy

All Team Members are required to wear a safety vest at all times while working outside. Vests will be provided by NTCS at no cost to the Team Member; however, all Team Members will be expected to maintain and properly care for these vests. All replacement vests, except for reasonable wear and tear, will be the responsibility of the Team Member.

### On-Boarding and/or NETP (New Employee Training Program)

All Team Members are required to complete TABC, Background and Application as part of the On-boarding process. NO TEAM MEMBER MAY PUNCH IN WITHOUT COMPLETION BACKGROUND CHECK, ALL PAPERWORK (PARAGRAPH 2B BELOW) TABC AND APPROVAL TO FOR HIRE BY THE CORPORATE OFFICE. Upon completion the team members must successfully complete the NETP prior to punching in. On-Boarding and NETP are as follows:

1. On-Boarding:
  - a. TABC Certification: Mandatory requirement as part of application process. TABC Training is not paid. The company pays for the online class.
  - b. Background Check: Mandatory requirement as part of the application process. Company pays for the background check.
  - c. Completed Application: Mandatory as part of the application process.
2. NETP: (New Employee Training Program)
  - a. If the team members is moved from Application to (On-Boarding) there is a two- day NETP (New Employee Training Program) at one of our approved training facilities.
  - b. The two day training process includes new hire paperwork, introduction, videos, role play, and "hands-on" experience. Successful completion of the training is mandatory.
    - i. Paperwork includes:
      1. Alcohol/Tobacco Sales and Consumption Policy

2. Work Related Injury Policy
3. General Operations Policy
4. Mandatory Arbitration/Post Accident Drug Testing Policy
5. Employee Handbook Acknowledgement

#### Travel Policy

1. The company may require team members to travel. We will do our best to accommodate direct bill of services such as hotel and car rentals. The Per Diem food allowance is \$40 per day. \$10 for breakfast and lunch and \$20 for dinner. Submit receipts within 30 days of the end of your travel. Under no circumstances will the company reimburse alcohol purchases unless approved by executive leadership. The only consideration executive leadership will be for entertainment purposes.