



**Linda Bean's Perfect Maine® Hospitality  
Bean Real Estate Holdings, LLLP  
Ogunquit Beach Lobster House, LLC**

**EMPLOYEE HANDBOOK**

**Updated Jan 1, 2023**

**ALL EMPLOYEES ARE EXPECTED TO BECOME FAMILIAR WITH  
AND PRACTICE THE POLICIES, PROCEDURES,  
AND UNDERSTANDINGS HEREIN**

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## Scope & Purpose of This Handbook

This employee handbook has been prepared to provide all employees in Linda Bean's hospitality businesses some general information about rules, environment, and policies under which Company employees are expected to work.

Linda Bean engages in several businesses; for purposes of this handbook, we address only the business operations of Linda Bean's Perfect Maine Hospitality, LLC and Bean Real Estate Holdings, LLLP and Ogunquit Beach Lobster House, LLC. We refer to these operations collectively as the "Company."

From time to time, you may receive updated information concerning policy changes. If you have any questions regarding any policies, please ask your upline supervisor for assistance.

This handbook aims to outline the expectations we have of our employees, supervisors, and managers. The employee handbook is not a contract, nor does it express or imply any guarantee of your term of employment. You are an employee "at will," meaning the Company may terminate your employment with or without notice.

## Company and Communications Organization

The Company organization chart is a pyramid, with the Chief Executive Officer Linda Bean at the top. Next in authority is Veronika Carlson, President.

The Office of Human Resources assists the President. The role of the Human Resources Manager is to receive job applications, interview, do background checks and reference checks, provide hiring documents to new employees, and provide employee support for employee understandings, benefits, and claims.

Every worker is regarded to be a team member, and each has a designated upline supervisor. All authorizations rise and fall through that upline person. Nobody is permitted to go around or jump over their upline supervisor, unless with unusual exceptions as outlined in this handbook, for example, in our Non-harassment and Sexual Harassment policies.

Communication between an employee and their upline supervisor is expected to be professional, transparent, and respectful. Undermining of the Company and fellow employees by word or deed is not tolerated and will result in a written warning that, if repeated, will likely end in dismissal of the warned employee. Any observed company problems/issues are to be reported upline as soon as possible.

Promotions are based on performance and a growing manifestation of ability, including leadership qualities if a career path is desired. Setting a good example every day, including dignity and mutual respect, is the starting evidence of leadership and career potential, followed by the ability to delegate work clearly and get expected results back. Periodic reviews sometimes, but not always, result in raises and possibly an enhanced title and responsibilities. New opportunities are granted based on performance, not how long an employee has been with the Company. The Company grows stronger as the team works together with mutual respect, goals, and understandings. When an employee feels the drive to grow and become a leader, the opportunity to ask for more advanced training and outside education is available.

Every one of us is, in effect, the face of the Company in the eyes of the public. When good examples are added to our reputation for exceptional service, it advances the Company and all employees.

## Employee Introductory Period and Employment at Will

All newly hired employees are subject to a 90-day probationary period. The Company believes in and adheres to the doctrine of “employment at will,” unless or except as modified by applicable law, and both the Company and its employees have the right to terminate the employment relationship with or without cause at any time for any reason in accordance with this policy.

## Equal Opportunity Employment

The Company has been built upon a foundation of integrated businesses that provide more jobs for Maine people. We are an equal opportunity employer, and we advocate for individual and team success. That happens best when each person is treated fairly and allowed to advance and achieve to the fullest potential. Linda Bean's Perfect Maine Hospitality, LLC and Bean Real Estate Holdings, LLLP is an EEO/AA employer and does not discriminate on the grounds of race, color, religion, sex, sexual orientation, gender identity and expression, familial status, national origin, citizenship status, age, disability, genetic information, or veteran’s status. All inquiries regarding non-discrimination policies should be directed to the Manager of Human Resources.

## Reasonable Accommodations

The Company complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act, and all applicable state or local laws. Consistent with those requirements, the Company will provide all qualified applicants and employees who are pregnant or have a disability with reasonable accommodations needed to perform the essential functions of a position held or desired unless doing so would result in an undue hardship or a direct threat. If you believe that you need a workplace accommodation in order to do your job or enjoy equal access to the workplace, please contact the Office of Human Resources.

The Office of Human Resources is responsible for implementing this policy, including the resolution of reasonable accommodation, safety, and undue hardship issues. Upon such request, the Office of Human Resources will promptly engage in an interactive exchange with the employee, as needed, to determine the feasibility of the requested accommodation or any other reasonably available accommodation. The Company may in some cases request medical documentation to substantiate that the employee has a qualifying disability and needs the reasonable accommodation. Documentation may be requested to: (1) describe the nature, severity, and duration of the employee's impairment, the activity, or activities that the impairment limits, and the extent to which the impairment limits the employee's ability to perform the activity or activities; and (2) substantiate the need, feasibility, and potential efficacy of the requested accommodation. The Employee shall not be required to provide confidential health care information beyond that which meets the substantiation criteria.

## Employment Forms

Upon hire, all employees will be required to complete the necessary forms as mandated by law or Company policy. Employees may not engage in any work until all documents have been completed and turned in to management.

## Personnel Files

Personnel files are the property of the Company. The files are securely maintained and are kept in locked cabinets at all times. However, upon request, the Company will provide employees with access to or copies of documents in their personnel files, as required by applicable law. The Company also maintains confidential medical information, insurance records, workplace injury or illness reports, and I-9 forms in separate files.

If there is any change in your name, address, telephone number, marital status, number of dependents, change in payroll information, education, and training, and/or person to notify in case of an emergency, please contact the Human Resources Department to update the appropriate forms. Unless subject to a lawful court order, all employee information is confidential and will not be released without your permission. Only the Human Resources Department is authorized to provide employee information and employment verification. You are permitted to review your personnel record and may request a copy in writing. Please be advised requests can take 24 business hours to process for active employees. Additional time may be required for terminated employees whose files are secured off-site.

## Non-Harassment Policy

The Company prohibits unlawful discrimination and harassment based on race, color, religion, sex, sexual orientation, gender identity and expression, familial status, national origin, citizenship status, age, disability, genetic information, or veteran's status, in accordance with

applicable laws. Inappropriate interference with the ability of any employee to perform expected job duties will not be tolerated.

The Company is committed to preventing workplace violence and maintaining a safe work environment. Accordingly, it has adopted guidelines to deal with intimidation, harassment, or other threats or actual violence onsite or off-site during work-related activities. All employees are covered under this policy.

#### Guidelines: Prohibited Conduct

All employees, customers, vendors, and business associates shall be treated with courtesy and respect. Employees shall refrain from fighting, horseplay, or other conduct that may injure, frighten, or deter others.

Conduct that ridicules, bullies, intimidates, frightens, threatens, or coerces a reasonable person, orally or physically, whether employee, customer, vendor, or business associate -- will not be tolerated, and Company resources may never be deployed into those activities, either inside or outside the workplace.

Observance or knowledge of any of these activities, and the presence of suspected individuals and activities, must be reported as soon as possible to your upline supervisor, security personnel, human resources, or any member of senior management. When reporting, be as specific and detailed as possible. Employees should not intercede to place themselves in danger.

Employees should promptly inform their upline supervisor and the Human Resources office of any protective or restraining order obtained that lists the Company workplace as a protected area.

Although the Company is limited in its ability to respond to situations of abuse, harassment, or domestic violence in the employee's home, employees who reporting domestic violence at home may receive information on how an employee can report it and get help. The Company will not discriminate against any employee because the employee applied and received an order of protection under 19-A M.R.S. § 4007.

#### Investigation and Enforcement

The Company will promptly and thoroughly investigate all prohibited Company activities reported. All information will be held in confidence to the extent possible and will be discussed with those who have a need to know in order to either investigate or resolve the complaint. If you believe you have been the subject of discrimination, harassment (including sexual harassment), or whistleblower or other retaliation you should report immediately to Human Resources.

No employee will be punished or penalized in any way for reporting discrimination, harassment, or whistleblower or other retaliation, or for participating in the investigation of any such complaint. Employees should feel free to report concerns without fear of reprisal. Any person who brings a good faith complaint of discrimination, harassment, or whistleblower or other retaliation will be protected from retaliation in any form and should report any retaliation

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Employee Initials \_\_\_\_\_

immediately pursuant to this policy. The Company will not retaliate against employees making good faith reports of prohibited activities on suspected individuals. To maintain workplace safety and the integrity of its investigation, the Company may suspend employees suspected of prohibited activities, with or without pay, pending investigation. The Company will investigate the facts and circumstances of all claims of perceived discrimination and will take prompt corrective action, if appropriate. If it is determined that unlawful discrimination, harassment, or other retaliation has occurred, appropriate action will be taken, up to, and including, the termination of the offender.

Anyone found to be responsible for prohibited activity or who engages in retaliation related to the prohibited activity or any investigation of the same will be subject to prompt disciplinary action, including termination of employment. We recognize that false accusations, especially of harassment, may significantly affect innocent people. If, after investigating a complaint of harassment, or unlawful discrimination, we determine that an Employee has knowingly provided false information, we may take appropriate disciplinary action against that Employee, up to and including termination of employment.

We are confident that complaints of harassment or discrimination can be resolved internally. The State of Maine and the federal government have agencies that enforce employment laws, including those that prohibit harassment and discrimination. Employees have the right to file a complaint with any of these agencies and are protected by law from retaliation for doing so.

### Sexual Harassment

Sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. Sexual harassment can include the attempt to control, influence, or affect the career, salary, or job of an individual in exchange for sexual favors, or the creation of an intimidating, hostile, or offensive working environment based on unsolicited and unwelcome sexual overtures or conduct, either verbal or physical.

### Sexual harassment occurs when

- a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b) submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c) when such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment include but are not limited to:

- 1) repeated unwelcome sexual flirtations, advances, or propositions;
- 2) continued or repeated verbal abuse of a sexual nature;
- 3) graphic or degrading comments about an individual or their appearance;
- 4) the display of sexually suggestive objects or pictures; or
- 5) offensive physical contact.



Note that the conduct described need not occur at work in order to be considered harassment. Even conduct or conversations that take place “off hours” may implicate this policy. Sexual harassment is not permitted regardless of where it occurs if it contributes to a hostile or offensive work environment. Communications that take place via electronic media can constitute or contribute to harassment. Sexual harassment can be perpetrated by a man or a woman and can occur between members of the same sex.

Any employee who believes that they have experienced sexual harassment is requested to inform their upline supervisor, any other supervisor, or any management or Human Resources member. All complaints will be investigated immediately, and appropriate remedial action will be taken if warranted. There will be no retaliatory measures taken against any employee who makes a complaint of sexual harassment or any employee who cooperates, reports, or is asked to assist in any investigation.

Employees also have the legal right to file a complaint of sexual harassment (and other types of harassment) with the Maine Human Rights Commission and are protected by law from retaliation for exercising this right: Maine Human Rights Commission, State House Station #1, Augusta, Maine 04333 (207)624-6050

#### Protection against retaliation

The Company strictly prohibits and does not tolerate unlawful retaliation against any employee. Retaliation may include termination, threats, or discipline, other forms of reprisal, intimidation, or discrimination against an employee due to that person’s participation in activities protected by law and including whistleblowing or taking legally protected leave time. Some examples of activity that is may be protected by law include:

- In good faith, reporting to the Company or a public body what the employee reasonably believes is a violation of a law or regulation, if first brought to the attention of a supervisor to allow The Company to redress the issue;
- In good faith, reporting to the Company or a public body what the employee reasonably believes is a condition or practice that would put at risk the health or safety of that employee or any other individual;
- Participating in, or being asked to participate in, an investigation, hearing or inquiry held by a public body, or in a court action;
- Supporting another employee's internal or administrative complaint of unlawful discrimination (by, for example, testifying or providing an affidavit in support of a co-worker who has filed a discrimination complaint with the EEOC or the Maine Human Rights Commission, or other local body;
- In good faith, refusing to carry out a directive to engage in activity that would be a violation of a law or regulation, or that would expose the employee or any individual to a condition that would result in serious injury or death, after having sought and been unable to obtain a correction of the illegal activity or dangerous condition from the Company;

- Requesting an accommodation under the Americans with Disabilities Act or Maine nondiscrimination statutes; and
- Requesting or taking leave under the Family and Medical Leave Act.

Employees are always encouraged to bring such concerns to the attention of the Company. Any employee that believes s/he has been the target of retaliation should report that to the Company pursuant to the Investigation and Enforcement Policy or to any of the persons listed above. Any such retaliation, if proven after a prompt investigation, may result in disciplinary action up to and including termination of employment.

## Motor Vehicle Record Inquiry

Any prospective and current employees who are expected or required to drive one or more Company-owned or leased motor vehicles must provide the Company with a current and acceptable state motor vehicle operator's license at the time of hire. Additionally, the Company must receive a signed release authorizing the Company to investigate the applicant's driving history. Employment and assignment will be conditional pending the receipt of a satisfactory report from the Maine Bureau of Motor Vehicles and the state of Maine State Police Accident records division or other such agencies as may be appropriate. Driver employees shall immediately notify their Company upline supervisor of any change in the motor vehicle operator license status and accident record. Failure to provide or update the Company with such information can lead to disciplinary action, including termination of employment.

Company drivers who are subject to Department of Transportation regulations must undergo testing for alcohol and controlled substances before being permitted to drive for the Company. Tests will be conducted before an employee is initially assigned to driver responsibilities. Additionally, drivers may be subject to "reasonable suspicion" testing, random testing, and other testing conducted following an accident. No driver will be allowed to drive or continue driving unless the results of all tests are negative. If a driver tests positive for alcohol or controlled substances, the individual cannot be hired. If this discovery is made of a person already employed by us, the individual may be subject to discipline up to and including termination.

## Vehicle Registrations and Insurance

If a personally owned motor vehicle is used in the "course of employment," each employee using it must provide a copy of current registration and insurance information. The Company strictly prohibits using any personal vehicle for company business that is not legally inspected, registered, and insured.

## Categories of Employment

Employees are divided into the following three categories for the purpose of compensation and benefits.

### FULL-TIME Employees.

Full-time employees are those whose work is scheduled to be 36 hours or more per week for a continuous and indefinite period of time. After their first 90 workdays, they become entitled to participate in the Company policy of paid sick or personnel days, holidays, PTO time, and whatever agreed benefits are appropriate to their station and length of Company employment.

### REGULAR PART-TIME Employees

Employees whose work schedule for a continuous and indefinite period of time is less than full-time (36 hours or less per week), based on a full workweek schedule, are considered part-time employees for compensation and benefits purposes. After their first 90 workdays, part-time employees are eligible for holiday pay at the rate of time and a half for hours worked up to 8 hours. Any additional holiday hours are paid at the employees' base pay rate. Please see the list of Company-paid holidays. Part-time employees are also eligible for Maine Earned Leave; please see the PTO section for details.

### SEASONAL and TEMPORARY Employees

Seasonal and temporary employees are those whose work is scheduled, because of its nature or of factors peculiar to the industry in which it is performed, to occur in approximately the same time period(s) every consecutive year, and for only part or parts of the year, or that is performed for a non-recurring term of fewer than 12 months. The person performing such work does not receive company benefits.

- Seasonal employees that work at a year-round business may still be eligible for Maine Earned Paid Leave, please see the PTO section.
- Seasonal Employees that work at a registered seasonal location that is not open more than 26 weeks per calendar year are not eligible for company or Maine Earned Paid Leave. Please see the PTO section, or [https://www.maine.gov/labor/labor\\_laws/earnedpaidleave/](https://www.maine.gov/labor/labor_laws/earnedpaidleave/) for more information.

### OVERTIME:

All hours worked must be reported regardless of if the employee is a full-time, regular part-time, seasonal, or temporary employee. Overtime should not be worked unless the worker's upline manager has authorized it. Any employee working overtime hours who has not been authorized will be called in for a review with the manager, and disciplinary action may be taken.

## Exemption from Federal Wage and Hour Laws

All employees are classified as either "exempt" or "non-exempt" from the requirements of Maine wage and hour law and under the Federal Fair Labor Standards Act. "Non-exempt" employees are entitled to at least minimum wage and overtime at the rate of 1.5 times the employee's regular rate of pay for all hours in a week worked over 40. Exempt status is defined by particular standards set by state law and the Federal Labor Standards Act (FLSA). Regular and temporary employees may be exempt or non-exempt, based on federal and state legal criteria.

Workers who by definition are non-exempt from federal wage and hour laws will be paid for all authorized hours but are expected to confine their workday to the scheduled workday and workweek. Unless approved by management, any hourly employee who continues to work to 40 hours or more per week without an advance understanding from their upline supervisor may be subject to resulting discipline up to and including termination.

## Disciplinary Action

Employees must report any and all arrests, indictments, or convictions to Human Resources immediately. If in Company judgment, the cited offense presents a potential risk to the security of customers, its employees, its premises, or its property, the Company will decide on the question of disciplinary action, possibly including termination. In that decision, the Company will consider the facts surrounding the current arrest, criminal complaint, summons to answer to a criminal charge, indictment and criminal information, plus previous criminal charges, convictions, and probation records.

When an employee violates the Company workplace or Company standards and expectations, their immediate upline supervisor, in conference with the Director of Human Resources, is responsible for acting without delay to correct the situation. If Company discipline is decided, it proceeds in a specific progressive manner with the supervisor expected to provide the employee a clear path of opportunity to succeed by avoiding further offenses.

There are three steps, outlined below, in the progressive discipline procedure; however, the Company reserves the reasoned right to bypass steps in this process:

- \*Verbal warning accompanied by an explanation and in-house counseling
- \*Written reminder warning (at least one)
- \*Termination

The Company reserves the right, depending on attendant circumstances with each individual, to determine the timing between steps and the number of written warnings. There are many occasions in which misconduct, or a violation of these policies is so egregious that, in the Company's determination, immediate termination is warranted. The Company reserves the right to skip one or more steps in this policy and to proceed directly to termination if it determines that circumstances warrant such action.

Offenses that could result in immediate termination include but are not limited to: Lying, theft (of product, money, time, company equipment, trade secrets, computer data, printed and electronic communications, files), human rights violations in the workplace, insubordination of Company authority, immoderate or hostile profanity, destruction or damage to personal or Company property, abandonment of position, abandonment of job responsibility, repeated tardiness, non-observance of safety standards, breach of confidentiality, brandishing weapons of any sort, falsification of records and timesheets, or the possession, use, sale, purchase, or distribution of non-medically prescribed mind-altering beverages, foods, pills, injections,

marijuana, and related paraphernalia. The above list is not all-inclusive, so any other behaviors contrary to the Company's mission may result in disciplinary action, including termination.

## Workplace Grievance

When policies and procedures of the organization are believed to be unclear, or an employee feels they have been treated unfairly, the route for the employee to follow is to report it to their immediate upline supervisor. If not settled at that level, the course continues with a meeting with the next supervisor upline, unless the concern is related to the behavior of that supervisor, at which point the route is to the next supervisor above that person or directly to the Office of Human Resources. When an employee requests to meet with Human Resources, the Company President may also attend that meeting. At each level, an effort will be made to accomplish a reasonable and fair resolution to the parties immediately involved. This section does not apply to concerns of discrimination, harassment, or retaliation, which should be reported directly to Human Resources.

## Lateness or Absenteeism from Work

It is the responsibility of each employee to meet standards of attendance. Managers and Supervisors are expected to do the calendar scheduling so that each employee can meet quality and operational requirements. Failure of the employee to report for work on time or not to report at all affects the Company's ability to provide customer services, places an undue burden on others, and is cause for little or no tolerance in the decision on whether the employee will be permitted to continue working for the Company. Every employee is expected to report to work on time, and failure to do subjects the employee to discipline, including termination. If an employee is absent for more than three (3) consecutive workdays without prior notification or approval will be considered to have voluntarily resigned from employment, absent extenuating circumstances.

## Sleeping on Duty

Employees are expected to exhibit their highest competence and attention to job performance while on duty. Under normal working circumstances, sleeping on duty will result in immediate termination. Any sleeping-employee's supervisor must submit a signed written report, including a description of the circumstances, the hour, duration, and reason(s) spent in sleep. Exceptions cited in the report might be, for example, exhaustion from attending to emergency conditions in or near the workplace, contending with unusual snow conditions, or working without relief for over 16 consecutive hours to benefit the Company.

## Alcohol and Drug Abuse

The possession, use, sale, purchasing, or distribution of any illegal drug(s)/substance(s), drug paraphernalia, or alcohol by any employee while on or off duty in the workplace, on the Company's premises, in a Company vehicle, or while performing related work off-site, is strictly prohibited. In addition, the Company will not permit any employee to report to work or perform their duties after having ingested illegal drugs or while under the influence of alcohol. Further, any detectable amount of any illegal drug/substance in an employee's system while performing company business or at any Company facility or discovered left on Company premises anywhere is strictly prohibited.

The Company recognizes that there are state laws that decriminalize the use of marijuana for recreational and medical purposes. However, marijuana is still an illegal substance under federal law. Employees are not permitted to use, sell, transfer, possess, or be under the influence of marijuana in any form, or to be under the influence of marijuana, while on The Company property, on work duty, and on breaks. An employee may be presumed to be under the influence of marijuana if s/he has ingested marijuana in any form within two hours of starting work. Furthermore, employees must ensure that their persons and effects do not emit the odor of marijuana (or any other illegal drug or alcohol) in the workplace.

In addition, the Company does not permit any employee to report to work or perform their duties while taking prescribed drugs that adversely affect the employee's ability to perform effectively or safely their job functions. Employees currently taking medication prescribed by their own physician(s) must carry it in the container in which a licensed pharmacy dispensed it. The taking of any prescribed medication that causes drowsiness or will affect job safety and performance must be immediately made known to the Office of Human Resources to determine whether work may continue while taking the medication. Prescribed medication that may affect work performance must be reported to the Office of Human Resources. A registered user of medical marijuana is not permitted to report for work while under the influence of marijuana; marijuana may not be ingested during an employee's scheduled shift, including one hour prior to its start or during any other time while on duty. Each and every employee known or discovered to violate this policy will be subject to disciplinary action up to and including termination.

## Searches of Personal Property

The Company reserves the right at any time and at its discretion to search all Company-owned or leased vehicles and all vehicles, plus packages, containers, briefcases, purses, lockers, desks, enclosures, and persons entering its property, for any purpose, including to determine whether any illegal drugs, substances, drug paraphernalia or alcohol or has been, brought onto its property or premises in violation of this policy. Employees should have no reasonable expectation of privacy in these areas. Employees who fail or refuse to promptly permit a search under this policy will be subject to discipline, including termination. This policy is administered

and enforced by the Human Resources Department. Anyone with questions or concerns specific to this policy should contact the Human Resources Department.

## Fitness for Work

The Company is committed to maintaining a safe work environment for all employees, visitors, guests, clients, and vendors. In order for the Company to maintain a safe working environment, every employee must be able to perform his or her duties in a safe, secure, and effective manner.

If an employee is absent for more than three (3) consecutive workdays for medical reasons, or if the employee has exhibited a pattern of absences for medical reasons, The Company may request that the employee produce a physician's note verifying the absence and that the employee is fit to return to work. In situations where (1) an employee is having observable difficulty performing their duties in an effective manner that is safe for the employee and/or others, or (2) posing an imminent threat to the safety of the employee or others based on reliable information; the employee may be referred to a fit-for-duty examination before being allowed to return to work. These behaviors may include, but are not limited to, problems with dexterity, coordination, concentration, memory, alertness, vision, speech, inappropriate interactions with coworkers or supervisors, inappropriate reactions to criticism, or suicidal or threatening statements, and behavior which affects the ability of the employee to perform their job duties.

A supervisor who observes or receives reliable information from credible sources that an employee may be unfit for duty must present these observations to Human Resources, and the employee will be placed on notice of such observation. The Human Resources Office will determine whether the employee should be referred to a fit-for-duty examination. If the employee is referred for a fit-for-duty or clearance examination, the Human Resources Office will provide the necessary information, including but not limited to the employee's job description or a written description of the employee's essential duties, to determine if the employee can perform those functions safely. Consistent with the Americans with Disabilities Act and other laws, the Company will limit any requests for medical information to the information needed that is job-related and consistent with business necessity.

If the Company feels that an employee is not fit to safely leave the premises unassisted, we reserve the right to call emergency/medical services, or the employee designated emergency contact on the employee's behalf.

## Genetic Information – Non-Discrimination Policy

The Company respects all employees' privacy about any genetic information about which they have knowledge. The Company maintains compliance with the federal Genetic Information Non-discrimination Act (GINA), which generally makes it illegal for health insurance companies, group health plans, and most employers to discriminate against employees based on

genetic information. Genetic information in Company files is removed to a separate file for privacy, according to law.

## Smoking

### All tobacco and E-cigarette Products

A smoke-free work environment is enforced Company-wide within the workplace buildings and outbuildings, inside Company vehicles and equipment under our control, whether owned or leased. All Linda Bean's properties are smoke-free to employees and guests, and no smoking is allowed. This includes electronic or vaping devices.

## Benefits

You may be eligible to participate in any employee benefits programs that we may establish from time to time.

## Holidays

The Company observes the following six holidays each calendar year:

- New Year's Day - January 1st
- Memorial Day - Last Monday in May
- Independence Day - July 4th
- Labor Day - 1st Monday in September
- Thanksgiving Day - 4th Thursday in November
- Christmas Day - December 25th

For year one, employees that are entitled to receive holiday pay (as described below) will only receive pay for those holidays that fall 90 days after their hire date.

Salaried employees receive holiday pay for company holidays, whether they work that day or not. Salaried employees who work the holiday may request that holiday time be added to their eligible PTO time or any regular day off to give longer rest.

Full-time hourly employees are entitled to be paid for but not work on all six Company observed holidays unless their position requires holidays. Any such holiday worked by employee election or by Company request may be substituted and added to eligible PTO time or added contiguously to a supervisor-approved regular weekday off to add more extended rest.

Full-time hourly employees who work any of the six holidays will be paid straight time for the hours worked plus a "holiday pay" of straight time for those hours.

Part-time employees, seasonal and temporary employees who work on any of the six holidays will be paid a holiday bonus of time and a half for up to 8 hours but are not eligible for any other holiday pay/benefits.



## Paid Time Off Policy

**Linda Bean's Perfect Maine Hospitality, LLC and Bean Real Estate Holdings, LLLP** recognize the importance of time off from work to relax, spend time with family, and enjoy leisure activities. Therefore, the Company provides paid time to full-time, year-round employees, and employees are encouraged to take a time off during the year. Full-time, year-round employees will accrue paid time off according to the following:

| <u>Service Time</u>        | <u>Paid Time</u>        | <u>Accrual</u>       |
|----------------------------|-------------------------|----------------------|
| First Calendar Year        | Maine Earned Paid Leave | 1 hour per 40 worked |
| Calendar Year 2            | 5 Days                  |                      |
| Calendar Years 3-5         | 10 Days                 |                      |
| Calendar Years 6-9         | 15 Days                 |                      |
| Calendar Years 10 and over | 20 Days                 |                      |

\*First calendar year, all eligible employees fall under Maine Earned Paid Leave for paid time off. Please see the section below for this complete policy.

Employees are considered Full time once they have completed a calendar work year consisting of a minimum of 1,872 hours worked. Your service period is based on consecutive service periods as a full-time employee based on your anniversary date. If your employment type changes from full-time to part-time, your tenure restarts if/when you resume full-time status. Please speak to your manager and Human Resources if you have additional questions or have a situation where reasonable accommodations are required.

Employees may not take paid time off until they have earned or accrued the time. To be considered full-time, year-round, an employee must work a minimum of 1,872 hours for the previous year based on their anniversary dates (36 hours per week). Employees will earn paid time equal to their previous year's average weekly hours worked up to 40 hours.

Paid time off (PTO) must be used in the timeframe that it is available. Employees will not be permitted to carry over accrued leave to the following anniversary year. Any unused PTO will be forfeited if not used.

### Required Notice

Generally, employees should submit PTO requests to their supervisor at least 2-weeks in advance of the requested PTO period. PTO may be scheduled in increments of 1 full workday up to 2 workweeks in a row. Managers have the right to designate when some or all of the PTO must be taken.

Due to the seasonal nature of our businesses, employee time off must be scheduled from January 1st- Memorial Day or Indigenous Peoples/Columbus Day through December 31st. Emergency or unavoidable exceptions may be requested but are subject to approval based on scheduling needs

and coverage availability. Requesting time off is not a guarantee of approval; please avoid making any final travel arrangements until approval is granted.

Non-emergency requests made less than 2-weeks in advance will be denied.

Employees whose employment terminates after a written two-week written notice will be paid for any unused PTO time available to them in their final paycheck. Employees may not use paid time during the notice period preceding termination of employment.

Exceptions may be made for employees who provide medical documentation of the need to be out of work during such a period.

The value of any unused, accrued paid time off will be forfeited for any employee that terminates their employment without notice, or is terminated with cause based on the company disciplinary policy.

#### Sick/ Personal Leave

**Linda Bean’s Perfect Maine Hospitality, LLC and Bean Real Estate Holdings, LLLP, Ogunquit Beach Lobster House, LLC** provides regular, full-time employees with up to 3 paid sick days per calendar year. Employees become eligible for sick days after completing one year of employment. Unused sick days do not roll over into the next year. Sick days are not intended to be used as a substitute for PTO days, but sick days may be used if an employee needs to provide care for a family member who is ill. Sick days may also be used if an employee needs time off for scheduled medical procedures. If the need for sick leave is foreseeable, employees must give at least 2-weeks advance notice (e.g., a planned medical treatment) whenever possible using the Company RTO request form. If the need for sick leave is not foreseeable, employees are asked to notify their supervisor as soon as is practical.

For Covid-19 related absences, please reach out to your direct upline for the most current policy. As the CDC is frequently updating its guidelines, which we follow, we will not be adding a formal policy to the handbook at this time. Generally speaking, for confirmed Covid-19 cases, documentation of a positive test is required for the 5-day absence to be considered an approved absence. Failure to provide documentation will be considered an unexcused absence, resulting in disciplinary steps.

If an employee misses three or more consecutive days because of illness, Linda Bean’s Perfect Maine Hospitality, LLC and Bean Real Estate Holdings, LLLP, Ogunquit Beach Lobster House, LLC may require the employee to provide a physician’s written permission to return to work.

Unused sick days are forfeited when an employee’s employment ends.

State and Federal laws will always override company policy; no part of our PTO policy is intended to imply otherwise.

#### Maine Earned Paid Leave

In accordance with the State of Maine Earned Paid Leave Law year-round, non-benefit eligible part-time, temporary, and per diem employees are eligible to accrue and use earned paid leave as described in this policy. See the Maine State Website for more information or contact your Human Resources department. Updates to the State of Maine policy will always supersede this handbook.

\*Employees at seasonal locations are not eligible for the State of Maine Earned Paid Leave

#### Accrual of Maine Earned Paid Leave

Maine earned paid leave (MEPL) is accrued at a rate of one hour for every 40 hours worked. Actual accrual is based upon the **number of hours worked** in each pay period. MEPL is only accrued when an employee is actively working. Employees begin to accrue MEPL from their first day of employment. However, new employees are not allowed to use accrued MEPL until after being employed for 120 days.

#### Use of Earned Paid Leave

MEPL can be used in minimum increments of one hour and may be used for any reason. However, MEPL can only be used to cover regular work time missed and not as additional income over and above an employee's regularly scheduled hours. Due to the seasonal nature of our businesses, employee time off must be scheduled from January 1st - Memorial Day or Indigenous Peoples/Columbus Day through December 31st. Emergency or unavoidable exceptions may be requested but are subject to approval based on scheduling needs and coverage availability. Requesting time off is not a guarantee of approval; please avoid making any final travel arrangements until approval is granted. Non-emergency requests made less than 2-weeks in advance will be denied. Employees may not use accrued MEPL during the notice period preceding termination of employment. Exceptions may be made for employees who provide medical documentation of the need to be out of work during such a period.

#### Employee Notice

MEPL is treated the same as PTO time for purposes of requesting time off. It must be requested via an Employee RTO form submitted to your manager a minimum of two weeks before the requested date and is subject to review and approval, absent emergency, illness, or sudden necessity. When possible, the time requested will always be granted but is not guaranteed. Absent an emergency, illness, or other sudden necessity for taking MEPL, employees must give reasonable notice to the supervisor of their intent to use MEPL. Linda Bean's Perfect Maine Hospitality, LLC has established scheduling guidelines to avoid situations where multiple absences impact the business's operational needs. Please see the **Required Notice** section of the above **PTO** policy for this requirement.

#### Rate of Pay

MEPL is paid at the employee's base pay rate at the time of the absence. If an employee holds more than one position, the MEPL is paid at the rate of the highest paid job. MEPL is not used in calculating overtime. For active employees, any unused MEPL accrued but not used by the end of the calendar year will roll over to the following year, but the employees will only accrue a maximum of 40 hours in the following year, *including* the carried over time. For example, if an

employee rolls over 8 hours of unused accrued MEPL from the previous year. Then, in the following year, the employee is only entitled to accrue up to 32 additional hours of MEPL, regardless of how much leave the employee uses in the current year. Accrued and unused MEPL is not paid out upon termination of employment; however, if an employee is rehired within a year, any unused MEPL accrued balance will be restored to their MEPL accrued leave balance.

## Bereavement Leave with Pay

Employees may request bereavement leave with pay in the event of a death in the immediate family, up to three regularly scheduled workdays if the employee is responsible for assistance and funeral arrangements. The employee will call the facts to the Office of Human Resources as soon as known. Immediate family is defined as husband, wife, parent, child, grandparent, parent-in-law, stepparent, stepchild, and domestic partner.

## Non-Paid Leaves of Absence

Employees may be granted a leave of absence without pay for medical, family, or emergency reasons. Requests for an unpaid leave of absence and supporting documentation must be submitted to the Office of Human Resources for approval. Recommended approvals are then submitted to the President for final authorization, with three distributed copies to be kept and the original to the employee, which procedure applies to all categories below.

### Leave For Health

A non-paid health leave request for non-work-related disability resulting from illness, injury, or pregnancy will be considered when all Family and Medical Leave (FMLA) time has been exhausted. The request must be supported by the written recommendation of a physician, submitted to the Office of Human Resources. Requests for an unpaid health leave following exhaustion of FMLA will be considered in light of the needs of the employee's department and the demands of the employee's position. The Company reserves the right to grant, deny, or limit unpaid health leave for any person depending on the needs of the Company. Requests for intermittent unpaid health leave must be supported by medical reasons or documentation consistent with FMLA. In no event shall an employee's cumulative leave, including paid leave, FMLA, and unpaid health leave exceed six (6) consecutive months.

### Leave For Child/Dependent Care

Non-paid leave requests will be considered for the purpose of caring for dependent children, immediate family (defined as husband, wife, domestic partner, parent, stepparent, parent-in-law, brother, sister, child, stepchild, grandparent, grandchild, foster parent, or legal guardian or legal dependents) after all FMLA time has been exhausted. The approval of such leave is subject to the discretion of the Office of Human Resources after consultation with the supervisor if deemed necessary.

### Leave For Personal Reasons

Personal leaves without pay for emergencies or personal needs that fall outside of FMLA will be considered for employees who have at least one year of continuous employment with the Company. Personal leaves of absence are subject to the discretion of the upline supervisor in conference with the Office of Human Resources.

#### For Military Service Leave

Employees who leave active Company employment to serve in the Armed Forces of the United States, or who serve in a reserve component, for a period of time in excess of two weeks, shall be granted a military leave of absence without pay in accordance with applicable law. Under Federal law (USERRA) and/or Maine law, the Company may not discriminate against any employee due to that employee's military activity or status. Employees may be eligible to take a leave of absence for military purposes (including active duty, reserve duty, or National Guard duty), and be entitled to reinstatement to the same or equivalent position upon return to work. Under USERRA, military leave generally must not exceed 5 years for the protections to apply. USERRA and Maine law contain detailed provisions concerning military members' civilian employment and re-employment rights, and the conditions for exercising those rights.

Military leave with pay is granted to employees who are required to be absent from scheduled duties for the purpose of taking a pre-induction physical examination. Proper documentation of such time lost must be submitted. Eligible employees who serve in summer military training in the Armed Forces of the United States should review with their supervisor the details of this leave as far in advance as possible.

#### Jury Duty

The Company recognizes that jury duty is a required civic responsibility. Accordingly, employees are encouraged to participate in Jury Duty, if possible, when appointed. Additionally, it should be noted that according to law, an employer may not discharge, penalize, threaten, deny the employer's health insurance coverage to, or otherwise coerce an employee who receives and/or responds to a jury summons or who serves on a jury. Earned personal time and/or earned PTO time may be used as paid time; otherwise, the Company deems Jury Duty to be taken as an unpaid leave of absence. In no case will your employment be affected if you perform jury duty.

Within 24 hours of receipt of the summons to Jury Duty, the employee must provide the Company a copy of the Jury Duty summons to their immediate upline with an additional copy for the Office of Human Resources. Occasionally the summons to Jury Duty will occur at a time of the year when the Company experiences a significant negative impact due to its absence from the continuity of Company business. In this instance, the Human Resource Director retains authority to write a letter to the court requesting postponement of the employee's Jury Duty.

## Federal Family Medical Leave Act (FMLA)

Linda Bean's Perfect Maine Hospitality, LLC and Bean Real Estate Holdings, LLP, Ogunquit Beach Lobster House, LLC recognize the importance of FMLA, as long as all other criteria are met, our employees are eligible for this benefit regardless of the number of employees that work

at their specific location. This also applies to Maine Family Leave. We encourage you to reach out to Human Resources with any questions regarding this benefit.

### Family Medical Leave

#### Reasons for Leave

The Company will grant unpaid leave, job protected leave, (“FMLA leave”) of up to a total of 12 workweeks during any 12-month period (as defined below) to an eligible employee for:

- The birth, adoption, or foster care placement of a child and to care for such child;
- The care of the employee’s spouse/domestic partner, child, stepchild, parent, or stepparent who has a serious health condition;
- The employee’s own serious health condition that makes the employee unable to perform the functions of his or her position;
- An employee whose spouse/domestic partner, son, daughter, or parent either has been notified of an impending call or order to active military duty or who is already on active duty; and
- As set forth below, leave may extend to up to 26 weeks in a single 12-month period (as defined below) for an employee whose spouse/domestic partner, son, daughter, parent, or next-of-kin is injured or recovering from an injury suffered while on active military duty or a veteran who is unable to perform the duties of the service member’s office, grade, rank, or rating incurred or aggravated while in the line of duty.

#### Eligible Employee

To be eligible, an employee must have been employed by the Company for at least 12 months, work at a worksite with at least 50 employees within a 75-mile radius and have worked at least 1,250 hours during the 12-month period immediately preceding the first day of leave.

#### Definitions:

1. “Spouse” means a husband or wife as defined or recognized under Maine law.
2. “Domestic Partner” means the partner of an employee who:
  - A. Is a mentally competent adult as is the employee;
  - B. Has been legally domiciled with the employee for at least 12 months;
  - C. Is not legally married to or legally separated from another individual;
  - D. Is the sole partner of the employee and expects to remain so;
  - E. Is not a sibling of the employee; and
  - F. Is jointly responsible with the employee for each other’s common welfare as evidenced by joint living arrangements, joint financial arrangements, or joint ownership of real or personal property.
3. “Sibling” means a sibling of an employee who is jointly responsible with the employee for each other’s common welfare as evidenced by joint living arrangements and joint financial arrangements.

4. "Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a healthcare provider.

#### Twelve-Month Period

Except as otherwise provided below, an eligible employee may take up to 12 weeks of unpaid leave in any rolling 12-month period measured backward from the date an employee uses any FMLA leave. This means that at any point in time, the amount of leave available is 12 weeks less the amount of leave used during the preceding 12 months.

#### Special Limitations on Leaves

If the Company employs both spouses and both spouses request leaves for the birth, adoption, or foster care placement of a child, for the care of that child, or to care for a parent with a serious health condition, then the aggregate, combined leave for both employees shall be limited to 12 weeks during any rolling 12-month period. FMLA leave for the birth, adoption, or foster care placement of a child or for the care of that child must be completed within 12 months of the child's birth, adoption, or foster care placement.

#### Intermittent or Reduced Schedule Leaves

Upon receipt of medical certification of the need for leave on an intermittent or reduced schedule basis, the Company will grant such leave for purposes of the employee's own serious health condition or to care for a parent, child, or spouse with a serious health condition. The Company may transfer the employee temporarily to an alternate position for which the employee is qualified and which better accommodates the intermittent or reduced schedule during the leave. The employee will receive the same pay while working in the alternate position.

#### Notice and Scheduling of Leave

If the need for leave is foreseeable, the employee must request leave at least 30 days in advance of the date on which he or she intends to begin a leave of absence. If the employee is unable to foresee the need for leave 30 days in advance, then the employee must give the Company notice as soon as is reasonably possible. If the leave is requested for purposes of planned medical treatment for the employee or his or her spouse, parent or child, the leave should be scheduled at a time that is least disruptive to the Company's operations to the extent feasible. Employees who require a leave must complete a Leave Request Form, which can be obtained from the Office of Human Resources.

#### Certification of Serious Health Condition

The Company may condition its approval of leave for purposes of personal or family illness on the employee's submission of a satisfactory Form from the employee's or family member's health care provider. The Company will provide the employee with a Form for this purpose, and it is the employee's responsibility to ensure that the health care provider submits a fully completed form to the Company in a timely manner. The Company may, in its discretion and at its expense, require the employee to obtain second or third medical opinions from independent health care providers. The Company may also require an employee on FMLA leave to submit periodic recertifications throughout the leave but will not do so more often than every 30 days

unless there is a change in circumstances or other circumstances warranting earlier recertification. Failure to provide an appropriate certification or recertification upon request may result in the postponement, denial, or curtailment of leave.

#### Periodic Status Reports

The Company may require an employee on leave to report periodically on the employee's status and intent to return to work.

#### Reinstatement from Leave and Fitness-for-Duty Certification

An employee who has complied with his or her obligations under this policy will be reinstated to the position he or she held prior to leave or to an equivalent position unless business conditions resulted in the elimination of the employee's former position during the leave, or the employee would not otherwise have continued to be employed had he or she continued in active employment. The Company, however, may refuse to restore those employees considered to be "key," for purposes of the Family and Medical Leave Act, to their previous positions under certain circumstances. An employee who has taken leave for medical reasons will be required, before returning to work, to submit a medical certification "Restrictions and Capabilities" form indicating that the employee is able to return to work and perform the essential functions of the position. Reinstatement may be delayed until a satisfactory medical certification has been provided.

#### Compensation during FMLA Leave

An employee who uses FMLA leave for his or her own serious health condition may choose to use up his or her accrued, unused sick days and PTO days while on leave or choose to have the leave unpaid. If the employee chooses to use his or her accrued sick or PTO time during an FMLA leave, FMLA leave will run concurrently.

#### Other Terms and Conditions

The policies and guidelines stated in this Family and Medical Leave Policy shall be subject to such other terms and conditions as are provided in the Family and Medical Leave Act of 1993.

## MILITARY FAMILY LEAVE

#### Qualifying Exigency Leave:

A family member of a covered military member may take up to 12 weeks of unpaid, job protected leave to manage their affairs while the covered military member is on active duty. A family member is defined as the spouse, son, daughter, or parent of a service member in the Armed Forces, including the National Guard or Reserves.

The leave may be taken for any qualifying exigency arising out of the fact that the covered military member is on active duty or call to active-duty status. The following circumstances constitute qualifying exigencies, for which an employee may be eligible for leave:



1. Short notice deployment, which includes leave to address issues arising from a covered military member's short notice deployment (i.e., deployment on seven or less days' notice) for a period of seven days from the date of notification;
2. Military events and related activities, which includes official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross;
3. Childcare and related activities, which includes those activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
4. Financial and legal arrangements, which includes making or updating financial and legal arrangements to address a covered military member's absence;
5. Counseling, which includes attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the active duty or call to active-duty status of the covered military member;
6. Rest and recuperation, which allows an eligible employee to take up to five (5) days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave;
7. Post-deployment activities, which includes attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period 90 days following the termination of the covered military member's activity duty status, and addressing issues arising from the death of a covered military member;
8. Parental care, which includes caring for a military member's parent who is incapable for self-care, when the care is necessitated by the member's active duty; and
9. Other events, that an employee and the Company agree constitute a qualifying exigency.

An eligible employee must provide notice of the need for qualifying exigency leave as soon as practicable. For example, if the eligible employee receives notice of a qualifying military event one (1) week in advance of the event, he or she should advise the employer of the event the same or next business day. If the need for leave is unforeseeable, an employee must comply with the Company's normal call-in procedure absent some unusual circumstance.

The first time that employee requests Qualifying Exigency Leave, the Company may require the employee to provide a copy of the covered military member's active-duty orders or other documentation issued by the military that indicates that the covered military member is on active duty or call to active-duty status in support of a contingency operation, as well as the dates of the active service duty. Additionally, the Company may require certification of the exigency necessitating leave, including appropriate facts supporting the need for leave, any available documentation supporting the request, the commencement and return date for leave, if on an intermittent basis, the frequency and duration of leave, and appropriate contact information if the exigency involves meeting with a third-party.

### Military Caregiver Leave

The spouse, son, daughter, parent, or next of kin (defined as the nearest blood relative) of a covered service member may take up to 26 workweeks of leave in a single 12-month period to care for a covered service member with a serious illness or injury incurred in or aggravated by service in the line of duty. Leave may also be taken to care for a family member who is a veteran with a serious injury or illness incurred in or aggravated by service in the line of duty, provided the family member was a service member at any time during the five-year period preceding the date on which the veteran undergoes treatment.

A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty. Pursuant to federal law, a serious injury or illness is one that was incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating.

For purposes of the Military Caregiver Leave, a "single 12-month period" is a period that begins on the first day of leave and ends 12 months later.

An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason. For example, an eligible employee is not entitled to 26 workweeks of Military Caregiver Leave and an additional 12 workweeks of traditional FMLA. Additionally, an eligible employee may only use 12 of the 26 workweeks for an FMLA-qualifying reason other than care for a covered service member. An employee may not, for example, use 20 workweeks of leave for the birth of a child and 6 workweeks to provide care to an injured service member.

Employees requesting this type of FMLA leave must provide certification of the family member or next-of-kin's injury, recovery or need for care.

If a husband and wife both work for the Company and each wish to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

## Maine Family Leave

Maine has its own law regarding family and medical leave, which provides unpaid family medical leave of up to ten (10) weeks in a two (2) year period if you have worked for the Company for at least twelve (12) consecutive months. This leave is available to part-time as well as full-time employees. To be eligible for this leave, an employee must also work at a worksite in Maine with 15 or more employees. The qualifying reasons are similar to federal Family Medical Leave, except under Maine law employees can also take leave for the following reasons:

- birth or adoption of the employee's domestic partner's child;
- the serious health condition of the employee's child, grandchild, sibling, domestic partner or domestic partner's child or grandchild;
- organ donation; or
- if the employee's spouse, domestic partner, sibling, parent, or child dies or incurs a serious health condition while on active duty with the National Guard or the United States Armed Forces (please refer to the Family Military Policy for more information on this leave entitlement).

Leave taken for the employee's own serious health condition or the serious health condition of the employee's spouse, sibling, child, parent, or domestic partner, or for organ donation may be taken intermittently or on a reduced leave schedule when medically necessary.

"Sibling" for purposes of this policy is defined to mean the employee's sibling with whom he/she is jointly responsible for each other's common welfare as evidenced by joint living and financial arrangements.

"Domestic partner" is defined to mean the employee's partner who is a mentally competent adult, has been legally domiciled with the employee for at least 12 months, is not legally married to or legally separated from another individual, is the employee's sole partner and expects to remain so, is not the employee's sibling, and is jointly responsible with the employee for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements, or joint ownership of real or personal property. Leave taken under this policy will run concurrently with and count towards the employee's leave allotment under the Company's federal Family Medical Leave Policy, and other leave policies, to the extent allowed by law.

Administration of Maine FMLA will generally be in accordance with the federal FMLA policy above. Please see Human Resources for more information.

## Victims of Violence Leave

Victims of Violence leave provides reasonable and necessary leave from work for an employee to prepare for and attend court proceedings; to receive emergency medical treatment or attend to emergency medical treatment for a victim who is the employee's daughter, son, parent or

spouse/domestic partner; or to obtain necessary services to remedy a crisis caused by domestic violence, sexual assault or stalking as understood under Maine law, MRSA Title 17-A, Chapter 11, that would support an order for protection under Title 19-A, chapter 101. Employees may be required to provide timely and reasonable written documentation for the need for such leave, such as court orders and doctor certifications.

The employee may apply accrued sick/personal paid hours during such leave. Employees continue to accrue and receive Company holiday and sick/personal time benefits while taking such leave.

Employees are free to exercise their rights under the Victims of Violence Leave without fear of reprisal.

## Worker's Compensation

An employee who has an accident while working on behalf of the Company, no matter how small, must report it immediately to the employee's upline supervisor. The supervisor should complete an incident report and forward it immediately to the Office of Human Resources. An insurance claim may also have to be filed with the Company by the affected employee.

Each insurance case is evaluated by our Worker's Compensation insurance carrier to determine if a compensable injury has occurred. Absences due to in-the-line-of-duty illness or injury are not charged to an employee's sick leave hours.

More specific information regarding the Company's Workers Compensation program is available at the Office of Human Resources for the Company.

If an employee should witness an accident within the Company, medical help should be rushed immediately, and an accident report filed by the employee to his or her upline supervisor.

## Safety and Security

Security and safety rules are for protection of employees and employers alike. A team awareness effort is encouraged. All vehicles, lockers, desks, offices, or containers that are property of the Company, as well those belonging to employees that are brought onto Company premises and including but not limited to briefcases, backpacks, parcels, and other personal belongings, are subject to inspection and search by the Company including its designated agents if and when something concerning to the Company is in question.

A unique password to each Company computer must be obtained by the Company President in consultation with the Company's server authority. Also, those employees who use pin pads for security systems must first receive written approval from the President prior to obtaining a code. An employee using a pin pad within buildings in which the Company operates shall not share his

or her code with anyone other than directly with the Security Company, the owners of the equipment. Requests for changes of passwords will be honored. No scanning, photographing, emailing, or texting of Company property, documents, or files is allowed to go outside the office or beyond the desk of any employee without a written authorization signed by the President and the Director of Human Resources. Breaches are subject to immediate termination.

## Fire Prevention

The Company asks for employees' support and cooperation company-wide to maintain a good fire safety program.

To help prevent fires, each employee should:

- know what to do in the event of a fire, and especially to know special fire procedures in their own work area;
- keep work areas free from unnecessary combustible materials;
- be especially careful handling flammable materials;
- know the location of fire-extinguishers in the immediate work area;
- stay away from the fire scene when not directly involved in removing persons to safety;
- avoid using the telephone after the fire is reported. All phone lines must be kept open for emergency calls;

## Workplace Violence

The Company is committed to preventing workplace violence and maintaining a safe work environment. Accordingly, the Company has adopted the following guidelines to deal with intimidation, harassment, or other threats or actual violence that may occur, onsite or off-site, during work-related activities. All full-time, seasonal, temporary, and part-time employees are covered under this policy.

### Prohibited Conduct

All employees, customers, guests, vendors, and business associates should be treated with courtesy and respect. Employees are expected to refrain from fighting, horseplay, or other conduct that may be dangerous to others. Behavior that threatens, intimidates, or coerces another employee, customer, guest, vendor, or business associate will not be tolerated. Company resources may not be used to threaten, stalk, or harass anyone at or outside the workplace. The Company treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence, and suspicious individuals or activities should be reported as soon as possible to a supervisor, security personnel, human resources, or any member of senior management. When reporting a threat or incident of

violence, the employee should be as specific and detailed as possible. Employees should not place themselves in danger, nor should they attempt to intercede during an incident.

Bullying, whether physical, verbal, or non-verbal, is a form of violent conduct unacceptable in our Company, which defines it as offensive, intimidating, malicious, ridiculing, or insulting behavior that makes another person feel vulnerable, upset, humiliated, undermined, or threatened.

Weapons of any kind, including firearms, are not permitted in the workplace. Employees should promptly inform the HR Department of any protective or restraining order obtained that lists the workplace as a protected area. In addition, employees are encouraged to report safety concerns with regard to intimate partner violence.

## Investigation and Enforcement

The Company will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. The Company will not retaliate against employees making good faith reports of violence, threats, or suspicious individuals or activities. To maintain workplace safety and the integrity of its investigation, the Company may suspend employees suspected of workplace violence or threats, with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that violates these guidelines will be subject to prompt disciplinary action, including termination of employment.

The Company encourages employees to bring their disputes to the attention of their supervisor or the Human Resource Department before the situation escalates. The Company will not discipline employees for raising such concerns.

## Personal Telephone Calls/Cell Phone Use

Company telephone use during work hours is for business purposes. Very quick, limited personal use of Company phones will be allowed; however, general use for personal calls is not included and may result in disciplinary action.

Private cell activity on personally owned phones during working hours, including web surfing, emailing, and text messaging, should be halted and limited only to report and assist emergencies that require immediate attention. Employees should hold their private calls during lunch and rest breaks. Employees breaking this policy may result in disciplinary action.

Examples of business telephone/cell phone etiquette:

- Turn cell phones off or set to courtesy mode during business meetings.
- Let group members know when an expected urgent call may interrupt a meeting.
- Answer cell phones outside of the meeting area and out of the hearing of co-workers and members.
- Check personal cell phone messages during lunch and work breaks.
- Manage personal private calls. Inform family and friends that you will be happy to speak with them during non-working hours.
- Speak to your supervisor whenever additional “personal” use is needed.

Managers shall not text message or conduct company business negotiations requiring distracted thinking while “on the road” unless pulled over at a safe location. Sensitive Company and employee information and data should never be shared over cell phones, but rather should be contained to personal meetings or calls on wired, non wi-fi, landline office phones.

Those carrying Company issued cell phones are obliged to answer all Company calls as soon as possible, making time as you are able. Phone calls are considered a higher priority than a text which may be able to be addressed at a later time. Incoming texts should always be checked as soon as possible though so you are aware of the level of urgency needed in your reply.

Limited private use of Company-owned cell phone calls to family members and close non-company associates are acceptable providing; however, the personal use shall not create unreasonable time or money costs to the Company. Business people need to stay accessible for business during business hours. Non-acceptable cell “smartphone” activity includes downloading paid ringtones, games, music, movies, sex connections, non-business Apps, and engagement in non-work cell activity during work hours. The discovery of such activities or excessive private calls, emails, and texting showing up on the billings of Company paid cell phones will result in notice to the offending employee. Employees using a Company cell phone should have no reasonable expectation of privacy. Abuses of trust will result in the disciplinary procedure, require reimbursement of expense/cost, and may result in the complete revocation of the privilege of carrying a Company cell phone. Any personal pictures or emails stored on Company cell phones become the property of the Company at the time the equipment is retrieved from the employee.

The authority to issue Company phones rests with the President, including the confirming call to the cell phone provider.

## Photography and Recording Devices Policy

The internal workings of the Company and its confidential information may never be imaged or recorded without the express prior written authorization by the President of the Company. Use of any or all devices (such as cameras, cell phones, video cameras, tape, or digital recorders, etc.) to capture images or sounds of confidential Company information may only be used for authorized business purposes within the Company affirmed in writing by the Company President, and all become the property of the Company. Any violation of this policy will result in disciplinary action, including employee termination.

## Media/ Who Speaks for the Company/“Off the Record”

To keep the Linda Bean brand and messaging clear and consistent, there is one spokesperson for the Company, the founder Linda Bean. Unless Linda expressly authorizes others, there are to be no statements on or off the record, nor any released comments, advertising, brand designs, or answers to questions from the Company made by any employee. Messaging is approved only by her, over her signature.

All written materials for and about the Company must first receive Linda’s editing review and written approval, including menus, handouts, banners, advertising and promotions, employee manuals, and similar, together with photos and graphics being proposed.

All news media requests and inquiries for an official Company statement or response to any issue or inquiry are to be immediately referred to Linda Bean or Veronika Carlson without further comment. They, in turn, will evaluate and ensure a timely response, so media inquiries and requests must be moved along without delay by any intercepting employee.

No employee shall make the mistake of loose lips, or off-the-cuff, or “off the record” comments to anyone about the Company or in the characterization of its owner, managers, or employees, orally or in writing, without expecting employment termination.

In favor of or advancing the Company brand and public relations, a kindly attitude to all shall prevail, and personal opinions and private Company matters will not be shared in social media or letters to the editor.

## Email Policy

An-in-house electronic mail system has been installed by the Company to facilitate business communications. The Company electronic mail system, computers, stored data, and software belong to the Company. The Company may, without prior notice, access, and monitor and disclose as necessary all messages sent over its email system at any time. Because the Company periodically reviews, maintains, and monitors its electronic mail system, employees should have no reasonable expectation of privacy when using the system. Nobody should assume that messages are confidential or not read by a third party. Any personal pictures or emails stored on Company computers and cell phones become the property of the Company at the time the equipment is retrieved from the employee.

At the time of termination, employees must leave all company data and information on Company computers and Company cell phones, failing which they will be subject to legal prosecution. Employees using the electronic mail system for business purposes should make every effort to ensure that messages are complete, accurate, and consistent with the Company’s philosophy of treating others with respect and dignity. It is recommended that emails sent for Company



business purposes be drafted with the same care as if they were being sent by regular mail on Company letterhead stationery.

## Social Media

The Company recognizes that social media can be a valuable way to market its business. Social media consists of websites such as Facebook, Twitter, Instagram, LinkedIn, Snapchat, Reddit, TikTok, blogs, or any other site where one posts or communicates information in a public or quasi-public Internet forum.

The Company's social media presence is headed by the assigned management team, who creates and maintains the Company's social media profiles. An employee may act on behalf of the Company in the social media context only with express authorization from Management. Any and all content created for the Company social media accounts and the accounts themselves are property of the Company. The Company has ultimate discretion over the content posted on its social media accounts and may remove or alter content at any time. This policy also applies to the Company website.

The Company understands that employees are free to create and maintain personal social media profiles during non-work hours and on non-work equipment. Employees generally may not use social media websites on company information systems unless authorized to do so by a supervisor.

When and if an employee makes any business-related comment on their personal social media, it should be made clear that the comment is made in their personal capacity and not as a representative of the Company. Employees may not post material that disparages the services or products provided to the public by the Company and may not comment on the Company's clients/customers without authorization. Employees must comply with all applicable employment policies including the Company's harassment, discrimination, and confidentiality policies when using social media. Employees should refrain from making defamatory, demeaning, discriminatory, harassing, threatening, violent, abusive, or obscene related in any way to their employment. This policy in no way restricts employees' rights to engage in protected concerted activity, such as discussing wages, hours, or other working conditions, through social media.

Unauthorized use of the Company information systems does not include communications regarding wages, hours, or other terms and conditions of employment that may be protected by Section 7 of the National Labor Relations Act. Additionally, this policy is not intended to in any way restrict or prohibit employee conduct that may be protected by Section 7 of the National Labor Relations Act.

## Internet Policy

The Company may provide Internet access to specific employees, and the policy is that it be used for business use only. The Company Internet server system, computers, and stored data belong to the Company.

Employees must comply with all software licenses, copyrights, and other laws that govern intellectual property and online activity. In addition, the Internet is specifically not to be used for:

- Private or personal for-profit activities
- Activities with non-profit entities, unless an authorized company purpose
- Private or personal business, shopping, house hunting, job hunting
- Illegal purposes
- Transmitting threatening, obscene, or harassing messages
- Interfering with or disrupting network users, services, or equipment
- Entertainment, non-business chat rooms, or instant messaging
- Downloading or accessing music, movies, videos, or other media
- Blogging and accessing social media sites such as Facebook, Twitter, Pinterest, Instagram (unless for conducting specific business duties)
- Sending, soliciting, or receiving sexually oriented messages and images

The Company has the right, but not the duty, to monitor any and all aspects of its computer system, including, but not limited to tracking sites employees visit on the Internet, reviewing material downloaded or uploaded by employees, reviewing email sent and received by employees, and reviewing any social media sites that are open to the public.

## Computer Hardware/Software Policy

All computer hardware and software provided to employees for business use is Company property. There is no implied or intended gifting of company property and all company property must be returned immediately upon termination or resignation of employment, without exception. Unauthorized use of any computer equipment or programs for personal purposes is prohibited.

The Company's Network Administrator is responsible for the testing, installing, and maintaining of all software programs, including new releases of existing programs and any proposed purchases. No employee may install any software (including screensavers, custom backgrounds, etc.) on the personal computer hard drive or the Company's local area network without the written approval of the Network Administrator.

## Personal Device Policy

Employees are expected to limit use of personal cell phones and other electronic devices during working time for non-work-related calls, texting, internet browsing, social media, apps, etc. Employees must comply with state law concerning cell phone use while driving, including not texting while in transit.

The Company recognizes that employees rely on personal smartphones and/or tablets for convenience and connection in our modern, increasingly virtual world. The Company does not provide organization-owned smartphones to employees and recognizes that employees may use personal devices for work purposes on occasion. The following requirements are in place to ensure company data are secure and protected when

accessed on employees' personal devices. Violation of these rules may be grounds for disciplinary action up to and including termination:

- Employees shall not download or transfer sensitive business data to their personal devices. Sensitive business data are documents or other information whose loss, misuse or unauthorized access can adversely affect the privacy, welfare or competitiveness of a client, an individual (personally identifiable information), or the Company.
- If employees have sensitive Company information on a personal device, the employee agrees to maintain the device current with security patches and updates, as released by the manufacturer. Employees will not install software that allows them to bypass standard built-in security features and controls.
- Must delete any sensitive business files that they may inadvertently download and store on the device by viewing email attachments as soon as practicable after the need to view those files is no longer needed for Company purposes.
- Understand that any Company or customer data accessed, stored or generated on their device is the sole and exclusive property of the Company.
- Employees must take responsibility for backup and archive of their personal device on a regular basis and recognize that the Company is not responsible for any backup of files stored on your personal device.
- Employees should seek assistance from the Company if they have questions about securing their personal device.
- The Company is not responsible for any data loss, or for theft of, damage to, or failure in the device, that may result from use of the person device for work.

#### Passcode Recommendations

- Password-protect all devices with a passcode that maximizes security to the extent the device allows.
- Set all devices to lock after 3 minutes of inactivity.
- Add contact information to the lock screen or your Find my Phone option to enable the return of lost devices.

#### Upon Employment Termination

- Individuals will delete any Company files that have been intentionally or inadvertently stored on the phone.
- The Company will update permissions and usernames/passwords to remove employee access to Company accounts and files.
- Individuals will notify the Company if they inadvertently retain access to any Company account so that the Company may delete or rectify access to confidential Company data.

## Inclement Weather

Every position at the Company is considered essential; therefore, every employee needs to report to work as scheduled during inclement weather. Reliable transportation is a requirement of each position in this company, which includes during potentially inclement weather. During these

situations, please make plans to leave for work early to ensure the ability to travel safely. If severe weather conditions make traveling a safety risk, only then will the employee's immediate supervisor consider a delayed arrival or early departure time.

END.

## Employee Acknowledgement Form

You are required to return this form within 10 days of receiving the Employee Handbook. By signing this form you acknowledge that you have read and initialled all 37 pages of the 'April 22, 2022' company handbook. As an employee of the Company, I understand and/or agree that:

- I have received Linda Bean's Perfect Maine Hospitality, LLC and Bean Real Estate Holdings, LLLP Handbook (the "Handbook") and have reviewed it, understood it, and have had the opportunity to ask any questions I have about it and any of the policies and procedures contained in it, and I will comply with the Handbook to the best of my ability.
- The information contained in the Handbook is intended to serve as general information about my employment with the Company and its policies and procedures for employees and about employee benefits.
- I understand that I am an at-will employee, nothing contained in this Handbook is intended to create (nor shall be construed as creating) a contract of employment (express or implied) or guarantee employment for a definite or indefinite term.
- No statement or representation by a supervisor, attorney, or any other employee, whether oral or written, can change or replace portions this Handbook, even if they expressly refer to the Handbook. Changes can only be made if approved in writing by Chief Executive Officer and/or the President.
- I also understand that if policies are not enforced right away, or at all, in an instance or repeatedly over time, which does not mean that the Handbook no longer applies. Nor does it mean that the Company gives up the right to follow and enforce the policies in the future.

From time to time the Company may interpret, change, suspend, cancel, or deviate from, all or any part of its policies, procedures, and benefits described in this Handbook.

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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Employee Initials \_\_\_\_\_