

The Pumpkin Factory, Inc
EMPLOYEE MANUAL

Revised July, 2021

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SECTION 1 INTRODUCTION

This Handbook is designed to help employees get acquainted with the Company (“the Company”). It will also provide you with information about working conditions, benefits, and policies affecting your employment. Nothing in this Handbook is intended to interfere with your rights to engage in any protected concerted activity. Employees are expected to read this handbook carefully, and to know and understand its contents. If you have any questions feel free to speak with your supervisor.

The information contained in this handbook applies to all employees of the Company. Following the policies described in this handbook is considered a condition of continued employment. However, nothing in this handbook alters an employee’s status. The contents of this handbook shall not constitute nor be construed as a promise of employment or as a contract between the Company and any of its employees. The handbook is a summary of our policies, which are presented here only as a matter of information.

You are responsible for reading, understanding, and complying with the provisions of this handbook. Our objective is to provide you with a work environment that is constructive to both personal and professional growth.

Vision Statement

To be recognized as the best Pumpkin Patches in southern California.

Mission Statement

To provide superior customer service and entertainment experience to our guest to go above and beyond their expectation witch, will have them returning year after year.

1.1 The Pumpkin Factory, inc Philosophy

The Company acknowledges that employees are its most important asset, and the following statements reflect its philosophy of valuing its employees:

- The Company will strive to create an environment that provides each employee with the opportunity to grow, perform his or her best, and feel part of the Company.
- The success of the Company depends on the dedication and commitment of its employees and on the quality of their contributions, interest and cooperation; to

dedicate themselves to work for the Company's benefit as well personal satisfaction; and to behave in a manner consistent with Company policies, procedures, and rules of conduct.

- The Company's business success is dependent in part on employee commitment that is built through open communication, meaningful participation, and mutual hard work.
- The Company will compensate employees according to their contributions to the Company.
- The Company is committed to providing safe, healthy, and pleasant working conditions for its employees. In return, employees are responsible for working safely and for maintaining the farm in a safe and healthy condition.
- The Company will apply policies in a manner fully consistent with all employment laws of the country and the states in which the company operates.

1.2 Equal Employment Opportunity

The Company is committed to providing equal employment opportunity for all applicants and employees consistent with applicable federal, state and local law. The Company will not unlawfully discriminate against any qualified applicant or employee based on race, color, creed, ancestry, sex (including pregnancy, childbirth and related medical condition), sexual orientation, gender, gender identity, gender expression, national origin, religion, marital status, registered domestic partner status, physical or mental disability, genetic information or characteristics, medical condition, age, citizenship status, military service, veteran status or any other classification or characteristic protected by applicable law.

The Company will also not unlawfully discriminate based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. Discrimination on any of these bases is unlawful, and all persons involved in the Company's operations are prohibited from engaging in such discrimination.

Workplace harassment can be a form of employment discrimination. Because personal interactions in the workplace among employees can sometimes be misunderstood, the Company has established and set forth in this handbook a separate policy addressing unlawful workplace harassment.

You should immediately report any unlawful discrimination to your supervisor or manager. Supporting documentation, dates, names, events of what happened will

greatly enhance the company's investigation. If the investigation determines that unlawful discrimination or other conduct which violates the Company's policy has occurred, the Company will take disciplinary action against those who engaged in the misconduct, up to and including termination of employment.

1.3 CHANGES IN POLICY

This Manual supersedes all previous employee handbooks and memos that may have been issued from time to time on subjects covered in this handbook. However, since our business and our organization are subject to change, we reserve the right to interpret, change, suspend, cancel, or dispute with or without notice all or any part of our policies, procedures, and benefits at any time. We will notify all employees of these changes. Changes will be effective on the dates determined by the Company, and after those dates all superseded policies will be null.

No individual supervisor or manager has the authority to change policies at any time. If you are uncertain about any policy or procedure, speak with your direct supervisor.

“EMPLOYEES” DEFINED

SECTION 2

2.1 PROOF OF RIGHT TO WORK

Under federal law, all new hires must produce original documentation establishing their identity and right to work in the United States, and complete Form I-9, certifying that they have a right to work in the United States. Documentation must be produced within three business days of hire. All offers of employment are conditioned upon the receipt of satisfactory evidence of an employee’s identity and legal authority to work in the United States.

2.2 AT-WILL EMPLOYMENT

While we hope that your employment will prove mutually satisfactory, please understand that continued employment cannot be guaranteed for any employee. Employment at the Company is employment at-will. This means that you are free to leave your employment at any time, with or without cause or advance notice, for any reason or no reason , and the Company retains the same right to terminate your employment, or otherwise discipline, transfer or demote you, at any time, with or without cause or advance notice, for any lawful reason or no reason. Other than the Managing Member of the Company, no one at the Company has the authority to change this policy of at-will employment, or enter into an agreement for employment for a specified period of time. Furthermore, any such change in the at-will nature of the employment relationship, or any agreement for employment for a specified period of time, must be set forth in an individually-negotiated, fully-integrated, written employment contract that is signed and dated by both you and by the Company.

2.3 DEFINITIONS OF EMPLOYEES STATUS

All employees are hired as a “seasonal employee” of the Company. Seasonal Employee is a person who works the fall season for the Company on a wage basis. “Seasonal Employees” are “exempt” employees, and temporary persons who are subject to the control and direction of the Company in the performance of their duties.

2.4 EMPLOYMENT APPLICATIONS

We rely upon the accuracy of the information contained in the employment application and the accuracy of other data presented throughout the hiring process and

employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

2.5 WORK PERMITS

The Company complies with all California and federal laws governing the employment of minors. Accordingly, employees under the age of 18 will be required to provide the Company with a valid work permit in order to begin working, subject to certain exceptions as permitted by applicable law.

2.6 EXEMPT

Exempt employees are generally paid on a salary basis, and based on their duties are not subject to the overtime pay requirements of California and federal law. Accordingly, such employees do not receive overtime compensation. Employees whose duties fall within the executive, administrative, and professional categories are exempt from overtime compensation. In that context, the provisions of this handbook shall be interpreted, applied and administered to ensure that exempt employees who are required to be paid on a “salary basis,” are paid consistent with the requirements of the Fair Labor Standards Act and California law. Although exempt salaried employees are generally entitled to their salary for any week in which they work, deductions can and will be made when permitted by law, and in a manner which retains the employee’s exempt status. For instance, an exempt employee’s salary may be reduced when taking intermittent leave or reduced workweek leave under the federal Family and Medical Leave Act, for complete days of absence for personal reasons, and in any workweek in which the employee performs no work. Certain other employees, who are not required to be paid on a “salary basis,” such as some commissioned salespersons, computer professionals, and others, may also qualify as exempt from the overtime pay requirements of state and federal law.

2.7 TEMPORARY (FULL-TIME or PART-TIME)

Those whose performance is being evaluated to determine whether further employment in a specific position or with the Company is appropriate or individuals who are hired as interim replacements to assist in the completion of a specific project or for vacation relief. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status until they are notified of a change. They are not eligible for any of the Company’s benefit programs.

SECTION 3

EMPLOYMENT POLICIES

3.1 NON-DISCLOSURE/CONFIDENTIALITY

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

- Compensation data,
- Financial information,
- Marketing strategies,
- Pending projects and proposals,
- Proprietary production processes,
- Personnel/Payroll records, and
- Conversations between any persons associated with the company.

Employees who improperly use or disclose trade secrets or confidential business information will be subject to disciplinary action, including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

3.2 NEW EMPLOYEE ORIENTATION

Orientation is a formal welcoming process that is designed to make the new employee feel comfortable, informed about the company, and prepared for their position. employee orientation is conducted by a Management representative, and includes an overview of the company history, an explanation of the company core values, vision, and mission; and company goals and objectives.

Employees are presented with all procedures needed to navigate within the workplace. The new employee's supervisor then introduces the new hire to staff throughout the company, reviews their job description and scope of position, explains the company's evaluation procedures, and helps the new employee get started on specific functions.

3.5 OFFICE HOURS

The Company office business hours are from 5:00p.m. to 9:00pm from October 1st through ONovember 5th. Management works out of multiple locations. The best way to get a hold of management is to call: 949-468-9480.

3.6 MEAL PERIODS

All nonexempt employees who work more than five (5) hours in a workday will be provided with one unpaid meal period of not less than 30 minutes. During any unpaid meal period, the employee will be relieved from all work duties. Meal periods are to begin no later than the completion of five hours of work. If six (6) hours of work will complete the day's work, a non-exempt employee may voluntarily make a written election not to take a meal period with the approval of management. Non-exempt employees working in excess of 10 hours in a day will be required to take a second thirty-minute unpaid meal period, unless waived by mutual agreement. Non-exempt employees working in excess of 12 hours are not permitted to waive the second meal period.

Meal periods will be scheduled to accommodate operating requirements and to comply with applicable law. Non-exempt employees are required to take meal periods, and may not "work through lunch" in order to arrive late, leave early or work extra time. You may leave the premises on your meal break, but nonexempt employees must clock out and back in again.

3.7 BREAK PERIODS

Non-exempt employees working at least three and one-half hours in a day are authorized and permitted to take a ten-minute paid rest period for each four hours worked or a major fraction thereof. For example, if a non-exempt employee works six and one-half hours, the employee is authorized and permitted to take two separate ten-minute paid rest periods. The rest periods should be taken at or near the middle of each four hour work period, insofar as practical. Once your break(s) are completed, please return promptly to your work. Tardiness in returning from rest breaks may result in disciplinary action, including termination of employment.

3.8 PERSONNEL FILES

Employee personnel files include the following: job application, job description, résumé if provided, records of participation in training events, salary history, records of disciplinary action and documents related to employee performance reviews, coaching, and mentoring.

Personnel files are the property of the Company, and access to the information is restricted. Management personnel of the Company who have a legitimate reason to review the file are allowed to do so.

Employees who wish to review their own file should contact their supervisor or manager. With reasonable advance notice, the employee may review his/her personnel file in Company's office and in the presence of their supervisor or department manager.

3.9 PERSONNEL DATA CHANGES

It is the responsibility of each employee to promptly notify their supervisor or department manager of any changes in personnel data such as:

- Mailing address,
- Telephone numbers,
- Name and number of dependents, and
- Individuals to be contacted in the event of an emergency.
- An employee's personnel data should be accurate and current at all times.

3.10 INCLEMENT WEATHER/EMERGENCY CLOSINGS

At times, emergencies such as severe weather, fires, or power failures can disrupt company operations. The decision to close the lot will be made by the management. When the decision is made to close the lot, employees will receive official notification from their supervisors or management.

Time off from scheduled work due to emergency closings will be unpaid for all employees and seasonal employees.

3.11 EMPLOYEE PERFORMANCE REVIEW AND PLANNING SESSIONS

Supervisors can conduct performance reviews and planning sessions with all seasonal employees after 2 weeks of service. Supervisors may conduct informal performance reviews and planning sessions more often if they choose.

Performance reviews and planning sessions are designed for the supervisor and the employee to discuss his/her current job tasks, encourage and recognize attributes, and discuss positive, purposeful approaches for meeting work-related goals. Together,

employee and supervisor discuss ways in which the employee can accomplish goals or learn new skills. The planning sessions are designed for the employee and his/her supervisor to make and agree on new goals, skills, and areas for improvement. the Company directly links wage and salary increases with performance. Your performance review and planning sessions will have a direct effect on any changes in your compensation. For this reason among others, it is important to prepare for these reviews carefully, and participate in them fully.

3.12 OUTSIDE EMPLOYMENT

Employees may hold outside jobs in non-related businesses or professions as long as the employee meets the performance standards of their job description with the Company. Unless an alternative work schedule has been approved by the Company, employees will be subject to the company's scheduling demands, regardless of any existing outside work assignments.

The Company lot, equipment, and materials are not to be used for outside employment.

3.13 CORRECTIVE ACTION

The Company holds each of its employees to certain work rules and standards of conduct (see Section 4). When an employee deviates from these rules and standards, the Company expects the employee's supervisor to take corrective action.

Corrective action at the Company is progressive. That is, the action taken in response to a rule infraction or violation of standards typically follows a pattern increasing in seriousness until the infraction or violation is corrected.

The usual sequence of corrective actions includes an oral warning, a written warning, probation, and finally termination of employment. In deciding which initial corrective action would be appropriate, a supervisor will consider the seriousness of the infraction, the circumstances surrounding the matter, and the employee's previous record. Though committed to a progressive approach to corrective action, the Company considers certain rule infractions and violations of standards as grounds for immediate termination of employment. These include but are not limited to: theft in any form, insubordinate behavior, vandalism or destruction of company property, being on company property during non-business hours, violence of any kind, carrying weapons, working under the influence of alcohol or illegal drugs, the use of company equipment and/or company vehicles without prior authorization by manager,

untruthfulness about personal work history, skills, or training, divulging Company business practices, and misrepresentations of the Company to a customer, a prospective customer, the general public, or an employee.

3.14 SAFETY

The Company is committed to providing and maintaining a safe and healthy work environment for all employees. The Company also intends to comply with all health and safety laws applicable to our business.

The responsibility for a safe and healthy workplace also extends to every employee. To this end, the Company must rely upon our employees to ensure that work areas are kept safe and free of hazardous conditions. Employees should be conscientious about workplace safety, including proper operating methods and known dangerous conditions or hazards. Employees are to **immediately** report any unsafe conditions or potential hazards to the employee's supervisor or the Company's management. This must be done even if the employee believes that he or she has corrected the problem. If an employee suspects a concealed danger is present on the Company's premises, or in a product, facility, piece of equipment, process, or business practice for which the Company may be responsible, the employee must **immediately** bring it to the attention of his or her supervisor or the Company's management. Supervisors should arrange for the correction of any unsafe condition or concealed danger immediately and should contact the Company's management regarding the problem.

Periodically, the Company may issue rules and guidelines governing workplace safety and health. All employees should familiarize themselves with these rules and guidelines as strict compliance will be expected. Failure to comply strictly with rules and guidelines regarding health and safety or negligent work performance that endangers health and safety will not be tolerated.

The responsibility for a safe and healthy workplace extends to every employee. Each employee is required to know and comply with the Company's General Safety Rules and to follow safe and healthy practices in the workplace. It is also every employee's responsibility to read, understand, and observe the Injury and Illness Prevention Program provisions applicable to the employee's job duties.

Any workplace injury, accident, or illness **must** be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident. If medical attention is required immediately, supervisors will assist employees in obtaining medical

care, after which the details of the injury or accident must be reported. In the event of an emergency requiring outside medical attention, immediately report to your manager.

3.15 HEALTH-RELATED ISSUES

Employees who become aware of any health-related issue, including pregnancy, should notify their supervisor and manager of their health status. This policy has been instituted strictly to protect the employee.

A written “permission to work” from the employee’s doctor is required at the time or shortly after notice has been given. The doctor’s note should specify whether the employee is able to perform regular duties as outlined in his/her job description. A leave of absence may be granted on a case-by-case basis. If the need arises for a leave of absence, employees should notify their supervisor.

3.16 EMPLOYEE REQUIRING MEDICAL ATTENTION

In the event an employee requires medical attention, whether injured or becoming ill while at work, the employee’s personal physician must be notified immediately. If it is necessary for the employee to be seen by the doctor or go to the hospital, a family member will be called to transport the employee to the appropriate facility. If an emergency arises requiring Emergency Medical Services to evaluate the injury/illness of an employee on-site, the employee will be responsible for any transportation charges. Furthermore, the Company employees will not be responsible for transportation of another employee due to liabilities that may occur. A physician’s “return to work” notice may be required.

3.17 BUILDING SECURITY

All employees who are issued key(s) are responsible for their safekeeping. These employees will sign a Building Key Disbursement form upon receiving the key. The last employee, or a designated employee, who leaves the office at the end of the business day assumes the responsibility to ensure that all doors are securely locked, the alarm system is armed, thermostats are set on appropriate evening and/or weekend setting, and all appliances and lights are turned off with exception of the lights normally left on for security purposes. Employees are not allowed on Company property after hours without prior authorization from the owner.

3.18 INSURANCE ON PERSONAL EFFECTS

All employees should be sure that their own personal insurance policies cover the loss of anything occasionally left at the office. The Company assumes no risk for any loss or damage to personal property.

3.19 SUPPLIES; EXPENDITURES; OBLIGATING THE COMPANY

Only authorized persons may purchase supplies in the name of the Company. No employee whose regular duties do not include purchasing shall incur any expense on behalf of the Company or bind the Company by any promise or representation without written approval.

3.20 EXPENSE REIMBURSEMENT

Expenses incurred by an employee must have prior approval by a manager. Reimbursements under \$25.00 will be included in the employee's next regular paycheck.

3.21 PARKING

Employees must park their cars far away from the lot so that the closest and most desired spots are available for customers.

SECTION 4

4.1 STANDARDS OF CONDUCT

The work rules and standards of conduct for the Company are important, and the Company regards them seriously. All employees are urged to become familiar with these rules and standards. In addition, employees are expected to follow the rules and standards faithfully in doing their own jobs and conducting the Company's business. Please note that any employee who deviates from these rules and standards will be subject to corrective action, up to and including termination of employment (see Section 3.12, Corrective Action).

While not intended to list all the forms of behavior that are considered unacceptable in the workplace, the following are examples of rule infractions or misconduct that may result in disciplinary action, including termination of employment.

- Theft or inappropriate removal or possession of property;
- Falsification of timekeeping records (See Section 5.2, Timekeeping);
- Working under the influence of alcohol or illegal drugs (See Section 4.6, Substance Abuse); Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace (See Section 4.6, Substance Abuse);
- Fighting or threatening violence in the workplace;
- Boisterous or disruptive activity in the workplace;
- Negligence or improper conduct leading to damage of company-owned or customer-owned property;
- Insubordination or other disrespectful conduct;
- Violation of safety or health rules;
- Smoking or Vaping in the workplace;
- Sexual or other unlawful or unwelcome harassment (See Section 4.3, Harassment, Including Sexual Harassment);
- Excessive absenteeism or any absence without notice (See also, Section 4.1 Attendance/Punctuality and 4.2, Absence without Notice);
- Absence for a period of two consecutive working days without notifying or reporting to the company.
- Leaving assigned work area or facility without permission during working hours; leaving early or returning late to work station following lunch or rest period; quitting work, washing up or putting away tools or equipment before specified time.
- Unauthorized use of telephones, or other company-owned equipment (See Section 4.4, Telephone Use);

- Using company equipment for purposes other than business (i.e. playing games on computers or personal Internet usage);
- Unauthorized disclosure of business “secrets” or confidential information;
- Violation of personnel policies; and Unsatisfactory performance or conduct.
- Negligence or inefficiency in performance of duties, including failure to maintain standards of workmanship or productivity.
- Disorderly conduct on company premises or during working hours, such as, fighting, practical jokes, horseplay, malicious mischief, or immoral or indecent conduct.
- Insubordination; violation of oral or written instructions; interference with or refusal to obey any supervisor or other duly constituted authority.
- Willfully or maliciously making false statements regarding any co-worker; harassment, including sexually harassing employees or customers; intimidation, coercion, making threats or using profane or abusive language toward fellow employees, supervisors, and/or visitors to the company.
- Possessing weapons or explosives of any sort on company property or during working hours.
- Stealing from the Company or other employees.
- Giving away food, train tickets, Mechanical ride tickets, tickets to any of our attraction, etc, to family and friends without authorization.

The Company has a formal progressive discipline policy requiring a set number of warnings or counseling sessions. However, each case is considered based on its own facts. In the case of misconduct or violation of the Company’s policies, immediate termination may be appropriate depending on the facts.

Nothing in this policy, handbook or the listing above is intended to alter the at-will nature of employment with Company, nor to limit the right of the Company to discharge an employee immediately and without resorting to any progressive discipline, nor to require the Company to demonstrate or have “good cause” to discipline or discharge an employee.

4.2 ATTENDANCE/PUNCTUALITY

Each of our employees plays an important role in getting the day’s work done. Therefore, each employee is expected to be at his or her work station on time each day and is to remain there throughout his or her scheduled hours. Absenteeism or tardiness, even for good reasons, is disruptive of our operations and interferes with our ability to satisfy our customer’s needs. Excessive unexcused absenteeism or tardiness may

result in discipline, up to and including termination. Absences or periods of leave taken pursuant to federal or state laws will not be penalized under this policy. Absences due to illness may require medical certification from a qualified healthcare provider.

If you are going to be absent or late for work for any reason, including returning from a meal or rest break, you are expected to personally notify your supervisor as far in advance as possible so that arrangements can be made to handle your work load during your absence. Any employee who is calling off for their shift must notify the appropriate or specified supervisor no less than three (3) hours in advance of the employee's start time. **Calling off less than three hours in advance will be considered a no-show.** If you are required to leave work early, you must personally contact your supervisor and obtain his or her permission. Leaving a message does not qualify as notifying your supervisor – you must personally contact your supervisor. Notification of your absence or late arrival will not be accepted from another party, such as family members or friends. Of course, some situations may arise in which prior notice cannot be given, or you are unable to personally contact your supervisor (e.g., where you are hospitalized). In those circumstances, you are expected to notify your supervisor as soon as possible. The company phone number is 951-878-5852.

4.3 ABSENCE WITHOUT NOTICE

If you do not report for work and the Company is not notified of your status, it will be considered after two consecutive days of absence that you have resigned, and you will be removed from the payroll and employment terminated.

4.4 SEXUAL HARASSMENT

The Company is committed to providing a work environment that is free of discrimination and unlawful harassment. Sexual Harassment deserves special explanation. Because words and gestures may sometimes be interpreted differently by different individuals, it is important for each employee to understand that his or her behavior in the area of sexual harassment will be judged by its effect upon other persons, and not by his or her original intentions. Even compliments as to personal appearance, for example, may not be appropriate in the workplace if such compliments could be misinterpreted as sexual commentary or an unwelcome invitation to a more intimate relationship. Jokes with sexual content or overtones may be offensive to certain people. Criticism of persons on the basis of their gender, or the posting or transmission of sexually explicit photographs, cartoons or pictures, may offend others who are exposed to them. In each case, someone may be offended without any intention on the

part of the actor to cause offense. In some cases, third parties not involved in a conversation, but who overhear parts of it, may be offended by sexual content or remarks.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature which meets any one of the following three criteria:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with the individual's work performance, or creating an intimidating, hostile, offensive or abusive working environment.

Examples of the types of conduct that may, depending on the circumstances, constitute unlawful harassment based on sex include, but are not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes, teasing, comments about a person's body, questions or discussions of one's own or another person's sexual experiences, slurs, or unwanted sexual advances, invitations or comments;
- Visual conduct such as leering, derogatory and/or sexually-oriented computer screen savers, posters, photography, cartoons, e-mail, drawings or gestures;
- Physical conduct such as assault, unwanted touching, pinching, patting, staring at parts of a person's body, impeding or blocking normal movement, or interfering with work based on a person's gender;
- Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors; and
- Retaliation for reporting or threatening to report sexual harassment, assisting in making a sexual harassment complaint, or cooperating in a sexual harassment investigation.

It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females. In addition, sexual harassment does not need to be motivated by sexual desire in order to violate this policy

Complaint and Investigation Procedures

All employees, and particularly supervisors, are responsible for keeping our work environment free of unlawful harassment. Any employee who becomes aware of an incident of unlawful harassment, whether by experiencing it first-hand, witnessing the incident, or being told of it, must report it to your immediate supervisor, any management representative, or the Company's corporate officers so that complaints can be quickly and fairly resolved.

If you believe that you have been unlawfully harassed, you are encouraged to tell the harasser to stop, if you feel comfortable in doing so. You should also provide a complaint to your immediate supervisor, any management representative, or the Company's corporate officers as soon as possible after the incident. Although preparation of a written complaint is encouraged, it is not required. Your complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses. Supervisors will refer all harassment complaints to the Company's corporate officers.

When management becomes aware that unlawful harassment might exist, it shall take prompt and appropriate action. The Company will promptly undertake an effective, thorough and impartial investigation of the harassment allegations. Under law, the Company is obligated to investigate allegations of unlawful harassment, whether or not the alleged victim wants the Company to do so. Complaints and investigations will be handled on a confidential basis, to the extent possible consistent with the Company's obligation to investigate, with due regard for the rights of the complainant and the alleged harasser. Information about the investigation and complaint shall only be released to individuals on a need-to-know basis, or as otherwise required by law. If the Company determines that unlawful harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Appropriate action will also be taken to deter any future unlawful harassment. Any employee determined by the Company to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including immediate termination of employment. If the harasser is a nonemployee, such as a vendor or supplier, such corrective action may include termination of the Company's relationship with the harasser. Whatever action is taken against the harasser will be made known to the person lodging the complaint, and the Company will take appropriate action to remedy any loss to the employee resulting from unlawful harassment.

The Company will not retaliate against an employee who reports alleged harassment, assists in making a harassment complaint, cooperates in a harassment investigation, or

who engages in any conduct protected by state, federal or local law. The Company will not tolerate or permit retaliation by supervisors or other employees.

Additional Information

In addition to the Company's internal complaint procedure, you should also be aware that the United States Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing are authorized to investigate and prosecute complaints of unlawful harassment in employment. If you think you have been unlawfully harassed or retaliated against, you may file a complaint with the appropriate agency. The nearest office is listed in the telephone book, or may be found online.

Arbitration

Alternative dispute resolution methods provide benefits to both the Company and employees by way of a generally speedy and economical process, in a relatively informal setting, by an impartial person with expertise in the field. Accordingly, it is the policy of the Company that any and all claims, disputes or controversies between employees and the Company, or between the Company and any employee, shall be resolved by binding arbitration pursuant to the provisions of this policy, except as otherwise specifically prohibited by law. If the law changes so as to eliminate certain claims from the coverage of this policy, then this policy will be deemed amended accordingly, so as to comply with the law to the fullest. To effect the Company's policy concerning the arbitration of disputes, each employee is required, as a condition of employment, to sign an arbitration agreement. Additionally, Company employees under the age of 18 will be required to obtain a parent's or legal guardian's signature on the arbitration agreement.

4.5 VIDEO MONITORING

The Company is committed to providing a workplace which promotes safety and security for all our employees. In order to accomplish these objectives and safeguard the safety of employees and visitors to our facilities, as well as to protect Company property, we may install security cameras in common areas throughout our facilities. In compliance with applicable law, no monitoring will be conducted in any rest room, locker room, shower facilities, or employee changing areas. Employees should understand that these security measures assist us in monitoring common areas located within Company property.

4.6 USE OF TECHNOLOGY

The Company's technology resources—including, but not limited to, desktop and portable computers, computer systems, fax machines, Internet and world wide web ("web") access, voicemail, electronic mail ("e-mail"), telephone systems, and electronic bulletin boards—enable employees to quickly and efficiently access and exchange information. When used properly, we believe these resources greatly enhance employee productivity and knowledge. Because these technologies are rapidly changing, it is important to explain how they are to be used in the Company's operations and as part of your responsibilities as an employee

Acceptable Uses

The Company's technology resources are provided exclusively for the benefit of the Company. These resources are to be used exclusively for Company business and used only in that pursuit, except as otherwise permitted by law or as provided in this handbook.

Unacceptable Uses

Use of the Company's technology resources for any non-Company business or activity is prohibited, except as otherwise permitted by law, or by this Handbook

Examples of non-business related uses of the Company's technology resources prohibited by this policy include, but are not limited to: (i) playing games, (ii) "surfing the internet" for non-business related purposes, (iii) trading of securities, (iv) shopping, (v) making personal travel and lodging arrangements, (vi) personal email, (vii) accessing or viewing social media sites or message boards; and (viii) soliciting during working time for religious or political causes.

Your use of the Company's technology resources must not interfere with your productivity, the productivity of any other employee, or the operation of the Company's technology resources.

You should never access any technology resources using another employee's password. Similarly, you should only access the libraries, files, data, programs, and directories that are related to your work duties. Unauthorized review, duplication, dissemination, removal, installation, damage, or alteration of files, passwords, computer systems, computer software programs, or other property of the Company, or improper use of information obtained by unauthorized means, is prohibited.

The Company's policies against discrimination and unlawful harassment apply fully to the use of the Company's technology resources. Therefore, sending, saving, displaying,

receiving, viewing, storing or transmitting any material that may reasonably be considered offensive to any employee is prohibited. Offensive material includes, but is not limited to, sexual comments, jokes or images, racial, ethnic or gender slurs, gender-specific negative comments, or any comments, jokes or images that would offend someone on the basis of his or her race, color, creed, sex, gender, gender identity, gender expression, age, national origin or ancestry, physical or mental disability, marital status, registered domestic partner status, medical condition, military service, veteran status, sexual orientation, or any other category protected by federal and state law. Any use of the Company's technology resources, to harass or discriminate is unlawful, prohibited by the Company, and violates the Company's nondiscrimination and harassment policies. Violators will be subject to discipline, up to and including discharge.

4.7 INTERNET POSTINGS

With the rise of new media and next generation communications tools, the way in which employees can communicate internally and externally continues to evolve. While this creates new opportunities for communication and collaboration, it also creates new responsibilities for Company employees.

This policy applies to employees who use the following:

- Multi-media and social networking websites such as MySpace, Facebook, Twitter, LinkedIn, Yahoo! Groups, Flickr and YouTube;
- Weblogs ("Blogs"); or
- Wikis such as Wikipedia and any other site where text can be posted.

All of the foregoing activities, together with other similar technologies are referred to as "internet postings" in this policy.

Employees are free to create or participate in non-Company blogs, social networking websites and other forms of internet postings, provided that such participation is on the employee's own time and does not interfere with his or her regular work duties, does not otherwise violate Company policy and is not detrimental to the Company's best interests. Other than for specifically authorized work-related purposes, employees may not engage in internet posting during work time or using any of the Company's technology resources. Employees are personally responsible for their postings and online comments. The Company will not assume any liability or risk for an employee's internet postings.

Employees are prohibited from using Company logos or trademarks in any internet posting without the Company's express written permission. Employees likewise may not

post any content that is harassing, discriminatory, defamatory, threatening, disparaging, libelous or otherwise illegal or injurious, or which in any way violates the Company's policies regarding unlawful harassment or discrimination. If an employee posts about a competitor, the employee must ensure what is said is factually accurate. Moreover, internet postings must never be used for internal business-related communications between fellow employees.

Failure to adhere to Company policies regarding internet postings will be considered grounds for discipline, up to and including dismissal. Any inappropriate internet postings that violate these guidelines should be reported to Company management immediately. Violation of this policy may result in disciplinary action up to and including termination of employment. In addition, the Company may advise appropriate law enforcement officials and other persons of any violations.

Employees learning of any violations of this policy must immediately notify the Company's corporate officers.

4.8 CELL PHONE POLICY

Use of cameras or camera phones in the workplace may violate the privacy rights of co-workers, vendors, and customers. In addition, camera phones in the workplace may be used to convey confidential or personal information or otherwise compromise the Company's operations. Therefore, it is the policy of the Company that the use of the camera function in camera cell phones or the use of any other camera or device to capture visual images in the workplace without the prior written permission of the Company's corporate officers is strictly prohibited.

Employees should not use their personal cell phones during work hours, unless prior authorization has been obtained from the employee's supervisor or the Company's corporate officers. Personal phone calls and text messages, cell phone internet access, using one's cell phone to play games or watch videos, or similar activities are **prohibited** during work hours.

Any violation of this policy will be dealt with seriously, up to and including immediate termination. The Company is committed to the safety and privacy of our employees; customers and requires your full attention.

If an employee is found to be deviating from this policy, he/she will be subject to disciplinary action (See Section 3.12, Corrective Action).

4.9 DRESS AND PERSONAL APPEARANCE

Employees are expected to maintain an appropriate appearance that is neat and clean, as determined by the requirements of the work area. Dress and appearance should not be offensive to other employees. If you report to work dressed or groomed inappropriately, you may be prevented from working until you return to work well groomed and wearing the proper attire.

The following items are considered proper working attire for the Company:

- Employees are expected to dress in casual blue/black denim jeans or shorts, khaki pants or shorts.
- Plain white or black t-shirt. Black or white jacket or hoodie.
- All employees working must wear the t-shirt provided by the Company during working hours. Employees will be provided one t-shirt upon hire. If an employee damages or loses the t-shirt, replacement shirts must be purchased by the employee.
- All employees must wear closed-toe-shoes or clean sneakers at all times.

Everyone is expected to be well-groomed and wear clean clothes, free of holes and tears. Clothing with offensive or inappropriate designs or gestures are NOT allowed. Clothing should not be revealing.

Dress Code Violations:

Managers or Supervisors are expected to inform employees when they are in violation of the dress code. Employees in violation are expected to immediately correct the issue. This may include having the employee clock out to leave work and change clothes.

Consult your supervisor if you have any questions about appropriate attire.

4.10 DRUG FREE WORKPLACE

Policy

The Company is concerned with the safety, health, and well-being of all employees and the best interests of its customers and local communities. The presence of illegal drugs in the workplace is incompatible with these objectives and will not be tolerated. Thus, to further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, and to protect its business, property, equipment, and operations, the Company has established this Drug-Free Workplace policy concerning the use of alcohol and drugs. As a condition of employment and continued employment, all employees must abide by this policy.

Scope

The prohibitions of this policy apply any time an employee is on Company premises; conducting or performing Company business, regardless of location; operating or having custody, care or control of Company equipment or other property; or having responsibility for the operation, custody or control of Company equipment or other property.

Prohibitions Regarding Alcohol

Use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of alcohol, or being under the influence of alcohol, is prohibited. The only exception to this prohibition applies to possession and moderate consumption of alcohol at Company-sponsored and approved social functions. At such events, employees are expected to remain responsible, professional, and sober at all times. Employees also violate this policy if they report for work and alcohol is smelled on their breath or body by other employees.

Prohibitions Regarding Illegal Drugs

Use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of any illegal drug, or being under the influence of any illegal drug, is prohibited.

Prohibitions Regarding Legal Drugs

The following is prohibited: use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of any legal drug in a manner inconsistent with law; or working while impaired by the use of a legal drug whenever such impairment might endanger the safety of the impaired employee or of any other person, pose a risk of damage to Company property, or interfere with the employee's job performance.

However, the use of prescription drugs or over-the-counter drugs, or both, may also affect an employee's job performance. The Company may require an employee who is using prescription or over-the-counter drugs that may impair his or her ability to safely perform the job or may affect the safety or well-being of others to submit a physician's statement that such drug use will not affect job safety. The employee is not required to identify the medication or the underlying illness.

An employee shall not work after taking such legal or over-the-counter drugs if to do so would violate this policy.

4.11 DRUG AND ALCOHOL TESTING

The Company may require drug and/or alcohol testing:

- For all applicants for employment after a job offer is tendered;
- When a reasonable suspicion exists that an employee may be under the influence of alcohol or any drug, while on the job, or is otherwise in violation of this policy (reasonable suspicion means suspicion based on information regarding, among other things, the appearance, behavior, speech, attitude, mood, body odor and/or breath odor of the employee);
- When any employee is found in possession of alcohol or any drug in violation of Company policy, or when any of those items are found in an area controlled or used by the employee, such as a desk or locker;
- When a serious accident, near-miss, or incident occurs in which safety precautions are violated or careless acts are performed, and a reasonable suspicion exists that the employee involved is under the influence of alcohol or any drug;
- After an employee has participated in a drug and/or alcohol abuse rehabilitation program; and
- When required by a state or federal law or regulations, including mandatory testing required under regulations issued by the United States Department of Transportation.

An employee who refuses either to take or to release information regarding a required or requested drug and/or alcohol tests shall be deemed to have violated this policy, and is subject to discipline which may include termination of his or her employment.

The drug testing required by the Company will involve an initial screening test. If that test result is positive, the positive result will be confirmed using a different testing methodology. Alcohol and drug testing will be conducted, and the test results will be treated, in a manner which complies with law.

Consequences

Employees who violate this policy may be removed from the workplace immediately. Any employee suspected of possessing alcohol, an illegal drug, intoxicants or a controlled substance is subject to inspection and search, with or without notice. Subject to the Company's policy on inspections and searches on Company property contained in this handbook, Employees' personal belongings, including any bags, purses, briefcases, and clothing, and all property of the Company are also subject to inspection and search, with or without notice. Any conviction for criminal conduct involving illegal drugs, intoxicants or controlled substances, whether on or off duty, or any violation of the Company's drug and alcohol abuse policy, including having a positive drug-test result, may lead to disciplinary action, up to and including immediate termination.

SECTION 5 TIMEKEEPING AND SALARY POLICIES

5.1 TIMEKEEPING

Accurately recording time worked is the responsibility of every seasonal employee. Time worked is the time actually spent on a job(s) performing assigned duties. Employees are responsible for accurately documenting their time.

The Company does not pay for extended breaks or time spent on personal matters. The time clock is a legal instrument. Altering, falsifying, tampering with time records, or recording time on another team member's time record will result in disciplinary action, including termination of employment.

Authorized personnel will review time records each week. Any changes to an employee's time record must be approved by his/her supervisor or department manager. Questions regarding the timekeeping system or time cards should be directed to you supervisor or department manager.

5.2 PAYDAYS

All employees are paid bi-monthly. Hours worked from the first of the month through the fifteenth of the month will be paid on the 22nd of the month (or before). Hours worked from the sixteenth of the month through the last day of the month will be paid on the 5th of the month (or before). Checks will be available from the manager at the lot. If there is an error in your check, please report it immediately to your manager and/or supervisor. No one other than the employee to whom the paycheck is written will be allowed to pick up the paycheck, unless the employee gives another person written authorization, in a form acceptable to the Company, to pick up the paycheck.

5.3 PAYMENT UPON RESIGNATION, TERMINATION, OR COMPLETION OF TEMPORARY EMPLOYMENT

If an employee resigns, his or her paycheck will be available on the final day of work provided the employee has given at least 72 hours' prior notice. If an employee resigns without giving 72 hours' notice, his or her paycheck will be made available at the Company office within 72 hours after the employee gives notice of the resignation, unless the employee requests in writing that his or her final paycheck be mailed, in

which case the Company will mail the final paycheck within three days after the employee gives notice.

If an employee is terminated involuntarily, his or her paycheck will be available at the time of discharge.

If an employee is hired for a specific assignment or otherwise has a defined term of employment, his or her paycheck will be available upon the completion of the assignment or employment term. The employee's final paycheck will include payment for all wages owed.

SECTION 6

EMPLOYEE COMMUNICATIONS

6.1 STAFF MEETINGS

Supervisors can hold staff meetings as needed. They take place at the start or end of a shift. These informative meetings allow employees to be informed on recent company activities, changes in the workplace and employee recognition.

6.3 PROCEDURE FOR HANDLING COMPLAINTS

Under normal working conditions, employees who have a job-related problem, question or complaint should first discuss it with their immediate supervisor. At this level, employees usually reach the simplest, quickest, and most satisfactory solution. If the employee and supervisor do not solve the problem, the Company encourages employees to contact the Manager.

EMPLOYEE HANDBOOK ACKNOWLEDGMENT, RECEIPT AND CONSENT FORM

Please read carefully, initial each paragraph and sign on the next page.

I acknowledge that I have received a copy of the employee handbook of The Pumpkin Corral, LLC (“the Company”). I understand that the handbook summarizes the Company personnel policies and practices. I also acknowledge that I have had an opportunity to and have read the handbook, have been able to ask any questions I have about the handbook and its contents, and understand the handbook. I agree to comply with the policies and procedures contained in the handbook. _____ **(Initials)**

I specifically affirm that I understand and will comply with the Company’s Unlawful Harassment policy. _____ **(Initials)**

I understand that my employment with the Company is at will, and that my employment can be terminated by me or by the Company, at any time, with or without cause, and with or without notice. I further understand that no manager, employee, supervisor, agent or representative of the Company has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement which alters the Company’s employment at-will policy. The at-will nature of my employment can only be altered by a written agreement signed by me and by the corporate officers of the Company.. _____ **(Initials)**

I further understand that, other than the “Arbitration of Disputes” policy and related Agreement, the statements contained in the handbook are not intended to and do not create any contractual or other legal obligations, and do not alter the at-will status of my employment with The Pumpkin Corral, LLC. Except as to the at-will nature of my employment and the “Arbitration of Disputes” policy and related Agreement, I also understand that the Company may modify or rescind any policies, benefits, or practices described in the handbook at any time and without prior notice to me. I accept responsibility for keeping informed of policy changes and maintaining my handbook current for my use and reference. _____ **(Initials)**

Please read carefully, initial each paragraph and sign below.

In connection with the policies on “Drug and Alcohol Abuse,” “Inspections and Searches on Company Property,” and “Use of Technology,” I understand that I do not have any expectation of privacy, I waive any rights of privacy I might otherwise have, and I consent to any searches and monitoring described in those policies. _____ **(Initials)**

I understand that the original of this form will be placed in my personnel file.

_____ **(Initials)**

Lastly, except for any written agreement which I may have previously signed, I understand that this Handbook supersedes and replaces all previous personnel policies, practices, and guidelines, and all prior statements or promises by the Company or its managers and supervisors on the subjects covered by this handbook that are inconsistent with the provisions of this handbook. If I have any questions regarding the content or interpretation of this handbook, I will bring them to the attention of my supervisor or the corporate officers of the Company. _____ **(Initials)**

Name: _____

Date: _____

Employee Signature: _____

PLACE THIS PAGE IN EMPLOYEE'S PERSONNEL FILE.