



# **BERRY ACRES AGRICULTURAL LLC**

Personnel Policies & Procedures Manual

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## I. Introduction

### A. About the Company

Berry Acres Agricultural LLC is an agricultural company that is engaged in raspberry farming. Berry Acres Agricultural was started in 1981 by Frank DeVries as a raspberry farm with about 45 acres. Since then Berry Acres has experienced steady growth in company size and operations. The company believes and encourages conducting safe and quality work to produce a quality product. A large reason for the company's success is because of its employees.

### B. Handbook Purpose & Scope

The management at Berry Acres Agricultural has put together this employee handbook containing company policies and procedures in an effort to sustain our employees' performance and the company's success. The manual is designed to inform you of what to expect from us and what we expect from you. This manual gives guidelines for both the management and the employee. Due to the complex needs of individuals, in no way can this manual cover all possible scenarios.

This manual is intended to provide a general overview of Berry Acres Agricultural policies, practices, and benefits. This handbook is not a contract, nor is it intended to create a promise of specific treatment in specific circumstances or to guarantee that anyone will be employed for any specific period of time or on any other basis than "at will." Circumstances may require that the policies, practices, and benefits of Berry Acres Agricultural be changed from time to time. Berry Acres Agricultural reserves the right to amend, interpret, supplement, or cancel any policy, benefit, term or condition of employment at its sole discretion.

Please be sure to read this handbook in its entirety since you will be responsible for knowing and adhering to its contents. When you begin employment, you will be orientated and trained for the specific task you will be performing and the safety rules and regulations that apply. If you have any questions regarding this handbook or any company policies or procedures, please do not hesitate to ask.

## II. Employment

### A. Employment At-Will

All employees are considered to have **at-will** status, which means that either the employee or the company is free to terminate the employment relationship at any time, with or without reason, advance notice, or warning. No company representative has the authority to change this at-will status, except in writing signed by both the employee and the owner of the company.

## **B. Equal Employment Opportunity**

Berry Acres Agricultural is an equal opportunity employer. Berry Acres provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws.

Berry Acres Agricultural complies with applicable federal, state and local laws governing non-discrimination in employment in every location in which the company operates. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

## **C. Immigration Compliance**

Berry Acres Agricultural is committed to employing United States citizens, immigrants, and aliens who are authorized to work in the US. We do not discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986, each new employee must complete the Employment Eligibility Verification Form I-9 and present documents establishing identity and employment eligibility.

## **D. Employment Applications & Information**

Individuals who want to be considered for employment must complete an application form and appropriate supplemental materials. Individuals submitting an application must designate a particular position they are applying for to be considered a viable applicant. The company relies upon the accuracy of information contained in the employment application, as well as accuracy of other data provided throughout the hiring process and employment. Any misrepresentation, falsification, or material omission may result in exclusion of the individual from further consideration for employment or, if hired, termination of employment.

## **E. Employment Classification**

All employees, regardless of their employment classification status remain employed “at-will.” Under no circumstances does a specific classification constitute an employment contract or promise of specific treatment in specific situations. Berry Acres reserves the right to alter the employees’ employment status at any time for any reason.

**Regular full-time Employee:** An employee who is regularly scheduled to work 30 or more hours per week. Such employees are eligible for health benefits and paid time off benefits as outlined in the benefits section.

**Regular part-time Employee:** An employee who is regularly scheduled to work less than 30 hours per week. Such employees receive all legally mandated benefits (such as sick leave, worker’s compensation and social security) but are not eligible for other benefits or paid time off.

**Seasonal Employee:** An employee who is hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project (i.e. harvest). Employment assignments in this category are of a limited duration. While temporary employees receive all legally mandated benefits (such as sick leave, worker's compensation insurance and social security), they are not eligible for other benefits or paid time off.

**Exempt Employee:** An employee in a position exempt from minimum wage and overtime provisions of the Fair Labor Standards Act.

**Non-exempt Employee:** An employee subject to the minimum wage and overtime provisions of the Fair Labor Standards Act.

**Contractor:** An individual hired on a contract basis for a specific project. Such individuals are not considered employees and therefore are not eligible for any benefits.

## **F. Licenses & Credentials**

Employees required by law to perform jobs under a state or national license, registration, certification, or permit, will be required to present proof of such prior to beginning work and at each renewal period. It is the employee's responsibility to provide a current copy of any required license, registration, certification or permit to the office staff within 2 weeks of the issue date.

## **G. Employee Privacy & Personnel Files**

Berry Acres Agricultural maintains employment-related files for its employees. These files are property of the company. The main personnel file primarily contains the following type of information:

- Legal name
- Address, telephone number, and emergency contacts;
- Marital status and number of dependents;
- Application and/or resume, reference letters or other materials submitted during the employment process;
- Records of corrective counseling or disciplinary action;
- Other documents pertaining to employment such as letters of appreciation, training records, etc.

An employee who wishes to review his/her personnel records should contact office personnel to arrange a time. These records may be reviewed only in the presence of a designated company official during normal business hours. Where an employee disputes information contained in his/her personnel file, the employee may submit a written request to the Human Resources representative that the information be changed. If this request is denied, the employee may request that a statement containing his/her correction or rebuttal be placed in the file.

## **H. Change in Employee Status**

For insurance, tax, social security, benefits, immigration and emergency purposes, it is vital that the company has correct personal information for each employee. A change in status should be reported to the office staff if there are any changes in the following:

1. Name
2. Home address
3. Home telephone number
4. Marital status
5. Emergency contact number
6. Names or number of your dependents
7. Additional insurance coverage
8. Military status
9. Corrections to your Social Security number
10. Corrections to your Drivers License
11. Additional courses, training, or experience
12. Citizenship

## **I. Promotions and Transfers**

While most position opportunities will be posted, Berry Acres reserves the right to recruit and select from outside candidates.

You are encouraged to apply for more challenging opportunities which you are qualified for as they become available. Berry Acres is an equal opportunity employer and will design work-related selection exercise to determine the most qualified candidate for the position.

## **J. Outside Employment**

Outside employment will be your prerogative. However, outside employment must not create a conflict of interest or otherwise interfere with your work at Berry Acres Agricultural. Should outside employment or activities become a conflict, it must be discontinued, or the employee will be asked to terminate employment.

## **K. Rehires**

When former employees apply to be rehired, they will be evaluated on the same basis as all other applicants. Consideration will be given to past job performance and the circumstances surrounding the employment separation.

Regular (non-seasonal) employees rehired within 30 consecutive days after separation may have their service bridged. This means that the employee may retain the original date of hire and may continue to accrue eligible paid time off at the previous rate. Reinstatement for insurance coverage will be as set



forth in the plan documents. Employees rehired after a break in service of more than 30 consecutive days will receive a new date of hire. They will be treated the same as new employees for all benefits.

### **III. General Policies**

#### **A. Policy Against Unlawful Discrimination**

##### **Policy against Discrimination**

Berry Acres Agricultural believes that every employee has the right to work in surroundings that are free from unlawful discrimination. Berry Acres Agricultural therefore strictly prohibits unlawful discrimination based on race, color, religion, national origin, age, sex, sexual orientation, marital status, military status, disability or any other legally-protected classification. Berry Acres Agricultural also prohibits the harassment of any individual based on these protected classifications. Employees are required to abide by this policy in practice and in spirit. Employees are encouraged to address any questions or concerns about this policy directly to their supervisor or a member of management without fear of reprisal.

##### **Policy against Sexual Harassment**

Along these same lines, Berry Acres Agricultural will not tolerate sexual harassment in the workplace. Sexual harassment may include unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature. Sexual harassment may also include unwelcome sexual attention, verbal abuse of a sexual nature, unnecessary touching, displays in the workplace of sexually suggestive objects or pictures, sexually explicit or offensive jokes or objects, or engaging in any sexually-oriented conduct which unreasonably interferes with another's work performance or creates a work environment that is intimidating, hostile or offensive. Berry Acres Agricultural specifically prohibits any employee, male or female, from harassing another employee by taking any of the following actions:

- (1) making unwelcome sexual advances or requests for sexual favors, or other verbal or physical conduct of a sexual nature, a condition of an employee's continued employment, **or**
- (2) making submission to or rejection of such conduct the basis for employment decisions affecting the employee, **or**
- (3) creating an intimidating, hostile, or offensive working environment by such a conduct.

##### **Employee's Response to Misconduct**

Berry Acres Agricultural requires any employee who feels that he or she has been the subject of discrimination or harassment to report the conduct. Employees who feel that they or others may have been subjected to discrimination or sexual harassment, including but not limited to any of the conduct listed above, by any supervisor, management official, other employee, customer, or any other person in connection with their employment, should bring the matter to the immediate attention of their supervisor, the Human Resources representative, or member of management who will initiate an investigation. Allegations for harassment will be promptly investigated and appropriate corrective

action will be taken. It will assist the prompt resolution of the complaint if you provide any supporting documents and identify any person who may have knowledge regarding the allegations.

### **Investigation**

Berry Acres Agricultural will take all reports seriously and conduct an appropriate investigation. Employees are required to cooperate in any investigation, whether or not they are directly involved. Berry Acres Agricultural will attempt to keep the facts and results of its investigation confidential, although that is not always possible. Additionally, employees are required to refrain from discussing investigatory matters with other individuals. The company may take appropriate disciplinary action against an employee found to have violated the policy, up to and including termination of employment.

### **Non-Retaliation**

Berry Acres Agricultural prohibits retaliation because of an employee's good faith report of discrimination or harassment, or participation in an investigation of such a claim. Any individual who is found to have engaged in retaliatory conduct will be subject to appropriate corrective action, up to and including termination. Employees who believe that they have experienced such retaliation should notify their supervisor or the Human Resources representative.

## **B. Drug Free Workplace**

### **Basis for the Policy**

Berry Acres Agricultural is committed to protecting the safety, health, and well-being of its employees and all people who come into contact with its workplace(s) and property, and/or use its products and services. Recognizing that drug and alcohol abuse pose a direct and significant threat to this goal and to the goal of a productive and efficient working environment in which all employees have an opportunity to reach their full potential, Berry Acres Agricultural is committed to assuring a drug-free working environment for all of its employees.

### **Drug and Alcohol Prohibitions**

Berry Acres Agricultural therefore strictly prohibits the illicit use, purchase, possession, sale, conveyance, distribution, or manufacture of illegal drugs, intoxicants, or controlled substances in any amount or in any manner, including having a detectable presence of illegal drugs in the body systems as defined by the Substance Abuse and Mental Health Services Administration (SAMHSA) division of the United States Department of Health and Social Services. In addition, Berry Acres Agricultural strictly prohibits the use or detectable presence of alcohol during working hours.

Prescription or nonprescription medications are not prohibited when safely taken in accordance with a lawful prescription or consistent with standard dosage recommendations. Prescription medication means a drug or medication lawfully prescribed, under both federal and state law, by a physician, or other health care provider licensed to prescribe medication, for an individual and taken in accordance with the prescription. Employees in safety-sensitive jobs are responsible for notifying their health care provider as to the nature of their work prior to being prescribed medication which would be taken while on the job. Employees must also notify supervisors when prescribed or over-the-counter medications may interfere with their ability to do their jobs safely.

### **Drug and Alcohol Testing**

Berry Acres Agricultural asserts its legal right and prerogative to test any employee for the presence of drugs or alcohol while on the job. Employees may be asked to submit to urine and/or breath testing for drugs or alcohol. Employee acceptance of testing, when requested by Berry Acres Agricultural is a mandatory condition of employment. Refusal to submit to such tests constitutes a violation of Company policy and is grounds for adverse employment action, up to and including dismissal.

#### **Notification of Criminal Convictions**

Any employee convicted of a violation of a criminal drug statute that is workplace-related must notify Berry Acres Agricultural in writing within five calendar days of the conviction. Any violation of this policy shall result in adverse employment action up to and including dismissal.

### **C. Workplace Violence**

The safety and security of employees, customers, vendors, and the general public are of vital importance. Therefore, Berry Acres Agricultural will not tolerate violence in the workplace and is committed to maintaining an environment free of all forms of violence. This includes verbal and physical harassment, verbal and physical threats, verbal confrontations, and any actions that cause others to feel unsafe in the workplace.

As part of this policy, employees are prohibited from bringing weapons to work or on company premises, including the parking area. Berry Acres Agricultural further reserves the right to inspect all company property with or without notice. Berry Acres Agricultural encourages its employees to raise workplace concerns with their supervisor or Human Resources representative.

The following are examples of behavior that are prohibited:

- Any act or threat of violence made by an employee against another person's life, health, well-being, family or property.
- Any act or threat of violence, including, but not limited to, intimidation, harassment, or coercion.
- Any act or threat of violence that endangers the safety of employees, customers, vendors, contractors or the general public.
- Any act or threat of violence made directly or indirectly by words, gestures or symbols.
- Use or possession of a weapon on the company's premises.

Upon receiving a complaint, Berry Acres Agricultural will promptly investigate the matter to determine relevant facts and circumstances. Based on the investigation, immediate and appropriate corrective action will be taken. Employees who make complaints in good faith or who participate in an investigation will not be retaliated against.

### **D. Rights of Inspection**

It is the right of Berry Acres Agricultural to inspect lunch pails, lockers, tool boxes, desks and other personal areas at any given time. Additionally, all property and equipment provided by the company may be inspected so there should be no expectation of privacy for items or information stored on company premises. Please cooperate with us on this matter, as it may be done for your protection.

## **E. Keys**

Based on job responsibilities, employees may be issued codes and lock combinations as well as keys to various company facilities or vehicles. Employees are prohibited from allowing third parties access to the building for non-business purposes. Employees are not to lend or make a copy of their keys for any reason.

## **F. Bulletin Boards**

A bulletin board is located in the office and in the processing plant to present information relevant to your employment here. There is also a dry erase board located in the plant next to the time clock. They are to be used for official announcements and bulletins. As space is available, personal items may be posted, subject to the prior approval of your supervisor and/or the management department.

## **G. Parking**

Parking will be designated for employees. You are asked to use care and courtesy in parking so other employees will not be inconvenienced. Berry Acres Agricultural assumes no liability to theft or damages to your automobile while on company premises. Please keep the parking areas clean.

## **H. Personal Property**

Berry Acres Agricultural is not responsible for lost, stolen, or damaged personal property. We ask that you bring to work only the personal property to do your job properly.

## **I. Visitors and Non-Employees**

It is the official policy of Berry Acres Agricultural LLC that no non-employees are allowed on farm property without the expressed permission of the farm owners. This includes children of employees and applies to vehicles in which children may be riding.

All visitors must report to the Berry Acres Agricultural main office, sign in, and state their business to the receptionist or other appropriate person. This includes relatives, friends, solicitors, people conducting surveys, government inspectors, or any person who is not an employee of the company.

After checking in, visitors must be escorted. This applies to relatives, friends, solicitors, people conducting surveys, government inspectors, or any person who is not an employee or Berry Acres Agricultural.

If you encounter or you are approached by any non-employee, you must politely escort this person to a supervisor or the main office. If the person refuses to cooperate, tell the person to stay put and

immediately contact your supervisor. Do not argue or otherwise engage with the person. Failure to comply with this policy may result in disciplinary action, up to and including termination.

## **IV. Employee Standards of Professional Work**

### **A. Quality & Accuracy of Work**

We believe in the highest quality work to ensure that all employees can work together in a safe and efficient manner. Therefore, we expect the following from all employees:

- Each of us represents Berry Acres Agricultural and must ensure that our interactions and communications with each other, customers, and the general public present a professional and service-oriented image. It is critical to demonstrate mutual respect to co-workers, clients, and the general public at all times.
- Each work assignment should be considered important and worthy of our best efforts.
- Employees should make every effort to accomplish work in a timely, safe and accurate manner.

### **B. Conflicts of Interest**

Employees are expected to conduct business according to the highest ethical standards of conduct. Employees should devote their best efforts to the interest of the company. Business dealings that appear to create a conflict between the interests of the company and an employee are unacceptable.

The company recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our business. However, the employee must disclose any possible conflicts so that the company may assess and prevent potential conflicts of interest from arising. A potential or actual conflict of interest occurs whenever an employee is in a position to influence or affect a decision that may result in a personal gain for the employee or immediate family member as a result of the company's business dealings; or when an employee uses company information (such as customer names) or property for personal gain.

### **C. Nondisclosure**

Trade secrets shall be kept in strict confidence. All company and client secrets shall not be disclosed in any manner. Technical information and business information that is defined by current trade secret law shall not be misappropriated in any way. All employees of Berry Acres Agricultural are required to take all steps necessary and to exercise the highest degree of care regarding the confidential information of this company. By signing the Employee Handbook Acknowledgement, employees agree to adhere to these terms.

### **D. Telephone and Cell Phone Usage**

Company telephones are primarily for *company-related business*. Unnecessary or lengthy personal calls are discouraged. Personal long-distance calls are not permitted except in an emergency. All personal calls from outside sources are discouraged and should be reduced to a minimum and conducted during break or lunch periods.

Personal cell phones are not allowed on pickers. If you bring a cell phone along, it is to remain in your break area. All drivers will have cell phones and if you have an emergency your driver will contact the appropriate personnel. Employees should utilize their breaks to check personal cell phone messages, return calls and send text messages. Please choose a private location for cell phone conversations to prevent disrupting co-workers. Employees are also expected to comply with all laws regarding cell phone usage while driving.

## **E. Computer and Internet Use**

### **E-mail Use**

Berry Acres Agricultural provides computers, computer files, an e-mail system and software to its employees for business use only. As a result, the company restricts the use of its computers and software solely for appropriate business uses. These restrictions include but are not limited to the following:

- Employees are not allowed to use the computer system for their personal benefit.
- Employees are prohibited from installing software on the system without prior authorization.

The e-mail system is to be used for business purposes. Personal e-mail should be short and occasional. Special care should be shown not to make comments or forward jokes that may be in violation of the company's policies on discrimination or harassment (for example, jokes aimed at a particular gender, race, religion, disability, etc.).

Berry Acres Agricultural notes that all e-mail is company property. Employees have no right of personal privacy in any matter stored in, created, received, or sent over the e-mail system. The company reserves the right to monitor, access, retrieve and delete any matter stored in, created, received, or sent over its e-mail system. Employees should be aware that the deletion of any e-mail messages or files does not truly eliminate the messages from the system. E-mail messages are typically stored on a central backup system in the normal course of data management.

If an employee is responsible for security issues, such as loss of critical company data or information, confidentiality breach, etc., Berry Acres Agricultural management must be notified immediately. Please note that this is a violation of the company's nondisclosure policy and is grounds for adverse employment action, up to and including dismissal.

### **Internet Use**

Similarly, the company may allow certain employees access to the internet to assist them in the performance of their duties. Employees should not have an expectation of privacy in anything created, stored, sent, or received on the company computer system. Berry Acres Agricultural expressly prohibits the following activities.

- Any material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory or otherwise unlawful or offensive (including offensive material concerning sex, race, color, national origin, religion, age, disability or other characteristics protected by law) may not be downloaded from the Internet or displayed or stored in the computer system.
- Games and entertainment software may not be downloaded or used on the company's computer system.
- Mass mailings, chain letters, game playing, chat groups, audio, video and picture files unrelated to company business are prohibited.

Virus protection is vital to the company's computer system. No files, including disks from outside sources, e-mail attachments, customer or vendor disks or other non-company supplied information should be downloaded from the internet or otherwise introduced to the company's computer system without prior authorization from management.

Use of any company resources for illegal activity is grounds for immediate dismissal.

## **F. Smoking Policy**

Because exposure to cigarette smoke has been identified as a health hazard it is the policy of Berry Acres Agricultural to prohibit smoking in all company buildings and vehicles. We encourage our employees not to smoke. Smoking affects not only your personal health, but also your production rate and therefore your value to us. No smoking is allowed in any office, lunchroom, or work site. Smoking is allowed only in designated areas.

## **G. Dress Code**

Employees are expected to use good judgment in selecting clothing that is appropriate for their work setting. Office personnel are expected to be dressed in neat, casual office attire appropriate for interacting with customers. Seasonal employees may wear shorts, tank tops, and other summer wear to work, but please keep your attire conservative, appropriate, and not offensive to coworkers. We require you to wear shoes at all times (no sandals, flip-flops or crocs), and your hair must be tied back while working. Fingernail polish and jewelry are not allowed. This helps prevent injuries while working around hot hoses, heavy materials, etc.

We are confident that each employee will use their best judgment in following this policy. Questions regarding what constitutes safe or proper attire should be referred to your supervisor. Employees who are inappropriately dressed will receive corrective counseling regarding their attire and sent home to change. Employees will not be compensated for the duration they are absent from work.

## **H. Sanitation and Hygiene Policy**

All employees and visitors are required to follow proper hygiene procedures. Below is a list of specific sanitation and hygiene practices that must be followed by all employees handling food product. Please note that this list is not all inclusive.

- Employees must wash their hands before beginning or returning to work (eg. from all breaks, use of restrooms). Signs will be posted in designate areas to remind you of this policy.
- Rest areas and restrooms will be equipped with hand sanitizing stations. Only use single-use towels to dry hands and place in waste receptacle. Employees will use the restrooms in a manner to maintain usability and will report any lack of usability to a supervisor. Used toilet tissue must be placed into the toilet fixture.
- Restrooms (portable restrooms) will be provided in the fields for employees to use. One portable restroom will be available per 20 employees within ¼ mile of your work location.
- Employees should not wear loose clothing and instead should wear comfortably snug-fitting attire. Employees may not wear jewelry in crop handling areas. Non-removable jewelry needs to be reported to supervisor on advisement for how to cover the jewelry (eg. waterproof gloves).
- Smoking, eating and drinking are allowed in designated areas only. Signs will be posted to remind you of these locations. Enclosed vehicles may be used as a designated location. Glass containers are not allowed in the fields, storages, or anywhere near harvest operations. Garbage containers will be provided and maintained in the eating area.
- If you are experiencing flu like symptoms or have infectious conditions, you are prohibited from handling harvested product.
- If you have knowledge of harvested product that has come in contact with blood or other body fluids, you must report it to the supervisors so that contaminated product can be discarded. Berries that have come into contact with blood or other body fluids will be disposed of, buried, burned or put into safe garbage container. Machinery that has come into contact with blood of other body fluids will be disinfected with bleach and/or other safe disinfectants.
- You are required to always be watchful for foreign material such as: glass, metal, golf balls, packaging materials, rocks, bone, personal effects, insects, rodents, parts, or feces. Any broken glass must be immediately reported to the driver of the machine; they should relay this message onto the supervisor for proper clean up.
- You need to be alert for potential chemical hazards such as pesticides, oils, and fuels. Any type of leak or spill needs to be reported to the supervisor for immediate attention.
- Employees who are stationed around equipment must know the location of the controls to safely start and stop machinery. You must notify a supervisor immediately if there are any unsafe conditions with the equipment that may endanger employees or contaminate product.
- Keep any type of chemical containers away from harvested raspberries and raspberry storage areas.
- Monitor crop production areas and document the presence, signs, or non-presence of wild or domestic animals entering the land/production or storage areas.
- If you are responsible for pesticide applications, you must be properly trained on best management practices, have read and understood the pesticide label, and, if necessary, be certified by Washington State Department of Agriculture to apply restricted use pesticides.

## **I. Use of Company Vehicles**



Company vehicles may be used only by those persons authorized by management and only for company-related business. Only Berry Acres Agricultural employees are authorized to drive company vehicles. Such employee must maintain an unrestricted valid driver's license and be at least 16 years of age with an acceptable driving record. Other conditions related to operating a company vehicle are as follows:

- Employees are responsible for conducting their driving duties in a safe, cautious manner at all times and must obey all traffic laws and rules of the road while driving company vehicles.
- If an employee receives a driving citation while driving a company vehicle, he/she is required to report it promptly to his/her supervisor. The employee must pay any moving violations. If a violation is caused because of the company or company vehicle, Berry Acres Agricultural will cover any associated costs.
- Any moving violation will be considered an offense under safety rules.
- It is the responsibility of the employee to check out any vehicle for compliance with safety regulations.
- Any vehicle accidents or incidents involving vehicle or property damage of any kind must also be reported promptly to the company. An employee may be held responsible for damage due to negligence or carelessness.
- Employees are responsible for keeping company vehicles in a presentable and well-maintained condition. Berry Acres reserves the right to search any company vehicle at any time. Therefore, employees have no reasonable expectation of privacy with respect to company vehicles.

Employees may be assigned vehicles to utilize during non-work hours. Employees are encouraged to limit their personal use of the vehicle during non-work hours and must receive prior supervisory approval to take vehicles outside of the local area.

## **V. Work Hours, Compensation**

### **A. Time Cards and Paychecks**

The normal work week is defined as Monday through Sunday. Each employee is responsible to record their own hours worked. Timecards will be provided for you to use. Please round your hours to the nearest quarter hour. Make sure you indicate break times.

Altering, falsifying, or tampering with the time records or recording time for another employee may result in discipline, up to and including termination of employment.

All employees, including seasonal employees, are paid biweekly. You must complete all required forms and turn in all applicable information (I-9, W-4, employee information, identification, etc.) before receiving your paycheck.

Berry Acres Agricultural is required by law to deduct from gross pay for federal income tax, Social Security, and Medicare. Except as required by law (such as in the case of garnishments or wage assignments), no additional payroll deductions will be made from an employee's paycheck unless authorized in writing by the employee. If there is an error in your pay, it is the responsibility of the

employee to report it to their supervisor and provide specific information regarding the error. Failure to notify Berry Acres of any error may be considered falsification of company records and result in disciplinary action, including immediate termination of employment. If you have questions, please contact the payroll department.

## **B. Meal and Break Periods**

Berry Acres Agricultural complies with all state and federal wage and hour laws and is required to compensate employees for all work performed. Employees are required to record all hours worked. If an employee needs to work outside of their normal work schedule, the employee must receive prior approval from their supervisor or manager. If an employee works longer hours or different hours than scheduled without authorization, the employee may be subject to disciplinary action up to and including termination or employment.

### **Meal Periods**

Employees are entitled to one half-hour unpaid meal period when working more than five hours in a shift. Additionally, employees are entitled to a second unpaid meal period given within five hours from the end of the first meal period and for each additional five hours worked. A meal period is generally scheduled in the middle of the workday. Unpaid meal breaks are not considered 'hours worked.' There may be times when an employee may waive their meal period and continue working with the *written* approval of his or her supervisor. Berry Acres is not required to approve such a request and may rescind its approval at any time.

### **Rest Periods**

A 10 minute rest period is allowed for every four hours worked and is generally scheduled somewhere near the middle of that four hour period. Breaks may be taken intermittently, where the nature of the work allows, provided the break results in a complete rest from the job. Agricultural employees must take their entire ten minute break at one time, in accordance with state regulation. Please note that rest breaks may coincide with the offloading of your machine by the field crew staff. Employees are encouraged to use their lunch/dinner and rest breaks to make use of the facilities as needed. However, if you need to utilize facilities at other times, please make arrangements with your supervisor.

Subject to federal and state labor laws, portable restrooms will be provided for employees to use at a rate of 1 restroom per 20 employees within ¼ mile of your work location. Hand washing facilities will also be made available to you. Please utilize these when needed. Berry Acres Agricultural will also provide drinking water at a rate of 5 gallons for every 20 employees. Feel free to bring your own drinking water and/or water bottle to refill from the water we provide for you. Please note that food handling regulations require that no glass containers be by food product.

## **C. Hours of Work**

Shift times will frequently change depending on the time of the season and the weather. The company reserves the right to change work schedules or to require mandatory additional hours. It is not always possible to provide advance notice of changes to work schedule. During certain peak times, Berry Acres

Agricultural may request you work late or on a Sabbath day. When possible, a shift schedule will be posted daily for the following working day.

Employees are expected to come to work, ready to work. You will not be compensated for time 'donning and doffing' or putting on and taking off work-related gear. If compensation for an employees work is at a piece rate basis, the price per plant includes donning and doffing time.

## **D. Attendance and Punctuality**

Regular attendance and punctuality are critical to the successful operation of Berry Acres Agricultural. If an employee is unable to report to work, or if the employee will arrive late, the employee must contact his or her supervisor prior to the shift start time. Employee must provide a reason for the absence and phone number where they can be reached. If an absence lasts more than one day, the employee must notify their supervisor daily, prior to the shift start time. If the employee is physically unable to contact Berry Acres due to severe injury or illness, someone must contact us on the employee's behalf. Excessive tardiness and absences may be subject to disciplinary action up to and including termination.

### **Failure to Report or Walking Off Job**

An employee who does not show up for work (no call/no show) prior to their scheduled start time or who has walked off the job without notifying his or her supervisor, may be considered to have voluntarily terminated their employment with Berry Acres. To avoid this, employees must contact Berry Acres when they are not able to come to work (see paragraph above).

### **Transportation To and From Workplace**

Transportation to and from work is the responsibility of the employee. Berry Acres does not provide transportation.

## **E. Wages**

Agricultural workers must be paid at least the minimum wage for all hours worked. The current minimum wage is applicable for those employees 16 years of age and older. Minor workers under the age of 16 may be paid 85 percent of the current minimum wage. By state law, overtime pay is not required for agricultural workers when working more than 40 hours per week.

# **VI. Benefits**

## **A. General**

Berry Acres Agricultural strives to provide competitive and cost-effective benefits for employees as part of the employee's total compensation package. Employees should recognize that the total cost to provide the benefits programs described herein is a significant supplement to each employee's pay, and should therefore be viewed as additional compensation, paid in various benefit forms (including paid time off and holidays), on behalf of each employee.

This portion of the manual contains a very general description of the benefits to which you may be entitled as an employee of Berry Acres Agricultural. Benefit eligibility is subject to employee classification. Not all employees are eligible for all benefits listed below. Please understand that this general explanation is not intended to, and does not, provide you with all the details of these benefits. Therefore, this manual does not change or otherwise interpret the terms of the official plan documents.

Berry Acres Agricultural reserves the right, in its sole discretion, to amend, modify or terminate, in whole or in part, any or all of the provision of the benefit plans described herein.

Wage and benefit agreements must be approved and signed by employee and management. Any re-negotiation of wage or benefits will require a new wage agreement form and signature. All agreements are subject to the verification of the Human Resource department.

## **B. Paid Holidays**

The following days are observed as holidays for all *regular full-time* employees:

New Year's Day	Memorial Day	Independence Day
Labor Day	Thanksgiving Day	Christmas Day

These holidays will be paid at the regular rate of pay based on a ten-hour day.

## **C. Paid Time Off**

Berry Acres Agricultural offers *regular full-time* employees a paid time off (PTO) program. We encourage all eligible employees to take annual paid time off because everyone needs an occasional break from their normal routines.

Paid time off credits are accrued hourly to all eligible employees. PTO begins to accrue at the start of employment. Paid time off request forms, for vacation purposes, must be filled out and returned to the Human Resources representative and/or scheduler at least three weeks in advance or as soon as possible. Berry Acres Agricultural will make every attempt to allow employees to take paid time off at requested times. Berry Acres may restrict the number of employees taking time off at one time per operational requirements. In cases of conflict, the employee with the earliest request will be given priority. In cases of duplicate or similar request dates, the employee with the most seniority will receive first consideration. We ask that you consider taking your paid time off during those periods when your attendance is not highly needed (i.e. limiting time off during harvest). We will try to accommodate everyone.

## **D. Paid Time Off Policy and Accrual Schedule**

*Regular full-time* employees will be awarded paid time off credits in accordance with the following schedule.

- Employees with less than 2 years of service will accrue PTO credits at a rate of 1 hour for every 40 hours worked.
- Employees with 2-4 years of service will accrue PTO credits at a rate of 1.75 hours for every 40 hours worked.
- Employees with 5 or more years of service will accrue PTO credits at a rate of 2.5 hours for every 40 hours worked.

Accrual rates will be adjusted on hire anniversary dates.

Waiting Period: Employees may use accrued PTO beginning 90 calendar days after the start of employment.

A maximum of 40 hours of unused, accrued PTO can be carried over to the next calendar year. Accrued, unused PTO over 40 hours will be forfeited after December 31<sup>st</sup>. This feature is intended to permit employees to plan and take a longer time off in one year by preserving some portion of the credits available in the preceding year. It is also established in recognition of the unavoidable circumstances in which company work requirements prevent management from allowing an employee to use all credits within the year following the date on which they were awarded.

Please report all paid time off hours on your time card. Paid time off will be paid based on a ten hour day unless specified otherwise on a time card. PTO hours will be compensated at an employee's regular rate of pay. Paid time off is not considered worked time. Adding PTO credit to a 40 hour work week timecard is prohibited as time off profits the employee as well as the company.

All accrued, unused PTO will be paid out on the final paycheck at termination of employment.

## **E. Health Insurance Plans**

Berry Acres Agricultural will provide medical insurance for all *regular full-time* employees starting the 1<sup>st</sup> of the month following 60 days of employment. Berry Acres will pay the employee's premium if the employee elects this insurance program. If an employee chooses not to elect this coverage the employee will not be reimbursed for the premium that would have otherwise been paid. If the employee elects coverage for dependents, premiums will be deducted from the employee's paycheck. Dependents can only be added at the open enrollment period each year if coverage is not elected at time of eligibility. The coverage and its benefits are explained in a separate brochure available from the Human Resource department.

## **F. Continuation of Benefits (COBRA)**

At Berry Acres Agricultural, we understand your concern for continuity of health insurance coverage should you leave our employ or go out on disability. Therefore, in appropriate circumstances, upon resignation, termination, disability or leave of absence, *regular full-time* employees may elect to continue health insurance coverage for up to 18 months (in some cases up to 36 months) at your own expense. Please contact the Human Resources representative to obtain the necessary forms and for

further information. Additionally, Human Resources should be notified immediately if you have a change in your family that is a qualifying event for COBRA insurance coverage.

## **G. Simple IRA Plan**

*Regular full-time* employees may elect to begin a simple IRA after 2 years of employment. Employees may deduct a percentage from each paycheck for investment. Berry Acres Agricultural will match up to 3% of an employee's gross compensation contributions. Employees may elect to contribute compensation, up to the maximum annual contribution as set by the federal government. Information is available from the Human Resource department.

## **H. Paid Sick Leave**

In accordance with Washington State's paid sick leave policy, *regular part-time* and *seasonal* employees will accrue paid sick leave at a rate of 1 hour sick pay for every 40 hours worked. *Regular full-time* employees are not eligible for paid sick leave hours according to this policy but accrue PTO hours at similar or higher accrual rates. Sick pay hours may only be used after 90 calendar days after an employee's first day of work. If an employee should separate from Berry Acres and are rehired within 12 months, any days worked before leaving will count toward this 90-day period.

Sick pay hours may only be used for the following approved reasons:

- For a mental or physical illness, injury, or health condition or if you need a medical diagnosis or preventative medical care.
- If a family member (see below) needs care for a mental or physical illness, injury, or health condition, or needs a medical diagnosis or preventative medical care.
- If your workplace or your child's school or place of care has been closed for any health-related reason or by order of a public official.
- If you are absent from work for reasons that qualify for leave under the state's domestic violence leave act (DVLA).

Sick pay hours may be used to care for the following family members:

- Child – This may include biological, adopted, or foster child, stepchild, or child an employee is legally responsible for.
- Parent – This may include an employee's biological, adoptive, or foster parent, a stepparent, or someone who was a legal guardian or their spouse or registered domestic partner, or a person who was legally responsible for an employee when they were a minor.
- Spouse
- Registered domestic partner
- Grandparent
- Grandchild
- Sibling

For absence exceeding three workdays or longer, employees are required to provide written verification that their paid sick leave absences are for an authorized purpose.

Please report all paid sick pay hours on your time card. Sick pay hours will be compensated at an employee's regular rate of pay. Sick pay hours are not considered worked time.

Sick pay hours will be carried over annually at a rate of 40 hours or less. Any sick pay hours accrued and unused in excess of 40 hours will not be cashed out and will not be carried over to the new calendar year.

## VII. Leaves of Absence

### A. Leave

Berry Acres Agricultural complies with all state and federal laws which may allow or require a leave of absence, including but not limited to: the Family Medical Leave Act, Pregnancy or Childbirth Disability Leave, Washington Family Leave Act, Washington Family Care Act, Washington Military Family Leave Act, Americans with Disability Act, and Workers' Compensation. Berry Acres reserves the right to designate any time off to one or more of these leaves if appropriate and allowed by law. To request a leave of absence for any reason, please contact your supervisor. Whenever you request leave or take time off, you authorize the employer to investigate the nature of the leave and charge the appropriate leave to your employment record.

Under Washington Family Care Act, any time off may be used to attend to the needs of an employee, or the needs of an employee's immediate family member as follows:

1. To care for a child of the employee with a health condition that requires treatment or supervision.
  - **Child of the employee:** Biological, adopted, or foster child, a stepchild, legal ward, or child of a person standing in loco parentis who is under 18 years of age; or 18 years or older and incapable of self-care because of a mental or physical disability.
2. To care for the following family members who have a serious health condition or an emergency condition:
  - **Spouse of the employee:** Husband or wife of the employee.
  - **Parent of the employee:** Biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.
  - **Parent-in-law of the employee:** Parent of the spouse of an employee.
  - **Grandparent of the employee:** Parent of a parent of an employee.

In the event that all paid time off has been exhausted, the employee may request further leave without pay subject to company's review and approval. The duration of the leave needed should be noted in the request and such request will be evaluated based upon scheduling needs and workload issues.

### B. Family Leave

Berry Acres Agricultural recognizes the value of employees taking time off for the birth, adoption, or placement of foster care of a new child. Therefore, Berry Acres will grant **unpaid** family leave to female and male employees for these purposes. Employees must submit requests for family leave as far in

advance as possible for approval. Reasonable lengths of family leave will be approved based upon schedule needs and workload issues.

Regular full-time employees are eligible to utilize their paid time off during this time. When all paid time off is exhausted, employees will be placed on a Leave of Absence without Pay. While an employee is on an unpaid leave of absence, benefits will be handled according to the Leave without Pay Policy.

### **C. Maternity Disability Leave**

A female employee is eligible to take an *unpaid* leave of absence for the period of time that she is sick or temporarily disabled due to pregnancy or childbirth. Employees must submit requests for maternity disability leave in writing with medical verification of the employee's need for leave. Such employees are eligible to utilize their paid time off during this period. When an employee has exhausted her paid time off, she will be placed on a leave of absence without pay for the duration of the leave. While an employee is on an unpaid leave of absence, benefits will be handled according to the Leave without Pay Policy.

### **D. Jury Duty**

Jury duty is an important civic responsibility. An employee is required to notify their supervisor promptly when they are summoned for jury duty and subsequently upon their selection as a juror. To assist employees in meeting this responsibility, we will place you on paid leave of absence for the period of time you serve as juror. You will be reimbursed during this leave for the difference between your juror's pay and the wages you would have earned to a maximum of five days per year. In order to reimburse you for your leave, you must submit a copy of the jury check stub and documentation of juror time. This reimbursement is available to regular full-time and regular part-time employees.

A condition of your jury duty leave is that you report for work on any normally scheduled workday when you are not actively engaged in jury duty and that you work partial days when appropriate. This pay does not cover "reporting" time, only actual juror time.

### **E. Bereavement Leave**

If a regular full-time employee should lose his/her spouse or child, he/she will be granted leave with pay for up to three (3) work days. In such cases, the employee must notify their supervisor regarding the need for bereavement leave immediately. Employees may, with management's approval, use their paid time off for additional bereavement time off as needed and scheduling permits. Employees who experience other losses in their family may request leave without pay or use their paid time off pay.

### **F. Military Leave**



Berry Acres Agricultural provides unpaid military leave of absence for employees while performing military service in accordance with federal and state law. Military service includes active military duty and reserve or National Guard training. Reinstatement upon return from military service will be determined in accordance with applicable federal and state law.

## **G. Domestic Violence / Sexual Assault Leave**

An employee is eligible to take reasonable leave from work on an intermittent or reduced leave schedule under the following conditions:

1. To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or employee's family members including, but not limited to, preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, or stalking;
2. To seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking, or to attend to health care treatment for a victim who is the employee's family member;
3. To obtain, or assist a family member in obtaining, services from a domestic violence shelter, rape crisis center, or other social services program for relief from domestic violence, sexual assault, or stalking;
4. To obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking, in which the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking; or
5. To participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future domestic violence, sexual assault, or stalking.

For the purpose of this policy, "family member" is defined as any individual whose relationship to the employee can be classified as a child, spouse, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship.

A regular full-time employee may access his/her paid time off credits for such leave. Employees are required to provide advance notice in writing of the employee's need for leave. Such requests will be provided in writing accompanied with verification to support the need for leave (i.e., police report, court document, or a written statement from the employee). When advance notice cannot be given because of an emergency or unforeseen circumstance, due to domestic violence, sexual assault, or stalking, the employee or his/her designee will notify their supervisor of the need for leave no later than the end of the first day that leave is taken.

## **H. Leave Without Pay**

Requests for a leave of absence without pay for medical or personal reasons will be submitted in writing to an employee's supervisor as far in advance of the anticipated need for leave as possible. The leave request must be dated, signed by the employee, and state the reasons, circumstance, duration, and location of the employee during the leave. Leaves of absence for medical reasons will require medical

verification from a physician as to the medical reason for the leave and the duration of the needed leave. During medical leaves of absence, employees will be required to submit a release to return to work from their physician.

Berry Acres Agricultural is sensitive to employee needs and will make reasonable attempts to accommodate such requests if they do not disrupt the business operations of the company. An employee who fails to report promptly for work at the expiration of a leave of absence will be considered to have voluntarily resigned.

During a leave of absence without pay which results in a full-time employee's hours dropping below the minimum required for continuing employer-paid health insurance coverage, insurance premiums shall not be paid by Berry Acres. Employees on a leave of absence without pay will not receive holiday pay or paid time off accruals. Additionally, employees on a leave of absence without pay may have their length of service adjusted based upon the days of absence.

## **I. Administrative Leave**

On a case-by-case basis, Berry Acres Agricultural may place an employee on an administrative leave with or without pay for an indefinite period of time, as determined by management. This leave may be used to provide the company with time and opportunity to investigate matters, make decisions, or execute other administrative proceeding as needed.

## **VIII. Safety**

Berry Acres Agricultural provides a safe workplace and complies with all state and federal laws. Prevention of job related injuries and illnesses are a priority. Employees will receive basic safety training. Employees must follow all safety rules and will be held accountable to meet safety expectations. Failure to adhere to safety rules may result in disciplinary action, up to and including termination of employment.

### **A. Accident/Injury Reporting**

Workers' Compensation insurance is available to all employees for qualifying job related injuries and workplace conditions. If you suffer an injury or other condition related to work, it is extremely important that you immediately seek assistance. Contact 911 if it is an emergency, or ask your supervisor for assistance getting to a treatment provider if necessary.

All job related injuries and illnesses must be reported immediately to a supervisor. If you visit a doctor or other treatment provider and complete a form that authorizes the treatment provider to file a workers' compensation claim, you must request a copy of the form and deliver it to the main office on the next day that Berry Acres is open for business. When you visit a treatment provider and authorize the opening of a workers' compensation claim, you, or someone on your behalf, must immediately notify your supervisor or someone in the main office. Berry Acres has a legal obligation to track certain

workplace injuries or conditions and to assist you in recovery. Failure to notify Berry Acres of a job related injury or workplace condition may result in disciplinary action, up to and including termination.

## **B. OSHA Log**

Berry Acres maintains a log of all injuries recordable by OSHA and is available for inspection by employees.

# **IX. Concern Resolution & Discipline Procedures**

## **A. Open Door Policy**

We truly welcome and encourage your suggestions on how to improve procedures, work environment, safety practices and productivity at Berry Acres Agricultural. We also encourage our employees to learn to talk things over when they have problems or complaints about job conditions or colleagues. Bring these matters to the attention of your supervisor first. Should you feel that your supervisor's response does not solve the problem you may make an appointment with upper management.

Occasionally, problems may develop that interfere with work, or give rise to employee questions concerning company policy or practices. Should this occur, you are urged to seek a complete and accurate answer as quickly as possible.

Although we are confident that you will rarely need to bypass your supervisor, management will be available to discuss employee problems at any time. We sincerely believe that every employee has the right to raise questions and have those questions answered. Furthermore, it is every employee's right to pursue the open door policy directly to the top company officials.

## **B. Work Conduct Guidelines**

Work conduct guidelines and standards have been established to ensure that all employees can work together in a safe and efficient manner. Violation of or failure to observe these regulations may be cause for disciplinary action, up to and including termination.

We pride ourselves on the safe, healthy and orderly environment we've created at Berry Acres Agricultural. We stress an atmosphere of respect for each other's rights and privacy. To continue this, we need your cooperation. Berry Acres Agricultural relies on each employee to maintain the highest degree of truthfulness and honesty in all situations. All truly successful people build a reputation based upon integrity and honesty with others.

Berry Acres Agricultural adheres to the at-will doctrine of employment, meaning that either the company or the employee may end the parties' employment relationship at any time, with or without cause or notice. Subject to limitation, the company may elect to use verbal or written warnings and in serious cases, suspension or discharge to address performance and disciplinary issues depending on its

assessments of the relevant circumstances. Listed below are some examples of conduct which may result in disciplinary action.

- Soliciting other employees for membership, contributions, funds or other purposes, during the employees' working time. The only exception to this regulation is that the company may authorize solicitation of funds for recognized and established charities which benefit the community in general. This must be pre-approved by upper management.
- Refusing to perform assigned, lawful tasks, or performing such assignments in an insubordinate or unsafe manner.
- Falsifying any company or client record or document, including punching another employee's time card, dishonest time card reporting, or excessive break time privileges.
- Acting in a manner that may result in personal property damage, accident, environmental incident or other liability to the company, its clients, suppliers or fellow employees.
- Violating the company's drug and alcohol policy.
- Intentionally giving false or misleading information to obtain employment or leave of absence.
- Violating safety, fire, environmental and/or health regulations and practices.
- Failure to wear appropriate clothing or safety gear.
- Remaining on company premises at times other than when on duty, scheduled to work, or otherwise authorized by management.
- Intimidation, harassment, or coercion of other employees.
- Abuse or destruction of company property on or off the premises.
- Illegal, immoral, indecent or disrespectful conduct or language.
- Conducting personal business on company time or with company equipment and resources without approval from management.
- Excessively abusing other employee's rights such as safety, personal property, noise (including music), smell (including smoke), verbal harassment, etc.
- Horseplay, running, throwing or dropping objects, practical jokes, or other conduct endangering yourself or others while on the job or on company property.
- Failure to show up for work on time. (see attendance policy)
- Failure to report to supervisor when unable to come to work.
- Possession or use of firearms or other weapons at company worksites.

These examples are not all-inclusive; failure to comply with any policy within this manual may lead to disciplinary action, up to and including discharge. The level of disciplinary action will be evaluated on a case-by-case basis. Berry Acres Agricultural recognizes the benefit, in some cases, of using progressive discipline, but is not required or obligated to use progressive discipline before imposing a particular type of disciplinary action, including termination. Nothing in this policy is intended to alter the at-will employment relationship.

## **C. Discipline**

Supervisors have the authority to impose disciplinary action in accordance with guidelines and the circumstances of any particular case. Any violation of company policies or rules may result in disciplinary action, up to and including termination or employment.

### **Objective**

The principle objective of any corrective action is to improve the job performance, efficiency, effectiveness, and morale of company personnel. Corrective action is used to enforce the established policies, work rules, employee standards, and performance expectations.

### **Disciplinary Procedures**

Berry Acres Agricultural is an “at will” employer and reserves the right to terminate the employment relationship at will, with or without cause, at any time. However, under normal circumstances, Berry Acres endorses a policy of progressive discipline which attempts to provide employees with notice of deficiencies and an opportunity to improve. Discipline will be imposed according to the seriousness of the infraction, the past record of the employee, the circumstances surrounding the matter, and the action taken in similar situations. Discipline may include verbal warnings, written warnings, written reprimands, corrective action plans, suspension, and dismissal.

### **Causes for Disciplinary Action**

Matters which may result in disciplinary action include violations of the established policies, work rules, and/or employee standards in this handbook, misconduct, dishonesty, insubordination, theft, or any other behavior proven to be detrimental to the company.

### **Termination of Employment**

An employee may be immediately terminated for violating Company policies or rules.

## **D. Termination and Separation**

### **Return of company property**

Employees must return all company property at the time of termination. The cost of repair or replacement of damaged or lost equipment issued to a departing employee may be withheld from his or her last paycheck, to the maximum amount allowed by law.

### **Final Paycheck**

Whenever an employee quits or is terminated, Berry Acres will provide an employee with his or her final paycheck on the next regularly scheduled payday after the date of termination. Any deductions from final wages will be made in compliance with state law and company policy.

## Berry Acres Agricultural LLC

### Personnel Policies & Procedures Manual Employee Acknowledgement

This manual is intended to provide a general overview of the policies, practices, and benefits of our company and replaces all previous personnel manuals or policies. This manual is not a contract, nor is it intended to create a promise of specific treatment or to guarantee that anyone will be employed for any specific period of time or on any other basis than “at-will.” Circumstances may require that the policies, practices, and benefits of Berry Acres Agricultural be changed from time to time. Berry Acres Agricultural reserves the right to amend, interpret, supplement, or cancel any policy, benefit, term or condition of employment at its sole discretion.

*I have received a copy of the Personnel Policies & Procedures Manual. I agree to read through the manual and understand that violations of these policies may lead to discipline, up to and including termination. I agree that if there is any policy or provision in this manual that I do not understand, I will seek clarification from my supervisor or the Human Resources representative.*

Finally, I acknowledge that I have been hired as a \_\_\_\_\_ and that my employment is at-will, which means that either the employee or the company is free to terminate the employment relationship at any time, with or without reason, advance notice, or warning.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name Printed