



EverGRO Cooperative

EMPLOYEE HANDBOOK

Table of Contents

Contents

SECTION 1: EVERGRO COOPERATIVE WELCOME & COMMITMENT	4
SECTION 1-1: EVERGRO COOPERATIVES' COMMITMENT	4
SECTION 1-2: INTRODUCTION.....	4
SECTION 2: EMPLOYMENT GUIDELINES	5
SECTION 2-1: EMPLOYMENT AT WILL	5
SECTION 2-2: EQUAL OPPORTUNITY AND COMMITMENT TO DIVERSITY	5
SECTION 2-3: AMERICANS WITH DISABILITIES ACT (ADA), AMERICANS WITH DISABILITIES AMENDMENTS ACT (ADAAA) AND REASONABLE ACCOMMODATION.....	6
SECTION 2-4: PREGNANCY DISCRIMINATION AND LACTATION BREAK	7
SECTION 2-5: COMMITMENT TO DIVERSITY.....	7
SECTION 2-6: OPEN DOOR POLICY	7
SECTION 2-7: HARASSMENT AND COMPLAINT PROCEDURE	8
SECTION 3: SAFETY, HEALTH AND ENVIRONMENTAL PRACTICES	10
SECTION 3-1: ENVIRONMENTAL, HEALTH AND SAFETY LAWS AND REGULATIONS.....	10
SECTION 3-2: SAFETY ABSOLUTES	10
SECTION 3-3: WORKPLACE VIOLENCE PREVENTION	11
SECTION 3-4: TRAINING OBLIGATIONS	12
SECTION 3-5: REPORTING A CLAIM; PROPERTY, GENERAL LIABILITY, AUTOMOBILE OR WORKERS' COMPENSATION	12
SECTION 3-6: SAFETY SHOES & PERSONAL PROTECTIVE EQUIPMENT	12
SECTION 3-7: DRUG-FREE AND ALCOHOL-FREE WORKPLACE	13
SECTION 3-8: DRUG AND ALCOHOL TESTING PROCEDURES	14
SECTION 3-9: SMOKE/TOBACCO-FREE WORKPLACE	16
SECTION 3-10: PHYSICAL/MEDICAL EXAMINATIONS	16
SECTION 3-11: OTHER LOCAL, STATE & FEDERAL LAWS	17
SECTION 4: CONFLICTS OF INTEREST, CONFIDENTIALITY AND BUSINESS INTEGRITY	17
SECTION 4-1: CONFLICTS OF INTEREST	17
SECTION 4-2: OUTSIDE EMPLOYMENT	18
SECTION 4-3: CONFIDENTIAL INFORMATION.....	18
SECTION 4-4: COOPERATIVE ASSETS AND BUSINESS STANDARDS.....	18
SECTION 4-5: CODE OF ETHICS – BUSINESS INTEGRITY	19
SECTION 5: EMPLOYMENT RELATIONSHIP	20
SECTION 5-1: EMPLOYEE PRIVACY.....	20
SECTION 5-2: POLICY AND PROCEDURE REGARDING USE AND DISCLOSURE OF SOCIAL SECURITY NUMBERS.....	20
SECTION 5-3: EMPLOYMENT CLASSIFICATION	21
SECTION 5-4: WORK WEEK AND HOURS OF WORK	22
SECTION 5-5: MEAL AND REST BREAKS	22
SECTION 5-6: TIME RECORDS.....	22
SECTION 5-7: OVERTIME	22
SECTION 5-8: DEDUCTIONS FROM PAY.....	23
SECTION 5-9: PAYCHECKS.....	24

SECTION 5-10: ACCESS TO PERSONNEL FILES	24
SECTION 5-11: EMPLOYMENT OF RELATIVES	24
SECTION 5-13: PROBATIONARY PERIOD	24
SECTION 5-14: DISCIPLINARY PROCEDURE	25
SECTION 5-15: SEPARATION FROM EMPLOYMENT.....	26
SECTION 5-16: SERVICE DATES OF EMPLOYMENT.....	26
SECTION 6: WORKPLACE GUIDELINES	27
SECTION 6-1: ATTENDANCE	27
SECTION 6-2: JOB PERFORMANCE	27
SECTION 6-3: DRESS CODE	28
SECTION 6-4: SOCIAL MEDIA ACCEPTABLE USE.....	28
SECTION 6-5: BULLETIN BOARDS.....	30
SECTION 6-6: SOLICITATION.....	30
SECTION 6-7: COMPUTERS, INTERNET, EMAIL, AND OTHER RESOURCES	30
SECTION 6-8: CYBER SECURITY	31
SECTION 6-9: VIDEO RECORDINGS	33
SECTION 6-10: COOPERATIVE ASSETS AND LOSS PREVENTION	33
SECTION 6-11: COOPERATIVE VEHICLES	33
SECTION 6-12: CELL PHONE USE	34
SECTION 6-13: COOPERATIVE CREDIT CARD USAGE.....	34
SECTION 7: TIME OFF AND LEAVES OF ABSENCE	35
SECTION 7-1: HOLIDAYS.....	35
SECTION 7-2: PAID TIME OFF (PTO)	36
SECTION 7-3: VOLUNTEER TIME OFF	38
SECTION 7-4: FAMILY AND MEDICAL LEAVE	38
SECTION 7-5: MILITARY LEAVE	42
SECTION 7-6: VIRGINIA STATE LIVING DONORS; UNPAID LEAVE.....	43
SECTION 7-7: INCLEMENT WEATHER	43
SECTION 7-8: BEREAVEMENT LEAVE	43
SECTION 7-9: JURY DUTY/COURT APPEARANCE.....	44
SECTION 7-10: CRIME VICTIM LEAVE.....	44
SECTION 7-11: CIVIL AIR PATROL LEAVE	44
SECTION 7-12: TIME OFF FOR VOTING.....	44
SECTION 7-13: NON-FMLA LEAVE OF ABSENCE REQUESTS	44
SECTION 8: EMPLOYEE BENEFITS	45
SECTION 8-1: MEDICAL, DENTAL, VISION INSURANCE AND SUPPLEMENTAL BENEFITS	45
SECTION 8-2: GROUP LIFE INSURANCE	45
SECTION 8-3: SHORT-TERM DISABILITY	45
SECTION 8-4: LONG-TERM DISABILITY	46
SECTION 8-5: 401(K) PLAN	46
SECTION 8-6: WORKERS' COMPENSATION.....	46
SECTION 8-7: EMPLOYEE ASSISTANCE PROGRAM	46
SECTION 8-8: ADDITIONAL EMPLOYEE BENEFITS	47
SECTION 8-9: ADDITIONAL POLICIES & PROCEDURES	47
SECTION 9: EMPLOYEE HANDBOOK ACKNOWLEDGMENT AND RECEIPT	48

Section 1: EverGRO Cooperative Welcome & Commitment

Welcome to EverGRO Cooperative! We are excited that you have chosen to join our organization and want you to enjoy a successful career with us. As you become familiar with mission, we hope you will take advantage of opportunities to enhance your professional and personal growth and further EverGRO's goals.

You are joining a team that has a reputation for supporting our nation's agricultural commodities, which our members produce every day. Our employees use their creativity and talent to invent new solutions, meet new demands, and offer the most effective services/products in the industry. With your active involvement, creativity, and support, EverGRO Cooperative will continue to achieve its goals. We sincerely hope you will take pride in being an important part of EverGRO Cooperative's success.

Section 1-1: EverGRO Cooperatives' Commitment

As a Cooperative, we depend on the success of our members through the multiple agricultural commodities they produce daily. Our members provide vital resources for our communities, and it is the commitment of our Board of Directors and leadership team to work diligently to ensure the Cooperative provides the services necessary for our members to financially succeed. EverGRO Cooperative ("EverGRO" or "Cooperative") is dedicated to investing in equipment, resources, talent, and partnerships to improve efficiencies and effectiveness throughout our divisions.

With every challenge comes opportunity and with every opportunity a chance to prosper. EverGRO Cooperative is dedicated to the success of our members and customers; this is our mission.

The mission of EverGRO Cooperative is to be a financially strong and progressive agricultural cooperative, that enables our customers and patron owners to be successful, profitable, and sustainable, through excellent service and competitive values.

Section 1-2: Introduction

This handbook is designed to help you with day-to-day questions you will encounter throughout your employment. It also serves as a resource to help promote a working environment that will allow us to accomplish our commitments and mission. We have outlined the practices and policies below to help set expectations for our Cooperative. Please take time to review the policies contained in this handbook. If you have questions, feel free to ask your supervisor or to contact Human Resources.

This handbook should not be read as setting forth the fine details of each policy or as constituting a guarantee that the policies discussed will be applied to all cases. The handbook cannot anticipate every situation or answer all questions related to policies and practices. The Cooperative has the right to administer the policies and procedures within this handbook with flexibility and in its sole discretion and its interpretation of these policies and practices are final and binding.

NO PROVISION OR PORTION OF THIS HANDBOOK CONSTITUTES AN IMPLIED OR EXPRESSED CONTRACT, GUARANTEE, OR ASSURANCE OF EMPLOYMENT OR ANY RIGHT TO AN EMPLOYMENT-RELATED BENEFIT OR PROCEDURE. EVERGRO COOPERATIVE RESERVES THE RIGHT TO CHANGE, MODIFY, ELIMINATE, OR DEVIATE FROM ANY POLICY OR PROCEDURE IN THIS HANDBOOK AT ANY TIME AND TO HIRE, TRANSFER,

PROMOTE, DISCIPLINE, TERMINATE, AND OTHERWISE MANAGE ITS EMPLOYEES AS IT DEEMS APPROPRIATE.

Section 2: Employment Guidelines

Section 2-1: Employment at Will

Employment at EverGRO Cooperative is on an at-will basis unless otherwise stated in a written individual employment agreement signed by the General Manager of the Cooperative or their designee. Employee offer letters do not constitute such agreements. At-will employment means that either the employee or the Cooperative may terminate the employment relationship at any time, for any reason, with or without notice. Should it become necessary because of business conditions to reduce the number of employees or work hours, this will be done at the discretion of the Cooperative.

Nothing in this employee handbook is intended to create an employment agreement, express or implied. Nothing contained in this, or any other document provided to the employee is intended to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period.

Any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience or to facilitate comparisons and are not intended and do not create an employment contract for any specific period.

Nothing in this statement is intended to interfere with, restrain, or prevent concerted activity as protected by the National Labor Relations Act. Such activity includes employee communications regarding wages, hours, or other terms or conditions of employment. EverGRO Cooperative employees have the right to engage in or refrain from such activities.

Section 2-2: Equal Opportunity and Commitment to Diversity

EverGRO Cooperative provides equal employment opportunities to all employees and applicants for employment without regard to race, color, sex (including pregnancy, childbirth, and related medical conditions), ancestry, national origin, ethnic origin, citizenship, gender, sexual orientation, marital status, religion, age, disability, gender identity, results of genetic testing, or service in the military. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

EverGRO expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is not tolerated. Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of their manager and/or Human Resources. The Cooperative will not allow any form of retaliation against individuals who, in good faith, raise issues of equal employment opportunity. If an employee feels they have been subjected to any such retaliation, they should bring it to the attention of their manager and/or Human Resources.

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

- (1) shunning and avoiding an individual who reports harassment, discrimination, or retaliation.

- (2) express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination, or retaliation; or
- (3) denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process.

Other examples of retaliation include firing, demoting, denial of promotion, unjustified negative evaluations, increased surveillance, harassment, and assault.

Complaints of discrimination should be filed according to the procedures described in the Harassment and Complaint Procedure.

Section 2-3: Americans with Disabilities Act (ADA), Americans with Disabilities Amendments Act (ADAAA) and Reasonable Accommodation

EverGRO is committed to the fair and equal employment of individuals with disabilities under the ADA. To ensure equal employment opportunities for qualified individuals with a disability, EverGRO will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of the business would result. EverGRO prohibits any harassment of, or discriminatory treatment of, employees based on a disability or because an employee has requested a reasonable accommodation.

Employees must speak to their supervisor, a member of management or Human Resources, regarding accommodation requests or if they receive limitations on their ability to perform their role per a physician's recommendation, which may be necessary to perform the essential functions of their job. EverGRO will engage in the interactive process to review and determine if reasonable accommodation can be determined. Accommodation requests must be reviewed and approved through Human Resources, the Division Director and the General Manager. Additionally, EverGRO can request additional medical information or have your medical information reviewed by a medical expert to make this initial determination. In addition, EverGRO may ask you to provide information about your educational qualifications and work experience if your reassignment to another position is considered as accommodation.

If you are denied accommodation, we notify you of the denial and the basis for the denial. You may appeal accommodation determination rulings. All accommodation is reviewed annually and as part of that process, you may be asked to provide updated medical information to demonstrate the continued need for the accommodation.

All information obtained concerning the medical conditions or history of an applicant or employee, including genetic information, will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law. Human Resources representatives and Supervisors who know employees' medical information are prohibited from sharing such information unless others need to be informed.

EverGRO prohibits harassment or discrimination based on disability or because an employee has requested reasonable accommodation. EverGRO prohibits retaliation against employees for exercising their rights under the ADA or other applicable civil rights laws. If you believe that you are subject to retaliation based on a disability accommodation or a disability accommodation request, they should inform Human Resources.

Section 2-4: Pregnancy Discrimination and Lactation Break

EverGRO will not refuse to hire, discharge, or otherwise discriminate against any individual with respect to the individual's compensation, terms, conditions, or privileges if employment, based on pregnancy, childbirth, or related medical conditions.

EverGRO will make reasonable accommodations for known limitations related to pregnancy, childbirth, or related medical conditions (including lactation), unless such accommodations impose an undue hardship on the employer. Reasonable accommodations include more frequent or longer bathroom breaks, breaks to express breast milk, access to a private location other than a bathroom for the expression of breast milk, acquisition or modification of equipment or access or modification of employee seating, a temporary transfer to a less strenuous or hazardous position, assistance with manual labor, job restructuring, a modified work schedule, light duty assignments, and leave to recover from childbirth.

All nursing mothers are eligible to take reasonable breaks under this policy to express breast milk after the birth of the employee's child. EverGRO encourages all eligible employees who intend to take breaks under this policy to notify Human Resources. The employee will be provided with reasonable break time to pump breast milk for a nursing child and a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used to pump breast milk. Please contact Human Resources for details of and any questions related to this policy.

Section 2-5: Commitment to Diversity

EverGRO Cooperative is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the business and are valued for their skills, experience, and unique perspectives. This commitment is embodied in the Cooperative's policies and the way we do business and is an important principle of sound business management.

Section 2-6: Open Door Policy

EverGRO recognizes that different points of view will occur within the workplace amongst employees and/or between employees and their supervisors or other members of management. The goal is that these disagreements be handled respectfully and resolved amongst the individuals. The Cooperative is committed to helping resolve misunderstandings and recommends that employees experiencing these disagreements should utilize the following course of action:

- (1) If you are comfortable, initially address the concern with the individual you have the disagreement with to try to come to a resolution amongst yourselves.
- (2) Inform your immediate supervisor of your concerns. Your supervisor should attempt to understand and help solve the differences, and in most cases, you and your supervisor will be able to resolve the problem.
- (3) If you do not obtain a satisfactory resolution from working with your supervisor, you should then see the division director or the next level of management. The next level manager should attempt to review the facts and try to come to a resolution between the individuals.
- (4) If you feel the concern was not satisfactorily resolved by the next level manager(s), you should raise your concern to Human Resources. This can be raised by either the employee expressing

the initial concern or the next level manager that was previously attempting to work towards a resolution. Human Resources will attempt to resolve the matter appropriately.

Section 2-7: Harassment and Complaint Procedure

Sexual and other unlawful harassment is a violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, as well as many state laws. Harassment based on a characteristic protected by law, such as race, color, sex (including pregnancy, childbirth, and related medical conditions), ancestry, national origin, gender, sexual orientation, marital status, religion, age, disability, gender identity, results of genetic testing, or service in the military, or other characteristic protected by state or federal law, is prohibited.

It is EverGRO's policy to provide a work environment free of sexual and other harassment. To that end, harassment of EverGRO Cooperative's employees by management, supervisors, coworkers, or non-employees who are in the workplace is absolutely prohibited. Further, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. EverGRO Cooperative will take all steps necessary to prevent and eliminate unlawful harassment. This policy pertains to all EverGRO employees, vendors, customers or other individuals while on any EverGRO Cooperative property.

Definition of Unlawful Harassment. "Unlawful harassment" is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, sex (including pregnancy, childbirth, and related medical conditions), ancestry, ethnic origin, national origin, gender, sexual orientation, marital status, religion, age, disability, gender identity, results of genetic testing, or service in the military, or other characteristic protected by federal, state, or local law.

Definition of Sexual Harassment. While all forms of harassment are prohibited, special attention should be paid to sexual harassment. "Sexual harassment" is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual's employment or as a basis for employment decisions; *or*
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment

depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not.
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess.
- Displaying sexually suggestive objects, pictures, or cartoons.
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments.
- Inquiries into one's sexual experiences; and
- Discussion of one's sexual activities.

This list is illustrative and not exhaustive. No form of sexual harassment will be tolerated.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment and retaliation against individuals for cooperating with an investigation of sexual harassment complaint is unlawful and will not be tolerated at EverGRO Cooperative.

Complaint Procedure. Any employee who believes they have been subject to or witnessed illegal discrimination or harassment, including sexual or other forms of unlawful harassment, is requested, and encouraged to bring this to the attention of management. You may report your concerns directly to your immediate supervisor, division director, human resources, or any other member of management with whom you feel comfortable bringing such a concern forward. Similarly, if you observe acts of discrimination against or harassment of another employee, you are requested and encouraged to report this to one of the individuals listed above.

No reprisal, retaliation, or other adverse action will be taken against an employee for reporting a situation perceived or demonstrated to be discrimination or harassment or for assisting in the investigation of any such complaint or report, in good faith. Any suspected retaliation or intimidation should be reported immediately to one of the people identified above.

All reports will be investigated promptly and, to the extent possible, regarding confidentiality. It is EverGRO's policy to listen to all concerns and quickly apply appropriate sanctions that will end any offensive behavior. Employees are required to cooperate fully with any investigation of harassment or discrimination, responding truthfully and maintaining confidentiality of the investigation.

EverGRO Cooperative will not retaliate against any employee who, in good faith, honestly reports alleged harassment or discrimination or because of cooperation with any investigation. If, however, EverGRO Cooperative determines that an employee intentionally provided false information, disciplinary action, up to and including termination, may result.

If the investigation confirms conduct contrary to this policy has occurred, EverGRO Cooperative will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination.

Section 3: Safety, Health and Environmental Practices

Section 3-1: Environmental, Health and Safety Laws and Regulations

Protecting the safety of our employees and visitors is the most important aspect of running our business.

All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

In the event of an emergency, notify the appropriate emergency personnel by dialing 9 for an outside line, then dial 911 to activate the medical emergency services.

EverGRO is committed to compliance with environmental, health and safety laws and regulations and to the highest responsible standards to assure that there are no unacceptable risks taken towards the safety and health of others and the environment.

Every employee has the responsibility to fully comply with the Cooperative's guidelines in each of these areas. EverGRO commits to the following expectations:

- (1) Complying with all applicable laws and regulations related to safety, health and environmental quality in all its production, marketing and distribution activities
- (2) Routinely review the operating standards and procedure to ensure safety, health and environmental quality improvements are made where necessary and will not be hesitant to go beyond legally required practices where improvements will provide significant benefits at reasonable costs
- (3) Evaluating our product's impact on safety, health and environmental qualities prior to distribution and eliminating the use of those products that do not meet standards consistent with our safety, health and environmental policies
- (4) Informing employees and other appropriate individuals or organizations the safety and health effects of our products and provide managers of emergency response involving hazardous materials in communities where the Cooperative has a significant presence

These practices and policies will be administrated through management, in partnership with potential outside subject-matter experts and compliance with these policies and practices will be a condition of employment for all employees.

Section 3-2: Safety Absolutes

The following are considered Safety Absolutes and is the responsibility of employees to understand and comply consistently; in particular those whose responsibilities entail activities related to these safety practices. Any violations of these Safety Absolutes may result in disciplinary action, up to, and including immediate termination. Employees must:

- (1) Immediately report all unsafe working conditions, personal injuries, or property damage (whether to Cooperative or customer property) to your manager or any member of management. Cooperative
- (2) Maintain a clean and orderly work area, removing any unsafe objects or conditions that could present a hazard.
- (3) Wear personal protective equipment (PPE) and use safety devices as required by the task or environment.

- (4) Follow confined space protocols. Entry into confined spaces is prohibited unless authorized in writing by a supervisor and all safety procedures are confirmed before entry.
- (5) Operate only authorized tools and equipment. Only trained and authorized personnel may use tools, machinery, equipment, and Cooperative vehicles. Never use defective equipment or tools with missing guards or safety devices.
- (6) Restrict facility access. Individuals who are not employees may not enter work, storage, or warehouse areas unless expressly authorized by management. If access is approved, they must be properly escorted and provided with necessary protective equipment.
- (7) Adhere to welding and cutting rules. Welding and cutting within Cooperative facilities are prohibited unless conducted in full compliance with applicable rules and written procedures.
- (8) Avoid horseplay and reckless behavior. Horseplay, fighting, and any inappropriate or unsafe conduct will not be tolerated.
- (9) Review safety procedures with contractors. EverGRO's Safety Regulations and Work Rules must be reviewed with all outside contractors. This review must be acknowledged by the contractor or their representative with a signature.).
- (10) Use seat belts at all times when traveling on Cooperative business or operating/occupying a Cooperative-owned vehicle.
- (11) Wear seat belts while operating powered industrial trucks such as forklifts, loaders, tractors, etc.
- (12) Comply with Lock Out/Tag Out procedures during the maintenance or servicing of equipment.
- (13) Disclose medically impairing conditions. Employees who have been advised by a licensed medical professional or through medication labeling that their job performance may be impaired must notify their immediate supervisor before performing work duties.
- (14) Avoid working while impaired. Employees must not operate equipment, drive vehicles, or perform safety-sensitive tasks while under the influence of drugs, alcohol, or any impairing substances. EverGRO maintains a zero-tolerance policy regarding substance use in the workplace.

Section 3-3: Workplace Violence Prevention

EverGRO is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal, physical or written behavior that can be perceived or is harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This prohibition includes all acts of harassment, including harassment that is based on an individual's race, sex, ancestry, gender, gender identity, national origin, ethnic origin, color, disability, age, sexual orientation, military or veteran status, marital status, religion, pregnancy, childbirth, or related medical conditions including lactation, or any other status protected by federal, state, or local law.

This policy covers any violent or potentially violent behavior that occurs in the workplace on any Cooperative property or at Cooperative-sponsored functions. This policy also prohibits threats (written or verbal or visual), including but not limited to those made at work, on social media/internet or outside of work during a Cooperative-related event. It also applies to all EverGRO Cooperative employees, part-time or contract workers, vendors, customers, or anyone else while on or off Cooperative property.

All EverGRO employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their supervisor, any member of management or Human Resources. All threats will be promptly

investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline.

Any individual engaging in violence against the Cooperative, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and appropriate action will be taken. Any such act or threatening behavior may result in disciplinary action up to, and including, termination.

EverGRO reserves the right to inspect all belongings of employees on its premises, including contents of lockers, storage areas, file cabinets, desks, and workstations at any time and may remove all Cooperative property and other items that violate Cooperative rules and policies.

Section 3-4: Training Obligations

It is your responsibility to complete training requirements in a timely manner and, when applicable, effectively pass the training sessions by the standards set by the administrators of EverGRO's safety/compliance programs. All training must be completed by the respective employees assigned to the training and devoid of any falsification of responses.

Training must be taken during your scheduled shift for hourly employees and should be completed within normal business hours for salaried employees.

Supervisors will help distribute and/or facilitate training and allow you the time during your workday to complete the required training. Supervisors will need to plan staff schedules accordingly to allow each employee the opportunity to concentrate and complete their training. If you do not feel you have had significant opportunity to complete the training by the deadline, it's your responsibility to inform your supervisor and request additional time or resources.

If you have any questions related to the training, please contact your supervisor.

Section 3-5: Reporting a Claim; Property, General Liability, Automobile or Workers' Compensation

In any situation where you or a coworker experience an injury or illness while on the job, regardless of how minor, it must be reported to your supervisor or another member of management immediately. Our employees' safety is most critical, therefore, immediately addressing the situation and seeking out help is the priority. With any accident or incident, a report must be completed as soon as possible.

Any damage to Cooperative, customer or vendor property also must be reported to your supervisor or another member of management immediately. Upon receiving such a damage report, the supervisor is responsible to follow and complete the expectations outlined in EverGRO's Incident Reporting Form; [click here to view the policy and form.](#)

Section 3-6: Safety Shoes & Personal Protective Equipment

The Cooperative wants to ensure that all employees are properly prepared to conduct the responsibilities of their job in a safe manner. Therefore, personal protective equipment that is needed/required for the position will be supplied by the Cooperative. If an employee feels they need additional equipment or supplies that are currently not provided, they need to bring that request to their supervisor or division director for review and approval prior to purchasing additional items.

For the positions that require safety shoes (composite or steel-toed are appropriate), the Cooperative will reimburse the employee, once annually, for the purchase of a pair of safety shoes, but they must be

purchased through the approved vendor the Cooperative selects. Purchases outside of the Cooperative will not be considered for reimbursement. Please see EverGRO's Uniform Policy for more details; [click here to view](#).

Section 3-7: Drug-Free and Alcohol-Free Workplace

It is the policy of EverGRO Cooperative to maintain a drug-and alcohol-free work environment that is safe and productive for employees and others.

The unlawful use, possession, purchase, sale, distribution, or being under the influence of any illegal drug, controlled substance, and/or the misuse of legal drugs while on Cooperative, customer, vendor or client premises or while performing services for the Cooperative is strictly prohibited. EverGRO also prohibits reporting to work or performing services under the influence of alcohol or consuming alcohol while on duty or during work hours. In addition, the cooperative prohibits off-premises abuse of alcohol and controlled substances, as well as the possession, use, or sale of illegal drugs, when these activities adversely affect job performance, job safety, or the Cooperative's reputation in the community. Any activity that could adversely affect an employee's job performance or jeopardize the safety of others, the public, yourself, or Cooperative property, may result in disciplinary action up to and including termination.

The misuse of any drugs, alcohol or drug paraphernalia by an EverGRO employee while on the job, on Cooperative business, attending a Cooperative-sponsored event or activity, traveling on Cooperative business, performing Cooperative related duties, or while operating Cooperative equipment or vehicle is subject to disciplinary action, up to, and including termination. Any illegal drug or substance or any suspected substance will be confiscated and will be turned over to appropriate law enforcement and may result in criminal prosecution. EverGRO reserves the right to take disciplinary action before, during or after, the disposition of any charges.

Employees arrested for off-the-job drug, alcohol or substance abuse activity may be subject to this policy.

It is a violation of EverGRO policy for any associate to use prescription drugs illegally or in a manner inconsistent with the physician's prescribed dosage. It is also a violation of EverGRO policy for an associate to use prescription drugs which have the effect of impairing the employee's ability to perform his or her job duties in a safe and acceptable manner. However, nothing in this policy precludes the appropriate use of legally prescribed medications that do not cause unsafe or unacceptable job performance.

To ensure compliance with this policy, substance abuse screening may be conducted in the following situations:

Pre-employment: As required by the Cooperative for all prospective employees who receive a conditional offer of employment, with the exception of individuals under the age of 18.

For Reasonable Cause/Suspicion: Upon reasonable suspicion that the employee is under the influence of a substance that could affect or has adversely affected the employee's job performance, their personal safety, or the safety of others.

Random: As authorized or required by federal or state law. Per the Department of Transportation (DOT) regulations, all EverGRO employees holding a CDL as part of their job requirement will be subject to random testing.

Post-Accident: As identified following a job-related incident or accident.

Compliance with this policy is a condition of employment. Employees who test positive or who refuse to submit to substance abuse screening may face disciplinary action, up to and including, termination. Notwithstanding any provision herein, this policy will be always enforced in accordance with applicable state and local laws.

Section 3-8: Drug and Alcohol Testing Procedures

To ensure the objectives of maintaining and preserving a safe work environment the following procedures highlight EverGRO Cooperative's drug and alcohol testing procedures. The positions with EverGRO that require an employee to maintain a Commercial Driver License (CDL) are governed by the Federal Motor Carrier Safety Act (FMCSA) and the Department of Transportation (DOT) and are subject to additional requirements under applicable laws and regulations. Those stipulations are outlined below. Unless otherwise specified, every provision in this policy is applicable to all Cooperative employees.

1. **Pre-employment Testing:** All applicants for employment will complete a drug test as a condition of employment, with the exception of individuals under the age of 18, who will not be required to complete a pre-employment drug test as a contingency of their offer. EverGRO will utilize an approved third-party vendor to complete a review and analysis of all drug/alcohol tests. Through the approved vendor, a certified Medical Review Officer (MRO) will review the applicant's test results and provide results to the HR representative at EverGRO.
 - a. The pre-employment drug testing should be completed as soon as practical by the applicant following the acceptance of an offer, preferably within 5 business days of the offer acceptance. If additional time is requested to complete the drug testing, the applicant must seek approvals from the EverGRO Human Resource representative.
 - b. **Non-DOT:** An applicant being employed for a non-DOT position, will also complete a pre-employment drug test.
 - c. **DOT:** An applicant being employed for a DOT applicable position, will conduct a DOT drug screen per DOT regulations.
 - i. DOT applicants will also be asked to complete a DOT Physical Exam prior to employment, unless they currently are holding an active, unexpired DOT Medical Examiner Certification, nationally registered licenses physician and are able to present the certification card to Human Resources.
2. **For Reasonable Cause/Suspicion Testing:** If a supervisor or manager observes, may suspect, or has knowledge of an employee's behavior or performance that may cause reasonable suspicion and could adversely affect an employee's personal safety or the safety of others, the supervisor or manager will notify Human Resources or another member of management, to determine whether a drug or alcohol test for cause should be conducted. It is best practice that prior to having an employee tested, at least two members of management observe or review the behavior in question. In the case of a minor, if there is a reasonable cause or suspicion for testing, a parental consent form must be signed and obtained by the employee's parent prior to administering a drug screen.
3. **Post-Accident Testing:** Post-accident testing is to be conducted with any employee involved in an on-the-job incident, where there is a reasonable basis for concluding that the employee's behavior contributed to the incident and/or there is reasonable suspicion based upon observation, knowledge, or discovery that drugs or alcohol could be a contributing factor to the incident. A member of management will make this decision in consultation with the HR representative and General Manager. The employee(s) should be tested as soon as possible following the incident; best practice would be that no more than 8 hours should lapse for the

alcohol test and no more than 24 hours for drug testing. In the case of a minor, if there is a reasonable cause or suspicion for testing, a parental consent form must be signed and obtained by the employee's parent prior to administering a drug screen.

- a. **Steps to Conduct Reasonable Cause/ Suspicion OR Post-Accident Testing:** In the event the recommendation for a drug test is approved, the employee will be immediately suspended until a full evaluation has been conducted. The employee will be either be asked to find reliable transportation to the nearest medical facility to conduct the drug screen/alcohol test OR EverGRO will provide a safe means of transportation. A member of EverGRO management will then a Cooperative the employee and their reliable transportation to the clinic. If the employee is unable to identify their own transportation, a member of EverGRO management will escort the employee to the clinic. No prior notice is required to test for reasonable cause/suspicion.
4. **Random Testing:** Random testing is performed on any EverGRO employee that currently maintains a CDL for their position. The testing procedures are administered by an approved third-party vendor who determines the testing procedures per DOT regulations.
 - i. EverGRO is obligated to notify the employee(s) selected through the randomized selection process, that they must be tested. Once the individual is notified, all efforts from the employee(s) must be made from that point forward to complete the drug screen without interruption. Failure to adhere to this request could lead to disciplinary action, up to, and including termination.
 5. **Testing Results:** In the event an applicant must start work before the test is complete, the applicant's continued employment will be contingent based upon satisfactory drug and alcohol test results.
 - i. **Testing Laboratory & Details:** Drug screening results will be collected from an approved and certified laboratory. The specimens will then be sent for review to the approved third-party vendor for the Medical Review Officer to analyze. For non-negative results, the MRO may contact the applicant to verify any additional information that may relate to the drug screen result, to validate their final result determination, which is then communicated to EverGRO.
 - ii. **Negative-Dilute Test Result:** In the event an applicant or employee receives a "negative-dilute" test result, the Co-op will accept that result as a "negative" result.
 - iii. **Non-Negative or Positive Test Results:** In the event an applicant receives a "positive" test result, their offer of employment may be rescinded, and they may reapply for future employment opportunities after 6 (six) months. These instances will be reviewed on a case-by-case basis.
 1. **DOT applicants/employees:** In the case the MRO receives a "non-negative" test result, they will reach out to the individual to discuss the result and deem the final result either "negative" or "positive," based on their assessment.
 2. **DOT Employees:** In the case the MRO determines the result of a current employee to be positive, employment may be terminated effective immediately OR the employee's case will be reviewed with EverGRO's General Manager and human resources to determine if they will offer the

employee the option to participate in an SAP Program through the FMCSA Clearinghouse per DOT regulations.

- a. The employee must successfully complete all required steps of the SAP prior to being able to return to work and have their CDL reinstated.
- b. Per DOT regulations, during the period of time the employee is participating in the SAP and has not been released to return to work, with utilizing their CDL capabilities, the employee must refrain from working in an 'safety-sensitive' positions or performing any 'safety-sensitive' responsibilities.

Section 3-9: Smoke/Tobacco-Free Workplace

Smoking and/or tobacco use is not allowed in Cooperative buildings, work areas or Cooperative vehicles at any time. "Smoking" includes the use of any tobacco products (including chewing tobacco), electronic smoking devices, and e-cigarettes.

Smoking/tobacco use is only permitted during break times in designated outdoor areas. Employees using these areas are expected to dispose of any smoking debris safely and properly. Employees violating this policy may be subject to disciplinary action, up to and including termination.

Section 3-10: Physical/Medical Examinations

EverGRO requires current employees and applicants to whom a conditional offer of employment has been extended to undergo medical examinations whenever management determines that these are necessary for the safe operation of the organization or job-related as consistent with business necessity, as allowed by federal and state law.

Successful applicants for employment may be required, as a condition of employment, to take a medical examination to establish their fitness to perform the jobs for which they have applied without endangering the health and safety of themselves or others. If management determines that an examination is appropriate to a particular position, all applicants for the job to whom a conditional offer of employment has been made should be examined. For positions that adhere to DOT regulations, a DOT Medical Certification will be required for employees to maintain annually or be required for applicant's post-offer/pre-hire.

Employees may be required to have a medical examination (Fit for Duty) on other occasions when the examination is job-related and consistent with business necessity. For example, a medical examination may be required when an employee is exposed to toxic or unhealthful conditions, requests accommodation for a particular disability, or has a questionable ability to perform essential job functions due to a medical condition.

Required medical examinations will be paid for by EverGRO and will be performed by a physician or licensed medical facility designated or approved by the Cooperative. Medical examinations paid for by EverGRO are the property of the Cooperative, and the examination records will be treated as confidential and kept in separate medical files. However, records of specific examinations, if required by law or regulation, will be made available to the employee, persons designated and authorized by the employee, public agencies, relevant insurance companies, or the employee's doctor.

Employees who need to use prescription or nonprescription legal drugs while at work must report this requirement to their supervisor if the use might impair their ability to perform the job safely. Depending

on the circumstances, employees may be reassigned, prohibited from performing certain tasks or prohibited from working if they are determined to be unable to perform their jobs safely while taking prescription or nonprescription legal drugs.

Employees are encouraged, but not required, to participate in wellness programs and have physical examinations on an annual basis.

Section 3-11: Other Local, State & Federal Laws

In the case of other laws and regulations pertaining to the local municipality, the state of Virginia or federal laws imposed that are not specifically highlighted in this handbook, EverGRO will abide by the local, state, and federal law/regulations, in addition to the expectation that our employees, vendors and customers, will also abide by those policies.

Section 4: Conflicts of Interest, Confidentiality and Business Integrity

Section 4-1: Conflicts of Interest

EverGRO Cooperative expects all employees to conduct themselves and Cooperative business in a manner that reflects the highest standards of ethical conduct, and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interest.

Exactly what constitutes a conflict of interest, or an unethical business practice is both a moral and a legal question. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for a relative, a business associate, a close personal associate, or for the employee, because of EverGRO's business dealings. EverGRO recognizes and respects the individual employee's right to engage in activities outside of employment which are private in nature and do not in any way conflict with or reflect poorly on the Cooperative.

It is not possible to define all the circumstances and relationships that might create a conflict of interest. If a situation arises where there is a potential conflict of interest, the employee should discuss this with their manager for advice and guidance on how to proceed. Failure to disclose an actual, perceived, or potential conflict of interest may result in discipline up to and including termination.

The list below suggests some of the types of activity that indicate improper behavior, unacceptable personal integrity, or unacceptable ethics:

- (1) Simultaneous employment by another Cooperative/organization that is a competitor of or supplier to EverGRO Cooperative.
- (2) Carrying on Cooperative business with a Cooperative/organization in which the employee, or a close relative of the employee, has substantial ownership or interest.
- (3) Holding a substantial interest in, or participating in the management of, a Cooperative/organization to which the Cooperative makes sales or from which it makes purchases.
- (4) Borrowing money from customers or companies/organizations, other than recognized loan institutions, from which our Cooperative buys services, materials, equipment, or supplies.
- (5) Accepting substantial gifts or excessive entertainment from an outside organization, Cooperative, or potential vendor or customer or supplier
- (6) Speculating or dealing in materials, equipment, supplies, services, or property purchased by the Cooperative.

- (7) Participating in civic or professional organization activities in a manner that divulges confidential Cooperative information.
- (8) Misusing privileged information or revealing confidential data to outsiders.
- (9) Using one's position in the Cooperative or knowledge of its affairs for personal gains.
- (10) Engaging in practices or procedures that violate antitrust laws, commercial bribery laws, copyright laws, discrimination laws, campaign contribution laws, or other laws regulating the conduct of Cooperative business.

Section 4-2: Outside Employment

Employees are permitted to work a second job if it does not interfere with their job performance and responsibilities with the Cooperative. Employees with a second job are expected to work their assigned schedules. A second job will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. In addition, additional jobs outside of the Cooperative should not create a conflict of interest, i.e. working for a competitor, an EverGRO Cooperative vendor/supplier or another business/organization that would place the interest of either part in jeopardy of creating a conflict of interest.

It would also be considered inappropriate and a violation of this policy to work for personal gain outside of EverGRO during working time with the Cooperative, in addition to performing outside work on EverGRO property, or using EverGRO tools, equipment, materials, resources, confidential or proprietary information or processes during the outside working activity.

If outside work activity causes or contributes to job-related problems, it must be discontinued, or the employee may be subject to disciplinary action, up to and including termination.

Section 4-3: Confidential Information

The protection of confidential business information and trade secrets is vital to the interests and success of EverGRO Cooperative. Confidential information is all information disclosed to or known by you because of employment with the Cooperative that is not generally known to people outside the Cooperative about its business. Confidential information may be seen as technical or proprietary information, concepts, customer lists, pricing lists, valuable ideas and other types of unknown industry information that may be exposed to our employees during Cooperative meetings, discussions, trainings, activities, etc.

An employee who improperly uses or discloses trade secrets or confidential business information will be subject to disciplinary action up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information. It is also EverGRO's policy to comply with the copyright laws and to conduct business in accordance with any license agreements. The unauthorized copying, translating, transcribing, disassembling of any software program that EverGRO has purchased or licensed is prohibited.

All inquiries from the media or outside resources pertaining to any potential/accusatory allegations of a violation of confidentiality or any other form of potential illegal business activity must be referred to the General Manager. This provision is not intended to, and should not be interpreted to, prohibit employees from discussing wages and other terms and conditions of employment if they choose.

Section 4-4: Cooperative Assets and Business Standards

It is each employee's responsibility to safeguard EverGRO Cooperative's Cooperative assets. Any employee who witnesses or learns of a potential or valid circumstance related to theft, misappropriation

or willful destruction of Cooperative cash, valuables, product inventory, equipment, tools, or other assets is about to occur or has occurred, has an obligation to report this to their supervisor or any member of leadership immediately.

In addition, the following practices are prohibited:

1. Using Cooperative assets for unlawful or improper purposes or for private, non-business purposes.
2. Creating or maintaining a secret or unrecorded corporate fund or asset.
3. Making false or misleading entries in any form of financial record keeping of the Cooperative or engaging in conduct the normal consequences of which will result in such an act.
4. Agreeing to pay fees or other compensation to finders, promoters, consultants, or similar persons without proper Cooperative approvals.

If an employee has a question or concern related to the proper accounting rules and procedures to follow, they should consult their supervisor, a member of management or the Cooperative's controller/division director.

Section 4-5: Code of Ethics – Business Integrity

As an employee of EverGRO Cooperative, you are expected to conduct your daily responsibilities by abiding to the following expectations:

- All behaviors we conduct will reaffirm the Cooperative's policy of conducting business with integrity and compliance with the letter and spirit of the law.
- We will strive to provide our customers and owners with quality products, dependable customer service and excellent growing solutions.
- We acknowledge and will conduct our business honestly, genuinely and compassionately aligned with a high degree of ethical standards.
- We are committed to protecting our assets and resources and anyone found dishonest or destructive towards them will not be tolerated and, if necessary, the appropriate authorities will be notified, and violations will be investigated and taken seriously.
- It is our responsibility to look for one another; we should be faithful and committed in helping our colleagues succeed and grow.
- We will display our loyalty by performing our responsibilities respectfully and will avoid any conflicts of interest that may interfere with the Cooperative's interests.
- As stewards of the cooperative, we will recognize our responsibility during public and/or community events to reflect the values and beliefs of EverGRO Cooperative in our behaviors.

If you feel concerned about an ethical situation or are not sure whether the conduct is a violation of the Cooperative's policy, you should discuss this with your supervisor, another member of management, a division director or human resources.

Complying with Trade Regulations and Antitrust Laws

EverGRO Cooperative is committed firmly to strict compliance with the letter and spirit of all laws, including trade regulations and antitrust laws of the United States and other countries where EverGRO performs business. Any employee who is involved in business transactions such as negotiations of pricing

or salary setting, and mergers or acquisitions, needs to adhere to the standards set forth in the Antitrust Laws set by Congress, which include the Sherman Act of 1890, the Federal Trade Commission Act and the Clayton Act.

Section 5: Employment Relationship

Section 5-1: Employee Privacy

It is EverGRO's goal to respect the individual privacy of its employees and at the same time maintain a safe and secure workplace. When issues of safety and security arise, you may be requested to cooperate with an investigation. The investigation may include the following procedures to safeguard the Cooperative and its employees: searches of personal belongings, searches of work areas, searches of private vehicles on Cooperative premises, medical examinations, and the like. Failure to cooperate with an investigation may be grounds to disciplinary action, up to, and including, termination. Providing false information during any investigation may lead to discipline, up to and including termination.

Any examination, such as a medical examination, will be paid for by EverGRO. These examinations may be requested in circumstances where the employee's capability of being able to safely perform their job is in question or behaviors have demonstrated unsafe actions that have placed themselves or others in jeopardy. The results of any medical examination will be maintained in confidence and provided only on a need-to-know basis as required by law. In the event the medical examination determines the employee to be unable to perform part or some of their duties, EverGRO will review their accommodations through the ADA process to determine the ability to reasonably accommodate.

Section 5-2: Policy and Procedure Regarding Use and Disclosure of Social Security Numbers

This policy and procedure outlines EverGRO's general standards and practices for how Social Security numbers are gathered, stored, disclosed, and ultimately disposed of. It is the Cooperative's policy that Social Security numbers obtained from employees, vendors, contractors, customers or others are confidential information.

Social Security numbers will be obtained, retained, used, and disposed of only for legitimate business reasons and in accordance with the law and this policy.

Procedure. Documents or other records containing employee Social Security numbers generally will be requested, obtained, or created only for legitimate business reasons consistent with this policy. For example, Social Security numbers may be requested from employees for tax reporting purposes (i.e., IRS Form W-4), for new-hire reporting, for DOT driver files, or for purposes of enrollment in the Cooperative's employee benefit plans.

Retention and access to Social Security numbers. All records containing Social Security numbers (whether partial or complete) will be maintained in secure, confidential files with limited access or within the system used to store employee data or DOT/Safety Compliance platform, which will be restricted to only approved authorized employees and/or the authorized third-party vendors for those respective systems, if applicable.

Unauthorized use/disclosure of Social Security numbers. Any employee who obtains, uses, or discloses Social Security numbers for unauthorized purposes or contrary to the requirements of this policy and

procedure may be disciplined up to and including termination. The Cooperative will cooperate with government investigations of any person alleged to have obtained, used, or disclosed Social Security numbers for unlawful purposes.

Section 5-3: Employment Classification

To determine eligibility for benefits and overtime status and to ensure compliance with federal and state laws and regulations, EverGRO Cooperative classifies its employees as shown below. EverGRO may review or change employee classifications at any time.

Exempt. Exempt employees are employees whose positions meet specific tests established by the Fair Labor Standards Act (“FLSA”) and applicable state law. They are exempt from overtime pay requirements. The basic premise of exempt status is that the exempt employee is to work the hours required to meet their work responsibilities.

Nonexempt. Nonexempt employees are employees whose positions do not meet the FLSA and state exemption tests and who are paid a multiple of their regular rate of pay for overtime hours worked.

Regular, Full-Time. Employees (non-temporary) who work a minimum of 36 hours weekly and maintain continuous employment status. Generally, these employees are eligible for the full-time benefits and are subject to the terms, conditions, and limitations of the benefits.

Part-Time. Employees (non-temporary) who are regularly scheduled to work fewer than 30 hours each week and maintain continuous employment. Part-time employees are eligible for some of the benefits offered by the Cooperative and are subject to the terms, conditions, and limitations of the benefits.

Temporary. Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project or seasonal needs and who are temporarily scheduled to work for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Independent Contractor Classification Policy. EverGRO classifies employees and contractors based on the most recent version of the guidelines published by the United States Department of Labor and the Internal Revenue Services for evaluating independent contractor status, and any other applicable law in determining whether an individual is an independent contractor or an employee. The Cooperative will not discharge, discipline, threaten, discriminate against, or penalize any employee or independent contractor, or take other retaliatory action regarding an employee or independent contractor’s terms, conditions, location, or privileges of employment, because the employee or independent contractor:

- It has reported or plans to report to an appropriate authority that EverGRO, or any officer or agent of EverGRO, has failed to properly classify an individual as an employee and failed to pay required benefits or other contributions.
- Is it requested or subpoenaed by an appropriate authority to participate in an investigation, hearing, or inquiry by an appropriate authority or in a court action.

Further, no employee will be required or requested to sign an agreement with EverGRO that results in the misclassification of the individual as an independent contractor or otherwise does not accurately reflect the relationship with EverGRO. Please contact Human Resources for any questions about this policy or you believe you have been wrongly classified.

Section 5-4: Work Week and Hours of Work

The standard workweek is from Sunday 12:00 a.m. until Saturday 11:59 p.m. and generally consists of 40 work hours. Office hours are typically 8:30 a.m. to 5:00 p.m. and retail store locations operating hours are typically 8:00 a.m. to 6:00 p.m. Retail store hours may vary by season. Individual work schedules may vary as well, depending on the needs of each department, the position, the location, and the staffing demands seasonally. EverGRO reserves the right to adjust these work week hours of operation at any time.

Section 5-5: Meal and Rest Breaks

Employees are entitled to a 30-minute unpaid meal break each shift. Meal and rest breaks will be scheduled by the department supervisor/manager. Employees must obtain prior approval from their supervisor before working through a meal break or working overtime. All the time worked, including overtime or during unpaid breaks, must be accurately recorded, and unapproved work time may be subject to disciplinary action. Unless business needs demand otherwise.

Cooperative employees who hold positions as Applicators, Delivery Driver and CDL Drivers will have an automatic 30-minute lunch deduction on their timecards. If these employees do work during their meal break, they are to inform their supervisor so the timecard can be adjusted accordingly. All time worked during lunch must be reported and will be paid, regardless of prior approval. Failure to obtain advanced approval to work through a lunch period may result in disciplinary action.

Section 5-6: Time Records

All nonexempt employees are required to complete accurate weekly reports showing all time worked by using the appropriate time and labor system. These records are required by governmental regulations and are used to calculate regular and overtime pay. Employees are required to review and approve their timecards on a weekly basis. If an employee has a question or concern with their documented timecard, they should work with their supervisor or human resources to make the correction, always seeking approvals from their supervisor on any changes needed. Supervisors are also required to review and approve their employee's timecards on a weekly basis. Documentation of the approvals can be found in the payroll vendor system.

Any changes or revisions to an employee's time must be documented and will be tracked within the timekeeping system. Any falsification of time may warrant disciplinary action, up to and including termination.

Working off-the-clock is prohibited for all nonexempt employees. Any violations could lead to disciplinary action, up to and including termination. It is a serious violation for any employee to instruct another employee to work off the clock. You should report such violations immediately to your supervisor or Human Resources.

Section 5-7: Overtime

When required due to the needs of the business, you may be asked to work overtime. Overtime is actual hours worked more than 40 in a single work week. Nonexempt employees will be paid overtime compensation at the rate of one and one half of their regular rate of pay for all hours over 40 worked in a single work week. In addition, the Cooperative will comply with any other local, state or federal applicable laws or regulations related to overtime.

Time not actually worked, such as, holiday pay/holiday bank, floating holiday, PTO, volunteer, bereavement, jury duty, and other approved time away from work that is not considered actual working hours, does not apply toward the calculation of work time for purposes of overtime. All overtime work

must be approved in advance by your supervisor or manager. Employees who work overtime without approval will be paid for the time but may be subject to disciplinary action for not receiving prior approval.

Section 5-8: Deductions from Pay

EverGRO is required by law to make certain deductions from employee pay each pay period, including deductions for:

- Federal and state income taxes.
- Social Security (FICA) taxes.
- Deductions required by wage garnishment, child support, and other income withholding orders or notice.
- Other required deductions.

The Cooperative may also make other deductions from your pay, including deductions for:

- Payment you have authorized, such as employee contributions to health, dental, life, or other types of insurance premiums, employee voluntary contributions to a retirement or pension plan, or other voluntary deductions.
- Repayment of wage advances and loans.
- Other permissible deductions.

Exempt Employees. The Cooperative does not make improper deductions from the salaries of exempt employees and complies with the salary-based requirements of the Fair Labor Standards Act (FLSA). Employees classified as exempt from the overtime pay requirements of the FLSA will be notified of this classification at the time of hire or change in position.

Permitted deductions. The FLSA limits the types of deductions that may be made from the pay of an exempt employee. Deductions that are permitted include:

- Deductions that are required by law, e.g., income taxes;
- Deductions for employee benefits when authorized by the employee;
- Absence from work for one or more full days for personal reasons other than sickness or disability;
- Absence from work for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
- Offset for amounts received as witness or jury fees, or for military pay; or
- Unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

During the week an exempt employee begins work for the Cooperative or during the last week of employment, the employee will only be paid for actual hours worked. In addition, an employee may be paid only for hours worked during a period when the employee is using unpaid leave under the Family and Medical Leave Act (FMLA).

Improper deductions. If an employee classified as exempt believes that an improper deduction has been taken from their pay, the employee should immediately report the deduction to the Human Resources Department. The report will be promptly investigated and if it is found that an improper deduction has been made, the Cooperative will reimburse the employee for the improper deduction.

Non-Exempt Employees. EverGRO prohibits deductions from a nonexempt employee’s pay except as required or permitted by applicable law. If deductions reduce a nonexempt employee’s wages significantly, the Cooperative will ensure that applicable minimum wage and overtime pay requirements are satisfied.

Section 5-9: Paychecks

EverGRO’s pay periods for all employees are biweekly, with paychecks being issued on Friday. If pay day falls on a federal holiday, employees will receive their paycheck on the workday either prior to or following the holiday. EverGRO will utilize a payroll vendor to complete all payroll transactions and deposits. If you feel there is a discrepancy on your paycheck, please reach out to your supervisor or the Human Resource department.

Section 5-10: Access to Personnel Files

Employee files are maintained by the Human Resources department and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis. Personnel files are to be reviewed in the Human Resources department. Employee files may not be taken outside the department. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

Electronic forms related to an employee’s personnel file, such as performance reviews, new hire onboarding documents, payroll details, performance discussions, trainings, etc., may also be stored within the human resources information system (same as the Cooperative’s payroll vendor), with restricted/limited access. Employees will have access to their personnel file as provided pursuant to relevant law.

Per Virginia state law as well, employee’s personnel files shall be retained for at least three years after an employee’s termination.

Section 5-11: Employment of Relatives

Relatives may be hired by the Cooperative if (1) the people concerned will not work in a direct supervisory relationship, and (2) the employment will not pose difficulties for supervision, security, safety, or morale, creating a potential or perceived conflict of interest. For the purposes of this policy, “relatives” may be defined as spouses, children, siblings, parents, grandparents, and other relatives may be considered depending on the circumstances. A “domestic partnership” is generally defined as a committed relationship between two individuals who are sharing a home or living arrangements.

Current employees who marry each other or romantically become involved in a domestic partnership will be permitted to continue employment with the Cooperative provided they don’t work in a direct supervisory relationship with each other or otherwise pose difficulties as mentioned above with a perceived or potential conflict of interest that directly impacts their performance. If employees who marry or live together do work in a direct supervisory relationship with each other, the Cooperative will attempt to reassign one of the employees to another position for which they are qualified if such a position is available. If no such position is available, the employees will be permitted to determine which one of them will resign from the Cooperative.

Section 5-13: Probationary Period

All individuals, either originally hired for employment or re-employment, will be placed under a 90-day probationary period. This period will be seen as the introductory period to determine if the employee and

their performance is well suited for the job. The normal probationary period is 90-days but can be extended by supervisor and division director approvals.

The 90-day period will begin from the employee's start date with the expectation that the employee will consistently demonstrate acceptable performance in all areas of job responsibilities. Failure to demonstrate acceptable performance during this probation could subject an employee to immediate termination.

Section 5-14: Disciplinary Procedure

EverGRO expects employees to comply with the Cooperative's standards of behavior and performance expectations and to correct any noncompliance with these standards.

Under normal circumstances, the Cooperative endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right to administer discipline in any manner it sees fit. This policy does not modify the status of employees as employees-at-will or in any way restrict the Cooperative's right to bypass the disciplinary procedures suggested.

The following steps are suggested in the discipline procedure. All steps should be documented in the employee's personnel file.

Step 1: *Informal Discussion/Coaching Discussion.* When a performance problem is first identified, the nature of the problem and the action necessary to correct it should be thoroughly discussed with the employee. This can be a documented note placed in the employee's personnel file.

Step 2: *Counseling/Formal Verbal Warning.* If a private informal discussion with the employee has not resulted in corrective action, the supervisor should meet with the employee and (a) review the problem, (b) advise the employee that the problem must be corrected, (c) inform the employee that failure to correct the problem will result in further disciplinary action which may include discharge, and (d) issue a counseling notice to the employee.

Step 3: *Written Warning/Final Written Warning.* If satisfactory performance and corrective action are not achieved under Steps 1 and 2, the supervisor and their manager should meet with the employee in private and proceed with reviewing formal written documentation of the behavior, the results of the misconduct and expectations to improve the behavior, which could include a required timeframe to see improvement and next steps if improvement is not seen, which could include further disciplinary action, up to and including termination. This step should be reviewed with human resources prior to proceeding.

Step 4: *Suspension.* Supervisors have the authority to temporarily remove employees from the workplace, with or without pay, if approved in advance by the division director, general manager and human resources. An exempt employee generally may not be suspended without pay for less than a full day, and the suspension must be related to written workplace conduct rules applicable to all employees, e.g., such as a written policy prohibiting sexual harassment or workplace violence. In these cases, human resources may conduct a thorough investigation of the situation, if needed, prior to allowing the employee to return to work. This step should be reviewed with human resources prior to proceeding.

Step 5: *Failure to improve.* Failure to improve performance or behavior after the written warning, final written warning or suspension can result in termination. This decision needs to be approved by the division director and general manager and reviewed with human resources prior to following through with

the decision to separate an employee, unless, the employee's behavior was so egregious, causing an unsafe work environment for others or themselves. Then, immediate separation and removal of the employee from the premises can be conducted.

The progressive disciplinary procedures described above apply to any employee who is experiencing a series of problems involving job performance or behavior.

In cases involving serious misconduct, or any time the supervisor determines it is necessary, such as a major breach of policy or violation of law, the procedures contained above may be escalated outside of the standard order. EverGRO reserves the right to issue any punishment it sees fit and is in no way obligated to follow progressive discipline. To avoid any doubt, this means that EverGRO can terminate an employee for any disciplinary offense.

Section 5-15: Separation from Employment

In all cases of voluntary resignation (one initiated by the employee); employees are asked to provide a written notice to their supervisors at least 10 working days in advance of the last day of work. The 10 days must be actual working days. Holidays and paid time off (PTO) will not be counted toward or within the 10-day notice period that employee is scheduled to work until their last day. Employees who provide the requested amount of notice will be considered to have resigned in good standing and generally will be eligible for rehire. If the employee fails to work the duration of their notice, their separation date will be determined based on their last day worked.

In most cases, human resources will conduct an exit meeting on or before the last day of employment to collect all Cooperative property, and to discuss final pay. If applicable, information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the employee's home address. Full-time benefit eligible employees' benefits will end the last day of the month of their separation date.

In addition, employees are not permitted to use PTO, floating holidays/holiday bank or other non-working time off to extend their last day. Any unused, earned PTO will be paid out on the employee's last paycheck per EverGRO's PTO policy, which states a maximum of 120 hours of PTO pay out; Floating Holidays, Volunteer Time and other non-working time away are not eligible to be paid out if unused.

Re-Hired Employees: In the case a former employee is approved by management to be rehired, the proper pre-employment steps will be conducted depending on the length in the gap of service and the position they are being rehired into. For DOT-regulated drivers, the pre-employment steps must adhere to DOT regulations, which would include completing a DOT driver file, a pre-employment DOT drug screen, background check, MVR review and FMCSA Clearinghouse query.

If the gap in service is greater than six months, the employee will be required to complete a background check, MVR and drug screen as part of their re-employment approvals.

A pre-employment DOT drug screen is required for all CDL-regulated drivers, regardless of gap in service, unless the driver provides documentation of prior participation in a DOT-compliant testing program. For any questions concerning this policy or exceptions please see a supervisor or Human Resources.

Section 5-16: Service Dates of Employment

In most cases, an employee's service date will be their date of initial hire. If an employee separates from the cooperative and is re-hired, their adjusted service date, which will impact their paid time off accrual

rate eligibility, will be adjusted to their original date of hire if the gap in service is less than one year. If their break in service is more than one year, they will be treated as a new employee for PTO calculations/Service Anniversary as outlined by the current Cooperative accrual rates.

Section 6: Workplace Guidelines

Section 6-1: Attendance

The successful operation of the Cooperative depends on the regular and consistent attendance and punctuality of our employees. All employees are expected to arrive on time, ready to work, every day they are scheduled to work.

While we recognize that circumstances beyond an employee's control may sometimes cause an employee to be absent for all or part of a scheduled shift, unexcused and/or excessive tardiness or absenteeism may result in disciplinary action, up to and including, termination.

Excused absences are those which are taken in accordance with EverGRO's Paid Time Off (PTO) policy and/or federal, state or local law, and which an employee gave sufficient notice to their supervisor in requesting and/or was approved by their direct supervisor or their division director.

Unexcused absences are the result of missed time when an employee fails to provide sufficient notice of the absence to their supervisor or another member of management that can speak on their supervisor's behalf or when the employee takes time off from work more than what was approved/permitted under the Cooperative's policies. Voicemail, text messages and e-mail messages may not be acceptable means of communicating an unplanned absence, unless it's an emergency. In addition, employees are expected to be at their work locations at the time of their scheduled day and at the prescribed time after lunch or other breaks.

An employee who will be absent from work or delayed in reporting for work is required to communicate this to their supervisor or another member of management, if their supervisor is not available, prior to the time the employee was to report to work. Similarly, employees who need to leave early for any reason must first obtain permission from their supervisor. Employees who will be absent from work, running late or leaving early from their scheduled working hours, must make good faith attempts to contact their supervisor as soon as practical. Failure to notify the Cooperative of any anticipated or unexpected absences, excessive delays in reporting for work, excessive absenteeism or tardiness, or failure to show for a scheduled shift without communication to your supervisor, may all be grounds for disciplinary action, up to and including, termination.

If an employee fails to report to work or call in to inform the supervisor of the absence for two (2) or more consecutive scheduled working days, the employee will be considered to have voluntarily resigned employment and will be formally separated from employment with the Cooperative.

Section 6-2: Job Performance

Communication between employees and supervisors is very important. Discussions regarding job performance should be ongoing and can be informal or formal. Employees should initiate conversations with their supervisors if they feel additional ongoing feedback is needed.

Generally, formal performance reviews are conducted annually. These reviews include a written performance evaluation and discussion between the employee and the supervisor about job performance and expectations for the coming year. Employees are also provided the opportunity to complete a self-assessment along with the annual performance review process. EverGRO has also practiced other

performance tools such as goal setting and quarterly 1-on-1's with employees as an alternative to an annual performance review.

Section 6-3: Dress Code

EverGRO Cooperative encourages their employees to dress and appear professional in the work environment. For more details regarding dress attire, please reference EverGRO's Uniform Agreement Policy ([click here](#)). For those employees working in an office setting, the dress code will be business casual. EverGRO feels it is important to project a professional image to our customers, visitors, and coworkers; therefore, all employees are expected to dress in a manner consistent with good hygiene, safety, and good taste. Please use common sense or ask your supervisor or the HR department if you have a question related to your attire. EverGRO may also provide a benefit to purchase Cooperative logo/branded attire on an annual basis.

Any questions or complaints regarding the appropriateness of attire should be directed to your supervisor or Human Resources. Requests for accommodation under this policy should be made to Human Resources. The Cooperative will engage in the interactive process to determine whether an employee is eligible for accommodation under applicable law.

Section 6-4: Social Media Acceptable Use

EverGRO Cooperative encourages employees to share information with co-workers and with those outside the Cooperative for the purposes of gathering information, generating new ideas, and learning from the work of others. Social media provides inexpensive, informal, and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public and, therefore, the Cooperative has established the following guidelines for employee participation in social media.

Note: As used in this policy, "social media" refers to blogs, forums, and social networking sites, such as X (formally known as Twitter), Facebook, LinkedIn, YouTube, Instagram, TikTok, and SnapChat, among others.

Off-duty use of social media. Employees may maintain personal websites or weblogs on their own time using their own facilities. Employees must ensure that social media activity does not interfere with their work. In general, the Cooperative considers social media activities to be personal endeavors, and employees may use them to express their thoughts or promote their ideas. Off-duty use of social media that violates the Cooperative's policies, including, but not limited to, EverGRO's anti-harassment or anti-discrimination policies, may result in discipline up to, and including, termination.

On-duty use of social media. Employees may engage in social media activity during work time provided it is directly related to their work, approved by their manager, and does not identify or reference Cooperative clients, customers, or vendors without express permission. The Cooperative may monitor employee use of Cooperative computers and the Internet, including employee blogging and social networking activity.

Respect. Demonstrate respect for the dignity of the Cooperative, its owners, its customers, its vendors, and its employees. A social media site is a public place, and employees should avoid inappropriate comments. For example, employees should not divulge EverGRO Cooperative confidential information such as trade secrets, client lists, or information restricted from disclosure by law on social media sites. Similarly, employees should not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments. Even if a message is posted anonymously, it may be possible to trace it back to the sender.

Post disclaimers. If an employee identifies themselves as a Cooperative employee or discusses matters related to the Cooperative on a social media site, the site must include a disclaimer on the front page stating that it does not express the views of the Cooperative and that the employee is expressing only their personal views. For example: “The views expressed on this website/Weblog are mine alone and do not necessarily reflect the views of my employer.” Place the disclaimer in a prominent position and repeat it for each posting expressing an opinion related to the Cooperative or the Cooperative’s business. Employees must keep in mind that if they post information on a social media site that is in violation of Cooperative policy and/or federal, state, or local law, the disclaimer will not shield them from disciplinary action.

Competition. Employees should not use social media to criticize the Cooperative’s competition and should not use it to compete with the Cooperative.

Confidentiality. Do not identify or reference Cooperative clients, customers, or vendors without express permission. Employees may write about their jobs in general but may not disclose any confidential or proprietary information. For examples of confidential information, please refer to the confidentiality policy. When in doubt, ask before publishing.

New ideas. Please remember that new ideas related to work, or the Cooperative’s business belong to the Cooperative. Do not post them on a social media site without the Cooperative’s permission.

Links. Employees may provide a link from a social media site to the Cooperative’s website during employment (subject to discontinuance at the Cooperative’s sole discretion). Employees should contact the Web design group to obtain the graphic for links to the Cooperative’s site and to register the site with the Cooperative.

Trademarks and copyrights. Do not use the Cooperative’s or others’ trademarks on a social media site, or reproduce the Cooperative’s or others’ material without first obtaining permission.

Avoid statements about the Cooperative’s future. Because the Cooperative is publicly held, writing about projected growth, sales and profits, future products or services, marketing plans, or the stock price may violate Securities and Exchange Commission (SEC) rules or other applicable laws.

Legal. Employees are expected to comply with all applicable laws, including but not limited to, Federal Trade Commission (FTC) guidelines, copyright, trademark, and harassment laws.

Cooperative restrictions. Because the Cooperative is publicly held, it may require that employees temporarily confine social media commentary to topics unrelated to the Cooperative or that employees temporarily suspend such activity to ensure compliance with the SEC’s regulations or other laws. The Cooperative may also require employees to delete references to it on a website or Web log and to stop identifying themselves as an employee of the Cooperative.

Discipline. Violations of this policy may result in discipline up to and including immediate termination of employment.

Note: Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to improve or discuss terms and conditions of employment, such as wages, working conditions, and benefits.

Section 6-5: Bulletin Boards

All required governmental postings are posted on the boards located at each respective EverGRO store location. These boards may also contain general announcements and are located in areas accessible to all employees at all times.

Employees may submit to their supervisor or the store manager notices of general interest, such as for-sale notices; recreational-type announcements and/or club functions (e-mail should not be used for the aforementioned); postcards; expressions of gratitude or sympathy; and notices looking for/offering carpools, tickets, roommates, or pets. Store Managers are to approve any postings prior to them being posted and have the right to take down any notice at any time. All notices posted by employees will be removed after 2 weeks unless otherwise stipulated. The Cooperative reserves the right to refuse permission to post or to remove any announcement. Any postings not directly related to employment, compliance, state/federal law, must be posted on a bulletin board separate from the postings related to compliance, safety and/or employment specific communications.

Section 6-6: Solicitation

Employees should be able to work in an environment that is free from unnecessary interference with their work. To protect our employees and visitors, solicitation by employees is strictly prohibited while either the employee being solicited or the employee doing the soliciting is on “working time.” “Working time” is defined as time during which an employee is not at a meal, on break, or on the premises immediately before or after their shift.

Employees are also prohibited from distributing written materials, handbills, or any other type of literature during working time and, at all times, in “working areas,” which includes all office areas. “Working areas” do not include break rooms, parking lots, or common areas shared by employees during nonworking time. The Cooperative requests that employees be thoughtful and respectful if they choose to solicit fundraising events or activities for their children/family while on Cooperative property and during working hours.

Nonemployees may not trespass or solicit or distribute materials anywhere on Cooperative property at any time.

Section 6-7: Computers, Internet, Email, and Other Resources

The Cooperative provides a wide variety of communication tools and resources for use in running day-to-day business activities. Whether it is the telephone, voice mail, fax, scanner, Internet, intranet, e-mail, text messaging, portable electronic devices or any other Cooperative-provided technology, use should be reserved for business-related matters during working hours. All communication using these tools should be handled in a professional and respectful manner.

Employees should not have any expectation of privacy in their use of Cooperative computer, phone, portable electronic devices, or other communication tools. All communications made using Cooperative-provided equipment or services including email and internet activity, are subject to inspection by the Cooperative. Employees should keep in mind that even if they delete an email, voicemail or other communication, a copy may be archived on the Cooperative’s systems.

Employee use of Cooperative-provided communication systems, including personal e-mail and internet use, that are not job-related have the potential to drain, rather than enhance productivity and system performance. You should also be aware that information transmitted through email and the internet is not completely secure or may contain viruses or malware, and information you transmit and receive could

damage the Cooperative's systems as well as the reputation and/or competitiveness of the Cooperative. To protect against possible problems, delete any e-mail messages prior to opening that are received from unknown senders and advertisers. It also is against Cooperative policy to turn off antivirus protection software or make unauthorized changes to system configurations installed on Cooperative computers. Violations of this policy may result in termination for a first offense.

The Cooperative encourages employees to use e-mail only to communicate with fellow employees, suppliers, customers, or potential customers regarding Cooperative business. Internal and external e-mails are considered business records and may be subject to federal and state recordkeeping requirements as well as to discovery in the event of litigation. Be aware of this possibility when sending e-mails within and outside the Cooperative.

All use of Cooperative-provided communications systems, including e-mail and internet use, should conform to our Cooperative guidelines/policies, including but not limited to the Equal Opportunity, Harassment, Confidential Information, and Conflicts of Interest. For example, employees should not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments. Similarly, employees should not divulge confidential information such as trade secrets, client lists, or information restricted from disclosure by law on social media sites.

Because e-mail, telephone and voice mail, and internet communication equipment are provided for Cooperative business purposes and are critical to the Cooperative's success, your communications may be accessed without further notice by management to ensure compliance with this guideline.

Office telephones are for business purposes. While the Cooperative recognizes that some personal calls are necessary, these should be kept as brief as possible and to a minimum. Personal use of Cooperative's cell phones, long-distance account, or toll-free numbers is strictly prohibited. Abuse of these privileges is subject to corrective action up to and including termination.

The Cooperative reserves the right to monitor customer calls to ensure employees abide by Cooperative quality guidelines and provide appropriate levels of customer service. Should the subject matter of any telephone conversation become personal while monitoring is taking place, monitoring of the call will immediately be discontinued.

Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment as protected under the National Labor Relations Act. Employees have the right to engage in or refrain from such activities.

Section 6-8: Cyber Security

This Cyber Security Policy relates to all EverGRO Cooperative employees, in particular, employees that have access to utilize the Co-op's computers, systems, software or hardware. This policy is intended to help protect EverGRO's data and technology infrastructure by providing guidelines to help prevent cyber-attacks, compromises of customer or employee data and overall unwanted exposure of company proprietary or sensitive information.

These guidelines pertain to all employees, whether they are working at any EverGRO location or remotely.

When referring to confidential data, common examples of this include;

- Classified financial information
- Customer data; i.e. credit card applications, or anything containing confidential information such as social security numbers, date of birth or driver license number
- Employee data; i.e. date of birth, social security number, etc.
- Data about partners or vendors or suppliers
- Pricing data or pricing strategies

Device Security – Using personal devices

Logging in to any of the company’s accounts on personal devices such as mobile phones, tablets or laptops, can put EverGRO’s data at risk. The Co-op does not recommend accessing any company data from personal devices. If you have too, employees are obligated to keep their devices in a safe place, not to be exposed to anyone else.

We recommend employees follow these best practices:

- Keep all electronic devices’ password secured and protected
- Logging into company’s accounts should be done only through safe networks
- Install security updates on a regular basis
- Upgrade antivirus software on a regular basis
- Don’t leave your device unprotected and exposed
- Lock your computers when leaving your desk

Email Security

Emails can carry scams or malevolent software. In order to avoid virus infection or data theft, employees should practice the following;

- Abstain from opening attachments or clicking any links in the situations when its content is not well explained or the email is from an unknown sender or appears to be suspicious. If you ever have a doubt about the validity of an email or document you receive, consult your supervisor prior to opening the communication.
- Make sure to always check email addresses and names of senders
- Be careful with subject lines that allude to special offers, prizes, advice, etc.

Managing Passwords

To ensure avoiding that your company account password gets hacked or taken, follow these practices for setting up and managing your passwords:

- Follow the software’s requirements for security of the password; i.e. at least 8 characters (must contain a capital and lower-case letters, numbers, symbols)
- Do no write down password and leave it unprotected
- Do not share your password with others or use a shared password to access systems when not requested or approved by a supervisor
- Change your password once every 3 months or when prompted by the system

Transferring Data

Data transfer is one of the most common ways cybercrimes happen, therefore, it’s important all employees follow these guidelines:

- Avoid transferring personal data such as customer and employee confidential data

- If you must send a document that contains employee or customer confidential data, the file must be encrypted or password protected OR the document/information must be shared via a secured website
 - If you send an email with a password protected document, the password must be sent in a separate email
- Adhere to personal data protection laws
- Preferably, data should only be shared over the company's protected networks

If you become aware of a potential cyber security breach or attack, immediately inform your supervisor, a member of management, the Co-op's Marketing & Communication Specialist or the Co-op's HR representative. When these guidelines are not followed, disciplinary action may result, up to and including, termination.

Section 6-9: Video Recordings

It is EverGRO's Cooperative position that learning and participating in communication with coworkers and visitors is very important and through those communications we expect respectful and honest discussions to occur. Video/voice recordings of individuals without their consent is prohibited during working time and at any of the Cooperative's locations. By unknowingly recording conversations without the other individual's consent, the Cooperative feels this is violating respect and trust in others. This applies to video/voice recordings between coworkers, suppliers, customers, vendors and other visitors. If an employee or visitor wants to record a conversation, presentation or interaction at work, consent must be obtained by all parties involved in the communication. If recordings are found to have been improperly obtained, disciplinary action, up to and including termination may occur.

Section 6-10: Cooperative Assets and Loss Prevention

Each employee has a responsibility to care for Cooperative assets, which include, but not limited to, Cooperative property, equipment, tools, Cooperative earnings, inventory, office supplies, Cooperative vehicles, etc. Proper care and responsibility to maintain Cooperative assets is a step to safeguard the safety and protection of the Cooperative's employees and business. It is also prohibited for employees to use Cooperative assets for unlawful or improper purposes for private, non-business activities.

In addition, all employees must work to help stop merchandise inventory shortages. Therefore, all employees are expected to be alert to situations that can affect or cause questions regarding theft or inventory shortages throughout any of the Cooperative locations.

If an employee notices evidence or suspects behavior related to theft, misappropriation or willful destruction of property or Cooperative earnings (cash), valuable, product inventory, equipment, tools, or other assets, whether it has occurred or is about to occur, has an obligation to report this to their supervisor or a member of management or human resources immediately.

Section 6-11: Cooperative Vehicles

EverGRO Cooperative recognizes that certain designated employees may be issued the use of a Cooperative vehicle. It's EverGRO's priority to ensure the safety of those individuals who will be driving a Cooperative vehicle. It is the driver's responsibility to operate all vehicles in a safe manner. The Cooperative will endorse and adhere to all applicable state motor vehicle regulations relating to driver responsibility.

Prior to operating a company vehicle employee's must review and acknowledge EverGRO's Company Vehicle Policy. ([click here](#))

Section 6-12: Cell Phone Use

Employees are prohibited from using cell phones for personal calls, text messages or games during work time while performing safety-sensitive responsibilities (i.e. driving a vehicle, operating a forklift, running a blender/conveyor, etc.). Employees in non-safety sensitive positions should limit their cell phone usage while working to avoid distraction. Employees may use cell phones for these purposes during meal and rest periods. EverGRO policies concerning harassment, discrimination, retaliation, trade secrets, confidential information and ethics apply to employee use of personal cell phones. Employees are expected to protect personal devices used for work-related purposes from loss, damage, or theft.

Employees are expected to follow applicable local, state, and federal laws and regulations, including the use of hands-free devices while driving. Employees who are charged with traffic violations resulting from the use of a cell phone while driving will be solely responsible for all liabilities that result from such actions.

Employees who work in hazardous areas must refrain from using electronic devices while at work in those areas, as such use can potentially be a major safety hazard.

Data on a Cooperative-owned cell phone or a personal cell phone that is being reimbursed for use of business purposes, may be made available to law enforcement or EverGRO Cooperative when required and to the extent the law allows.

Employees are responsible for managing and protecting their devices to preserve the confidentiality of any Cooperative sensitive data. If a Cooperative-issued cell phone is lost or damaged, report this incident immediately to your supervisor or HR.

When an employee is separating from the Cooperative, all EverGRO issued devices, including accessories, must be turned into their supervisor/manager or HR. The departing employee should provide their passcode to their supervisor or HR so that the device can be redeployed.

If an employee is observed using their phone excessively, impairing their ability to perform their job to expectations, disciplinary action, up to and including termination.

Section 6-13: Cooperative Credit Card Usage

EverGRO Cooperative may issue or approve permission to certain employees to use a Cooperative credit card for business expenses. If an employee is issued a Cooperative credit card in their name, they must reconcile appropriately each transaction per the cooperative's credit card portal, which will require receipts (could be required to be itemized) for each expense, details regarding the expense and appropriate G/L coding.

Non-supervisory/management employees must receive manager approval prior to any expense purchase.

Operations/Store/Sales Managers may authorize up to \$500 in purchases. Over \$500 requires the approval of the Division Director.

Division Directors may authorize up to \$1500 in purchases. Over \$1500 requires the approval of the General Manager.

Employees are prohibited from using the Cooperative credit card for any personal expenses. If an employee is found to be purposefully using the Cooperative credit card for personal use, disciplinary action may be taken, up to and including, immediate termination. EverGRO may also seek legal remedy against any employee who misuses credit cards for unauthorized expenses.

Expense invoice approval process: Managers must date, sign, and note division/location or unit number on each invoice. Managers will submit each invoice to the Division Director. The Division Director will sign and submit the invoice to the General Manager. This can be done via email.

Managers are required to process invoices on a timely basis. All invoices must be submitted to the Division Directors at least five (5) business days prior to the due date.

Section 7: Time Off and Leaves of Absence

Eligibility for all paid time off and absences: Regular full-time employees.

Section 7-1: Holidays

The Cooperative observes and allows time off with pay, for full-time employees, for the following holidays:

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

EverGRO may choose to keep retail locations open on the observed holidays mentioned and will communicate these schedule changes to the respective employees.

In addition to the paid holidays above, the Cooperative will provide each full-time employee with two (2) additional floating holidays each year. This may be prorated for newly hired full-time employees based on their start date. Part-time employees are not eligible for paid time off, including holidays, floating holidays and holiday banks hours.

Floating holidays must be approved in advance by the employee's supervisor/manager. While every effort will be made to accommodate an employee's requested floating holiday, depending on the department's needs, they may be refused to meet the needs of the department and Cooperative for scheduling purposes.

Floating holidays will be paid at the employee's regular straight-time rate. Floating holidays will not be counted towards overtime calculations. Floating holidays not used during the calendar year in which they are awarded will not be carried over to the next year. Unused floating holidays will not be paid out upon separation with the Cooperative. Floating holidays will be paid out in increments of 8 hours, but can be requested for less, upon approvals from the employee's supervisor.

Any additional holidays will be designated by the Cooperative at the start of each calendar year.

If one of these holidays falls on a Sunday, it will be observed on the following Monday. If the holiday falls on a Saturday, the Cooperative will select either the following Monday or the preceding Friday as a

substitute holiday. The approved Cooperative holiday may be observed on a different day upon the general manager's approval.

Holiday pay. Full-time non-exempt employees are eligible for holiday pay. Employees may receive holiday pay immediately upon joining the Cooperative. Holiday pay is provided at the employee's regular straight-time hourly rate for an 8-hour workday and is not considered hours worked for purposes of calculating overtime under the Fair Labor Standards Act (FLSA). Holidays, both Cooperative approved and floating holidays, will be paid out as an 8-hour increment.

Part-time employees are not eligible for holiday pay but will receive the day off without pay on observed holidays.

To receive holiday pay, an eligible employee must be at work or taking an approved Paid Time Off day on the workdays immediately preceding and immediately following the day on which the holiday is observed. If an employee is absent on one or both of these days because of an illness or injury, the Cooperative may require verification of the reason for the absence before approving holiday pay. If an employee misses a scheduled workday, unexcused, on the day before or after the holiday, the employee will not be paid the holiday.

Employees on approved unpaid leave of absence, such as short-term disability, FMLA, worker's compensation, etc. and are not actively working, are not eligible for holiday pay during their leave period.

Working a Cooperative Approved Holiday: Depending on the department's operational requirements, certain employees may be required to work on a holiday, as the needs of the business dictate. Full-time regular employees who work will be given another day off with pay in its place, which will show under their paid time off balances as 'Holiday Bank'. Salaried/Exempt employees who are required to work on a holiday will be given equivalent time off as compensation for the time worked as 'Holiday Bank' time off as well.

If an employee works on an approved holiday, hours worked will be paid at time-and-a-half the employee's regular hourly rate and the hours worked will not count towards overtime calculations. This applies to both full-time and part-time employees. However, part-time employees will not be eligible to earn holiday bank hours, due to not being eligible for Cooperative holidays and paid time off.

If a holiday falls during an employee's leave of absence, of any kind, that employee shall not be eligible for the paid holiday off.

Section 7-2: Paid Time Off (PTO)

EverGRO Cooperative recognizes the importance of time off from work to relax, re-energize and enjoy time with family and friends. The Cooperative provides Paid Time Off (PTO) to full-time employees for this purpose. PTO combines time away for purposes of vacation, sick leave, and personal time into one lump sum of days off that each employee is awarded.

The number of PTO days an employee will receive will depend on their length of service or as outlined in a new employee's offer letter details, a new employee's start date, and are earned per pay period. Employees may not take PTO until they have earned or accrued the time as outlined below. New employees begin accruing PTO on their first paycheck. To receive PTO, the employee must work at least one day during the pay period to be eligible to accrue hours. PTO will not be used towards an employee's overtime calculations.

Scheduling PTO: PTO must be approved in advance by the employee’s supervisor. To help with scheduling, it is requested that the employee provides the request as far in advance as possible, but no less than 48 hours when requesting one or more consecutive days off (up to 4 consecutive days) and no less than one-month for requests of one week (5 or more consecutive days) or more. While every effort will be made to accommodate an employee’s requested PTO, depending on the department’s needs, they may be denied, to meet the needs of the department and Cooperative for scheduling purposes.

A PTO day taken without permission or without prior notice or extending one’s PTO day past the approved date, without obtaining permission, will be considered an unexcused absence, and treated as such. PTO that is not pre-approved and is used to help cover compensation per an employee’s unplanned absence(s) will also be considered an unexcused absence and treated as such.

Full-time employees will accrue PTO according to the following schedule (annual totals should be rounded to the nearest whole day): *Effective, January 1, 2021.*

<u>Length of Service</u>	<u>Full-Time Accrual Rate</u>	<u>Total Allowed</u>
0 – 2 Years	4.30 hours/pay period	14 days
3 – 5 Years	5.23 hours/pay period	17 days
6 – 10 Years	6.15 hours/pay period	20 days
11 – 15 Years	7.07 hours/pay period	23 days
16 – 19 Years	8 hours/pay period	26 days
20+ Years	9.23 hours/pay period	30 days

Accumulated PTO may not exceed 256 hours (32 days). Once an employee’s PTO reaches 256 hours, no additional PTO can be accrued until the balance falls below the maximum accrual.

PTO Payout Upon Separation: Employees whose employment terminates will be paid for unused, earned PTO, up to a maximum payout of 120 hours. However, if an employee leaves employment and has taken more days than they had earned to date, for any reason, the employee will be required to reimburse EverGRO Cooperative for those extra days taken. Payment for any used, unearned PTO days that are due to EverGRO Cooperative may also be deducted from the employee’s last paycheck, in accordance with applicable state laws. PTO cannot be used to extend an employee’s separation date.

PTO Donation: In the spirit of camaraderie and teamwork, we promote the opportunity for employees to donate their own earned and unused PTO time to assist another employee in need. To be eligible to donate and receive donated PTO, requirements are:

- Donating and receiving employees must be benefit eligible
- Donating employees must have a minimum of 40 hours remaining in their PTO accruals following providing the donated hours
- Employees receiving donations must have exhausted their own PTO accruals
- Employees receiving donations must be currently meeting performance expectations and have not been placed with any verbal or documented disciplinary action related to attendance
- Employees should continue to adhere to the cooperative’s no solicitation policy, which prohibits solicitation in work areas and during working hours. Consistent with that policy, employees should

not feel compelled through peer pressure or continued requests to donate PTO time they cannot afford or do not wish to give.

- *To help promote this practice, strict confidence will be exercised regarding the reasons for the donations, who donated and who received donations and the donor's identity will not be made to the recipient nor to members of management.

An employee wishing to donate must complete the **PTO Donation Form**, which can be provided by human resources.

Section 7-3: Volunteer Time Off

EverGRO Cooperative encourages employees to demonstrate their commitment and support to our local communities through volunteer events and services. It is important to the cooperative that our employees are engaged and supportive of local community efforts that exemplify the spirit of the cooperative. EverGRO offers sixteen (16) hours of paid Volunteer Time Off (VTO) per calendar year for full-time employees, to leverage if they would like to volunteer during working hours.

To qualify for VTO, the following guidelines must be met:

- The employee must be in good standing; meet performance expectations and are not on any active disciplinary actions.
- Employees must have a VTO request submitted at least one week in advance, no less than 48 hours, to avoid conflicting with work-related responsibilities/deadlines, creating a need for overtime or causing conflicts with other employees' schedules. VTO may be denied due to these reasons.
- The event or activity that the employee is volunteering at has the purpose of promoting and serving community needs as non-profit entities and is not an event where the employee will be compensated for their time of service.
- Following the event, the employee may be requested to have their VTO form signed by the employee's supervisor and a representative of the organization that is hosting the event, verifying the date and time worked.
 - This must then be submitted to HR during the employees' next scheduled workday.

VTO hours are allotted starting January 1 of each calendar year. VTO cannot be carried over to another year and cannot be donated to other employees. VTO will not be paid out at the end of the year nor will it be paid out for an employee's separation from the Cooperative. VTO hours must be used during regular working hours, and do not count toward overtime calculations. VTO hours are paid out at the employee's regular hourly rate.

Section 7-4: Family and Medical Leave

EverGRO Cooperative complies with the federal Family and Medical Leave Act (FMLA), which requires employers to grant unpaid leaves of absence to qualified workers for certain medical and family-related reasons. The Cooperative also abides by any state and local laws. The more generous of the laws will apply to the employee if the employee is eligible under both federal and state laws.

Please note there are many requirements, qualifications, and exceptions under these laws, and each employee's situation is different. Contact Human Resources to discuss options for leave.

The FMLA requires private employers with 50 or more employees and all public agencies, including state, local, and federal employers, and local education agencies (schools), to provide eligible employees up to

12 weeks of unpaid, job-protected leave in any 12-month period for certain family and medical reasons. The 12-month period is a rolling period measured backward from the date an employee uses any FMLA leave, except for leaves to care for a covered servicemember with a serious illness or injury. For those leaves, the leave entitlement is 26 weeks in a single 12-month period, measured forward from the date an employee first takes that type of leave.

Basic Leave Entitlement. The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons: (1) for incapacity due to pregnancy, prenatal medical care, or child birth; (2) to care for the employee's child after birth or placement for adoption or foster care; (3) to care for the employee's spouse, son or daughter, or parent who has a serious health condition; or (4) for a serious health condition that makes the employee unable to work.

Military Family Leave Entitlements. Eligible employees with a spouse, son, daughter, or parent on active duty or called to active-duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include addressing issues that arise from (1) short notice of deployment (limited to up to seven days of leave); (2) attending certain military events and related activity; (3) arranging childcare and school activities; (4) addressing certain financial and legal arrangements; (5) attending certain counseling sessions; (6) spending time with covered military family members on short-term temporary rest and recuperation leave (limited to up to five days of leave); (7) attending post-deployment reintegration briefings; (8) arranging care for or providing care to a parent who is incapable of self-care; and (9) any additional activities agreed upon by the employer and employee that arise out of the military member's active duty or call to active duty.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties and for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections During FMLA Leave. During FMLA leave, the Cooperative will maintain the employee's health coverage on the same terms as if the employee had continued to work. Under federal law, employers must continue healthcare benefits during FMLA leave as though the employee is still at work and must pay the employer's part of the premium. The employees will continue to be responsible for their portion of the premium. Upon return from FMLA leave, the employee will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. However, an employee on FMLA leave does not have any greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period. Continued coverage under the health insurance plan is available for the entire FMLA leave period (for continuous FMLA leaves), for up to 12 weeks.

In addition, upon returning to work, the employee will be responsible for repayment of all benefits that went to arrears during their FMLA leave. Please consult Human Resources to discuss repayment options

and scheduling. EverGRO may recover health insurance premiums that the Cooperative paid on behalf of the employee during any unpaid FMLA leave.

Failure of the employee to provide repayment of benefit costs may result in the Cooperative ceasing and cancellation of the employee's benefits. The Cooperative will provide notification of this action.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Employee Eligibility. The FMLA defines eligible employees as employees who: (1) have worked for the Cooperative for at least 12 months; (2) have worked for the Cooperative for at least 1,250 hours in the previous 12 months; and (3) work at or report to a worksite which has 50 or more employees or is within 75 miles of Cooperative worksites that taken together have a total of 50 or more employees.

Employees eligible for FMLA are provided 480 hours of FMLA entitlement within a rolling 12-month calendar period. FMLA hours used will be based on the scheduled shift time the employee misses due to their FMLA approved condition. Once an employee exhausts their allocated FMLA hours in a rolling-calendar year, their position at the Cooperative may no longer be considered protected.

The 12 weeks maximum will be calculated based on the hours normally worked in an average work week before the leave begins.

Definition of Serious Health Condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a medical provider.

Use of Leave. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced work schedule when medically necessary. The need for intermittent leave must be specified by the physician completing the FMLA paperwork to help establish what would be appropriate intermittent leave expectations. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies also may be taken on an intermittent or reduced work schedule basis.

The Cooperative may require the employee to transfer temporarily to an alternative position which will better accommodate recurring periods of absence or a part-time schedule, so long as the position has equivalent pay and benefits, and the employee is eligible and is able to meet the basic requirements of the position. For intermittent leave requests, the employee and the Cooperative will look at scheduling that does not unduly disrupt the Cooperative's needs and meets the needs of the employee, as long as employee's health care provider approves.

Substitution of Paid Leave for Unpaid and FMLA Leave. The Cooperative will require employees to use and/or exhaust any accrued paid time off during unpaid FMLA leave. If the employee becomes eligible for FMLA and Short-Term Disability, the employee will then only be required to use their accrued paid time off through the benefit elimination waiting period of the Short-Term Disability plan.

To use paid leave for FMLA leave, employees must comply with the Cooperative normal paid time off procedures found in the "Paid Time Off" policies and aligned with the Cooperative's Short-Term Disability process.

Paid time off may be substituted for FLMA leave where available and per the outlined guidelines of the Cooperative's PTO policy.

Employee Responsibilities. Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the Cooperative's normal call-in procedures. The Cooperative may delay leave to employees who do not provide proper advance notice of the foreseeable need for leave, absent unusual circumstances preventing the notice.

Employees must provide sufficient information for the Cooperative to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include whether the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Typically, the employee is given 15 days to return the required documentation and may request an extension of that deadline by contacting human resources.

Employees also must inform the Cooperative if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also are required to provide a certification and periodic recertification supporting the need for leave. The Cooperative also may require a second, and if necessary, a third opinion (at the Cooperative's expense) and, when the leave is a result of the employee's own serious health condition and a fitness for duty report to return to work.

The Cooperative also may delay or deny approval of leave for lack of proper medical certification, incomplete certifications, or lack of timeliness in providing medical certification and request.

Cooperative Responsibilities. When an employee requests FMLA leave, or when the Cooperative becomes aware that leave may be for an FMLA reason, the Cooperative shall notify the employee of their eligibility to take FMLA leave within five (5) business days, absent extenuating circumstances, by using the appropriate forms.

The Cooperative will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If employees are not eligible, the Cooperative will provide a reason.

The Cooperative will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's FMLA leave entitlement. If the Cooperative determines that the leave is not FMLA-protected, the Cooperative will notify the employee. In addition, the Cooperative may require the employee to provide a Fitness for Duty or doctor's clearance prior to returning to work. The Cooperative will provide the employee their job description, outlining the essential responsibilities and requirements for their provider to consider when assessing the employee's ability to return to work. The employee must reach out to human resources to gather this information.

The Cooperative may request recertification every 30 days in connection with an approved FMLA leave, unless the original certification submitted states the duration of the condition to be more than 30 days, in which the Cooperative must wait until the minimum duration expires prior to requesting a recertification. An exception to that would be if the employee requests an extension of leave, the

circumstances of the leave change significantly, or the Cooperative receives information casting doubt on the employee's stated reason for the absence or continuing validity of certification.

Procedure. An employee should provide the request for an FMLA or non-FMLA leave to their supervisor or human resources. Supervisors must notify Human Resources upon communication of an employee's request. Human Resources will follow-up with the employee, provide any necessary documentation/certifications to consider the leave to approve or deny. Certifications and documentation regarding requests for leave need to be submitted to human resources and will be kept in the employee's medical file.

All leave requests will be reviewed by human resources and the general manager or another respected member of management prior to approving or denying.

Other Provisions. Under an exception to the Fair Labor Standards Act (FLSA) in the FMLA regulations, hourly amounts may be deducted for unpaid leave from the salary of executive, administrative, and professional employees; outside sales representatives; certain highly skilled computer professionals; and certain highly compensated employees who are exempt from the minimum wage and overtime requirements of the FLSA, without affecting the employee's exempt status. This special exception to the "salary basis" requirements for the FLSA's exemptions extends only to eligible employees' use of FMLA leave.

Employees may not perform work for self-employment or for any other employer during an approved leave of absence, except when the leave is for military or public service or when the Cooperative has approved the employment under its Outside Employment policy and the employee's reason for FMLA leave does not preclude the outside employment.

The Cooperative is granted discretion to interpret and apply this policy. This policy may be modified or amended by the Cooperative at any time and from time-to-time.

Section 7-5: Military Leave

EverGRO Cooperative supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state laws. Any employee who needs time off for uniformed service should immediately notify Human Resources and their supervisor, who will provide details regarding the leave. If an employee is unable to provide notice before leaving for uniformed service, a family member should notify the supervisor as soon as possible.

Upon return from military leave, employees will be granted the same seniority, pay, and benefits as if they had worked continuously. Failure to report for work within the prescribed time after completion of military service will be considered a voluntary termination.

All employees who enter military service may accumulate a total absence of 5 years and still retain employment rights.

EverGRO will also offer to provide paid time away for military leave, up to 20 days a year. The paid time offered will account for the difference between the pay being provided by the military and the employee's regular gross wage. The employee will be required to provide documentation, at a minimum bi-annually, outlining the leave details, including the wages the military is paying while on leave. This paid time will be subject to regular wage taxation and deductions and will not count toward overtime calculations.

Section 7-6: Virginia State Living Donors; Unpaid Leave

Employees who have worked at EverGRO for at least twelve (12) months and at least 1,250 hours in those twelve months may take leave to serve as an organ or bone marrow donor. Organ donors will be entitled to up to 60 business days of leave in any 12-month period. Bone Marrow donors will be entitled to up to 30 business days of leave in any 12-month period. You may not take donor leave concurrently with FMLA leave, and you must provide written verification from a physician regarding your status as a donor and confirming the necessity of the donation.

Donor leave is unpaid, however, employees may use any accrued PTO to cover this absence if they wish. To the extent applicable, EverGRO will maintain health benefit plan coverage on your behalf during donor leave.

All requests must be formally presented and communicated to Human Resources for review and consideration.

Section 7-7: Inclement Weather

EverGRO Cooperative recognizes that at times inclement weather may cause employee's the inability to make it to work for their scheduled shift. If an employee is unable to make it to work, they are to communicate this to their supervisor as soon as practical. In addition, they may use Paid Time Off to cover their missed time, or based on their supervisor's approval, take their missed time as unpaid or make-up the missed hours within the designated work week.

If the employee is at work, but due to the inclement weather, is sent home early out of precaution and safety to the employee, the remainder of the employee's shift will be paid at their normal hourly rate.

Section 7-8: Bereavement Leave

In the event of a death in an employee's immediate family, or the employee spouses' immediate family, the cooperative will provide three (3) days off with pay for full-time employees. The following relationships are considered 'immediate family' per definition of this policy:

- Spouse
- Domestic Partner
- Parent/Stepparent/Parent In-Law
- Sister/Stepsister/Sister In-Law
- Brother/Stepbrother/Brother In-Law
- Children/Stepchildren
- Grandparents/Grandparents In-Law
- Grandchildren/Grandchildren In-Law
- Aunt/Uncle

The employee is to make their supervisor aware, as soon as practical, of the death and the time they are requesting to take off. The cooperative may require verification of the need for the leave. It is preferred that the three (3) days be taken consecutively.

If additional time is needed, that time must be charged as either PTO or as non-paid time, with the supervisor's approvals. Managers and supervisors are expected to use discretion when determining what constitutes a reasonable time to extend an employee's time away.

Bereavement pay is computed at the regular hourly rate of the employee's salary and will not be used towards overtime calculations.

Section 7-9: Jury Duty/Court Appearance

The Cooperative supports employees in their civic duty to serve on a jury. Employees must present any summons to jury duty to their supervisor as soon as possible after receiving the notice to allow advance planning for an employee's absence. The Cooperative will not discharge, discipline, or otherwise penalize an employee who is required to miss work to serve on a jury or be a witness in a judicial proceeding (where they are not a party) in response to a subpoena or other court order or summons.

Nonexempt employees will be paid for up to 2 weeks of jury duty service at their regular rate of pay minus any compensation received from the court for the period of service. Exempt employees are subject to the same 2-week limitation except that they will also receive pay for any days they serve as a juror or witness in a workweek in which they perform work. All employees may use any accrued time off if required to serve more than 2 weeks in a jury.

If an employee is released from jury duty after 4 hours or less of service, he or she must report to work for the remainder of that workday.

Section 7-10: Crime Victim Leave

Employees are also permitted to take leave to attend any criminal proceeding related to the crime against them. Employees must notify their supervisor or Human Resources as soon as possible after receiving notice of a proceeding to allow for planning of their absence. This leave will be unpaid, but employees may use any accrued PTO if they wish.

Time for appearance in court for any other reason not explicitly covered by an EverGRO policy will be the employee's responsibility and PTO can be used, with supervisor approvals, to compensate for that time away.

Section 7-11: Civil Air Patrol Leave

Employees who are members of the Civil Air Patrol may take up to fifteen days of unpaid Civil Air Patrol Leave per year. This leave will be granted in addition to all vacation, holiday, sick, or personal leave EverGRO provides to all its employees, and employees are not required to use such leave while on Civil Air Patrol Leave. Employees must notify EverGRO of their intention to return to work promptly after the completion of Civil Air Patrol duties.

Upon return to work, employee will be given the seniority they had accrued prior to Civil Air Patrol Leave as well as any seniority they would have accrued but for the leave.

Section 7-12: Time Off for Voting

EverGRO Cooperative recognizes that voting is a right and privilege of being a citizen of the United States and encourages employees to exercise their right to vote. In almost all cases, you will have sufficient time outside working hours to vote. If for any reason you think this won't be the case, contact your supervisor to discuss scheduling accommodation. EverGRO will adhere to any federal, state or local laws as it pertains to voting time away from work.

Section 7-13: Non-FMLA Leave of Absence Requests

In the case that the employee is not eligible for FMLA due to not meeting eligibility requirements, the employee may submit a request to be placed on an approved non-FMLA Leave of Absence. This paperwork

must be requested as soon as practical prior to the absence(s), ideally at least 30 days in advance. Additional documentation may be required to review for approvals of the unpaid non-FMLA leave of absence. Failure to provide the request and proper documentation will result in a delay or denied leave of absence. Absences incurred following a delay or denial of a non-FMLA Leave of Absence will then be viewed as absences aligned with the Cooperative's attendance policy and will be considered unexcused.

During a non-FMLA Leave of Absence, the employee must exhaust any accrued paid time off. In addition, paid time off will not accrue during the non-FMLA leave. Any benefits that fall into arrears during a non-FMLA will be the responsibility of the employee to repay upon returning to work or be may be requested to continue payments to the Cooperative during the approved leave. Please contact human resources to discuss repayment options. If the employee does not return from a non-FMLA leave of absence, human resources will send a certified letter outlining the repayment details and expectations for repayment and benefits may be deducted from the employee's last paycheck, aligned with federal, state and local laws.

To be eligible for non-FMLA leave of absence, the employee must currently be meeting performance expectations. Disciplinary actions, attendance, and other performance related discussions will be taken into consideration upon deeming an employee eligible for this request. The Cooperative may deem an employee ineligible based on failure to meet performance expectations.

Section 8: Employee Benefits

EverGRO Cooperative recognizes the value of benefits to employees and their families. The Cooperative supports employees by offering a comprehensive and competitive benefits program. For more information regarding benefit programs, please refer to the Cooperative/respective vendor's plan documents, which can be accessed either through the respected vendor's website or by contacting human resources. To the extent of the information provided here conflicts with the plan documents, the plan documents will take precedence.

Section 8-1: Medical, Dental, Vision Insurance and Supplemental Benefits

Full-time employees are eligible for insurance on the first of the month following their start date. To keep coverage in force, every insured employee must work a minimum of 36 hours per week.

EverGRO may provide eligible employees with benefits that may include, but not be limited to, medical, dental, vision and various supplemental (voluntary) benefits such as critical illness, accident, supplemental life, etc. EverGRO reserves the right to re-evaluate these offerings annually and may adjust options accordingly.

Section 8-2: Group Life Insurance

EverGRO Cooperative provides life insurance for full-time employees who work a minimum of 30 hours per week. Employees are eligible for this benefit on the first of the month following their start date. The life benefit is equal to an employee's annualized base rate. The cost of this coverage is paid for in full by the Cooperative.

Section 8-3: Short-Term Disability

Short-term disability is offered to full-time employees working a minimum of 30 hours per week. Employees are eligible for this benefit on the first of the month following their start date. Short-term

disability is meant to serve as a benefit for employees who experience a situation outside of work that causes them to not be able to return to work due to a serious health condition, including pregnancy/birth of a child, etc. This benefit can extend, up to 12 weeks. Please see EverGRO's vendor summary plan descriptions for greater detail related to this benefit. During an approved short-term disability case, the employee will not accrue paid time off or holiday pay.

Section 8-4: Long-Term Disability

Long-term disability benefits are offered to full-time employees working a minimum of 30 hours per week. Long-term disability is intended to serve as a benefit if an employee becomes totally disabled and cannot work for an extended period of time. Please see EverGRO's vendor summary plan descriptions for greater detail related to this benefit. During an approved long-term disability case, the employee will not accrue paid time off or holiday pay.

Section 8-5: 401(k) Plan

EverGRO recognizes the importance of saving for retirement and offers eligible employees a 401(k) plan. Eligibility, vesting, and all other matters relating to these plans are explained in the SPD that can be obtained from Human Resources and are outlined in the Cooperative's Annual Benefit Guide.

Section 8-6: Workers' Compensation

EverGRO complies with Virginia's Workers' Compensation laws. Should you sustain a work-related injury, you must immediately notify your manager as soon as is practicable and complete an incident report. Should your injury require the attention of a doctor, you can obtain a list of approved physicians from your manager. In case of an emergency, you should go to the nearest emergency room for treatment. Associates are required to complete a drug and alcohol test within 24 hours after all workplace accidents in accordance with EverGRO's Drug and Alcohol Policy in Section 3-7.

Any medical treatment that you obtain without notifying your manager and using the approved panel of doctors will be your financial responsibility.

Section 8-7: Employee Assistance Program

The Employee Assistance Program (EAP) is a resource designed to provide highly confidential and experienced help for employees in dealing with issues that affect their lives and the quality of their job performance. EverGRO wants employees to be able to maintain a healthy balance of work and family that allows them to enjoy life. The EAP is a confidential counseling and referral service that can help employees successfully deal with life's challenges. Many of the services are at no-cost or a discounted rate for employees and eligible members of their family.

The Cooperative encourages employees to use this valuable service whenever they have such a need. Employees who choose to use these counseling services or programs through the EAP are assured the information disclosed in their sessions is confidential and not available to the Cooperative, nor is the Cooperative given any information on who chooses to use the services. For questions or additional information about this program, employees may contact human resources.

Section 8-8: Additional Employee Benefits

EverGRO recognizes that throughout time there may be opportunities to implement additional benefit programs to help employees through various stages of life and employment. Some examples of those additional benefits are:

- **Payroll Hardship Advance Program:** [Click here for details on the program](#)
- **Tuition/Learning Reimbursement Program:** [Click here for details on the program](#)
- **Fitness/Wellness Reimbursement Program:** [Click here for details on the program](#)
- **Employee Referral Bonus Program:** [Click here for details on the program](#)
- **Paid Maternity & Paternity Leave:** [Click here for details on the program](#)
- **Employee Discounts:** [Click here for details on the program](#)
- **Employee Purchasing Account Setup:** [Click here for details on the program](#)

Section 8-9: Additional Policies & Procedures

There may be additional policies and procedures based upon an employee's role/job responsibilities that EverGRO has implemented. Examples of those policies include:

- **Company Vehicle Policy:** [Click Here](#)
- **Cell Phone Reimbursement:** [Click Here](#)
- **Incident Reporting Form:** [Click Here](#)
- **Management Acknowledgement-Employment of Minors:** [Click Here](#)

Section 9: EMPLOYEE HANDBOOK ACKNOWLEDGMENT AND RECEIPT

I hereby acknowledge receipt of the employee handbook of EverGRO Cooperative. I understand and agree that it is my responsibility to read and comply with the policies in the handbook.

I understand that the handbook and all other written and oral materials provided to me are intended for informational purposes only. Neither it, Cooperative practices, nor other communications create an employment contract or term. I understand that the policies and benefits, both in the handbook and those communicated to me in any other fashion, are subject to interpretation, review, removal, and change by management at any time without notice.

I further understand that I am an at-will employee and that this document shall not bind the Cooperative to employ me now or hereafter and that my employment may be terminated by me or the Cooperative without reason at any time. I understand that no representative of the Cooperative save for the General Manager of the Cooperative or their designee has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms or conditions of employment, or make any agreement contrary to the foregoing.

Please sign and date this receipt and return it to the Director of Human Resources and Safety.

Employee's Name in Print

Signature of Employee

Date Signed by Employee

TO BE PLACED IN THE EMPLOYEE'S PERSONNEL FILE