

Handbook



Employee Handbook
Employment Policies and Procedures

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Welcome Letter

Welcome To Our Team!!

We welcome you to **OUTTA THE WAY CAFE**. We look forward to the opportunity to work with you and want you to know that we recognize our employees as our most valuable resource. Our continued success in providing the highest quality of food, beverages and service to our customers depends on having quality people like yourself and your fellow employees. We want you to enjoy your time here and are committed to helping you succeed in your new job.

We have prepared this handbook to answer some of the questions that you may have concerning **OUTTA THE WAY CAFE** and its policies. This handbook is intended solely as a guide. Read it thoroughly. If you have questions about anything, ask for assistance.

We hope you find your time with us to be an enjoyable and rewarding experience.

Once again, welcome to **OUTTA THE WAY CAFE!**

Sincerely,

Chip and Brian

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OUTTA THE WAY CAFE

Employee Handbook

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Our Mission

OUTTA THE WAY CAFE's mission is to enrich the lives of our guests, our employees and owners. We do this through superior quality food and beverages, legendary customer service, sales growth, cost controls and treating our employees like family. Our staff is our most important resource and our success depends upon creating and retaining people capable of delivering an exceptional dining experience to every customer, every time.

Our Way of Doing Business

The **OUTTA THE WAY CAFE**'s success depends on our people. Our restaurant can only prosper and provide opportunities for employment and growth when we continually improve ourselves, and the work we do. We recognize however, that success is not measured by sales; guest counts, and numbers alone. We are measured as much by the way in which we achieve our goals, as we are by the actual achievements themselves. We believe that a commitment to uncompromising values and integrity should always guide our decisions and actions as we pursue our goals. Following are the core values that form the foundation of our measurement of success:

“Have Fun. Make Money.”

We believe in legendary service. We believe in the kind of unique and genuine sort of personal care and attention that our customers tell stories about.

We believe that good enough isn't. We never want to stop trying to do it better, no matter how good we are. We love our business.

We believe in honesty and trust. At the Outta the Way you get to be trusted. Honesty and trust form the bond that holds organizations and relationships together.

We believe in the personal responsibility, good attitudes, ongoing initiative, personal training and ongoing development by our people. It is the future of the Cafe and our way of enabling our people to achieve their potential in whatever they do

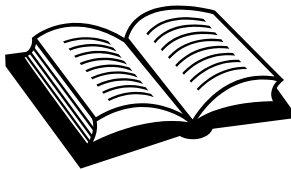
After 25 years of making people happy, we believe our continued success depends on each member of our team loving and caring for our extended family. We know that great achievements are only possible from helping and respecting each other.

We believe in doing business in a professional and orderly manner. We take great pride in having good systems, standardized procedures and being organized.

Excuses waste more time. We believe in being responsible to others and to ourselves. We do what we say we are going to do when we say we are going to do it. We believe in personal accountability and avoid blaming others when things don't turn out as planned.

About this Handbook

This handbook is designed to help you get familiarized with **OUTTA THE WAY CAFE**. We want you to understand how we do business and how important you and every employee is in helping us take care of our guests and making this a fun and rewarding place to work.



The policies stated in this handbook may change from time to time. It isn't flawless either. We've done our best to include as much information as possible in an easy-to-understand manner.

This handbook is not a contract, which guarantees your employment for any specific time. Either you or **OUTTA THE WAY CAFE** may terminate your employment at any time, for any reason, with or without cause or notice. Understand that no supervisor, manager, or representative of **OUTTA THE WAY CAFE**, other than the Board of Directors of the **Restaurant Acquisition & Management Group, Inc.** has the authority to enter into any agreement with you for employment for any specified period or to make any such promises or commitments.

We wish you the best of luck in your position and hope that your employment with **OUTTA THE WAY CAFE** and as we expressed earlier in this handbook, will be a very enjoyable and rewarding experience.

Employment Policies

Hiring



It is **OUTTA THE WAY CAFE**'s policy to hire only United States citizens and aliens who are authorized to work in this country. As required by law, employees will be required to provide original documents that establish this authorization within three days of their date of hire. If the documents are not provided within the three day period, we have no choice, under the law, but to terminate the employee until the appropriate documents are provided. Employees and employers are both required to complete a form furnished by the Department of Labor, form I-9. In Section 1 of form I-9, the information provided by the employee must be valid and authentic. If at any time during an employee's employment, it is discovered that any document used was invalid or not authentic, the employee must, by law, be immediately terminated.

Non-Discrimination

The **OUTTA THE WAY CAFE** is an equal opportunity employer. We will not tolerate discrimination based on race, sex, age, national origin, religion, sexual orientation, or disability. Employment decisions, such as hiring, promotion, compensation, training and discipline will be made only for legitimate business reasons based upon qualifications and other nondiscriminatory factors.

Age Requirements

All servers and bartenders, as per the law, must be at least 18 years of age. Employees under the age of 18 must comply with all federal wage and hour guidelines, no exceptions. The required work permits must be supplied when applicable. No employees under the age of 18 years can take orders for or serve alcoholic beverages.

Orientation Period



You have been through our employee selection process, have been selected for employment and appear to have the potential to develop into a successful employee. However, we want the opportunity to begin the training period, get to know you, see how you fit in with your co-workers and determine if you are willing and able to carry out the responsibilities for the position in which you were hired. It's also important for you to get to know us and become familiar with how we operate to find out if this job is a We, therefore, have a 90 day Orientation Period for that purpose referred to above. The 90 day period allows both you and the Company to see whether or not it's a good fit and if not, part company as friends. During the Orientation Period you will begin your training and be observed by management. Also, during this time if you feel you do not understand what's expected of you or that you need additional training, we encourage you to ask questions and seek additional help from our management and staff.

Training



To help you be successful in your job you will receive adequate training. You will not be on your own until you are ready. You will participate in detailed training programs and receive training materials to help you perform your job the right way. It is your responsibility to review, understand and master the materials you are provided with. We want you to be a knowledgeable and productive member of our staff.

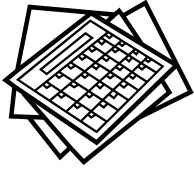
Evaluations



All employees receive written and verbal performance evaluations twice a year, in January and June. The evaluation process is intended to let you know how well you're performing and help you be more effective and productive. The evaluation also gives you the opportunity to share your thoughts about your performance and future goals with your manager.

The evaluation process is an opportunity to identify accomplishments and strengths as well openly discuss areas and goals for any improvement..

Schedules



Schedules are prepared to meet the work demands of the restaurant. As the work demands change, management reserves the right to adjust working hours and shifts. Schedules are posted and e-mailed weekly. Each employee is responsible for working or covering their shifts.

You should arrive for your shift with enough time to make sure you're ready to work when your shift begins. We suggest that you arrive 10 to 15 minutes before your shift begins so that you have time to get settled and ready for your shift. You should clock in when your shift begins and be ready to start work immediately.

Schedule changes may be allowed only if you find a replacement and get a manager's approval. To be valid, the manager must indicate and initial the change on the posted schedule and in the Schedule Switch Book. The restaurant usually requires high levels of staff on or around holidays, sporting and other special events. We understand that you have a life outside of the restaurant and will always try to find a way to work with you on your schedule requests. We do, however, ask you to remember just how crucial each position is to the proper functioning of the restaurant. Please remember that even though we will try to comply with your requests, there is no assurance that you will get the requested time off.

Overtime



In accordance with Federal Minimum Wage Law, employees are paid overtime when they work more than 40 hours in one week. Hourly employees are paid at one and one-half times their basic straight time rate for all overtime hours worked. Tip credit will be factored into the hourly rate for tipped employees.

Standards of Conduct



Consistent with our Mission and Values, it is important for all employees to be fully aware of the rules, which govern our conduct and behavior. In order to work together as a team and maintain an orderly, productive and positive working environment, everyone must conform to standards

of reasonable conduct and policies of the Restaurant. AN EMPLOYEE INVOLVED IN ANY OF THE FOLLOWING CONDUCT MAY RESULT IN DISCIPLINARY ACTION UP TO AND INCLUDING IMMEDIATE TERMINATION WITHOUT A WRITTEN WARNING.

1. Invalid Work Authorization (I-9 form)
2. Supplying false or misleading information to the Restaurant, including information at the time of application for employment, leave of absence or sick pay.
3. Not showing up for a shift without notifying the Manager on duty. (No call, no show, no job)
4. Clocking another employee "in" or "out" on the Restaurant timekeeping system or having another employee clock you either "in" or "out."
5. Leaving your job before the scheduled time without the permission of the Manager on duty.
6. Arrest or conviction of a felony offense.
7. Use of foul or abusive language.
8. Disorderly or indecent conduct.
9. Gambling on Restaurant property.
10. Theft of customer, employee or Restaurant property including items found on Restaurant premises.
11. Theft, dishonesty or mishandling of Restaurant funds. Failure to follow cash, guest check or credit card processing procedures.
12. Refusal to follow instructions.
13. Engaging in harassment of any kind toward another employee or customer.
14. Failure to consistently perform job responsibilities in a satisfactory manner within the 30 day orientation period.

15. Use, distribution or possession of illegal drugs on Restaurant property or being under the influence of these substances when reporting to work or during work hours.
16. Waste or destruction of Restaurant property.
17. Actions or threats of violence or abusive language directed toward a customer or another staff member.
18. Excessive tardiness.
19. Habitual failure to punch in or out.
20. Disclosing confidential information including policies, procedures, recipes, manuals or any proprietary information to anyone outside the Restaurant.
21. Rude or improper behavior with customers including the discussion of tips.
22. Smoking or eating in unapproved areas or during unauthorized breaks.
23. Not parking in employee designated parking area.
24. Failure to comply with Restaurant's personal cleanliness and grooming standards.
25. Failure to comply with Restaurant's uniform and dress requirements.
26. Unauthorized operation, repair or attempt to repair machines, tools or equipment.
27. Failure to report safety hazards, equipment defects, accidents or injuries immediately to management.

Harassment



It is this Restaurant's policy to treat all personnel with dignity and respect and make personnel decisions without regard to race, sex, age, color, national origin, religion or disability. We strive to provide everyone a workplace that is free of harassment of any kind. Employees are encouraged to promptly report incidences of harassment.

Sexual Harassment

All of our employees have a right to be free from sexual harassment. **OUTTA THE WAY CAFE** does not condone actions, words, jokes or comments that a reasonable person would regard as sexually harassing or coercive.

Definition of Sexual Harassment

Sexual harassment encompasses any sexual attention, from either gender, that is unwanted and is defined as unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- ▶ Submission is made an express or implied term or condition of employment or status in a class, program or activity.
- ▶ Submission to or rejection of the behavior is used to make an employment or educational decision (such as hiring, promotion or grading a course).
- ▶ The conduct has the purpose or effect of unreasonably interfering with a person's work or educational performance or creates an intimidating, hostile or offensive environment for work or learning, including harassment in the workplace from an outside party, such as a vendor.

Sexual harassment may take many forms, for example:

- ▶ Physical assault.
- ▶ Direct or implied threats that submission to sexual advances will be a condition of employment, work schedule, promotion, job assignments, evaluation, wages or any other condition of employment.
- ▶ Direct propositions of a sexual nature.
- ▶ Comments of a sexual nature.

- ▶ Sexually explicit statements, questions, jokes or anecdotes.
- ▶ Unnecessary touching, patting, hugging or brushing against a person's body.
- ▶ Remarks of a sexual nature about a person's clothing, body, sexual activity or previous sexual experience.
- ▶ Employees need to be concerned not only with the intent of their actions of this kind but also the effects; while sexual harassment involves repeated, unwanted sexual attention, persons involved in isolated or inadvertent incidents demonstrate insensitivity toward others. Repeated occurrences will be considered intentional violations of the policy.

Anyone who feels it necessary to discuss what may appear to be sexual harassment should report the harassment promptly to at least two people, Chip Berman and Brian Marshall, who are in a supervisory or management capacity. Your report will be kept as confidential as possible. A prompt and thorough investigation will be made. If a claim is substantiated, the Company will take immediate and appropriate action, including discipline and possible termination.

Absences



All employees are expected to work on a regular, consistent basis and complete their regularly scheduled hours. Excessive absenteeism may result in disciplinary action, up to and including termination. Disciplinary action taken because of absenteeism will be considered on an individual basis, following a review of the employee's absentee and overall work record.

- ▶ If you are going to be late or miss work, employees are expected to call and talk to a manager at least 2 hours before they are scheduled to work.
- ▶ Any employee who does not call or report to work for two consecutive shifts will be considered to have voluntarily resigned employment at the **OUTTA THE WAY CAFE**.
- ▶ Prior to taking a leave of absence for purposes of vacation, personal leave, military or jury duty, or other planned absence, an Employee Leave Request Form,

available from your Manager or Supervisor, should be submitted to and approved by the scheduling manager.

- ▶ Employee Leave Requests should be submitted at least two weeks prior to the scheduled leave date, unless the request is due to an unexpected emergency. The nature of the emergency should then be shared with the scheduling manager.
- ▶ To return to work from an accident or medical leave, all employees must present a doctor's release.
- ▶ Any employee who fails to return to work at the expiration of a personal leave of absence will be deemed to have abandoned their job, unless the **OUTTA THE WAY CAFE** is notified of a reason, satisfactory to management, for not returning to work at the end of the leave of absence.

Tardiness



Employees must be prepared to start work promptly at the beginning of the shift. Always arrive at the Restaurant 10 to 15 minutes before your shift. Your scheduled time is the time you are expected to be on your job, not arrive at the Restaurant. Repeated tardiness is grounds for termination. If it is not possible for you to begin work at your scheduled time, call the Restaurant and speak to the Manager on duty.

Resignations



You are requested to give a two-week notice of your plans to leave the restaurant. A notice is important so that we have time to hire someone to take your place. Giving a two-week notice is a professional courtesy and assures that you are eligible for re-hire and will not have a “left without resignation notice” on your employment record.

Payment Procedures



Time Clock Procedures

You should arrive at the restaurant 10 to 15 minutes before you are scheduled to start work. You may clock in within 5 minutes of the start of your shift. All hourly employees are given an employee ID number to clock in and out on the Restaurant's timekeeping system.

Tampering, altering, or falsifying time records or recording time on another employee's ID number is not allowed and may result in disciplinary action, up to and including termination.

Tip Reporting

As an employee of a Restaurant, all the tips you receive, whether in cash or included in a credit card transaction, is taxable income to you. You are required, by federal law, to report and record all of your income in a bound book.

At the end of each shift, tipped employees will have their credit card tips disclosed on their Server Check-Out form and will declare their cash tips when they clock out at the end of their shift. Your tips will be recorded and reflected in total on your paycheck stub. Endorsement of your paycheck indicates that you acknowledge that your tip information on the stub is accurate and correct.

It is the employee's responsibility to comply with IRS requirements of reporting all your tip income. While you are responsible for reporting all of your tip income, the Restaurant may be required to allocate additional tip income to any tipped employee that does not declare at least 8% of their gross sales as tip income.

We strongly encourage you to accurately report your tip income. This will reduce the chances of you being audited by the IRS and allows you to qualify for greater social security, unemployment and worker's compensation benefits.

Tipped employees receive a tipped credit wage which is \$3.28/hour. The sum of this amount and your tipped wages must exceed the Federal Hourly minimum wage.

Payroll Checks

Paychecks are available at the Restaurant every other Tuesday after 5:00 P.M. After payday, you may pick up your paycheck during the same hours. Please understand that it may be difficult for anyone to be available to obtain your paycheck during peak business hours.

Payroll Deductions

Your paycheck will indicate your gross earnings as well as deductions for federal and state withholding taxes and social security and Medicare taxes. Federal and state withholding taxes are authorized by you based on the information you furnished to us on form W-4. If you want an explanation of your deductions or if you wish to change them in any way please see our administrative executive.

As per state law, the Restaurant complies with court orders in connection to garnishments from employee paychecks as directed by the proper authorities. You will be notified of any court-ordered payroll deductions.

Change of Address

We ask that you report any address changes to the administrative executive as soon as possible so your year end statement of income and deductions, form W-2, will be mailed to the correct address.

Lost Paychecks

Report lost paychecks to the administrative executive. We will stop payment on the lost check and reissue you another check on the next payroll cycle. The reissued check will incur a deduction equal to the bank stop payment charge.

Benefits

Family and Medical Leave

An employee who has been employed for at least 12 months and for at least 1,250 hours of service during the previous 12 months, may be granted unpaid leave for one or more of the following reasons:

- ▶ Birth of son/daughter and in order to care for such son/daughter.
- ▶ Placement of son/daughter with the employee for adoption or foster care.
- ▶ To care for a spouse, son, daughter or parent who has a serious health condition.
- ▶ A serious health condition that renders the employee incapable of performing the functions of his/her position.

A total of 12 workweeks of leave during any 12-month period may be granted under this policy. Such leave must be taken on a sustained or uninterrupted basis, except that intermittent leave may be taken for serious health care of the employee, child, spouse or parent. You must provide as much prior notice as reasonably possible.

Holidays

Due to the nature of the restaurant business you may be required to work holidays. It is currently our policy to close the Restaurant for business on the following holidays: Thanksgiving Day and Christmas Day.

Worker's Compensation

Worker's compensation provides benefits for employees who suffer personal injury from accidents or illnesses arising out of, and in the course of, their employment with the Restaurant. An employee who is injured on the job, regardless of the severity of the injury or illness, should:

- ▶ Report the occurrence to the manager on duty.
- ▶ The manager on duty will need to obtain information as to exactly what happened, how the injury or illness occurred, the exact time and location, as well as any witnesses to the occurrence.

If an employee experiences a disabling work injury, the nature of which necessitates an absence from work, the administrative executive will provide the employee with information concerning his or her lawful benefits.

Employee Meals

Employee meals can be purchased either before or after your shift or on a scheduled break from the Employee Menu.

Employee Use of Social Media Websites



While the **OUTTA THE WAY CAFE** encourages its employees to enjoy and make good use of their off-duty time, certain activities on the part of employees may become a problem if they have the effect of impairing the work of any employee; harassing, demeaning, or creating a hostile working environment for any employee; disrupting the smooth and orderly flow of work within the company; directly or indirectly disclosing confidential or proprietary information; or harming the goodwill and reputation of **THE OUTTA THE WAY CAFE** among its customers or in the community at large. In the area of social media (print, broadcast, digital, and online), employees may use such media in any way they choose as long as such use does not produce the adverse consequences noted above. For this

reason, **THE OUTTA THE WAY CAFE** reminds its employees that the following guidelines apply in their use of social media, both on and off duty:

1. If an employee publishes any personal information about themselves, another employee of [THE OUTTA THE WAY CAFE], a client, or a customer in any public medium (print, broadcast, digital, or online) that:
 - a. has the potential or effect of involving the employee, their co-workers, or [THE OUTTA THE WAY CAFE] in any kind of dispute or conflict with other employees or third parties;
 - b. interferes with the work of any employee;
 - c. creates a harassing, demeaning, or hostile working environment for any employee;
 - d. disrupts the smooth and orderly flow of work within the office, or the delivery of services to the company's clients or customers;
 - e. harms the goodwill and reputation of [THE OUTTA THE WAY CAFE] among its customers or in the community at large;
 - f. tends to place in doubt the reliability, trustworthiness, or sound judgment of the person who is the subject of the information; or
 - g. reveals proprietary information or [THE OUTTA THE WAY CAFE] trade secrets;

the employee(s) responsible for such problems will be subject to counseling and/or disciplinary action, up to and potentially including termination of employment, depending upon the circumstances.

2. No employee of [THE OUTTA THE WAY CAFE] may use company equipment or facilities for furtherance of non-work-related activities or relationships without the express advance permission of the Board of Directors of the Corporation.
3. Employees who conduct themselves in such a way that their actions and relationships with each other could become the object of gossip among others in the office, or cause unfavorable publicity for [THE OUTTA THE WAY CAFE] in the community, should be concerned that their conduct may be inconsistent with one or more

of the above guidelines. In such a situation, the employees involved should request guidance from the administrative executive to discuss the possibility of a resolution that would avoid such problems. Depending upon the circumstances, failure to seek such guidance may be considered evidence of intent to conceal a violation of the policy and to hinder an investigation into the matter.

4. Should you decide to create a personal blog, be sure to provide a clear disclaimer that the views expressed in the blog are the author's alone, and do not represent the views of [THE OUTTA THE WAY CAFE].
5. All information published on any employee blog(s) should comply with [THE OUTTA THE WAY CAFE]'s confidentiality and disclosure of proprietary data policies. This also applies to comments posted on other social networking sites, blogs and forums.
6. Be respectful to [THE OUTTA THE WAY CAFE], co-workers, customers, clients, partners and competitors, and be mindful of your physical safety when posting information about yourself or others on any forum. Describing intimate details of your personal and social life, or providing information about your detailed comings and goings might be interpreted as an invitation for further communication ---or even stalking and harassment that could prove dangerous to your physical safety.
7. Social media activities should never interfere with work commitments.
8. Your online presence can reflect on [THE OUTTA THE WAY CAFE]. Be aware that your comments, posts, or actions captured via digital or film images can affect the image of [THE OUTTA THE WAY CAFE].
9. Do not discuss company clients, customers or partners without their express consent to do so.
10. Do not ignore copyright laws, and cite or reference sources accurately. Remember that the prohibition against plagiarism applies online.

11. Do not use any [THE OUTTA THE WAY CAFE] logos or trademarks without written consent. The absence of explicit reference to a particular site does not limit the extent of the application of this policy. If no policy or guideline exists, [THE OUTTA THE WAY CAFE] employees should use their professional judgment and follow the most prudent course of action. If you are uncertain, consult your supervisor or manager before proceeding.

Restaurant Policies & Practices

Customer Service

Good Food - Good 'Tude



Our restaurant exists only because we can make people happy. Our customers and our staff are fun. You must absolutely enjoy serving people, making them happy while loving the hospitality business. At **THE OUTTA THE WAY CAFE** always have a good attitude and serve good food. Make your regulars your friends. We are a large extended family. Peace and Love.

Customer Complaints

Nobody enjoys being the recipient of customer complaints, but complaints are to be expected as part of being in the hospitality business. Complaints can even be viewed in a positive light if they are handled properly. Complaints can give us insights as to how to make our Restaurant better, demanding customers force us to be our best and resolving complaints satisfactorily can even increase customer loyalty IF they are handled properly.

When faced with a customer complain:

- ▶ Don't get defensive and try to explain.
- ▶ Remove the offending item immediately.
- ▶ Apologize for the problem and tell the customer you will take care of the problem.
- ▶ If you need the assistance of a manager, don't hesitate to ask.

Do everything you can to let the customer you care and that this isn't the kind of experience you want them to have at our restaurant.

Telephone Courtesy

It is everyone's responsibility to answer the phone. Always answer the phone promptly, within two rings. Always answer in a friendly, polite manner: "Good (morning, afternoon, evening), **THE OUTTA THE WAY CAFE**, may I help you?"

Respond to any questions that you are absolutely certain. If you are uncertain, ask the person if you may put them on hold for a moment and quickly refer the call to a manager. Always thank the person for calling. Always ask the caller for their name when they ask to speak to a manager or customer.

Management / Employee Relations



Our managers are committed and trained to provide you with the tools and positive working environment for you to do your job to the best of your ability with minimal distractions. You will be treated with respect and dignity by all of our management personnel and we will try our best to recognize and reward your hard work and accomplishments.

We recognize there may be occasions for misunderstandings and problems to come up. We want to clear up these types of situations in a fair and timely manner and in order to do this we need your help in bringing them to our attention. We want you to know that "management is never too busy to be informed of work-related problems, complaints or disputes of any employee."

If you have such a problem, you should promptly talk to your Manager. They will listen in an open, objective and courteous manner. We want to understand and solve the problem. If the problem is not resolved to your satisfaction, you should take up the matter with the President.

Every necessary action will be taken to resolve a problem or settle a dispute in a fair and equitable manner. As we said in the "Welcome Letter," we recognize our employees as our most valuable resource and we take all employee problems and complaints very seriously. No problem is too small or insignificant and each issue will be given the utmost attention and consideration.

Meetings

Staff meetings are held on a regular basis for your benefit as well as for the Restaurant. Meetings are held for a variety of reasons and can include new menu offerings, upcoming promotions and events, training, policies, etc. Such meetings are treated as a shift and attendance is mandatory. Only management-approved absences will be accepted. Most meetings offer employees the opportunity to provide valuable input for feedback and provide suggestions to enhance our working environment and the operation of the Restaurant.

Teamwork

We cannot achieve our goals and provide the highest levels of service to our customers without working together as a team. Teamwork basically boils down to common courtesy and common sense. If a co-worker is overloaded and you're not, help them in any way you can. It's only a matter of time before they will return the favor. Pitch in to help a customer. If another employee hasn't quite caught on to something and you have, ask if you may suggest another way to do it. Genuine teamwork makes for a much more enjoyable and satisfying work experience and results in happier (and more generous) customers.

Communication

It is important for every employee to have a good sense of "what's going on" in the Restaurant. Ongoing changes and news affecting the Restaurant and our people are communicated primarily in pre-shift meetings, general meetings and by posting notices and information to the "bulletin board" located next to the manager's office.

Safety

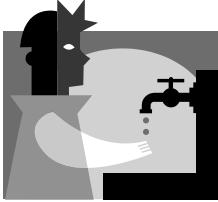


THE OUTTA THE WAY CAFE is committed to maintaining a safe workplace for all of our employees. The time to be conscious about safety is before an accident happens. Safety is everyone's responsibility and is a regular, ongoing part of everyone's job.

You will receive more specific, detailed information and training on safety issues as an ongoing part of your employment. However, here are some basic guidelines and safety rules to always keep in mind:

- ▶ Wipe up spills immediately.
- ▶ Never run in hallways or the kitchen, always walk carefully. Even when it's busy, take small steps and pay attention.
- ▶ Wear shoes with non-slip soles. They cost no more than standard shoes. Ask your manager about where to purchase them.
- ▶ Report defective equipment or tools to a manager immediately.
- ▶ Never operate equipment unless you have been trained how to use it properly.
- ▶ Pay special attention when using slicers. They are very sharp and move very fast.
- ▶ Wear nylon, no-cut gloves when cleaning slicers. If you don't have a pair, see a manager.
- ▶ Never try to catch a falling knife. Knives are easier to replace than fingers.
- ▶ Let people know when you're carrying anything hot. Don't be shy, yell out something like, "HOT STUFF COMING THROUGH."
- ▶ Don't put hot food or plates in front of small children.
- ▶ Use proper lifting techniques. Never lift too much. If it's uncomfortable, make two trips or get some help. Remember to always bend at the knees, lift with your legs, not your back.

Sanitation



We are obsessed with sanitation and food safety! Due to the nature of the restaurant business, it is **ABSOLUTELY ESSENTIAL** that **EVERYONE** follows safe food handling procedures. This is one area of the Restaurant where there is absolutely no compromise. **NEVER** take shortcuts on food safety and handling. Every day we are entrusted with the health and even lives of our customers. This is a huge responsibility, one that we must never take lightly.

While you will receive additional and ongoing training on food safety issues following are some of the basic rules we **ALWAYS** follow and enforce:

Keep your hands washed. Always wash your hands after using the restroom, smoking, touching your hair, eating, sneezing or coughing. If you use latex gloves, change them frequently.

Sanitize everything. Besides clean hands, use sanitizing solution to constantly keep counters, cutting surfaces, and utensils. This helps to keep food handling areas and preparation tools free of bacteria.

Prevent cross-contamination. Cross-contamination occurs when raw meat comes in contact with other food that will be served without further cooking. For example, never place raw chicken on a cutting board and then cut vegetables for an uncooked product on the cutting board without first washing and sanitizing it first. The same for utensils like knives and portioning tools, always wash and sanitize them after every use.

Keep food at the proper temperatures. Potentially hazardous foods like meat, poultry, dairy and fish should always be stored below 45°. Food that is cooking or in holding should always be above 140°. Bacteria count on food grows rapidly between 45° and 140° so it's imperative that our food products spend a minimum amount of time in the "temperature danger zone."

Store food correctly. Raw meat should always be stored below cooked or prepared food. Raw poultry is always placed on the bottom shelf of the walk-in. Keep chemicals and cleaning products away from food products.

Dress Code



To maintain our image as an exceptional, high quality restaurant we need to dress the part. Following are detailed descriptions of dress for both the dining room and kitchen positions. If you have any questions regarding our dress code please ask the operations manager.

Dining Room Dress Code

Shoes - Black shoes only with non-slip soles that permit walking safely on wet or greasy floors. Shoes must be clean. Socks must be dark, preferably black.

Pants & Belts – Black Dickie 2700 long pants. These pants are long enough to touch the top of the shoe. Red belts must be worn.

Shirts – Black Dickie Camp shirts. Shirts must be in good condition, not soiled or stained. Shirts must fit at the sleeve.

Appearance - Clean and well groomed hair. Hair pulled back off the shoulder. Well groomed hands, fingernails and fingernail polish. Facial hair should be neat and well trimmed.

Accessories - No excessive cologne, perfume, make-up or jewelry. No earrings longer than 1 inch. No hat or unauthorized buttons can be worn.

Kitchen Dress Code

Shoes - Black work shoes with non-slip soles that permit walking safely on wet or greasy floors. No tennis shoes.

Pants – Clean kitchen pants or jeans. They must always be worn to work clean and well maintained.

Shirts - THE OUTTA THE WAY CAFE issued tee shirts. They must always be worn to work clean and well maintained.

Appearance - Clean, well groomed hair, hands and fingernails. Facial hair should be neat and well trimmed.

Accessories - No excessive cologne, perfume, make-up or jewelry. Hair restraints must be neat and in good taste.

Accidents and Emergency Situations



Report all accidents, no matter how minor they seem, to the manager on duty. In the event of an emergency, like an apparent injury or choking situation, notify a manager immediately. Managers are responsible for administering CPR, choking procedures or appropriate first aid.

Crime and Robbery

If you are ever involved in a robbery, **DO NOT RESIST**. Statistics show that people, who resist, are three times more likely to be injured than people who do not resist. The safety of you, your fellow employees and customers are our highest priority. Don't be a hero, always cooperate fully and do not resist!

Fire Protection

All employees must know the specific location and operation of fire protection in the Restaurant. The Restaurant is equipped with many fire-extinguishing systems in the ducts, hood, over the stoves and other cooking equipment that contains a dry chemical. They can be set off immediately by pulling the ring attached to each system. We also maintain hand held CO² systems (*behind the bar, in the kitchen, etc.*) Be very calm and specific before taking action.

If a fire event occurs, assist guests to the nearest fire exit and out of the building immediately. Tell them the restaurant is under "Fire Status" and it is their responsibility to leave calmly and quickly through the restaurant through the nearest exit.

Alcohol Serving Policy



As a Restaurant that sells alcoholic beverages, we are committed to sensible, socially responsible consumption of alcohol. We help to ensure our customers' and other members of the community's safety by requiring our employees to attend a state certified course regarding responsible service and management of alcohol and pass the mandated test. We want our customers to enjoy alcoholic beverages responsibly but if a customer shows signs of drinking too much, a manager should become informed immediately.

Employees who serve customers, must abide by the Restaurant's policies on alcoholic beverage service:

1. We will not knowingly allow anyone on our staff that is under the legal drinking age to serve or dispense alcoholic beverages.
2. We will not serve alcoholic beverages to an intoxicated person.
3. We will not knowingly serve a person alcoholic beverages to a person under the legal drinking age. It is our policy to card anyone who appears to be under 30 years old.
4. We will offer nonalcoholic alternatives such as soft drinks, coffee, juice, etc.

Proprietary & Confidential Information

It is illegal to steal, copy or communicate or transmit a former employer's confidential or proprietary information. Proprietary information is defined as "the whole or any part of any scientific or technical information, design, process, procedure, formula, or improvement that has value and that the owner has taken measures to prevent from becoming available to persons other than those selected by the owner to have access for limited purposes." Our internal business practices, procedures and recipes are of great value to **THE OUTTA THE WAY CAFE**. Employees are not to

disclose any proprietary processes or recipes to any person unless directed to by **THE OUTTA THE WAY CAFE**'s President. **THE OUTTA THE WAY CAFE** will institute civil action against anyone who violates this policy.

Solicitation

Employees - There should be no solicitation or distribution of literature of any kind by any employee during actual working time of the employee soliciting or the employee being solicited. Working time does not include lunch and rest breaks. Any employee who violates any part of this policy will be subject to counseling and disciplinary action up to and including dismissal.

Non-Employees - Non-employees are prohibited from soliciting and distributing literature at all times anywhere on Company property. Non-employees have no right of access to any area of the premises other than areas open to the public, and then only in conjunction with the area's public use.

Cellular Phone Use Policy

[The Outta The Way Cafe] has adopted the following cellular phone use policy. This usage applies to any personally owned device capable of placing or receiving phone calls, messages, text or video messages, or with access to the internet or email.

Cell Phone Use for Business While Driving is Prohibited

[The Outta The Way Cafe] is aware that some employees use their cell phones for business purposes while driving in their personal or company vehicle. It is the opinion of [The Outta The Way Cafe] that cell phone use while driving is dangerous, therefore, the company prohibits employee use of any cellular phone, either hands on or hands free, for business purposes related in any way to our company, while driving. This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose related to your employment; the business; our customers; our vendors; volunteer activities, meetings, or civic responsibilities performed for or attended in the name of the company; or any other company or personally related activities not named here while driving. When use of a cell phone is necessary, the employee shall park the vehicle in a manner consistent with traffic safety standards before placing or answering calls.

Cell Phones in the Restaurant - Management

[The Outta The Way Cafe] is aware that certain management level employees utilize their personal or company-supplied cellular phones for business purposes. At the same time, cell phones can be a distraction in the restaurant. To ensure the effectiveness of day-to-day management tasks such as directing employees, customer interaction, staff meetings and other job-related activities, management employees are asked to leave cell phones in the office unless otherwise permitted in this policy. Or, on the unusual occasion of an emergency or anticipated emergency that requires immediate attention, the cell phone may be carried in the restaurant as long as it is on vibrate mode.

The office is the preferred location for cellular phone use. Other acceptable areas are food, beverage and supply storage areas if necessary when placing vendor orders, or, outside the restaurant. Use of cell phones is prohibited in the dining room, bar or any place that is in view of the customer.

The recognized management level job positions for which the business use of cell phones is permitted for [The Outta The Way Cafe] are as follows:

- General Manager
- Dining Room Manager
- Kitchen Manager
- Bar Manager
- Event Manager

Cell Phones in the Restaurant - Staff

Non-management level employees are prohibited from cell phone use while at work. This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email or checking for phone messages. Cell phones are to be turned off upon arriving at the workplace unless otherwise permitted elsewhere in this policy.

The recognized staff level job positions for which cell phone usage is prohibited for [The Outta The Way Cafe] are as follows:

- Kitchen workers
- Servers
- Bartenders
- Bussers
- Hosts
- Dishwashers

Emergency Use of Cell Phones – Staff

[The Outta The Way Cafe] recognizes the fact many of their employees use a cell phone as a means for emergency notification by family, schools, hospitals and other persons or organizations for which emergency contact is necessary. Limited emergency use of cell phones is permitted under the following conditions

1. Employees must obtain permission from management prior to use.
2. Cell phones must be in vibrate-only mode.
3. Cell phones must be left in the office or employee locker unless otherwise permitted by management.

Violation of Policy is Cause for Disciplinary Action

Employees who violate this policy will be subject to disciplinary actions, up to and including employment termination.

HANDBOOK RECEIPT

This Employee Handbook does not constitute a contract of employment either in whole or in part. The Company, reserves the right to add, delete, or change any portion of the Employee Handbook with or without notice.

FOR THE EMPLOYEE'S INFORMATION:

Your employment status: _____ Full Time _____ Part Time

Your position title: _____

Administrative Executive's Name:

Your starting date: _____

I acknowledge receipt of, and have read, the Employee Handbook that outlines my benefits and obligations as an employee of **THE OUTTA THE WAY CAFE**. I understand the Standards of Conduct and each of the rules and regulations which I am expected to follow, as well as the additional policies. I agree to abide by all of them.

All employees are expected to conform their conduct to the rules and regulations as set out in this handbook, and understand that they are at-will employees. The contents of any Employee Handbook, including this one, that may be distributed during the course of their employment shall not be construed to be a contract or in any way binding. The Company reserves the right to change, at its discretion, the contents of this handbook.

POLICY STATEMENT

This handbook is a general guide and provisions of this handbook do not constitute an employment agreement (contract) or a guarantee of continued employment. It is simply intended to outline the benefits and work requirements for all employees. It is further understood that the Company reserves the right to change the provisions in this handbook at any time. It is policy of the Company that employment and compensation of any employee is at will and can be terminated with or without cause, at any time, at the option of the employee or at the option of the Company.

Manager's Signature

Date

Employee's Signature

Date