



# Lyrical Opera Theater

*Employee Handbook*

Strictly Private and Confidential  
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## Message from the Board of Directors

As a valued employee, we hope you will find your employment to be both rewarding and challenging as you advance your career interests and help meet the LOT's objectives. Your unique talents and abilities are extremely valuable to us, and we look forward to our successful association.

While there is no single rule that can guarantee success with LOT, there are certain fundamentals that largely determine an individual's progress. Most important is how well you do your job and maintain good working relationships.

Qualities such as initiative, mental alertness, an ability to get along with people, a cooperative attitude, and professional appearance are important. To continually improve LOT operations, we ask that you be flexible and open to change.

We hope you will feel like a valuable partner with the organization. We encourage you to show interest in the LOT so you will not only be a credit to its operation but will also gain for yourself a true sense of well-being and satisfaction.

You play a critical role in meeting customers' needs and growing LOT. It takes the combined efforts of each of us to ensure our continued success.

We created these guidelines to promote sound management practices, as well as to help create an environment where employees can grow and succeed. Please familiarize yourself with the guidelines. They answer many common questions and will help you understand LOT expectations.

The policies and procedures in this Handbook are for general reference only and may not be applicable in all cases. Your manager will be happy to answer any questions you may have. All previously issued Handbooks and any inconsistent policy or benefit statements are superseded. This Handbook does not extend any particular state law into other states, and if there is any conflict or inconsistency between this Handbook and the laws of the state in which an employee works, those laws will typically take precedence over this Handbook.

*If you have questions or need help understanding Handbook guidelines, please speak with your Manager.*

Regards

*Lyrical Opera Theater (LOT) Board of Directors*

## **1. Introduction**

This Employee Handbook (Handbook) is provided to inform and acquaint employees with Lyrical Opera Theater (LOT) and with the LOT's policies, procedures, and practices. Failure to comply with these guidelines may result in corrective action, up to and including termination. LOT may change any of its policies, procedures, benefits or other matters described in this Handbook or elsewhere with or without notice, at the sole option of the LOT, without prior consultation with or agreement by any employee and use or nonuse of progressive discipline is left solely to the discretion of the LOT. Neither this Handbook, employment with the LOT, nor the maintenance of supervisory or other policies or procedures shall be construed as constituting a promise from or contract of any kind with the LOT, either express or implied, regarding any of the matters addressed in any such Handbooks or policies.

Although it is intended that the relationship between the LOT and its employees will grow and be in the best interests of both the employee and LOT, all employees are employed for an indefinite period in an at-will capacity. This means that both LOT and its employees retain the right to end or terminate the employment relationship at any time, with or without notice, and for any reason or for no reason at all.

No supervisor, manager, or representative of LOT, other than the President, has the authority to enter into any contract or agreement with you of any kind, including but not limited to employment for any specific duration or to make any commitments contrary to the at-will nature of employment. Only a separate, express written agreement signed by the President of the LOT and designated as an employment contract may create any such contract and change the at-will nature of the employment relationship.

These policies are not intended to interfere in any way with any applicable federal, state, or local law. Nor are they intended to interfere with employee rights to form, join or assist unions or to engage in other concerted activity protected by the National Labor Relations Act.

### **1.1. Employment-At-Will**

Nothing contained in this Handbook should be construed as a contract of employment or guarantee of a job. It is not LOT's intention to guarantee anyone a job, or to create an expressed or implied contract of employment. Employment is voluntary for both employees and LOT. LOT may end employment without notice, at any time and for any reason, with or without cause. This employment at-will status cannot be altered in any way by any oral or written statements, policies, or practices, and can only be altered or modified by a written employment contract signed by the President of LOT. Employees, likewise,

may terminate employment at any time for any reason. The use or nonuse of progressive discipline is left solely to the discretion of LOT. This statement does not affect employees' rights under a collective bargaining agreement.

## **2. General Business Policy and Practice**

We seek to create a positive work environment which embraces the inherent differences or uniqueness in others, believes in the potential of all people, and creates a climate of appreciation and mutual respect.

### **2.1. Pay (customize)**

The standard workweek for the LOT will begin at 12:01 a.m. Sunday and end at midnight the following Saturday.

The designated pay period for all employees is semi-monthly. Generally, the first pay period of the month runs from the 1<sup>st</sup> through the 15<sup>th</sup> of the month. The second pay period of the month runs from the 16<sup>th</sup> through the end of the month. Pay checks are released to employees on the 20<sup>th</sup> and the 5<sup>th</sup> of each month.

In the event that a regularly scheduled payday falls on a weekend or holiday, employees will receive pay on preceding scheduled business day.

Employees joining the business during a pay period will be paid on the next scheduled pay period.

### **2.2. Equal Employment Opportunity (EEO)**

Employment is based upon ability, qualifications, attitude, and job-related factors. Every qualified employee or applicant has the same opportunity for hire, training, placement, promotion, compensation, demotion, termination, and benefits without regard to race, color, religion, sex, gender, national origin, pregnancy, ancestry, citizenship, genetic information (including of a family member), veteran or military status, age (40 and over), physical or mental disability, sexual orientation, gender identity, medical condition, marital status, ethnicity, or any other classification protected by applicable local, state, or federal law. Discrimination on the basis of any protected category is forbidden and will not be tolerated.

### **2.3. Americans with Disabilities Act (ADA)**

In accordance with ADA, the Organization does not discriminate against any qualified applicant or employee with a known physical or mental disability in any employment practice, including hiring, promotion, job assignment, compensation, discipline, training, termination, or other terms, conditions, and privileges of employment.

As required under the ADA, the Organization will reasonably accommodate qualified individuals with known temporary or long-term disabilities so that they can perform the essential functions of a job, unless doing so would result in an undue hardship to LOT. Employees in need of accommodations should make their request through their supervisor.

## **2.4. Harassment**

LOT strives to provide employees with a working environment free from intimidation, hostility, or other offensive conduct. LOT strictly prohibits harassment of any kind by its employees, vendors, and customers toward any person.

The Organization's harassment policy covers conduct on or off duty and on or off work premises, including, but not limited to, business travel and on social media.

Harassment is defined as conduct that interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment. This would include, but not be limited to, threats or offensive conduct directed toward a person's sexual orientation, race, age, disability, religion, national origin, or veteran's status. This includes environmental and quid pro quo (this for that) sexual harassment.

Any harassment—whether based on gender, race, color, ancestry, religion, national origin, age, disability, or other characteristics protected by law—is strictly prohibited. All employees have a personal responsibility to keep the workplace free of such harassment.

Sexual harassment includes unwelcome sexual advances, propositions or requests for sexual favors, and other offensive conduct that is either sexual in nature or directed at someone because of their gender. Sexual harassment undermines the employment relationship by creating an intimidating, hostile, or offensive work environment.

Harassment, whether sexual or based on characteristics listed above, may take many forms. By way of example, harassment may include:

**Verbal Conduct:** Includes suggestive comments, repeated sexual flirtation, derogatory jokes, name calling, innuendoes, demeaning slurs, unwanted kidding or teasing, foul or obscene language, gender-based comments, or discussions of a sexual nature.

**Visual Conduct:** Includes leering, derogatory or sexually oriented posters, photography, cartoons, drawings, graffiti, electronic mail, or gestures.

**Physical Conduct:** Includes assault, offensive touching, patting, pinching, pushing, blocking of normal movement, or interfering with work.

**Threats or Demands:** Includes requiring sexual favors as a condition of continued employment or threatening other physical or verbal abuse.

**Bullying:** Includes repeated unreasonable behavior directed toward a worker, or group of workers, that creates a risk to health and safety. It includes behavior such as: verbal abuse, intimidation, and threats, withholding information that is essential for someone

to do their job, excluding or isolating others, interfering with someone's personal property or work equipment. One-off behaviors can still present a risk to health and safety and will not be tolerated.

Any person who becomes a target or observes conduct believed to constitute harassment should immediately take steps to eliminate this behavior by confronting the perpetrator and/or reporting it to their supervisor or any manager or executive of LOT. All reported violations of this policy will be fairly investigated with prompt remedial action taken.

It is contrary to LOT policy for a supervisor or any employee to retaliate against anyone who files a charge of harassment. Any employee who believes they are being subjected to retaliation should promptly report it to one of the individuals listed above.

False and malicious accusations of sexual or other harassment, as opposed to complaints which, even if erroneous, are made in good faith, may be subject to appropriate disciplinary action.

## **2.5. Abusive Conduct/Bullying**

LOT defines abusive conduct and bullying as behavior in the workplace, with malice, spite, or cruelty that a reasonable person would find hostile, offensive, and unrelated to the Organization's interests. Bullying behavior may take many forms including repeated verbal or written insults or abuse; conduct that would be found to be threatening, intimidating, or humiliating; the sabotage or undermining of a person's work performance with the use of derogatory remarks or insults and belittling; or unwelcome physical contact. A single act will not constitute abusive conduct unless it is found to be severe and egregious.

## **2.6. Grievance/Complaint Procedures**

LOT encourages open communication and strives to create a work environment where employees like to work. Employees with concerns about discrimination, harassment, safety, their job, pay, or other employment issues are encouraged to speak with their immediate supervisor.

In cases where the supervisor is part of the problem or is not responding, employees should go to their supervisor's manager or another manager. Complaints may also be given in writing, as long as they are signed.

### **Reporting Procedure:**

- 1) The employee should contact their immediate supervisor with details regarding their complaint.
- 2) If needed, they should contact their supervisor's manager or other senior manager.
- 3) LOT strives to handle all complaints in a manner, involving witnesses and others on a need-to-know basis and maintaining as much confidentiality as possible. All complaints will receive a response.
- 4) Every effort will be made to listen, investigate fully, and get the facts straight.

- 5) If it appears that satisfaction, harmony, and efficiency are not being achieved, employees may ask to have the matter referred to higher management for consideration.
- 6) There will be no retaliation against any employee who reports a complaint or who provides witness statements during an investigation.

## 3. Employment

### 3.1. Employment Classifications

Classifications are important in determining eligibility for various benefits and overtime, and to clarify employment status. Each employee is designated as either **Non-exempt** or **Exempt** as defined by the Fair Labor Standards Act (FLSA) and applicable regulations. Non-exempt employees' pay is determined based on actual hours worked; these employees are entitled to overtime pay and other provisions under specific federal and state laws. Exempt employees hold positions that meet specific tests established by the FLSA; these employees are excluded from FLSA provisions and overtime pay.

The following are general employee classifications:

**Regular Employees:** Regular employees are those who are hired to work on a regular schedule. Regular employees may be classified as full-time or part-time.

**Full-time Employees:** Regular full-time employees are those who are normally scheduled to work and who do work a schedule of 32 hours or more during a normal workweek. Following the completion of training and applicable waiting periods, regular full-time employees are eligible for most employee benefits.

**Part-time Employees:** Part-time employees are those who normally are scheduled to work less than 32 hours per week. Part-time employees may be assigned a work schedule in advance or may work on an as-needed basis.

**Temporary Employees:** Temporary employees are employed for short-term assignments or interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration.

Short-term assignments are generally periods of three months or less; however, such assignments may be extended. Temporary employees are not eligible for employee benefits, except where mandated by applicable law.

**Independent Contractors/Performers/Artists:** Contractor, performers, artists are hired to perform a specific service or project and are not considered employees of the LOT.

**Volunteers:** Volunteers are individuals who freely give of their time to perform services for and in support of the Organizations non-profit efforts and for which they are not compensated and are not considered employees of the LOT.

Employees are further assigned functional job titles to assist in work assignments, job descriptions, and communications.

### 3.2. Recording Time Worked

Recording time worked is the responsibility of every non-exempt employee. Federal and state laws require LOT to keep accurate records of time worked in order to calculate employee pay and benefits. Time worked consists of all the time actually spent on the job performing assigned duties. No supervisor, manager, or leader may authorize work off the clock for non-exempt employees.

Hours worked must be recorded accurately at the time employees start and stop working, including lunch breaks. If set schedules are in use, reporting of any deviation from the set schedule is required. The time frame worked by employees should match the clock time reported. Authorized rest periods are considered as time worked, for pay purposes, and should not be recorded. Clock-in time will be adjusted for employees who clock-in early for arrivals and breaks. All overtime hours must have prior management approval.

Altering, falsifying, or tampering with time records are strictly prohibited. Hourly employees are not to perform work off the clock. Supervisors, Accounting, and Human Resources are permitted to make written or computer edits to timesheets.

### 3.3. Work Schedules and Hours

Each department schedules hours to accommodate the requirements of its functions. General office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday. Other work schedules and shifts may operate based on various departmental and LOT needs. All work schedules are subject to change.

### 3.4. Breaks and Meal Periods

Employees who work eight-hours or more are eligible for two rest periods of 15 minutes for which they are compensated. Employees should return to their work areas promptly after break periods. Each department establishes break periods.

Employees working more than six hours in a day are allowed a meal period of at least 30 minutes, depending on department policy and work requirements. Supervisors in each department schedule rest and meal periods for their work teams. Employees are relieved of all active responsibilities and duties during meal periods and are not compensated for that time. Non-exempt employees are required to punch in and out of the time clock for meal periods.



**Lactation Accommodation**

An employee who is nursing may, at her discretion, for the first year of the newborn's life, take breaks in addition to and including those defined above to express breast milk. All breaks are to be reasonable in length and will be paid. A secure, private location will be made available for use by nursing employees for the purpose of expressing breast milk.

**3.5. Overtime**

Our normal workweek and hours may differ by department. From time to time, circumstances may require that the employee work in excess of forty (40) hours during the workweek. Employees are expected to coordinate with their supervisors to anticipate workloads and to schedule appropriate work periods for completing assignments.

Each non-exempt employee will be paid time-and-a-half (1-1/2 times the regular wage rate) for hours worked in excess of forty (40) hours per week. When possible, overtime may be on a voluntary basis, and employees will be given as much prior notice as possible. However, at the supervisor's discretion, overtime may be mandatory during busy work periods. All overtime must have advance supervisor approval. No supervisor, manager, or leader may authorize work off the clock.

As required by law, overtime pay is based on actual hours worked. Time taken for sick leave, vacation, holiday, or any other leave of absence will not be part of the hours worked when overtime is calculated. The workweek for payroll purposes is Sunday through Saturday.

**3.6. Personnel Records**

Personnel records are maintained on every employee and are considered important documents. LOT strives to keep these records as confidential as possible, allowing access only on a need-to-know basis. These records are LOT property. Employees may inspect certain documents in the presence of a LOT management representative at a mutually convenient time. Employees should notify management or Human Resources of any changes in personal information. No copies of documents in an employee's file may be made without authorization from senior management or the Human Resources Manager.

LOT restricts disclosure of information contained in employee personnel files to unauthorized individuals within or outside LOT. Any request for information from personnel files must be directed to Human Resources. Only a Human Resource representative is authorized to release information about current or former employees. LOT cooperates with authorized law enforcement, federal agencies conducting official investigations, and otherwise legally required requests for information.

**3.7. Employee References**

All requests for references must be directed to an employee's supervisor. No other manager, supervisor, or employee is authorized to release references for current or former employees. LOT's policy regarding references for employees who have left LOT is to

disclose only the dates of employment and the title of the last position held. With written authorization, LOT will provide information on the amount of salary or wage last earned.

### **3.8. Personal Property**

LOT does not assume responsibility for any theft, damage, or disappearance of personal property. Employees are discouraged from keeping valuable personal property or large amounts of cash at work.

### **3.9. Searches and Inspections**

As a condition of employment and to ensure workplace safety and security, all facilities, LOT property (including desks, workstations, files, emails, Instant Messaging (IM's), voicemail, cell phones, etc.), and employees' personal property on LOT premises are subject to inspection without notice and upon request. Permission to bring briefcases, purses, packages, personal vehicles, and other property on LOT facilities is conditional upon the employee granting a right of inspection upon request.

Employees are responsible for assisting with the security of LOT property, work areas, and related investigations. Employees should immediately notify their supervisors of any unfamiliar or suspicious persons in their work areas and should offer to assist or escort such persons as appropriate.

### **3.10. Performance Evaluation and Appraisals**

Work performance will be reviewed periodically with consideration given to performance, attitude, and the employee's ability to meet the expectations of the job. Supervisors evaluate work quality and results, providing feedback as to where and how improvements can be made. Employees are encouraged to make suggestions to improve the Organization's efficiency and operations. The frequency of performance evaluations may vary depending upon length of service, job position, changes in job duties, past performance, or recurring performance problems.

### **3.11. Termination/Resignation of Employment**

Employees are required to return all LOT property issued to employees, such as computer equipment, keys, tools, parking passes, or LOT credit cards, at the time of termination. Employees will be responsible for any lost or damaged items.

#### **Resignation:**

If circumstances force employees to discontinue employment with LOT, employees are requested to provide a minimum of two (2) weeks written notice of their intent to resign. The employee should submit a notice of resignation to voluntarily terminate employment with LOT to their supervisor or a member of management. An exit interview may be requested.

## 4. Employee Responsibilities and Expectations

### 4.1. Dress Code & Personal Appearance

LOT atmosphere is maintained, in part, by the image employees present to customers, vendors, and others. All employees are expected to be neat, clean, and groomed appropriately for the type of the work they do and in keeping with personal safety.

Although the Organization's dress code is considered business casual, a more formal dress code may be in effect for certain positions, events, job duties, or when requiring face-to-face interactions such as when meeting with customers, clients, attending trade shows or representing LOT in the business community. On the occasion when a customer or a business partner does visit the office employees should adhere to business casual standards.

**The following guidelines apply to all employees:**

- 1) Business casual dress, such as slacks and collared shirt or blouse, dress, or blouse and skirt. More formal events, suites, formal evening wear, gowns may be required.
- 2) Shirts and shoes must be worn at all times. In some areas, safety shoes should be worn. They should be comfortable, but safe. For example, slippers and flip-flops are not acceptable.
- 3) Extreme, immodest, or revealing attire is not permitted. Other unacceptable items include, but are not limited to, shorts, gym shorts, beach attire, miniskirts, worn jeans, overalls, sleeveless shirts, tank/tube/halter/transparent tops, and tight clothing.
- 4) Hair, jewelry, and other items of clothing should be worn in such ways as not to attract inordinate attention, hamper work performance, or create safety hazards.
- 5) Clothing and personal hygiene should be regularly maintained to avoid causing discomfort to others.

Employees with special needs or questions regarding dress and grooming standards should contact their immediate supervisor. Improperly groomed or dressed employees may be asked to go home to make needed attire corrections.

### 4.2. Employee Conduct and Work Rules

General rules of conduct are designed to:

- Promote the smooth functioning of operation as a whole
- Ensure safety and fairness to all employees in relation to their work
- Maintain good employee relations
- Define acceptable and unacceptable behavior, and
- Establish a means of dealing equitably and uniformly with problems.

The following rules are not meant to be all-inclusive; however, they provide a guide for employees about what is considered acceptable behavior. There are degrees of seriousness to every infraction, and disciplinary measures may vary accordingly.

### **Performance**

Employees are expected to perform their jobs effectively and in accordance with given directions and established procedures. Examples of unacceptable performance include:

- 1) Failure to meet quality or quantity performance standards or deadlines.
- 2) Refusal to work evenings, weekends, overtime or failing to accept work assignments.
- 3) Insubordination or failing to follow directions of supervisors or those with authority to direct.
- 4) Unprofessional conduct or rudeness to customers or co-workers.

### **Attendance and Dependability**

Absenteeism and tardiness burden co-workers, disrupt business operations, and reduce the quality of our service. Good attendance, punctuality, and dependability are required of all employees. Excessive absenteeism and tardiness reduce an employee's opportunity for advancement and continued employment.

### **Personal Notification Required**

Employees are expected to give their supervisor as much advance notice as possible of anticipated tardiness or absence, or of the need to leave early. Employees should call or text at least one hour before their scheduled starting time for absences, and as soon as tardiness or the need to leave early is apparent.

Leaving a voicemail, emailing, or having someone call for the employee does not satisfy the notification requirement. If the employee cannot reach their immediate supervisor, the employee should contact another supervisor. Employees should also maintain regular contact with their supervisor during extended absences.

### **Absent Without Notice**

As allowed by law, an employee who has been absent for one or more days without providing appropriate notice to their supervisor may be considered to have voluntarily terminated. Schedule adjustments, vacation, and paid time off should be arranged in advance of when employees are expected to arrive to work. Employees should give at least a 24-hour notice when scheduling a vacation day, and at least a one-week notice when planning to take two or more vacation days. Requests for vacation will be granted depending on the department's workload and staff availability.

Employees who are absent from work due to an injury or contagious disease may be required to provide a note from their doctor authorizing their return to work.

Employees with special needs or questions regarding the attendance policy should contact their immediate supervisor.

**Workplace Misconduct**

The following are examples of some, but not all, of LOT workplace misconduct and unacceptable behavior:

- 1) Changing or falsifying client records, LOT records, personnel, or pay records including time sheets without authorization, dishonesty or falsification in any form or degree.
- 2) Damage, loss, or destruction of LOT, employee, or customer property due to negligent, willful, or careless acts.
- 3) On or off duty conduct that knowingly or maliciously harms the business interest or reputation of LOT.
- 4) Being under the influence of, in possession of, or using alcohol, marijuana, or illegal drugs during work hours.
- 5) Theft, misappropriation, or unauthorized possession or use of property, documents, records, or funds belonging to LOT, or any client or employee, removal of same from LOT premises without authorization.
- 6) Criminal activity that would disqualify the employee from employment.
- 7) Divulging confidential information of any kind to any unauthorized person(s) or without an official need-to-know requirement.
- 8) Obtaining unauthorized confidential information pertaining to clients or employees.
- 9) Loafing or sleeping on the job, failure to perform work, ineffective performance, or incomplete or neglected work.
- 10) Refusal to perform work as directed (insubordination), failing to carry out reasonable orders by a representative of management, or refusal to work on jobs assigned by the supervisor (except when such work interferes with the health or safety of the employee), restricting production, and disobedience.
- 11) Negligence in observing fire prevention or safety regulations, poor housekeeping, or failure to report on-the-job injuries or unsafe conditions.
- 12) Fighting; gambling; horseplay; or using profane, obscene, or abusive language while at work; threatening, intimidating, or coercing others on LOT premises; or carrying unauthorized weapons.
- 13) Rude, discourteous, or non-business-like behavior at the workplace, creating a disturbance on LOT premises or creating discord with clients or fellow employees.
- 14) Leaving the office during scheduled work hours without permission, unauthorized absence from assigned work area during regularly scheduled work hours.
- 15) Recording of time for another employee or having time recorded to or by another employee.
- 16) Soliciting or selling anything on LOT time and premises without management approval, except when all concerned are relieved from duty.
- 17) Distribution or posting of literature unrelated to LOT business objectives, without management approval, during working time or in work areas.
- 18) Habitual fault finding, negative attitude, or gossiping.
- 19) Violation of any other commonly accepted reasonable rule of responsible personal conduct, appearance, or cleanliness while on working time.

**4.3. Drug and Alcohol (Substance) Abuse**

LOT has adopted an Alcohol and Drug-Free Work Site Policy. Our policy prohibits the use, sale, distribution, manufacture, or possession of alcohol or drugs (including excessive quantities of prescription or over-the-counter drugs), paraphernalia, or any combination thereof, on LOT premises, property or work sites including LOT vehicles and equipment, hired or leased vehicles or equipment, and any private vehicle parked on LOT premises or at a LOT work site.

Any employee taking medication should consult a medical professional to determine whether the drug may affect their personal safety or ability to perform the essential functions of the job and should advise their supervisor of any job limitations. Upon notification of job limitations, LOT will make reasonable efforts to accommodate the limitation.

Where the law permits, LOT reserves the right to conduct drug testing for pre-employment screening, specific incidents, probable cause, fitness for duty, random testing, suspicious sample, post-accident if there is an objectively reasonable basis, or as required or allowed by state or federal law. This list is not intended to limit the events which would require a drug test, and LOT reserves the right to test for alcohol and drug abuse for other lawful reasons. All positive or inconclusive tests will be reviewed by a licensed physician (Medical Review Officer).

Positive post-accident drug testing may result in forfeiture of workers' compensation funds for accident injury costs. The burden of treatment cost may fall upon the employee if found to be under the influence of drugs or alcohol.

It is a violation of LOT policy for any employee to:

- 1) Manufacture, possess, sell, trade, or offer for sale paraphernalia, illegal drugs or controlled substances, or to otherwise engage in the abuse of illegal drugs; controlled substances, non-prescription drugs, or alcohol while on duty
- 2) Report to work intoxicated or impaired due to the influence of illegal drugs, prescription and non-prescription drugs, alcohol, or controlled substances, including any metabolite thereof
- 3) Abuse prescription drugs, and
- 4) Alter or tamper with testing sample.

#### **4.4. Dating between Employees (Fraternalization)**

It is not contrary to the policy of LOT for employees to date except in circumstances where one of the employees reports, either directly or indirectly, to the other employee. No dating is permitted in such circumstances. LOT will, however, consider requests from affected employees to transfer them to other open positions within LOT, for which they are qualified, so the employees are not in the same reporting lines.

LOT prohibits supervisors from having an intimate relationship (e.g., sexual, dating, etc.) with employees under their direct management. If such a relationship develops between a supervisor and an employee, either a transfer or termination will result.

#### **4.5. LOT Parties and Events**

Throughout the year, employees may be invited to various optional LOT-sponsored events or parties. Although participation is encouraged, all such events do not require attendance. No accidents, injury, or illness because of a LOT event may be considered to have occurred "at work" and is the employee's personal responsibility. Employees participating in physical activities should consult a physician before considering participation. If there are LOT events where alcohol is available or served, employees are reminded to be cautious and to control their consumption.

#### **4.6. Smoking**

LOT is committed to providing a work environment that supports employee health and safety. For the protection of all employees and to ensure compliance with applicable local, state, and federal law, smoking is not allowed in or within 25 feet of any LOT vehicles, facilities, or buildings, including any work areas, break rooms, hallways, and entrances.

#### **4.7. Electronic Communication and Information Systems**

LOT uses multiple forms of information systems and electronic data/communication/media including but not limited to email, computer, internet, Instant Messages (IM), texts, fax, telephone, and voicemail systems, and online information services. Employees may perform job duties using a variety of electronic communications depending on the nature of the work responsibilities involved. Some of the required communication mediums might include cell phones, text messaging devices, computers, and handheld computers such as tablet or iPad.

All communications using these systems, networks, and accounts are LOT property/records. These systems and the information they contain are provided to help employees do their job as well and as easily as possible and are intended for LOT use only. Employees should never copy or download any suspicious, potentially harmful viruses or risky information from the internet. As a condition of employment, LOT reserves the right to access, intercept, copy, monitor, review, and download any communications or files employees create or maintain on these systems without notice to the employee and/or in the employee's absence.

While electronic communication/media may use passwords for security, such passwords used in connection with electronic communication/media are not intended for and may not be construed as creating personal privacy. An assumption must be made by each employee that any and all messages may be read or heard by someone other than the intended or designated recipient. LOT may override all personal passwords or security, at its discretion, related to electronic communication/media.

When using any of these systems, including the internet, do not send materials of a sensitive nature or that might constitute "confidential information," unless the material is marked "confidential" and the employee is sending it to a trusted recipient. Do not copy or download any copyrighted information. Materials referencing any of the items outlined in this Handbook would be considered confidential.

All employee communications and any use of LOT electronic communication systems will be held to the same standards as all other business communications, including compliance with anti-discrimination and anti-harassment policies. Communication should not be disruptive, discriminatory, or offensive to others. Employees should notify their supervisor immediately of unsolicited offensive materials or communications received by themselves or any other employee on any of these systems.

Employees are not permitted to access files, messages, or any documents or correspondence created by or intended for other employees or third parties, even on LOT systems unless directed to do so by LOT management. Although employees may have passwords that restrict access to their voicemail, messages, and other devices and systems, this does not limit LOT's ability to access any files, messages, documents, or correspondence stored on or deleted from the electronic communication/media systems.

As with other types of authorized work, all time spent by non-exempt employees using electronic communications for work purposes will be considered hours worked; the time is compensable and will count toward overtime eligibility as required by law. Therefore, to avoid incurring unnecessary expenses, electronic communications should not be used outside regularly scheduled work hours unless required by management. This includes all types of work-related communication. Non-exempt employees should not check for, read, send, or respond to work-related emails outside their normal work schedules unless specifically authorized based on job duties or direction by management to do so.

To ensure protection and confidentiality of information, all employees may not use, transmit, or store client, vendor, employee, or any other confidential LOT information on a personal electronic device without written authorization from Senior Management. Employees directed or given authorization will be required to follow established security procedures and are subject to the electronic communication, information systems and personal business policy.

All electronic communication and computerized information systems are for business use. Any personal use of LOT electronic communications should be limited or infrequent and should not interfere with assigned work duties or be disruptive to co-workers. If employees have any questions about specific situations, they should check with their supervisor. As a general rule, the following personal items should be done at home or during breaks to avoid wasting time or distracting employees from their responsibilities:

- Surfing the internet for non-work-related items or shopping online
- Instant messaging or sending personal emails
- Text messaging
- Answering or calling out on personal cell phones
- Playing games on the computer; or
- Performing other personal tasks.

#### **4.8. Social Media**



Employees who participate in Social Media such as Facebook, Twitter, Blogging, YouTube, Instagram, Snapchat, and so on, are responsible to follow these guidelines related to work related work sites, issues about LOT products and reference to customers, employees, leaders and partners protecting their privacy, confidentiality and interests. These guidelines in this social media policy will help employees make appropriate decisions about work-related blogging and the contents of their blogs, personal websites, postings on wikis and other interactive sites, postings on video or picture sharing sites, or in the comments made online on blogs, elsewhere on the internet, and in responding to comments from posters either publicly or via email. Our internal internet and email policy remain in effect in our workplace. This policy is not intended to interfere in any way with any applicable federal, state, or local law. This policy is not intended to interfere with employee rights to form, join or assist unions or to engage in other concerted activity protected by the National Labor Relations Act.

### **Social Media Guidelines:**

- Employees who develop a Website or write a blog must obtain advance approval from senior management before mentioning LOT potential products, partners, customers, and competitors. If approved, employees are to identify that they are an employee of LOT and state that the views expressed on the blog or Website are theirs alone and do not represent the views of LOT.
- Unless given permission by senior management, employees are not authorized to speak on behalf of LOT, nor to represent themselves as doing so.

### **Confidential Information**

- Employees may not share information that is confidential and proprietary about LOT. This includes information about trademarks, upcoming product releases, trade secrets, sales, finances, number of products sold, LOT strategy, and other proprietary information not officially released by LOT.
- Employees are expected to follow all trademarks laws and guidelines.

### **Respect and Privacy Rights**

- Employee assumes all responsibility for the use of copyrighted materials, unfounded maliciously false statements, discriminatory, mentally, or physically abusive statements, and defamation is prohibited.
- Consider the privacy rights of our current employees by seeking their permission before writing about or displaying internal LOT happenings that might be considered to be a breach of their privacy and confidentiality.
- Employees may not sell any product or service that would compete with any LOT products or services without permission in writing from the president. This includes, but is not limited to training, books, products, and freelance writing. If in doubt, talk with senior management.
- Employees are legally liable for anything they write or present online.

- Media contacts about LOT and LOT's current and potential products, employees, partners, customers, and competitors should be referred for coordination and guidance to the senior management. This does not specifically include employee opinions, writing, and interviews on topics aside from our organization and our current and potential products, employees, partners, customers, and competitors.

#### **4.9. Confidentiality**

Maintaining confidentiality is required of all employees. All information regarding LOT strategies, objectives, products, pricing, margins, research, development, technology, intellectual property, operations, finances, business practices, policies, and procedures, customers, suppliers, vendors, business partners and relationships, and other inside business information is to be kept confidential.

Confidential information should only be divulged to individuals within LOT who need to know, or to outside persons who have signed a non-disclosure agreement (which must be countersigned by an officer of LOT) when the information is necessary to transact LOT business.

All records and files maintained by LOT are confidential and remain the property of LOT. Confidential information obtained during employment may not be used by any employee for the purpose of furthering current or future outside employment or to obtain personal gain or profit.

Questions and requests for confidential information, including reference requests, should be referred to upper management.

#### **Whistle Blower Protection**

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee should contact their immediate supervisor or Human Resources without concern of retaliation. When filing a concern, exercise sound judgment to avoid baseless allegations. Intentional filing of a false report of wrongdoing will not be tolerated.

#### **4.10. Solicitation and Distribution of Literature**

In order to ensure efficient operation of LOT business and to prevent disruption of work productivity, it is necessary to control solicitations and the distribution of literature on LOT property.

No employee shall solicit or promote support for any cause or organization during his or her working time, or during the working time of the employee or employees at whom such activity is directed.

Outside of vendors, customers, and others on LOT property for legitimate LOT business, non-employees will not be permitted to solicit or to distribute written material for any purpose on LOT property.

Employees should contact management or human resources if they have any questions or concerns regarding this policy.

#### **4.11. Conflicts of Interest**

LOT encourages appropriate relationships between employees, customers, suppliers, and competitors. Employees may not participate in activities which conflict with or appear to conflict with the business interests of LOT, which hurt the employee's job performance, or which may appear to compromise the employee's independent judgment because of economic or personal self-interest.

The following principles help avoid conflicts of interest:

- 1) Employees should not use their LOT position for personal gain or for the personal gain of any person with whom the employee has personal, business, or financial ties.
- 2) Employees should not participate in any procurement action, whether for LOT or a federal agency, which involves LOT, or activity in which the employee or a family member has a material financial interest, or other business or personal connections.
- 3) Employees should not engage in outside employment (including self-employment) that creates a conflict of interest with LOT and/or otherwise affects the business interests of LOT.

Employees are allowed to invest in publicly-owned companies whose securities are listed on a national securities exchange or are otherwise generally available in the open market, or in banks or trust companies, even though the issuers of such securities may be customers, suppliers, or competitors, so long as such investments do not conflict with the interest of LOT.

#### **4.12. Business Gifts and Gratuities**

We want at all times to avoid the appearance of impropriety in the acceptance of gifts from business contacts or clients. It is the express policy of LOT that employees are prohibited from, either directly or indirectly, asking, demanding, exacting, soliciting, or seeking, anything of value for themselves or for any other person or entity.

It is the express policy of LOT that employees are prohibited from, either directly or indirectly, accepting, receiving, or agreeing to receive anything of value for themselves or for any other person or entity (other than your pay check from LOT) for or in connection with any transaction or business of LOT that has a value of \$50 or more. If an employee is promised, offered, or given anything of value from any member, perspective member, customer, or perspective customer for or in connection with any transaction or business of LOT, they must inform their supervisor at once.

#### **4.13. Outside Employment**

LOT does not seek to interfere with employees' off-duty activities. However, we cannot tolerate off-duty conduct that impacts negatively on LOT, either in terms of an employee's individual work performance or the business interests, including engaging in a competing line of business, or conduct that may damage LOT's reputation. LOT prohibits outside employment (including self-employment) that, conflicts with employment, impacts the employee's work performance or schedule, and/or affects the business interests of LOT. Employees must contact their manager prior to engaging in any outside employment that may in any way impact schedule, performance or business interests.

#### **4.14. Safety Rules and Practices**

LOT strives to provide a safe, accident-free, and healthy work environment for everyone. Workers who notice hazards or other safety problems, or who feel that they need additional training, must notify their supervisor immediately. Supervisors and management should address these concerns and take corrective action when warranted.

Everyone is obligated to be knowledgeable about the standards applicable to their area or job, and, just as important, to abide by those standards. It is the duty of all employees to perform work with maximum regard for the safety of themselves, their co-workers, and our customers. Refer to LOT's safety manual for additional safety rules, requirements and guidance.

#### **General Workplace Safety Rules**

Following are some primary workplace safety rules:

- 1) Ask for assistance from a supervisor or other trained employees when unsure about how to do a job safely and correctly.
- 2) Report unsafe conditions to a supervisor immediately.
- 3) Report all accidents/injuries/incidents to a supervisor as soon as possible, within a reasonable time after an accident occurs and when an injury is known.
- 4) Avoid all distractions such as cell phones, other mobile devices, earphones/headphones while working around or operating machinery.
- 5) Keep equipment in safe working condition. Never use defective tools or equipment. Report any defective tools or equipment to a supervisor.
- 6) Properly care for and be responsible for all personal protective equipment (PPE). Wear or use any such PPE when required.
- 7) Do not leave materials in aisles, walkways, stairways, work areas, roadways, or in areas that might block building/emergency exits.
- 8) Practice good housekeeping at all times. Place wastepaper, empty cartons, and other trash in approved receptacles. Keep work areas clean and free from objects that can create a slip or tripping hazard. No job is complete until the job area is cleared, maintaining safe working conditions.
- 9) Train on equipment prior to unsupervised operation.
- 10) Avoid horseplay and pranks that may result in an injury or accident.
- 11) Use proper lifting techniques when lifting is required. Employees should keep their back straight, with the object close to their body and body weight directly over their feet, lifting gradually using the leg muscles. Do not twist or bend the back while

lifting. Always ask for help with heavy objects. Stretching out in advance can also help reduce injuries.

- 12) Use proper stretching techniques daily when using hands extensively.
- 13) Contact the immediate supervisor regarding any question relating to safety. Safe work practices are a condition of employment.

#### **4.15. Injury / Accident Reporting**

Employees who are injured while working are to report their injury to their supervisor as soon as possible within a reasonable amount of time after an accident occurs and when an injury is known, regardless of how minor the accident or injury may be.

Unless only first aid is required, all work-related injuries must be treated at participating providers except if the injury is a life-threatening emergency. Anyone needing emergency medical treatment should be taken to the nearest hospital or medical center. Employees should see their supervisor regarding questions dealing with injury reports or workers' compensation insurance.

#### **4.16. Violence in the Workplace**

LOT strives to maintain an environment free from intimidation, threats, or violent acts. This includes, but is not limited to, intimidating, threatening, or hostile behaviors; physical abuse; vandalism; arson; sabotage; use of weapons, or carrying weapons of any kind onto LOT property; or any other act which, in management's opinion, is inappropriate in the workplace.

Employees who feel they have been subjected to any of the behaviors listed above are requested to ***immediately*** report the incident to their supervisor. Complaints will be investigated. Based upon the results, disciplinary action will be taken against the offender, if appropriate.

Employees who observe or have knowledge of any violation of this policy should ***immediately*** report the violation to LOT management.

Domestic Violence, while often originating in the home, can significantly impact workplace safety and the productivity of victims as well as co-workers. LOT recognizes that domestic violence may occur in relationships regardless of the marital status, age, race, or sexual orientation of the parties.

Employees are empowered to contact the proper law enforcement authorities without first informing management if the employee believes a threat to the safety of others exists.

LOT reserves the right to conduct searches and inspections of employees, or employees' personal effects or materials (such as lunch pails, boxes, thermoses, purses, lockers, desks, personal computer files, cabinets, file drawers, packages or vehicles) on LOT premises,

without notice. Any illegal and unauthorized articles discovered may be taken into custody and may be turned over to law enforcement representatives.

#### **4.17. Possession of Weapons**

To ensure employee safety and security, no employee may possess any deadly weapon on LOT premises or on job sites. Exceptions to this would include authorized security personnel; law enforcement officers and approved concealed weapon permit holders.

## **5. Employee Benefits and Leave Policies**

### **Benefits Summary**

LOT employee benefits program is an important part of employee compensation. Refer to individual benefit documents for details regarding eligibility, options and cost.

At no cost to employees, LOT provides workers' compensation insurance and unemployment insurance, and matches employee's Social Security contributions.

#### **5.1. Workers' Compensation**

All employees are covered by workers' compensation insurance which provides medical reimbursement and disability benefits for job-related illness or injury. An employee does not accrue benefits while receiving workers' compensation payments. Employees may use accrued vacation or sick leave to make up the difference between workers' compensation benefits and their base pay.

#### **5.2. Personal Medical and Maternity Leave**

LOT recognizes that employees may need to be absent from their scheduled position for various reasons. The personal medical and maternity leave policy has been developed for this reason.

Under normal circumstances, employees will receive only leave time for which they are entitled under the paid time off policy. Exceptions to this policy will be rare and granted only under special circumstances solely at LOT's discretion.

A request for leave is not a guarantee of approval, and no approved leave will exceed six (6) weeks in duration.

In general, to be considered for personal leave, an employee should:

- Be employed for at least 120 days prior to the request
- Work at least 30 hours per week
- Submit a written request for leave stating the reason, requested leave date, and expected return date
- Be in good standing with LOT (e.g., meeting performance expectations, etc.).

If the leave is foreseeable, the employee should request the leave in writing at least 30 days in advance. Otherwise, requests should be submitted as soon as is reasonably possible.

Employees are required to use their accrued paid time off. During the leave, paid time off leave benefits will not continue to accumulate, and they will not be paid for holidays that occur during their leave time.

When possible, employees will be allowed to return to their same or equivalent job with the same pay and benefits. However, reinstatement from a personal leave of absence is not guaranteed to any employee unless required by law.

Employees are expected to give prompt notice to their supervisor if there is any change in the expected return date. If the leave period expires and the employee has not contacted the supervisor, it will be assumed that the employee has voluntarily terminated employment.

Employees who are on approved leave are not permitted to perform any of their work duties, including checking and answering emails, during the approved leave.

### 5.3. Paid Time Off (PTO)

**Paid Time Off “PTO”:** (Vacation, Personal and Sick Combined) Regular full-time employees who average 32 work hours or more per week earn paid time to use for vacation, illness, and personal days. This program combines traditional vacation and sick leave into one flexible, paid time off program.

#### **Annual PTO Rates**

Employees earn PTO hours each month based on their length of employment, up to the amounts shown below. Employees can only use the number of hours they have accumulated (no negative PTO balances).

Employees can earn up to a maximum PTO balance of 25 days or 200 hours at any given point in time. At this point, no additional PTO can be earned until previously accrued PTO is taken.

New employees are eligible to begin using PTO after at least 60 days of employment.

Employees will schedule time off in writing, providing their direct supervisor as much advance notice as possible, but not less than a 24-hours advance notice, when scheduling one-day PTO, and one-week notice for two or more PTO days.

All time off taken by employees will be deducted from their PTO balance. Employees are not allowed to take time off without pay while maintaining a PTO balance. Time off taken in excess of allowed PTO time will be treated as leave without pay and may be considered excessive absenteeism.

Employees who have an unexpected need to be absent from work (e.g., sickness) should notify their direct supervisor before the scheduled work shift or as soon as possible.

If a LOT holiday occurs during a scheduled PTO period, employees receive holiday pay instead of PTO pay for that day.

Upon termination, employees will be paid for any accrued, unused PTO time.

| Length of Service | Total Days | Total Hours | Monthly Accruals Hours |
|-------------------|------------|-------------|------------------------|
| <b>Customize</b>  |            |             |                        |
|                   |            |             |                        |
|                   |            |             |                        |

#### **5.4. Holiday Pay**

Full-time employees on active payroll may be paid for LOT observed holidays. Currently, LOT paid holidays include:

New Year's Day  
Memorial Day  
Independence Day

Labor Day  
Thanksgiving Day  
Christmas Day

When a LOT holiday falls on a Saturday, it will be observed on the preceding Friday. When a holiday falls on a Sunday, it will be observed on the following Monday. When a LOT holiday falls during an employee's approved vacation period, the vacation may be extended by the duration of the holiday.

#### **5.5. Funeral and Bereavement Leave**

Upon approval, employees are allowed time off without pay to attend the funeral or spend time grieving for a deceased loved one, family member, or friend. Employees may use



earned PTO time to receive pay while they are out. The employee should contact their supervisor as soon as they know time off is needed.

### **5.6. Military Leave**

Employees who are called up for active duty in the armed forces or National Guard of the United States will be granted leave without pay for any such active duty, to the full extent required by applicable law. LOT will comply with all requirements of the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA).

### **5.7. Jury and Witness Duty**

Employees summoned to serve on a jury, for a court appearance on their own behalf, or who are subpoenaed as a witness will be granted unpaid time to perform this duty. If an employee is summoned to report for jury duty, the employee will be granted a leave of absence without pay when they notify and submit a copy of the original summons for jury duty to their supervisor. LOT reserves the right to request that the employee seek to be excused from or request postponement of jury service if the absence from work would create a hardship to LOT.

Any fees received for jury duty, including travel fees, are to be retained by the employee. The employee is to report to work on any day, or portion thereof, which is not actually spent in the performance of jury service. For each week of jury duty, a certificate of jury service shall be certified by the Court and filed with LOT no later than Wednesday of the following week.

In any day or partial day when employees are not on jury duty or testifying as a witness, they are expected to report directly to work. In the event problems develop with respect to this requirement, employees should contact their supervisor. When an employee is on jury duty, the court should provide a record of attendance.

If the employee chooses, they may substitute accrued vacation or personal time.

## **6. Facility and Equipment Practices**

LOT strives to maintain a professional, safe working environment that positively reflects its culture, employees, and quality products. Employees should help LOT maintain and secure the facility to keep it clean, professional, and safe.

In general, an employee must accompany visitors and family members while they are in the building. Exceptions may be given for regular vendor visitors with management approval. Visitors should avoid hazardous work areas.

### **6.1. Cellular Phone and Mobile Device Usage**

Cell phones or mobile internet devices, whether LOT-issued or personal, may be used to increase efficiency, customer service, and to resolve important issues when an employee is out

of the office. Employees who use and operate cell phones and mobile devices while performing LOT business are expected to follow these guidelines:

- Employees are required to be familiar with and comply with local laws
- Personal calls and texting should be infrequent and minimal
- Turn off or silence all devices when in LOT meetings
- Don't use while operating vehicles or equipment
- Employees may not use a hand-held cell phone (personal or LOT provided) while operating a vehicle on LOT business – whether the vehicle is in motion or stopped at a traffic light. This includes, but is not limited to, answering or making phone calls, engaging in phone conversations, and reading or responding to emails, instant messages, and text messages.
- If an employee needs to use their phones, they must pull over safely to the side of the road or another safe location.

Safe operation of any vehicle in the performance of LOT business is the responsibility of the driver and must be given appropriate attention at all times.

## **6.2. LOT Credit Cards**

Employees with LOT credit cards must keep receipts for any charges. It is required to keep a record of where, with whom, what for and how much, the charge was made. Once the statement is issued all cardholders need to file detailed report for all the charges within a 10-day period. Noncompliance could result in the credit card being blocked temporarily or permanently.

## **6.3. Expense Reimbursement**

It is the policy of LOT to reimburse employees for ordinary and necessary expenses incurred in connection with LOT business. Employees are expected to consider the propriety of all such expenses, keep them to a reasonable amount, and exercise the same care in spending LOT money as they would in spending their own.

Expense reporting is the responsibility of the employee and should be completed using the appropriate Expense Reimbursement form.

## **6.4. Good Housekeeping and Employee Break Room**

All employee work areas are to remain clean and tidy at all times. Each employee is responsible for the housekeeping in the areas where he or she works. It is the employees' responsibility to make sure their work area is clean, organized and does not create a hazard. Each employee is responsible for reporting to their supervisor potential safety issues or equipment and machines requiring repairs.

The employee break room should be kept neat and tidy at all times. All employees are responsible for the condition of the break room. All used cups, glasses and dishes should be

washed and returned to their proper storage location. Teams will be assigned custodial responsibilities for cleaning the break room refrigerator and other housekeeping items not maintained by the janitorial service on a rotating assignment basis. The break room is not a work area. Work should not be brought into the break room. Any type of solicitation of co-workers must take place here and only during non-working hours.

### **6.5. Video Surveillance**

In order to promote the safety of employees and LOT visitors, as well as the security of its facilities, LOT may conduct video surveillance of any portion of its premises at any time, the only exception being private areas of restrooms, showers, and dressing rooms, and that video cameras will be positioned in appropriate places within and around LOT buildings and used in order to help promote the safety and security of people and property.

## **Handbook Acknowledgment Form**

I have received the Employee Handbook guidelines from Lyrical Opera Theater, herein referred to as LOT or (the Organization), and I acknowledge that it is my responsibility to read, understand, and follow all LOT policies and procedures. I further understand that failure to follow these guidelines may result in corrective action, up to and including termination.

I agree to familiarize myself with the information contained herein and will seek clarification from management when necessary.

I understand that the information contained in this Handbook is intended to acquaint employees with general guidelines and principles and is not a contractual commitment by LOT concerning the terms of employment, benefits, or other matters.

I realize that employment with LOT is employment at-will. Employment at-will may be terminated with or without cause and with or without notice at any time by the employee or LOT. Nothing in this Handbook or in any document or statement shall limit the right to terminate employment at-will and use or nonuse of progressive discipline is left solely to the discretion of LOT. No manager, supervisor or employee of LOT has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment other than at-will. Only the president of LOT has the authority to make any such agreement and then only in writing.

I understand that as business needs change, LOT, at its sole discretion, may modify or eliminate these Handbook guidelines and procedures at any time without notice. By signing below, I certify that I have received the Employee Handbook, and I have read and understand the standards and practices described herein.

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Employee Signature

Date

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Employee's Name (printed)