



**Fitness System  
Employee Handbook**

## TABLE OF CONTENTS

<b>WELCOME TO THE COMPANY</b> .....	<b>3</b>
<b>COMPANY PHILOSOPHY</b> .....	<b>3</b>
OPEN-DOOR POLICY .....	4
EQUAL EMPLOYMENT OPPORTUNITY.....	4
HARASSMENT POLICY .....	4
<b>WORKING AND COMPENSATION</b> .....	<b>5</b>
EMPLOYMENT ON AN AT-WILL BASIS .....	5
ATTENDANCE AND REPORTING TO WORK.....	5
WORKDAY HOURS AND SCHEDULING .....	6
RECORDING HOURS WORKED .....	6
PAY PERIOD AND PAYDAY .....	6
WORKWEEK & OVERTIME .....	7
HOLIDAYS .....	7
EMPLOYMENT CLASSIFICATIONS .....	7
MAINTAINING YOUR PERSONNEL RECORDS .....	8
PERSONNEL FILES .....	9
PERFORMANCE EVALUATIONS .....	9
<b>STANDARDS AND EXPECTATIONS FOR THE WORKPLACE</b> .....	<b>9</b>
SAFETY .....	9
CARE OF EQUIPMENT AND SUPPLIES .....	10
SMOKING AT THE WORKPLACE .....	11
VIOLENCE AND WEAPONS.....	11
DRUG-FREE WORKPLACE .....	11
RESPONDING TO CUSTOMER INQUIRIES AND PROBLEMS.....	12
APPEARANCE AND DRESS .....	12
CONFLICTS OF INTEREST .....	12
CODE OF ETHICAL CONDUCT .....	12
SOLICITATION AND DISTRIBUTION.....	13
PERSONAL CALLS, VISITS, AND BUSINESS .....	13
BUSINESS EXPENSES .....	13
INSPECTION OF PERSONAL AND COMPANY PROPERTY .....	14
NETWORK AND ELECTRONIC RESOURCES POLICY .....	14
CONFIDENTIAL AND PROPRIETARY INFORMATION .....	14
RULES OF CONDUCT AND PROGRESSIVE DISCIPLINARY PROCEDURE.....	15
RE-EMPLOYMENT .....	16
MOONLIGHTING .....	17
<b>BENEFITS</b> .....	<b>17</b>
LEAVES OF ABSENCE .....	
<b>ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK</b> .....	<b>19</b>

## **WELCOME TO THE COMPANY**

Fitness System (Company) and its parent company Alpha 2 Industries, LLC have prepared this handbook to provide you with an overview of the Company's policies, benefits, and rules. It is intended to familiarize you with important information about the company, as well as provide guidelines for your employment experience with us in an effort to foster a safe and healthy work environment. Please understand that this booklet only highlights company policies, practices, and benefits for your personal understanding and cannot, therefore, be construed as a legal document. It is intended to provide general information about the policies, benefits, and regulations governing the employees of the company, and is not intended to be an express or implied contract. The guidelines presented in this handbook are not intended to be a substitute for sound management, judgment, and discretion.

It is obviously not possible to anticipate every situation that may arise in the workplace or to provide information that answers every possible question. In addition, circumstances will undoubtedly require that policies, practices, and benefits described in this handbook change from time to time. Accordingly, the company reserves the right to modify, supplement, rescind, or revise any provision of this handbook from time to time as it deems necessary or appropriate in its sole discretion with or without notice to you.

No business is free from day-to-day problems, but we believe our personnel policies and practices will help resolve such problems. All of us must work together to make the company a viable, healthy, and profitable organization. This is the only way we can provide a satisfactory working environment that promotes genuine concern and respect for others including all employees and our customers. If any statements in this handbook are not clear to you, please contact the company president or his designated representative for clarification. This handbook supersedes any and all prior policies, procedures, and handbooks of the company.

## **COMPANY PHILOSOPHY**

Fitness System is determined to provide world-class training facilities to individuals looking to transform their lives and bodies in a positive way. *We are a company obsessed with customer service because we understand the phrase "to serve the customer". The glue that holds the company together and what separates us, is this obsession towards improving our service. We understand that whatever is not trained regularly will wither away. The same goes for service.* Fitness System is a culture of health minded individuals looking to take their bodies and minds to a new level of excellence.

### **Culture**

Every company is a culture in its own way. Fitness System aims to provide maximum value to its team members and customers alike by creating a maintaining a culture of self-improvement. We will not tolerate any employee who does not consistently try to improve his or her skills towards serving the customer and providing maximum value.

## **OPEN-DOOR POLICY**

In keeping with the company's philosophy of open communication, all employees have the right, and are encouraged to, speak freely with management about their job-related concerns.

We urge you to go directly to your supervisor to discuss your job-related ideas, recommendations, concerns and other issues that are important to you. If, after talking with your supervisor, you feel the need for additional discussion, you are encouraged to speak with the company president.

The most important relationship you will develop at Fitness System will be between you and your supervisor. However, should you need support from someone other than your supervisor, the entire management team, including the company president, is committed to resolving your individual concerns in a timely and appropriate manner.

## **EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy of Fitness System and its parent company to provide equal employment opportunity to all employees and applicants for employment and not to discriminate on any basis prohibited by law, including race, color, sex, age, religion, national origin, disability, marital status or veteran status. It is our intent and desire that equal employment opportunities will be provided in employment, recruitment, selection, compensation, benefits, promotion, demotion, layoff, termination and all other terms and conditions of employment. The President of the Company and all managerial personnel are committed to this policy and its enforcement.

Fitness System does require that employees are legally able to work in the United States. Employees are directed to bring any violation of this policy to the immediate attention of their supervisor or the company president. Any employee who violates this policy or knowingly retaliates against an employee reporting or complaining of a violation of this policy shall be subject to immediate disciplinary action, up to and including, discharge. Complaints brought under this policy will be promptly investigated and handled with due regard for the privacy and respect of all involved.

## **HARASSMENT POLICY**

Fitness System will not tolerate harassment or intimidation of our employees on any basis prohibited by law, including race, color, sex, age, religion, national origin, handicap, disability, marital status, or veteran status. Fitness System also will not tolerate any such harassment of our employees by our clients or vendors.

For purposes of this policy, sexual harassment is defined as any type of sexually-oriented conduct, whether intentional or not, that is unwelcome and has the purpose or effect of creating a work environment that is hostile, offensive or coercive. The following are examples of conduct that, depending upon the circumstances, may constitute sexual harassment:

- Unwelcome sexual jokes, language, epithets, advances or propositions;
- Written or oral abuse of a sexual nature, sexually degrading or vulgar words to describe an individual;
- The display of sexually suggestive objects, pictures, posters or cartoons;
- Unwelcome comments about an individual's body;
- Asking questions about sexual conduct;
- Unwelcome touching, leering, whistling, brushing against the body, or suggestive, insulting or obscene comments or gestures;
- Demanding sexual favors in exchange for favorable reviews, assignments, promotions, or continued employment, or promises of the same.

Employees must bring any violation of this policy to the immediate attention of their supervisor or the company president. The Company will thoroughly investigate all such claims with due regard for the privacy of the individuals involved. Any employee who knowingly retaliates against an employee who has reported workplace harassment or discrimination shall be subject to immediate disciplinary action, up to and including discharge.

## **WORKING AND COMPENSATION**

### **EMPLOYMENT ON AN AT-WILL BASIS**

All employees of the company, regardless of their classification or position, are employed on an at-will basis. This means that each employee's employment is terminable at the will of the employee or the company at any time, with or without cause and with or without notice. No officer, agent, representative, or employee of the company has any authority to enter into any agreement with any employee or applicant for employment on other than on an at-will basis. Furthermore, nothing contained in the policies, procedures, handbooks, manuals, job descriptions, application for employment, or any other document of the company shall in any way create an express or implied contract of employment or an employment relationship on other than an at-will basis.

### **ATTENDANCE AND REPORTING TO WORK**

Each employee is important to the overall success of our operation. When you are not here, someone else must do your job. Consequently, you are expected to report to work on time at the scheduled start of the workday. Reporting to work on time means that you are ready to start work, not just arriving at work, at your scheduled starting time.

The company depends on its employees to be at work at the times and locations scheduled. Excessive absenteeism and/or tardiness will lead to disciplinary action, up to and including termination. The determination of excessive absenteeism will be made at the discretion of the company. Absence from work without properly notifying your supervisor will be considered a voluntary resignation. After two days' absence, you may be required to provide documentation from your physician to support an injury- or illness-related absence, and to ensure that you may safely return to work.

If you expect to be absent from the job for an approved reason, you should notify

your supervisor of your upcoming absence as far in advance as possible. If you unexpectedly need to be absent from or late to work, you must notify your supervisor prior to the start of your scheduled workday that you will be late or absent and provide the reason for that absence or tardiness. If your supervisor is not available, you should contact the front desk prior to the start of your scheduled workday. Leave your number so that your supervisor can return your call. Failure to properly contact us will result in an unexcused absence for disciplinary purposes. Your attendance record is a part of your overall performance rating. Your attendance may be included during your review and may be considered for other disciplinary action up to and including termination.

Where possible, medical and dental appointments should be scheduled around your assigned work hours; otherwise, they may be considered absences without pay. If you are unable to schedule an appointment before or after your shift, you are required to talk to your supervisor to make special arrangements.

### **WORKDAY HOURS AND SCHEDULING**

Employees are required to write all requests for time off in the designated folder in advance of the following week's schedule being posted. Employees and managers are also required to check the schedule which is posted in plain sight behind the front desk so they can know what shifts they will be required to work the following week.

### **RECORDING HOURS WORKED**

All hourly employees are required to keep a time sheet. On your time sheet, you must correctly record time spent on each job for each day worked. The company will provide you with a time sheet for reporting your hours. Only you are authorized to record your own time. Time sheets must be completed at the end of every shift in order to properly record hours worked.

Any mistakes made on time sheets will become the responsibility of the employee who recorded the hours.

### **Breaks and Meal time**

Break policies are posted on premises and are in employee folders. All employees working eight hours will be allowed a paid, on-site 30-minute meal break as well as two, 15-minute paid, on site breaks. Given the nature of the front desk position, it is the responsibility of the employee to service customers during these paid break times if necessary, thus they are paid breaks.

### **PAY PERIOD AND PAYDAY**

The company issues paychecks on the 5<sup>th</sup> (fifth) and 20<sup>th</sup> of every month. Pay periods run from the 1<sup>st</sup> (first) of the month until 11:59pm on the 15<sup>th</sup>, and the 16<sup>th</sup> at 12:00am until the end of the last day of the same calendar month. All pay for employees

shall be made in the form of direct deposit. The employee shall provide the company with his or her banking information so that pay can be directly deposited for the employee on the designated pay dates. Final pay in the event of termination or resignation shall be made via direct deposit unless the employee has stated in writing upon employment that his or her final pay shall be made in the form of paper check.

### **WORKWEEK & OVERTIME**

Fitness System may be open 24 hours a day, seven days a week, therefore, the company is always open for business. The official workweek begins at 12:00 AM Monday morning and end 11:59 PM Sunday night.

Occasionally it may be necessary for an employee to work beyond his or her normal workday hours. Overtime pay is paid only when work is scheduled, approved, and made known to you in advance by your supervisor. Under no circumstances shall an employee work overtime without the prior approval of his or her supervisor.

Hourly employees will receive overtime pay at a rate of one-and-one-half times their regular hourly rate for all hours worked in excess of 40 in a workweek.

To the extent possible, overtime will be distributed equally among all employees in the same classification and position, provided that the employees concerned are equally capable of performing the available work. Decisions regarding overtime work will be made by the Scheduling Manager of Fitness System. Any employee asked to work overtime will be expected to rearrange his/her personal schedule to work the requested overtime.

### **HOLIDAYS**

Private employers in Florida are not required to close on any of the listed holidays. Additionally, private employers are not required to allow employees to take either paid or unpaid time off on the holidays nor are they required to pay employees any premium wage rates to employees who work on the holidays. Private employers may establish policies or practices granting employees time off on any of the listed holiday or agree to pay premium wage rates to employees who work on those days at the sole discretion of the Company.

### **EMPLOYMENT CLASSIFICATIONS**

Upon being hired by the Company, all new employees must serve a ninety (90) calendar day introductory period. It is especially important that you make your supervisor aware of any questions or problems you may encounter during this period. Your performance will be carefully monitored during this period. At the end of the introductory period, your performance will be reviewed, and if it has been satisfactory, you will become a Regular Part-Time or Full-Time Employee. Satisfactory completion of the introductory period does not entitle you to employment for any specific term, but

does entitle you to participation in many of the Company's employee benefits programs.

For the sole purpose of determining the allowance of certain employee benefits, employees are classified as:

1. Regular Full-Time Employees - An employee who has satisfactorily completed the introductory period and is scheduled to work an average of forty (40) hours per week on a regular and continuous basis.
2. Regular Part-Time Employees - An employee who has satisfactorily completed the introductory period and is usually scheduled to work less than an average of forty (40) hours per week but not less than ten (10) hours per week on a regular and continuous basis.
3. Temporary Employees - An employee whose services are anticipated to be of limited duration falls into this classification. Temporary employees are not eligible for participation in those employee benefits programs made available for the Company Regular Full-Time and Regular Part-Time Employees, although separate benefit plans may be available for certain temporary employees assigned to work at the Company. Any such employees will be separately notified of any such programs. Service as a temporary does not count as service as a Regular Employee for benefit eligibility purposes.
4. Independent Contractors- Personal Trainers, maintenance contractors.

For payroll purposes, employees will be classified as one of the following:

1. Exempt Employees - Certain employees such as executive, administrative, management, professional and outside sales employees are paid on a salary basis for all hours worked each week. Certain computer professionals may also be exempt, regardless of whether they are paid on a salary or hourly basis. These employees are expected to work whatever hours are required to accomplish their duties, even if it exceeds their normal workweek. No overtime premium pay will be paid to exempt employees in most circumstances.
2. Non-Exempt Employees - All employees who are not identified as exempt employees are considered non-exempt employees. Non-exempt employees are eligible for payment of overtime premium pay.

### **MAINTAINING YOUR PERSONNEL RECORDS**

It is your responsibility to provide current information regarding your address,



telephone number, insurance beneficiaries, change in dependents, marital status, etc. Please use the personnel records form to note any changes in your address, phone number, emergency contact information, marital status, number of dependents, etc. Changes in exemptions for tax purposes will only be made upon the receipt of a completed W-4 form or W-9.

### **PERSONNEL FILES**

Employee personnel files are the property of the company, and do not belong to the employee. However, upon request, the company will provide employees with copies of performance evaluations and other performance-related documents that the employee has previously received.

### **PERFORMANCE EVALUATIONS**

Employees may have their job performance reviewed on a monthly basis by either their supervisor or by the president of the company. **All front desk and sales staff will be required to set sales goals for the coming calendar month. These goals will be reviewed by and, if necessary, altered by supervisors and or management. It will be the express responsibility of the management to ensure the employee is achieving his or her sales goals. Those who do not meet their sales goals may have their work hours reduced to allow those who are able to perform better.**

## **STANDARDS AND EXPECTATIONS FOR THE WORKPLACE**

### **SAFETY**

The company believes in maintaining safe and healthy working conditions for our employees. However, to achieve our goal of providing a safe workplace, each employee must be safety conscious. We have established the following policies and procedures that allow us to provide safe and healthy working conditions. We expect each employee to follow these policies and procedures, to act safely, and to report unsafe conditions to his or her supervisor in a timely manner.

### **Reporting Unsafe Conditions or Practices**

Employees are expected to continually be on the lookout for unsafe working conditions or practices. If you observe an unsafe condition, you should warn others, if possible, and report that condition to your supervisor immediately. If you have a question regarding the safety of your workplace and practices, ask your supervisor for clarification.

If you observe a coworker using an unsafe practice, you are expected to mention this to the coworker and to your supervisor. Likewise, if a coworker brings to your attention an unsafe practice you may be using, please thank the coworker and make any necessary adjustments to what you are doing. Safety at work is a team effort.

## **Maintaining a Safe Worksite**

We expect employees to establish and maintain a safe worksite. This includes but is not limited to the following applications:

- Maintaining proper fall-protection systems.
- Building and maintaining walkways, handrails, and guardrails.
- Properly lifting and lowering heavy objects.
- Inspecting tools and equipment for defects before use.
- Keeping walkways clear of debris.
- Construction and use of safe scaffolding.
- Inspecting, cleaning, and properly storing tools and equipment after use.
- Following established safety rules.

## **Using Safety Equipment**

Where needed, the company provides its employees with appropriate safety equipment and devices. You are required to use the equipment provided in the manner designated as proper and safe by the manufacturer. Failure to properly use safety equipment may lead to disciplinary action, up to and including termination.

If you require safety equipment that has not been provided, contact your supervisor before performing the job duty for which you need the safety equipment.

## **Reporting an Injury**

Employees are required to report any injury, accident, or safety hazard immediately to their supervisor(s). Minor cuts or abrasions must be treated on the spot. More serious injuries or accidents will be treated accordingly. Serious injuries must be reported on the injury or accident report form available in the office.

## **Hazard Communications**

If you believe that you are dealing with a hazardous material and lack the appropriate information and/or safety equipment, contact your supervisor immediately.

## **CARE OF EQUIPMENT AND SUPPLIES**

All employees are expected to take care of all equipment and supplies provided to them. You are responsible for maintaining this material in proper working condition and for promptly reporting any unsafe or improper functioning of this material to your supervisor.

Neglect, theft, and/or destruction of the company's materials are grounds for disciplinary action, up to and including termination.

## **SMOKING AT THE WORKPLACE**

The company's policy is to provide smoke-free environments for our employees, customers, and the general public. Smoking of any kind is prohibited inside our office and on the premises. Smoking is not in line with the mission statement of the company and employees will be reminded of this should they choose to smoke on their break time.

Employees are also responsible to inform all those working on our job sites of this smoke-free policy, and report to their supervisor any violation of this policy.

## **VIOLENCE AND WEAPONS**

The company believes in maintaining a safe and healthy workplace, in part by promoting open, friendly, and supportive working relationships among all employees. Violence or threats of violence have no place in our business. Violence is not an effective solution to any problem. Employees are strictly prohibited from bringing any weapons, including knives, pistols, rifles, stun guns, Mace, etc., to the worksite or office without the express permission of the Company President. Neither threats of violence nor fighting will be tolerated. Furthermore, if you have a problem that is creating stress or otherwise making you agitated, you are encouraged to discuss it with your supervisor.

You are expected to immediately report to your supervisor any violation of this policy. Any employee found threatening another employee, fighting, and/or carrying weapons to the worksite will be subject to disciplinary action, up to and including termination.

## **DRUG-FREE WORKPLACE**

The company does not tolerate the presence of illegal drugs or the illegal use of legal drugs in our workplace. The use, possession, distribution, or sale of controlled substances such as drugs or alcohol, or being under the influence of such controlled substances is strictly prohibited while on duty, while on the company's premises or worksites, or while operating the company's equipment or vehicles. The use of illegal drugs as well as the illegal use of legal drugs is a threat to us all because it promotes problems with safety, customer service, productivity, and our ability to survive and prosper as a business. If you need to take a prescription drug that affects your ability to perform your job duties, you are required to discuss possible accommodations with your supervisor. Violation of this policy will result in disciplinary action, up to and including termination.

Prior to employment, each potential employee may be asked to undergo a drug test. The company may also require employees to take random drug tests during their employment with the company. A positive result on any such drug test is grounds for immediate termination.

Your receipt of this policy statement and signature on the handbook acknowledgment form signify your agreement to comply with this policy.

Any employee who is convicted of violating criminal drug statutes must notify an

appropriate officer or senior official of the company of that conviction within five days of the conviction. Failure to do so may lead to disciplinary action.

### **RESPONDING TO CUSTOMER INQUIRIES AND PROBLEMS**

At the company, client satisfaction is the measure of our success. It is the responsibility of each employee, within reason, to interact with the client to achieve this goal. Further training will be done with employees to record and resolve customer complaints.

### **APPEARANCE AND DRESS**

To present a business-like, professional image to our customers and the public, all employees are required to wear appropriate clothing on the job. By necessity, the dress standards for the business office are somewhat different than for jobsites. All Fitness System employees must have a company shirt on during their shifts.

- For the business office, casual to business-style dress is appropriate. Employees should be neatly groomed and clothes should be clean and in good repair. Leisure clothes such as cut-offs or halter tops are not acceptable attire for the business office. The company will provide employees with shirts bearing the Company's logo, which employees are expected to wear as appropriate in the business office.
- For jobsites, employees are expected to wear work clothes appropriate for work to be done. Employees should be sensitive to the location and context of their work and should be ready to adjust their dress if the circumstances so warrant. Employees at a jobsite should wear clothing that protects their safety (steel-toed shoes, for example) and wear clothing in such a way as to be safe (e.g., shirts tucked in when working around machinery). The company will provide employees with shirts bearing the Company's logo, which employees are expected to wear on the jobsite.

### **CONFLICTS OF INTEREST**

You should avoid external business, financial, or employment interests that conflict with the company's business interests or with your ability to perform your job duties. This applies to your possible relationships with any other employer, consultant, contractor, customer, or supplier.

Violations of this rule may lead to disciplinary action, up to and including termination.

### **CODE OF ETHICAL CONDUCT**

In order to avoid any appearance of a conflict of interest, employees are expected to abide by the following code of ethical conduct. Please consult your supervisor or an official of the company if you have any questions.

Employees of the company should not solicit anything of value from any person or organization with whom the company has a current or potential business relationship.

Employees of the company should not accept any item of value from any party in exchange for or in connection with a business transaction between the company and that other party.

Employees may accept items of incidental value (generally, no more than \$25) from customers, suppliers, or others as long as the gift is not given in response to solicitation on your part and as long as it implies no exchange for business purposes. Items may include gifts, gratuities, food, drink and entertainment.

If you are faced with and are unsure how to handle a situation that you believe has the potential to violate this code of ethical conduct, notify your supervisor or the company president.

Violations of this code may lead to disciplinary action, up to and including termination.

#### **SOLICITATION AND DISTRIBUTION**

For the safety, convenience, and protection of all employees, the company has adopted the following rules concerning solicitation and the distribution of materials:

- The company prohibits solicitation and distribution of non-company materials on Company property or at Company jobsites at all times.

#### **PERSONAL CALLS, VISITS, AND BUSINESS**

The company expects the full attention of its employees while they are working. Although employees may occasionally have to take care of personal matters during the workday, employees should try to conduct such personal business either before or after the workday or during breaks or meal periods. Regardless of when any personal call is made, it should be kept short. *Cell phone use is prohibited while on shift unless during break or lunch times.* Customers are not properly being served if the staff is distracted on their phones.

Employees should also limit incoming personal calls, visits, or personal transactions. The company's phones should be available to serve the Company's customers, and non-business use of the phones can hurt the company's business. A pattern of excessive personal phone calls, personal visits, and/or private business dealings is not acceptable and may lead to disciplinary action and, or termination.

#### **BUSINESS EXPENSES**

Employees may occasionally incur expenses on behalf of the Company. The company will reimburse employees approved business expenses. All purchases must be approved by Fitness System Management prior to the actual purchase being made. Employees may also turn in such receipts by attaching them to the employee's weekly time sheet for the week in which the employee made the purchase. Managers may be granted a company credit card. Any misuse of this card or fraud associated with the employee use of company funds, either credit or cash, will result in immediate termination. Fitness System has a zero-tolerance policy towards theft.

### **INSPECTION OF PERSONAL AND COMPANY PROPERTY**

The company's employees use the property and equipment the company owns and provides, and may also use the company's materials, information, and other supplies. While employees may decorate their office workspaces with their personal possessions (such as pictures, plants, and the like), employees must remember that property supplied by the company remains the property of the company. The company reserves the right to search any Company property (e.g., personal computers, desks, lockers, or other storage areas) at any time. The company also reserves the right to inspect personal property (e.g., tool boxes, purses, briefcases) during the workday or as employees leave their worksites. Refusal to allow inspection may lead to disciplinary action, up to and including termination.

### **NETWORK AND ELECTRONIC RESOURCES POLICY**

Network and Electronic Resources, such as computers, other hardware, software, e-mail, landline and cellular telephones, fax machines and internet access, are tools that the Company utilizes. These Network and Electronic Resources and related access systems are proprietary Company property and subject to review or access by the Company at any time.

All employees who use the Company's Network and Electronic Resources must follow the guidelines below:

1. Use Network and Electronic Resources for Company business purposes only.
2. Messages and communications sent via the Company's Network and Electronic Resources are subject to subpoena and access by persons outside the Company and may be used in legal proceedings. Please consider this before sending any confidential messages or material via the Network and Electronic Resources.

### **CONFIDENTIAL AND PROPRIETARY INFORMATION**

The Company considers its confidential and proprietary information, including the confidential and proprietary information of our customers, to be one of its most valuable assets. As a result, employees must carefully protect and must not disclose to

any third party all confidential and proprietary information belonging to the Company or its customers. Such protected information includes, but is not limited to, the following: matters of a technical nature, such as computer software, product sources, product research and designs; and matters of a business nature, such as customer lists, customer contact information, associate information, on-site program and support materials, candidate and recruit lists and information, personnel information, placement information, pricing lists, training programs, contracts, sales reports, sales, financial and marketing data, systems, forms, methods, procedures, and analyses, and any other proprietary information, whether communicated orally or in documentary, computerized or other tangible form, concerning the Company's or its customers' operations and business.

Employees should ensure that any materials containing confidential or proprietary information are filed and/or locked up before leaving their work areas each day. During the workday, employees should not leave any sensitive information lying about or unguarded.

If you have any questions about this policy, consult your supervisor or the company president.

#### **RULES OF CONDUCT AND PROGRESSIVE DISCIPLINARY PROCEDURE**

There are reasonable rules of conduct which must be followed in any organization to help a group of people work together effectively. The company expects each employee to present himself or herself in a professional appearance and manner. If an employee is not considerate of others and does not observe reasonable work rules, disciplinary action will be taken.

Depending on the severity or frequency of the disciplinary problems, a verbal or written reprimand, suspension without pay, disciplinary probation, or discharge may be necessary. It is within the company's sole discretion to select the appropriate disciplinary action to be taken. Notwithstanding the availability of the various disciplinary options, the company reserves the right to discharge an employee at its discretion, with or without notice.

The following is not a complete list of offenses for which an employee may be subject to discipline, but it is illustrative of those offenses that may result in immediate discipline, up to and including dismissal, for a single offense:

1. Excessive absenteeism or tardiness.
2. Dishonesty, including falsification of Company-related documents, or misrepresentation of any fact.
3. Fighting, disorderly conduct, horseplay, or any other behavior which is dangerous or disruptive.
4. Possession of, consumption of, or being under the influence of alcoholic beverages while on Company or customer premises or on Company business.

5. Illegal manufacture, distribution, dispensation, sale, possession, or use of illegal drugs or unprescribed controlled substances.
6. Reporting for work with illegal drugs or unprescribed controlled substances in your body.
7. Possession of weapons, firearms, ammunition, explosives, or fireworks on Company or customer premises.
8. Failure to promptly report a workplace injury or accident involving any of the Company's employees, clients, equipment, or property.
9. Willful neglect of safety practices, rules, and policies.
10. Speeding or reckless driving on Company business.
11. Commission of a crime, or other conduct which may damage the reputation of Company.
12. Use of profane language towards members and clients while on Company business.
13. Stealing, misappropriating, or intentionally damaging property belonging to the Company or its customers or employees.
14. Unauthorized use of the Company's or its clients' name, logo, funds, equipment, vehicles, or property.
15. Insubordination, including failure to comply with any work assignments or instructions given by any Company supervisor with the authority to do so.
16. Violation of the Company's Equal Employment Opportunity Policy or its Harassment Policy.
17. Interference with the work performance of other employees.
18. Failure to cooperate with an internal investigation, including, but not limited to, investigations of violations of these work rules.
19. Failure to maintain the confidentiality of trade secrets or other confidential information belonging to the Company or its customers.
20. Failure to comply with the personnel policies and rules of the Company.

### **RE-EMPLOYMENT**

Former employees who are rehired and return to work within three months of their termination will not be required to go through another orientation period, unless the



company deems it necessary. Former employees who are rehired and return to work more than three months after their termination will be rehired only as new employees and must complete a new orientation period. They will be considered new employees for any and all benefits. As a general rule, the company will not rehire former employees who:

- Were dismissed by the company
- Resigned without giving two weeks' notice
- Were dismissed for inability to perform job duties
- Had a poor attendance record
- Had a below-average evaluation
- Violated work rules or safety rules

### **MOONLIGHTING**

The company discourages our employees from taking additional outside employment in a fitness or health related field. Employees who wish to take on outside employment must first obtain permission from the company president. Work requirements for the company, including overtime, must take precedence over any outside employment.

The company will not permit any employee to take an outside job with a company in the same or related business as the company, or which is in any way a competitor of the company.

If the company permits an employee to take outside employment, the employee must report to his or her supervisor when the outside job has started. If, as a result of this moonlighting, the employee is unable to work when requested by the company, including overtime, or is unable to maintain a high work performance level at the company, permission to work at the outside job may be rescinded, or the employee may be subject to dismissal.

Employees are not permitted to work for any client of the company outside of the regular working hours as described above, without the express approval of the company president or his designated representative.

The company will not pay medical benefits for injuries or sickness resulting from employment by any employer other than the company.

### **BENEFITS**

#### **LEAVES OF ABSENCE**

##### **Personal Leave**

The company may, at its discretion, grant an employee a leave of absence without pay when sufficient personal reasons necessitate such a leave. However, employees are not eligible for a personal leave of absence until they have been continuously employed as full-time employees of the company for 12 months.

The company may require an employee to provide documentation, such as a doctor's certification of illness or disability, supporting the employee's need for a leave of absence, and the company may periodically require the employee to provide such supporting documentation on basis during the leave of absence. Prior to or upon an employee's return to work from a leave of absence, the company may also require the employee to provide documentation establishing the employee's ability to return to work.

The Company reserves the right to determine the duration of the leave of absence, but no leave of absence shall exceed 12 weeks. If an employee fails to return to work immediately after his or her leave of absence expires, the employee will be considered to have voluntarily resigned his or her position with the company.

Because operations sometimes require that vacant positions be filled, a leave of absence does not guarantee that the job will be available when the employee returns from a leave. The Company will, however, make an effort to place you in your previous position or a comparable job which you are qualified to perform. If no such position is available, you may be eligible for rehire as a new employee if you apply for an available position for which you are qualified and if your prior work history warrants your rehire.

### **Jury Leave**

Employees who are called for jury duty will be granted time off without pay to perform this civic duty. Employees must notify their supervisors as soon as they learn they have been summoned as a juror so that work arrangements can be made. In order to be paid for Jury Leave, an employee must provide his or her supervisor with the jury summons and a note from the Clerk of the Court indicating the times the employee was in court for jury duty. An employee who is excused from jury duty prior to the end of a regularly scheduled workday must report for work for the remainder of that day, or otherwise notify his or her supervisor of his or her availability to work.

### **Military Leave**

The company will grant employees called into military service an unpaid leave of absence and reemployment rights as provided by the laws of the United States. Employees may use accrued paid time off during a military leave of absence, but are not required to do so.

**SIGN AND RETURN THIS PAGE TO YOUR MANAGER; KEEP THE REST OF THE HANDBOOK FOR YOUR REFERENCE.**

**ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK**

I have received the current company employee handbook and have read and understand the material covered. I have had the opportunity to ask questions about the policies in this handbook, and I understand that any future questions that I may have about the handbook or its contents will be answered by the Office Manager or his or her designated representative upon request. I agree to and will comply with the policies, procedures, and other guidelines set forth in the handbook. I understand that the company reserves the right to change, modify, or abolish any or all of the policies, benefits, rules, and regulations contained or described in the handbook as it deems appropriate at any time, with or without notice. I acknowledge that neither the handbook nor its contents are an express or implied contract regarding my employment.

I further understand that all employees of the company, regardless of their classification or position, are employed on an at-will basis, and their employment is terminable at the will of the employee or the company at any time, with or without cause, and with or without notice. I have also been informed and understand that no officer, agent, representative, or employee of the company has any authority to enter into any agreement with any applicant for employment or employee for an employment arrangement or relationship other than on an at-will basis and nothing contained in the policies, procedures, handbooks, or any other documents of the company shall in any way create an express or implied contract of employment or an employment relationship other than one on an at-will basis.

This handbook is the company property and must be returned upon separation.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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