



**RIVERWIND HOTEL, LLC**

**EMPLOYEE HANDBOOK**

**VERSION 6.2**

## **WELCOME!**

On behalf of your colleagues, we welcome you to Riverwind Hotel, LLC! You have already demonstrated many of the strengths that we believe will make you a valuable addition to our organization. When our employees are successful, we are successful. Together, we are the sum of our collective strengths. We will create a true experience for our guests, one that will exceed all their expectations and keep them coming back for more.

We are committed to your professional growth. In turn, we expect that you will apply your many strengths and talents to the fulfillment of our mission and that you will do everything possible to foster the professional growth of every other member of our team. If we all practice this consistently and effectively, every one of us will achieve rewards beyond our wildest dreams.

You can also expect to know exactly where you stand at all times with respect to your job performance and overall contribution to our organization. You will have the opportunity to meet regularly with your Supervisor to evaluate your actual performance; no one should have to guess about how they are doing or wait for an annual review.

This handbook was developed to help you understand some of our expectations and to outline the policies, programs and benefits available in our organization. You should become familiar with the contents of this handbook as soon as possible, for it will answer many questions about your employment with us. We have made every effort to develop our company policies around the values of commitment, confidence, integrity, renewal, loyalty, fairness and respect. If you find that we are not living by these values, please speak up. The only way to achieve positive change is to let us know how we are doing, so please let us know!

We hope that your experience here will be enjoyable and extremely rewarding. Again, welcome!

Sincerely,

Bryan Davis, General Manager

## **Congratulations!**

You have been carefully selected from dozens of candidates to fill the position you now hold.

Only intelligent, aggressive, dynamic people who understand the concept of teamwork are selected and expected to succeed at Riverwind Hotel, LLC. The Employee Handbook, department standard operating procedures and all of your training programs are designed to help you become more knowledgeable, efficient and profitable both to yourself and the company.

Riverwind Hotel promotes innovative ideas and professional work ethics. By providing a social, high energy environment with quality and exceptional service, we appeal to a broad customer base, resulting in a high profit margin and return on investment.

The most critical ingredient that makes Riverwind Hotel, LLC successful is our people. All staff members are auditioned for enthusiasm, customer service skills, a lack of inhibition and a positive, outgoing personality, all of which are prerequisites in hiring.

Our employees are a part of a team. The key to the success of any team is mutual support, respect and tolerance of any differences. To build an environment of trust, it is essential that all of us openly communicate our desires and expectations, and try to work together in a courteous manner to resolve our differences.

Our goal at Riverwind Hotel, LLC is to have the # 1 customer service hotel environment in the Norman area. Our guests are the most important people in our business. They come to us with a need, and it is our job to satisfy them. Our guests are the lifeblood of our business, without them we would have to close our doors. Our success or failure is determined the moment an employee interacts with our guests. The atmosphere, décor, hospitality and our sales volume become unimportant if we do not satisfy the needs of our guests. We can only measure our success by the number of totally satisfied guests.

We pursue excellence and 100% guest satisfaction. If every staff member does not give 110%, we will not achieve our goal of excellent customer service and in return, will not be profitable. We want our guests to return to the hotel and casino.

Every member of our team is vital to ensure 100% guest satisfaction. Jobs are interrelated by design so that if one person fails to recognize and fill an unfulfilled need, there are others to serve as stop gaps and check points. Just as you would be concerned about pleasing guests in your home, this same concern is essential to every member on the Riverwind Hotel, LLC team.

## **Introductory Statement**

This employee handbook is designed to acquaint you with our organization and to provide you with information about working conditions, employee benefits and some of the policies affecting your employment. It is your responsibility to read, understand and follow all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed to benefit you. If you have any questions concerning the policies and procedures described in this handbook, please ask your Supervisor for clarification.

Of course, no employee handbook can anticipate every circumstance or question about policies and guidelines. As our organization continues to grow, the need may arise and we reserve the right to revise, supplement or rescind any policies or portion of the handbook from time to time, as it is deemed appropriate, in our sole and absolute discretion. Employees will of course be notified of such changes to the handbook as they occur; however, advance notice may not always be possible.

It is the responsibility of your management team at all levels to administer the policies and guidelines in a fair and consistent manner. Deviation from the policies and/or guidelines set forth requires prior approval by the Riverwind Hotel Founder, Ward Chilton, or designee for review and approval or denial. Operating units may find it necessary to implement internal procedures and guidelines necessary for local administration. Local procedures must be approved by the General Manager, and must support and not conflict with the policies and/or guidelines contained in this handbook.

The hotel is not located on Chickasaw Nation tribal land. While we are not a part of the Chickasaw Nation, we will abide by all tribal laws. We want to keep the relationship between the Chickasaw Nation and Riverwind Hotel, LLC strong and successful.

The policies in this employee handbook are to be considered guidelines only and may not, under any circumstances, be considered a promise of longevity or an employee contract.

## **Guest Relations**

After our team members, the guests we serve are our most valuable assets. Each of us represents Riverwind Hotel, LLC to our guests and to the public on a daily basis. The way we interact with others is a direct reflection of our entire organization. Guests judge all of us by how they are treated with each team member contact. Therefore, one of our first business priorities is to assist any guest with courtesy and respect. Nothing is more important than being courteous, friendly, helpful and prompt in the attention you give to our guests. When guests arrive we greet each one with a smile, eye contact, and a warm greeting.

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## **SECTION I: EMPLOYMENT**

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### **Nature of Employment (Policy 101)**

This handbook is intended to provide you with a general understanding of our personnel policies. This handbook is not an employment contract and is not intended to create contractual obligations of any kind. In order to retain necessary flexibility in the administration of policies and procedures, we reserve the right to change, revise or eliminate any of the policies and/or benefits described in this handbook. The only recognized deviations from the stated policies are those authorized by the Riverwind Hotel, LLC Founder, Ward Chilton, or the General Manager.

### **Employment at Will (Policy 102)**

Employment with Riverwind Hotel 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 Riverwind Hotel. Nothing in this employee handbook or in any document or statement shall limit the right to terminate employment at will. No manager, supervisor or employee of Riverwind Hotel has any authority to enter into an agreement for employment for any specified period of time or make an agreement for employment other than at will. Only the owner of Riverwind Hotel has the authority to make such an agreement and then only in writing.

### **Open-Door (Policy 103)**

Communication is a two-way street. As a result, employees have the right and are encouraged to openly talk with their Supervisor and the General Manager about ideas which they may have to improve company operations and to discuss any problems which may prevent the operations from running in an efficient professional manner. Employees also are encouraged to talk openly with their Supervisor about any concerns which they may have with respect to their particular working conditions. We urge the employees to go directly to their Supervisor to discuss job-related ideas, recommendations, concerns and other issues which are important to them. It is the job of the Supervisors to act as a link between employees and upper management and to help the employee to get answers to questions or concerns. So, don't be afraid to talk with your Supervisor and ask for his/her assistance in getting answers to your questions.

### **Equal Employment Opportunity (Policy 104)**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions will be based on merit, qualifications and abilities. We do not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation or any other characteristic protected by law.



We will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination and access to benefits and training.

If you have any questions or concerns about any type of discrimination in the workplace, you are encouraged to bring these issues to the attention of your Supervisor or the General Manager. You can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination.

### **Business Ethics and Conduct (Policy 105)**

Our successful business operation and reputation are built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable state, federal and tribal laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

Our continued success is dependent upon our guests' trust and we are dedicated to preserving that trust. You owe a duty to Riverwind Hotel, LLC and our guests to act in a way that will merit the continued trust and confidence of the public.

We will comply with all applicable state, federal and tribal laws and regulations and expect our team members to conduct business in accordance with the letter, spirit and intent of all relevant laws and to refrain from any illegal, dishonest or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your Supervisor. If necessary, you should request to speak with the General Manager for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every member of the Riverwind Hotel, LLC team.

### **Hiring (Policy 106)**

The General Manager must approve the hiring of all staff positions.

### **Hiring of Relatives (Policy 107)**

Riverwind Hotel, LLC policy prohibits favoritism and/or nepotism on the basis of family relationships. The following guidelines will apply to the employment of relatives:

- No person will hold a job that requires direct supervision of or by an immediate family member. "Immediate family member" is defined as:
  1. Your spouse, parent, child, sibling, grandchild or grandparent

2. Your spouse's parent, child, sibling or grandchild
  3. Your child's spouse
  4. Your sibling's children
- No person shall hold a position that is supervised by another person who resides in the same household, or vice versa.

In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. Employees in a close personal relationship should refrain from public workplace displays of affection or excessive personal conversation.

Any exception to this policy must be approved in writing by the General Manager.

### **Immigration Law Compliance (Policy 108)**

We are committed to employing only United States citizens and aliens who are authorized to work in the United States. We will not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility within three days of the date of hire. Former employees who are rehired must also complete the form if they have not completed an I-9 with our company within the past three years, or if their previous I-9 is no longer retained or valid.

If you have any questions or would like more information on immigration law issues, please contact the General Manager. You may raise questions or complaints about immigration law compliance without fear of reprisal.

### **Outside Employment (Policy 109)**

All outside employment for Regular Full-Time (RFT) employees must be approved by the General Manager in writing. All employees will be judged by established and documented performance standards and will be subject to Riverwind Hotel, LLC's scheduling demands, regardless of any existing outside work requirements.

If we determine that your outside work interferes with your performance or the ability to meet the requirements of Riverwind Hotel, LLC as they are modified from time to time, you may be asked to terminate the outside employment if you wish to remain employed with Riverwind Hotel, LLC.

Outside employment that constitutes a conflict of interest is prohibited. You may not receive any income or material gain from individuals outside Riverwind Hotel, LLC for materials produced or services rendered while performing your job.

## **Confidentiality and Non-solicitation (Policy 110)**

The protection of confidential business information and trade secrets is vital to the interests and the success of our company. Such confidential information includes, but is not limited to, the following examples:

- Compensation data
- Computer processes
- Computer programs and codes
- Guest lists
- Guest preferences
- Financial information
- New materials research
- Pending projects and proposals
- Technological data
- Employee/personnel information

The foregoing list applies whether the confidential information is the property of Riverwind Hotel, LLC, the Chickasaw Nation, Riverwind Hotel, LLC's employees, our guests, affiliates or vendors.

If you improperly use or disclose any confidential business information or Riverwind Hotel, LLC employees' personal information, you will be subject to disciplinary action, up to and including termination and/or appropriate legal action, even if you do not actually benefit from the disclosed information.

## **Disability Accommodation (Policy 111)**

We are committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide qualified persons with disabilities meaningful employment opportunities. Upon request, job applications are available in alternative, accessible formats, as is assistance in completing the application. Pre-employment inquiries are made only regarding an applicant's ability to perform the essential functions of the position.

Reasonable accommodation is available to all qualified employees with disabilities where their disability affects the performance of their job, unless the accommodations would impose an undue hardship. All employment decisions are made on a case-by-case basis and are based on the merits of the situation in accordance with defined criteria, not the disability of the individual. This policy applies to all applicants, employees and employees seeking promotional opportunities.

The qualified employee with a disability is responsible for notifying their Supervisor of a need for a reasonable accommodation. Riverwind Hotel, LLC reserves the right to request appropriate documentation to support the request. All medical information received by Riverwind Hotel, LLC will be kept confidential in a separate locked file. After notification by the employee, Riverwind Hotel, LLC will work with the employee to analyze their needs and what reasonable accommodations can be provided. If an accommodation request cannot be granted, the General Manager will work with the employee to determine if a job reassignment may be an appropriate accommodation.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, job descriptions, lines of progression and seniority lists. Leave of all types will be available to all employees on an equal basis.

We are also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. We will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. We are committed to taking all other actions necessary to ensure equal employment opportunity for qualified persons with disabilities in accordance with the ADA and all other applicable federal, state and local laws.

## **SECTION II: EMPLOYMENT STATUS AND RECORDS**

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### **Employment Categories (Policy 201)**

By clarifying the definitions of employment classifications below, we hope that you will better understand your employment status and benefit eligibility. The first day you report to work is your official anniversary or benefit date. Your anniversary/benefit date is used to compute various conditions and benefits described in this employee handbook. These classifications do not guarantee employment for any specified period of time.

You will be designated as either non-exempt or exempt from federal and state wage and hour laws. If you are classified as non-exempt, or hourly, you may receive overtime pay under the specific provisions of federal and state laws. If you are classified as exempt, or salaried, you are excluded from specific provisions of federal and state wage and hour laws. Your non-exempt or exempt classification may be changed only upon written notification by Riverwind Hotel, LLC management.

In addition to the above categories, you will belong to one other employment category:

- SALARIED FULL-TIME (SFT) employees receive salaried pay and are regularly scheduled (six weeks or more) to work Riverwind Hotel, LLC's full-time schedule, forty (40) hours or more per week, and have successfully completed the ninety (90)-day orientation period. Generally, they are eligible for the company's benefit package, subject to the terms, conditions and limitations of each benefit program.
- REGULAR FULL-TIME (RFT) employees are hourly and are regularly scheduled (six weeks or more) to work Riverwind Hotel, LLC's full-time schedule, thirty-eight (38) hours or more per week, and have successfully completed the ninety(90)-day orientation period. Generally, they are eligible for the company's benefit package, subject to the terms, conditions and limitations of each benefit program.
- REGULAR PART-TIME (RPT) employees are those who are regularly scheduled (six weeks or more) to work less than the full-time work schedule, but at least thirty (30) hours per week and who have successfully completed the ninety (90)-day orientation period will be eligible for the company's benefit package, subject to the terms, conditions and limitations of each benefit program.
- TEMPORARY (TEMP) employees are those who are hired as 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 not to exceed ninety (90) days. Temporary employees retain that status until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of Riverwind Hotel, LLC's other benefit programs.

## **New Employee Orientation Period (Policy 202)**

The new employee orientation period will allow the employee and the Supervisor a sufficient amount of time to observe performance. During this orientation period the Supervisor will monitor and observe the new employee for the knowledge, skills and abilities necessary to successfully perform the position. This orientation period will also allow the new employee to orient themselves to our organization and its goals and mission. The orientation period shall begin on the date of employment and will be effective for ninety (90) days thereafter. The orientation period may be extended by the General Manager.

- During your first month of employment with Riverwind Hotel, LLC, you will be scheduled to attend a required new employee orientation session. An employee may be terminated at any time during the orientation period and they may not grieve the termination.
- Certain benefits for regular full-time employees are effective on the date of employment. Paid time off (PTO) leave will accrue during the orientation period; however, it may not be used until the employee has successfully completed three months of work.
- Health and life insurance benefits will have a ninety (90) day introductory period from the date of employment.
- An employee evaluation report will be completed by the employee's Supervisor before the completion of the ninety (90)-day evaluation period.
- If the employee successfully completes the orientation period, the Supervisor's written recommendation will be placed in the employee's personnel file at the completion of the orientation period.
- Employees who are promoted or transferred after the initial new hire orientation period will serve another ninety (90)-day orientation period in their new position. This period will not, however, restrict the employee from receiving benefits to which he/she would otherwise have been entitled, including any accrued PTO leave.
- If an employee is promoted or transferred during the initial new hire orientation period of ninety (90) days, the employee will begin a new ninety (90)-day orientation period beginning on the effective date of the promotion or transfer. This new orientation period will not affect his/her eligibility for benefits. The General Manager must approve any promotion or transfer during the initial ninety(90)-day orientation period.
- PTO leave will not accrue during unpaid leaves of absence.

## **Access to Personnel Files (Policy 203)**

Riverwind Hotel, LLC maintains a personnel file on each employee. The personnel file includes such information as your job application, resume, records of training,

documentation of performance appraisals, compensation increases and other employment records.

Personnel files are the property of Riverwind Hotel, LLC, and access to the information they contain is restricted. Generally, only Supervisors and management personnel who have a legitimate reason to review information in a file are allowed to do so.

If you wish to review your own file you should contact the General Manager. With reasonable advance notice, you may review your own personnel file in Riverwind Hotel, LLC's offices and in the presence of an individual appointed by Riverwind Hotel, LLC to maintain the files.

I-9's and benefits or medical information are maintained in separate files and only those individuals with a need to know may access those files.

### **Employment Verification and Reference Checks (Policy 204)**

The Human Resource Director is the only authorized individual to respond to employment verification or reference checks. The Human Resource Director will respond in writing only to those employment verification inquiries that are submitted in writing. Responses to such inquiries will confirm only dates of employment, employment status, wages, and reason for leaving (voluntary or involuntary), eligibility for rehire and position(s) held. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

### **Personnel Data Changes (Policy 205)**

It is your responsibility to promptly notify Riverwind Hotel, LLC in writing of any changes in personnel data. Personal mailing addresses, telephone numbers, benefit beneficiary assignments or benefit changes, individuals to be contacted in the event of emergency, educational accomplishments and other such status reports should be accurate and current at all times. If any of your personnel data has changed, please notify the Controller or General Manager.

### **Employment Applications (Policy 206)**

We rely upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications or material omissions in any of this information or data may result in your exclusion from further consideration for employment or, if you have already been hired, disciplinary action, up to and including termination. If we take an adverse employment action based in whole or in part on the consumer credit report, a copy of the report and a summary of your rights under the Fair Credit Reporting Act will be provided as well as any other documents required by law.

### **Performance Evaluation (Policy 207)**

You and your Supervisor are strongly encouraged to discuss job performance and goals on an informal basis. More formal performance evaluations may be conducted on occasion to provide both you and your Supervisor the opportunity to discuss job tasks, identify improvement areas, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. Your performance is generally evaluated before the completion of your ninety (90)-day orientation period and according to an ongoing 12-month cycle, normally, on your anniversary date of hire.

### **Job Descriptions (Policy 208)**

We will maintain job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations and establishing a basis for making reasonable accommodations for individuals with disabilities.

New job descriptions are prepared when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up-to-date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. You will be expected to help ensure that your job description is accurate and current, reflecting the work being done.

Remember that job descriptions do not necessarily cover every task or duty that might be assigned. Additional responsibilities may be assigned as necessary. Contact your Supervisor or the General Manager if you have any questions or concerns about your job description.

### **Compensation Administration (Policy 209)**

Riverwind Hotel, LLC's compensation administration program has been created to achieve consistent pay practices, comply with federal and state laws, mirror our commitment to Equal Employment Opportunity and offer competitive wages within our labor market. Because recruiting and retaining talented employees is critical to our success, we are committed to paying equitable wages that reflect the requirements and responsibilities of all positions and are comparable to the pay received by similarly situated employees in other, similar organizations in the area.

Compensation for every position is determined by several factors, including the essential duties and responsibilities of the job, geographic location and compensation survey data on pay practices of other like organizations. We may periodically review our compensation administration program and restructure it as necessary. Compensation increases are contingent upon the financial success of Riverwind Hotel, LLC and, therefore, increases on an annual basis are not guaranteed.

You should bring pay-related questions or concerns to the attention of the Controller or the General Manager, who are responsible for the fair administration of their team's pay practices. We are committed to the confidentiality of your compensation information.



Any employee found to have violated the confidentiality commitment will be subject to disciplinary action, up to and including termination.

## **SECTION III: EMPLOYEE BENEFITS**

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### **Employee Benefits (Policy 301)**

Eligible employees are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including your employee classification.

Some benefit programs require contributions from you, but most are fully paid by the company. Some benefit programs require you to complete a form for enrollment while others are "automatic."

The following benefit programs are available to eligible employees:

- Health Insurance (Policy 302)
- Workers' Compensation Insurance (Policy 303)
- Time Off to Vote (Policy 304)
- Jury Duty Leave (Policy 305)
- Paid Time Off (PTO)(Policy 306)
- Using Paid Time Off for Medical Reasons (Policy 307)
- Military Leave (Policy 603)
- Maternity Leave (Policy 604)
- Valet dry cleaning service for uniforms

Temporary employees are not eligible for company-sponsored benefits, except those benefits required by law.

### **Insurance (Health) (Policy 302)**

Eligible employees will have the option to elect for health, and life insurance.

Riverwind Hotel, LLC will pay a portion of the monthly premium for health insurance coverage for eligible employees once they have successfully completed the ninety (90)-day introductory period. The contribution required from the employee for coverage depends on various factors, including whether family members are to be covered and the employee's category. The employee's share of the insurance premiums payable is withheld from each paycheck every month.

Information about the insurance plans is available from the General Manager.

New employees who have been (or still are) covered by other health insurance plans within twenty-four (24) months of hire should obtain a certificate of prior coverage from their old plan, as this prior coverage may allow the employee to join the Company's plan

without exclusion of pre-existing conditions (or could reduce the time period during which the exclusion applies), depending on whether a significant break in prior coverage has occurred.

### **Workers' Compensation Insurance (Policy 303)**

Riverwind Hotel, LLC provides a comprehensive workers' compensation insurance program at no cost to you. This program covers any injury or illness sustained in the course of employment that requires medical, surgical or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if you are hospitalized, immediately.

If you sustain a work-related injury or illness, you should inform your Supervisor immediately and you must complete a first notice of accident form within twenty-four (24) hours. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable you to qualify for coverage as quickly as possible. Neither Riverwind Hotel, LLC nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during your voluntary participation in any off-duty recreational, social or athletic activity sponsored by Riverwind Hotel, LLC.

### **Time Off to Vote (Policy 304)**

We encourage you to fulfill your civic responsibilities by participating in elections. Generally, you should be able to find time to vote either before or after your regular work schedule. If you are unable to vote in an election during non-working hours, we will grant up to two hour of paid time off to vote.

You should request time off to vote from your Supervisor at least one working day prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

### **Jury Duty (Policy 305)**

We encourage you to fulfill your civic responsibilities by serving jury duty when required. Jury duty pay will be calculated on your base pay rate multiplied by the number of hours you would otherwise have worked on the day of absence. Employee classifications that qualify for paid jury duty leave are:

- Salaried full-time (SFT) employees
- Regular full-time (RFT) employees
- Regular part-time (RPT) employees

You must show the jury duty summons to your Supervisor as soon as possible so that the Supervisor may make arrangements to accommodate your absence. Of course, you are expected to report for work whenever the court schedule permits.

You must provide your manager your court attendance schedule prior to serving on jury duty. Failure to do so will result in disciplinary action.

Either you or Riverwind Hotel, LLC may request an excuse from jury duty if, in the company's judgment, your absence would create serious operational difficulties. We will continue to provide health insurance benefits (should these benefits be available) for the full term of the jury duty absence. PTO leave will continue to accrue during jury duty leave.

### **Paid Time Off (PTO) (Policy 306)**

Paid Time Off is time for you to rest, relax and pursue special interests. PTO leave is one of the many ways in which we show our appreciation for your work, knowledge, skills and talents.

Salaried full time employees are eligible to accrue PTO paid leave. Riverwind Hotel, LLC encourages its employees to take PTO leave in the year that it is accrued and reminds you it is up to you, the employee, to monitor your time.

Salaried full-time employees are eligible to earn and use annual leave as described in this policy.

Once you enter an eligible employment classification, you begin to earn PTO leave according to the schedule below. You must work three months before you are eligible to start using your accrued PTO time.

The amount of PTO leave you accrue each pay period increases with the length of your employment as shown in the following schedule:

<b>Length of Service</b>	<b>PTO Leave Earned Per Month Employed</b>
1 <sup>st</sup> -3 <sup>rd</sup> Year of Service	1.25 days
4 <sup>th</sup> – 9 <sup>th</sup> Year of Service	1.66 days
More than 10 Years of Service	2.08 days

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when you start to earn PTO leave. Your benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual military leave of absence policies for more information.)

PTO leave can be used in minimum increments of one hour or more. If you have an unexpected need to be absent from work, you should notify your Supervisor as soon as possible. E-mails, text messages and voice mails are not an acceptable form of reporting your unexpected absence and your need to utilize PTO leave to the Supervisor.

To schedule planned PTO leave, you must submit your request two weeks in advance of the PTO leave and it must be approved in advance by your Supervisor and the General Manager. Requests will be reviewed based on a number of factors, including business operating needs and staffing requirements. You may only request PTO leave after it has been earned (accrued).

Paid Time Off will not be granted to those employees who have an insufficient balance of accumulated leave hours to cover the Paid Time Off requested.

PTO leave is paid at your base pay rate at the time of absence. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses or shift differentials. . Team members may carry forward a maximum of 40 hours to the next calendar year.

PTO leave will not accrue during unpaid leaves of absence.

All PTO leave must be exhausted before leave will be considered and approved as a leave without pay absence.

Upon termination of employment, either voluntary or involuntary, if the total amount of unused PTO exceeds five days at the employee's termination date, how the excess balance will be paid is left to the General Manager's discretion. The remaining five days will be paid to the employee, provided the employee was not terminated for gross misconduct and has given the employer the proper (written) two week's notification of voluntary resignation and worked the required two weeks. Employees not adhering to this requirement will not be paid accrued leave hours.

Regular full-time (RFT) and regular part-time (RPT) employees will not accrue paid PTO. These employees will be able to take Paid time off; however, it will not be paid time off.

### **Using Paid Time Off for Medical Reasons (Policy 307)**

PTO should be used in times such as illness of the employee, illness of children, doctor's visits, dental visits or for similar medical reasons. PTO taken for the purpose of circumstances that may not allow for advance approval, such as illness of the employee, will be documented "Paid Time Off – Sick".

For all employees, absences of three or more consecutive days will require a written medical excuse upon your return to duty. Absences of more than six consecutive days require the employee to contact the General Manager for proper authorization of extended leaves of absence.

### **COBRA (Policy 308)**

You and your covered dependents will have the opportunity to continue medical benefits for a period of up to 36 months under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) when group medical coverage for you and your covered dependents would otherwise end due to your death or because:

- your employment terminates, for a reason other than gross misconduct; or
- your employment status changes due to a reduction in hours; or
- your child ceases to be a "dependent child" under the terms of the medical plan;  
or
- you become divorced or legally separated; or
- you become entitled to Medicare.

In the event of divorce, legal separation, or a child's loss of dependent status, you or a family member must notify the plan administrator within 60 days of the occurrence of the event.

The plan administrator will notify the individuals eligible for continuation coverage of their right to elect COBRA continuation coverage.

For more information regarding COBRA, you may contact your supervisor.

## **SECTION IV: TIMEKEEPING/PAYROLL**

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### **Timekeeping (Policy 401)**

Accurately recording time worked is the responsibility of every non-exempt employee. Federal and state laws require us to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

If you are classified as a non-exempt employee, you should accurately record your work time. Your Supervisor must approve all overtime work before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination. It is your responsibility to sign your time records to certify the accuracy of all time recorded. Your Supervisor will review and then initial the time record before you submit it for payroll processing. In addition, if corrections or modifications are made to the time record your Supervisor must verify the accuracy of the changes by initialing the time record. All required documentation for PTO leave or leave without pay utilized during the pay period must be signed and accompany the timesheet for your payroll to be processed.

All employees will be given a time card that will be used to clock-in and clock-out. If the time card is lost, then the employee will pay \$10 (either out of pocket or reduction from the next pay period) to replace it.

### **Paydays (Policy 402)**

You will be paid biweekly, twenty-six (26) pay periods per year. Each paycheck will include earnings for all work performed through the end of the previous payroll period. In the event that a regularly scheduled payday falls on a day off such as a holiday, you will receive pay on the last day of work before the regularly scheduled payday. If a regular payday falls during leave your paycheck will be available upon your return from leave.

You may choose to have your paycheck directly deposited into your bank account(s) if you provide advance written authorization to us. The initial processing of direct deposit may take up to two pay periods, and during this time you will continue to receive a "live" check. You will receive a payroll stub showing current and year to date earnings when Riverwind Hotel, LLC makes direct deposits to the employee bank account.

### **Employment Termination (Policy 403)**

If your employment with us is terminated, you will receive your final pay in accordance with applicable state law. Upon termination of employment, you will be paid up to a maximum of five days PTO total pay and the days exceeding five accrued PTO will be left to General Manager's discretion provided the employee has followed the guidelines outlined in Policy 305.

The General Manager must approve any employee termination in advance of the termination.

#### **Pay Advances (Policy 404)**

Riverwind Hotel, LLC does not provide pay advances to employees.

#### **Administrative Pay Corrections (Policy 405)**

We will take all reasonable steps to ensure that you receive the correct amount of pay in each paycheck and that you are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, you should promptly bring the discrepancy to the attention of the General Manager so that corrections can be made as quickly as possible.

#### **Pay Deductions and Setoffs (Policy 406)**

The law requires that we make certain deductions from every employee's compensation. Among these are applicable state and federal income taxes. We also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The company matches the amount of Social Security taxes paid by each employee.

We offer programs and benefits beyond those required by law. Eligible employees may voluntarily authorize (in writing) deductions from their paychecks to cover the costs of participation in these programs, this includes insurance benefits outlined in Policy 301.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, the Controller or General Manager can assist in having your questions answered. If you have any outstanding balances owed to Riverwind Hotel, LLC upon your separation of employment, whether voluntary or involuntary, where permitted by applicable laws, we will withhold from your check or final paycheck the outstanding balance(s).

#### **Exempt Employees – Payment of Salary (Policy 407)**

Employees in positions that are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) are classified as "Exempt" salaried employees.

- Reduction will not be made from your salary for absences caused by the operating requirements of the business, if you are ready, willing and able to work.



- Reduction in salary will not be made when you are absent for jury duty, at the direction of management, or to serve as a witness at a trial.
- PTO must be applied to cover whole-day vacation-related absences, even if taken in periods less than one day.
- PTO must be applied to cover whole-day illness or injury related absences, even if taken in periods less than one week. Your manager must be notified of the sick absence as outlined in this handbook

Exceptions to payment of full salary for exempt employees include:

- Hiring or termination – If you work less than a full week during your first or last week of employment, you will receive reduced salary for that week, which will be prorated based on the number of days worked during the pay period.
- Suspension Without Pay – To be unpaid, disciplinary suspensions for exempt salaried employees must be for one full work-week, beginning on the first day of the work-week.

## **SECTION V: WORK CONDITIONS AND HOURS**

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### **Safety (Policy 501)**

To assist in providing a safe and healthful work environment for employees, guests and visitors, we have established a workplace safety program. This program is a priority for us. Its success depends on the alertness and personal commitment of all of us.

We will provide you with information about workplace safety and health issues through regular internal communication channels such as meetings, memos or other written communications (For more information, see the Accident Prevention section in the back of this manual). You and your Supervisor may also receive periodic workplace safety training covering such topics as potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

You are expected to obey safety rules and to exercise caution in all work activities. You also must immediately report any unsafe condition to the appropriate Supervisor. If you violate safety standards, cause hazardous or dangerous situations, or fail to report or, where appropriate, remedy such situations, you may be subject to disciplinary action, up to and including termination.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, you should notify your Supervisor immediately and complete the First Report of Injury within twenty-four (24) hours of the injury. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

### **Work Schedules (Policy 502)**

Work schedules vary throughout our organization as the hotel will remain open twenty-four (24) hours a day, seven days a week. This means that you will be required to work some evenings, weekends and holidays. Your Supervisors will advise you of your individual work schedule. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

You may not elect to work outside your normal work schedule in order to make up time missed during the workday or workweek. You may only work outside your normal work schedule if pre-approved in writing by the General Manager (e-mail, fax or written memo).

### **Holidays (Policy 503)**

Due to the nature and operating needs of our business, we do not recognize any days as holidays. Since the hotel is open twenty-four (24) hours a day, 365 days a year, you will be entitled to work some holidays. Expect for the holidays to be our busiest times with

guests traveling. However, we will try to have a fair schedule that will not have an employee working every holiday, unless otherwise requested.

If a regular full-time (RFT) or regular part-time (RPT) employee would like to work or is scheduled to work a holiday, he/she will be paid time and a half for hours worked. The following holidays will be paid at time and a half: New Year's Eve (evening and night shifts only), New Year's Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve (evening and night shifts only) and Christmas Day.

### **Smoking (Policy 504)**

Smoking is only permitted in designated areas outside the facility and only with a Supervisor's or the General Manager's permission. Employees are required to wash their hands after smoking. Front desk employees will be required to use mouthwash or a breath mint before helping guests after smoking.

### **Rest and Meal Periods (Policy 505) – Applicable to Non-Exempt Employees Only**

You are encouraged to take meal periods or rest periods at times and under conditions given by your Supervisor that do not interfere with your work. It is Riverwind Hotel, LLC's intent to provide opportunities for you to meet your dietary and health needs as well as to rest and relax periodically from assigned work tasks as long as it does not interfere with your work.

Meal Period: All non-exempt employees must take the meal period on site. Front desk employees may either take it in the employee break room (if another employee is watching the registration area) or breakfast area. Housekeepers and maintenance employees may take their meal period in the employee break room.

### **Overtime (Policy 506)**

When operating requirements or other needs cannot be met during regular working hours, you may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work MUST receive your Supervisor or the General Manager's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

While the company will make every effort to reduce the number of overtime hours available, there will be instances where employees will need to put in extra hours. Overtime will not be mandatory.

Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off for PTO leave, bereavement, facility closures, jury duty, emergency "show up pay" and time off to vote or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

## **Use of Equipment (Policy 507)**

Equipment essential in accomplishing job duties is expensive and may be difficult to replace. When using Riverwind Hotel, LLC's property, you are expected to exercise care, perform required maintenance and follow all operating instructions, safety standards and guidelines.

Please notify your Supervisor if any equipment, machines or tools appear to be damaged, defective or in need of repair. Prompt reporting of damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to you or others. Your Supervisor will answer any questions about your responsibility for maintenance and care of equipment used on the job.

No personal use of company equipment is allowed. Riverwind Hotel, LLC's tools, supplies, materials or other products and property may not be removed from the premises under any circumstances unless you are specifically authorized to do so by your Supervisor for a specific business reason.

The improper, careless, negligent, destructive or unsafe use or operation of equipment may result in disciplinary action, up to and including termination.

Keys and access code cards that allow you to access Riverwind Hotel, LLC's and the Casino's facilities and/or secure areas are vital to the security of the organization. If you have been issued a key or access code card that becomes lost or stolen, it must be reported immediately to your Supervisor so the appropriate security measures may be taken. Failure to report such losses may result in disciplinary action, up to and including termination.

## **Emergency Closings and Inclement Weather (Policy 508)**

At times, emergencies such as severe weather, fires, power failures or other emergencies, can disrupt Riverwind Hotel, LLC's operations. However, the hotel will remain open at all times unless there is an extreme emergency that would be harmful to the guests and employees to remain open due to natural disaster, fire, etc. In the event of delayed openings or closure, the General Manager shall make a determination whether to alter operating hours. The General Manager will notify employees as soon as possible. No loss of pay will occur as a result of early dismissal for this reason. Likewise, if you are a non-exempt employee, you will receive pay determined by the Property Insurance Policy in accordance with federal, state and tribal laws and regulations.

## **Visitors in the Workplace (Policy 509)**

To provide for your safety and security, and for the safety and security of other employees and of the company's facilities, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects

against theft, ensures security of equipment, protects confidential information, safeguards employee welfare and avoids potential distractions and disturbances.

Children, family members and friends of Riverwind Hotel, LLC's employees should not be on Riverwind Hotel, LLC premises to "visit" for extended periods of time, for any reason. If they are a guest at the hotel, their "visit" should not disrupt the employee's work.

If you observe an unauthorized individual on Riverwind Hotel, LLC's premises, you should immediately notify your Supervisor or, if necessary, direct the individual to the lobby. However, we do not expect anyone to act like a "hero." If you are uncomfortable speaking directly with the unauthorized individual, please contact the Casino security immediately for assistance, unless doing so might place you or others in danger. Should any attempt be made by any person to steal company property, do not attempt to stop the individual. Instead, you are to act in a manner that will protect your own safety and the safety of others. Contact the Casino security and/or local law enforcement agencies only when it is safe to do so and immediately report any such incident to the General Manager.

### **Computer and E-mail Usage (Policy 510)**

Computers, computer files, the e-mail system and software furnished to you are Riverwind Hotel, LLC's property intended for business use. You should not use a password, access a file or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and e-mail usage may be monitored.

We strive to maintain a workplace free of harassment and sensitive to the diversity of our employees. Therefore, we prohibit the use of computers and the e-mail system in ways that are disruptive, offensive to others or harmful to morale.

For example, the display or transmission of sexually explicit images, messages and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes or anything that may be construed as harassment or showing disrespect for others. E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters, to include chain mail, quote of the day, etc. We purchase and license the use of various computer software for business purposes, and we do not own the copyright to this software or its related documentation. Unless authorized by the software developer, neither you nor the company has the right to reproduce such software for use on more than one computer. You may only use software on local area networks or on multiple machines according to the software license agreement. The company expressly prohibits the illegal duplication of software and its related documentation.

You should notify your Supervisor or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination.

The information contained in any email sent from your Riverwind Hotel-provided e-mail account and any attachment is confidential and is the property of Riverwind Hotel, LLC. It is intended only for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary, privileged, and exempt from disclosure under applicable law or may constitute attorney work product.

## Internet Usage (Policy 511)

We may provide you with Internet access to global electronic information resources on the World Wide Web to assist you in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. All Internet usage is limited to job-related activities.

All Internet data that is composed, transmitted or received via the company's computer communications systems is considered to be part of the official records of Riverwind Hotel, LLC and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, you should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical and lawful. The equipment, services and technology provided to access the Internet remain at all times the property of Riverwind Hotel, LLC. As such, we reserve the right to monitor Internet traffic and retrieve and read any data composed, sent or received through the company's online connections and stored in the company's computer systems. You have no expectation of privacy with respect to the use of any of the company's computer resources and your use of company computer resources is your express consent to all of your activities and files obtained through or stored on the company's computer resources being monitored and/or disclosed.

Data that is composed, transmitted, accessed or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating or disruptive to anyone. Examples of unacceptable content include, but are not limited to: sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law. Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by Riverwind Hotel, LLC in violation of law or company policies will result in disciplinary action, up to and including termination. You may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and may result in disciplinary action:

- Sending or posting discriminatory, harassing or threatening messages or images.
- Stealing, using or disclosing someone else's code or password without prior authorization.
- Copying, pirating or downloading software and electronic files without permission.
- Sending or posting confidential material, trade secrets or proprietary information outside of the organization.
- Sending or posting guests' personal information.
- Violating copyright law.

- Failing to observe licensing agreements.
- Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions.
- Sending or posting messages or material that could damage the organization's image or reputation.
- Participating in the viewing or exchange of pornography or obscene materials.
- Sending or posting messages that defame or slander other individuals.
- Attempting to break into the computer system of another organization or person.
- Refusing to cooperate with a security investigation.
- Sending or posting chain letters, solicitations or advertisements not related to business purposes or activities.
- Using the Internet for political causes or activities, religious activities, any sort of gambling or excessive personal use.
- Jeopardizing the security of the organization's electronic communications systems.
- Sending or posting messages that disparage another organization's products or services.
- Passing off personal views as representing those of the organization.
- Sending anonymous e-mail messages.
- Engaging in any other illegal activities.

### **Workplace Monitoring (Policy 512)**

We may conduct workplace monitoring (including video and audio surveillance) to ensure quality control, employee safety, security and guest satisfaction. Computers furnished to you are and shall at all times remain company property. As such, computer usage and files may be monitored or accessed. You may request access to information gathered through workplace monitoring that may impact employment decisions. Access will be granted unless there is a legitimate business reason to protect confidentiality or an ongoing investigation.

Because we are sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

Riverwind Hotel, LLC employees have no expectation of privacy when using publicly accessible areas of the premises of Riverwind Hotel, LLC, including but not limited to the front desk/lobby or VIP office or guest computing resources or public networks such as the Internet. Any conversations in these public areas or the employee's use of Riverwind Hotel, LLC or guest computing resources and network connections constitutes an express consent to monitoring, recording and auditing for the purposes identified above.

### **Workplace Violence Prevention (Policy 513)**

We are committed to preventing workplace violence and to maintaining a safe work environment. We have adopted the following guidelines to deal with intimidation,



harassment or other threats of (or actual) violence that may occur during business hours or on our premises.

You should treat all employees with courtesy and respect at all times. You are expected to refrain from fighting, "horseplay" or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from Riverwind Hotel, LLC premises. Employees allowed by Oklahoma State law to store or transport firearms and ammunition locked in or to a motor vehicle in a parking lot, may do so.

The company will not tolerate any conduct that threatens, intimidates or coerces another employee, guest or member of the public at any time, including off-duty periods. This prohibition includes all acts of harassment, including harassment that is based on an individual's sexual orientation, sex, race, age or any characteristic protected by federal, state or local law.

You should report all threats of (or actual) violence, both direct and indirect, to your Supervisor or any other member of management as soon as possible. This includes threats by employees as well as threats by guests, vendors, solicitors or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activity should be reported to a Supervisor as soon as possible. Do not place yourself in peril. If you see or hear a commotion or disturbance near your work area, do not try to intercede or see what is happening.

Riverwind Hotel, LLC management will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of our investigation, we may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination.

### **Weapons in the Workplace (Policy 514)**

Possession, use or sale of weapons, firearms or explosives on work premises, while operating company machinery, equipment or vehicles for work-related purposes or while engaged in company business off premises is forbidden except where expressly authorized by the company and permitted by state and local laws. This policy applies to all employees, including but not limited to, those who have a valid permit to carry a firearm.

Employees who are aware of violations or threats of violations of this policy are required to report such violations or threats of violations to your supervisor immediately.

Violations of this policy will result in disciplinary action, up to and including discharge.

### **Workplace Searches (Policy 515)**

To protect the property and to ensure the safety of all employees, clients and the company, the company reserves the right to conduct personal searches consistent with state law, and to inspect any packages, parcels, purses, handbags, brief cases, lunch boxes or any other possessions or articles carried to and from the company's property. In addition, the company reserves the right to search any employee's office, desk, files, locker, equipment or any other area or article on our premises. In this regard, it should be noted that all offices, desks, files, lockers, equipment, etc. are the property of the company, and are issued for the use of employees only during their employment. Inspection may be conducted at any time at the discretion of the company.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy may not be permitted to enter the premises. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property or illegal substances, will be subject to disciplinary action, up to and including discharge, if upon investigation they are found to be in violation of the company's security procedures or any other company rules and regulations.

## **SECTION VI: LEAVES OF ABSENCE**

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### **Leave of Absence (Policy 601)**

The General Manager may grant a leave of absence without pay to eligible employees who are temporarily unable to work due to a personal problem, serious health condition, disability or death in the family. For purposes of this policy, serious health conditions or disabilities include inpatient care in a hospital, hospice or residential medical care facility, continuing treatment by a health care provider, and temporary disabilities associated with pregnancy, childbirth and related medical conditions.

Employees in the following employment classifications are eligible to request an unpaid leave of absence as described in this policy:

- Salaried full-time (SFT) employees
- Regular full-time (RFT) employees
- Regular part-time (RPT) employees

You should make a request for a leave of absence to the General Manager at least ninety (90) days in advance of foreseeable events and as soon as possible for unforeseeable events.

A health care provider's statement must be submitted verifying the need for medical leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to the General Manager. When returning from medical leave, you must submit a health care provider's verification of your fitness to return to work to your Supervisor.

Eligible employees may be granted leave for the period of the disability or Paid Time Off of absence, not to exceed ninety (90) days per calendar year. Those employees will be required to exhaust any available Paid time off (PTO) hours before requesting unpaid leave of absence.

Employees who sustain work-related injuries are eligible for a leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities.

So that your return to work can be properly scheduled, we request that you provide us with at least two days advance notice of the date you intend to return to work from leave of absence. When your leave of absence ends, you will be reinstated to the same position, if it is available, or to an equivalent position for which you are qualified.

If you accept any employment or go into business while on a leave of absence from the company you will be considered to have submitted your voluntary resignation from employment with Riverwind Hotel, LLC as of the day on which you began your leave of absence and will be subject to a one year rehire restriction.

Failure to return to work as scheduled from an approved leave of absence will be considered a voluntary resignation of employment.

### **Family and Medical Leave Act "FMLA" (Policy 602)**

In accordance with the Family and Medical Leave Act of 1993 ("FMLA"), Riverwind Hotel, LLC will provide eligible employees with unpaid leave for up to twelve (12) weeks per year. Leave may be granted for any of the following reasons: 1) for the birth and care of the newborn child of an employee; 2) for placement with the employee of a child for adoption or foster care; 3) to care for an employee's spouse, child or parent with a serious health condition; or 4) to take medical leave when the employee is unable to work because of a serious health condition.

Where spouses are both employed by Riverwind Hotel, LLC, both spouses will be limited to a combined total of twelve (12) weeks leave for: 1) the birth and care of an employee's child; 2) for the placement of a child for adoption or foster care with the employee; or 3) to care for an employee's parent who has a serious health condition.

#### **Applicability**

Eligible employees are those employees who have worked for Riverwind Hotel, LLC for at least twelve (12) months and have worked at least 1,250 hours over the past twelve (12) months. Any time taken off due to pregnancy complication will be counted against the twelve (12) weeks of FMLA leave.

#### **Intermittent Leave**

The twelve (12) weeks leave may be taken on an intermittent basis or on a reduced work schedule when: 1) medically necessary to care for a spouse, child or parent with a serious health condition; 2) when medically necessary because of an employee's serious health condition; or 3) to care for a newborn or newly placed adopted or foster care child. Intermittent leave or a reduced work schedule may only be taken with advanced approval by Riverwind Hotel, LLC. Only that time actually taken on an intermittent basis or reduced work schedule will be charged against the employee as FMLA leave. At the discretion of Riverwind Hotel, LLC, an employee requesting intermittent leave or a reduced work schedule may be temporarily transferred to an alternate job at the same pay level and benefits that better accommodates recurring periods of leave than the employee's regular job.

#### **Use of PTO**

Employees will be required to exhaust any available Paid time off (PTO) hours to cover all or some of the FMLA leave.

#### **Benefits During Leave**

Health benefits will be maintained for an employee while on FMLA leave on the same level and terms as if the employee had continued to work. Employees will still be

responsible for their share of any health care premiums. All other benefits will be maintained in effect during FMLA leave upon timely payment of the full premium by the employee. Benefit accruals, such as PTO will be suspended during the leave and will resume upon your return to active employment. If an employee fails to return to work, Riverwind Hotel, LLC may seek reimbursement from the employee for any of the health insurance premiums paid by Riverwind Hotel, LLC while the employee was of FMLA leave.

## **Definitions**

**Serious Health Condition** – means any illness, injury, impairment or physical or mental condition that involves:

1. Any period of incapacity or treatment connected with inpatient care in a hospital, hospice or residential medical care facility; or
2. A period of incapacity requiring absence of more than three calendar days from work, school or other regular daily activity that also involved continuing treatment by or under the supervision of a health care provider; or
3. Any period of incapacity due to pregnancy or for prenatal care; or
4. Any period of incapacity for treatment due to a chronic serious health condition, such as but not limited to asthma, diabetes, epilepsy, etc.; or
5. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective, such as but not limited to Alzheimer's stroke, terminal diseases, etc.; or
6. Any absences to receive multiple treatments, including any period of recovery, by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated.

**Health Care Provider** – means:

1. Doctors of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctors practice; or
2. Podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice and performing within the scope of their practice, under state law; or
3. Nurse practitioners, nurse-midwives and clinical social workers authorized to practice and performing within the scope of their practice, as defined under state law; or
4. Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts; or
5. Any health care provider recognized by the employer or the employer's group health plan benefits manager

## **Medical Certification**

Any FMLA leave requested for a serious health condition will require a certification by a licensed health care provider to show the necessity of such leave. The employee will have fifteen (15) days after the request for such leave to provide such documentation.

Riverwind Hotel, LLC may, at its election, require the employee requesting leave for a serious health condition to obtain a second medical certification from a health care provider selected by Riverwind Hotel, LLC. The second medical certification will be paid for by Riverwind Hotel, LLC. If the certifications of the first and second health care provider differ, Riverwind Hotel, LLC will require the employee to obtain a third medical certification. The third opinion will be final and binding. Riverwind Hotel, LLC will pay for the third opinion; however, the health care provider will be selected by agreement of Riverwind Hotel, LLC and the employee.

### **Procedure for Requesting FMLA Leave and Returning to Work**

1. Employees must submit a written request to their immediate Supervisor for the need for FMLA leave at least ninety (90) days in advance for leave that is foreseeable. If the request for leave is unplanned or not foreseeable, the employee must give as much notice as possible. Medical documentation by a licensed medical provider must be submitted with the written request for any request relating to the serious health condition of an employee, spouse, child or parent. The written request is to include the reason for the leave, the anticipated start and end date, and the amount of PTO (if any) requested to be used.
2. The Supervisor will forward all requests to the General Manager to process. Upon verification of eligibility for FMLA leave and acceptance of the medical documentation, the General Manager will provide a written letter of approval or denial of the request to the employee. If the request is denied, the reason for the denial will be stated in the letter.
3. If the health care provider extends the employee's FMLA leave, the employee must submit additional medical documentation to his/her Supervisor. The Supervisor will submit the documentation to the General Manager for approval.
4. Prior to returning to work, the employee must submit medical documentation indicating that the employee is fit to return to duty if the leave was for an employee's serious health condition.

### **Reinstatement Following Leave**

Employees returning from FMLA leave will be reinstated to their same or equivalent job with equivalent pay, benefits and other terms and conditions of employment.

### **Military Leave (Policy 603)**

A military leave of absence will be granted to you if you need to be absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of

military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

The leave will be unpaid; however, you may use any accrued annual leave for the absence. Continuation of health insurance benefits (should these benefits be available) is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which you are otherwise eligible. Benefit accruals, such as PTO, will be suspended during the leave and will resume upon your return to active employment.

Employees on military leave for up to ninety (90) days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

If you are returning from military leave, you will be placed in the position you would have attained had you remained continuously employed or in a comparable position depending on the length of military service in accordance with USERRA. You will be treated as though you were continuously employed for purposes of determining benefits based on length of service.

Contact the General Manager for more information or questions about military leave.

#### **Maternity Leave (Policy 604)**

Riverwind Hotel, LLC is firmly committed to protecting the rights of expectant mothers and complying with Title VII of the 1964 Civil Rights Act as amended by the Pregnancy Discrimination Act of 1978. Riverwind Hotel, LLC. policy is to treat women affected by pregnancy, childbirth or related medical conditions in the same manner as other employees unable to work because of their physical condition in all employment aspects, including recruitment, hiring, training, promotion and benefits.

Pregnant employees may continue to work until they are certified as unable to work by their physician.

When the employee returns to work, she is entitled to return to the same or equivalent job with no loss of service or other rights or privileges. Should the employee not return to work when released by her physician, she will be considered to have voluntarily terminated her employment with Riverwind Hotel, LLC.

## **SECTION VII: EMPLOYEE CONDUCT & DISCIPLINARY ACTION**

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### **Employee Conduct and Work Rules (Policy 701)**

Whenever people gather together to achieve goals, some rules of conduct are needed to help everyone work together efficiently, effectively, safely and harmoniously. By accepting employment with Riverwind Hotel, LLC, you have a responsibility to the organization and to your fellow team members to adhere to certain rules of behavior and conduct. The purpose of these rules is not to restrict your rights, but rather to be certain you understand what conduct is expected and necessary of each team member. When each employee is aware that he/she can fully depend upon every team member to follow the rules of conduct, Riverwind Hotel, LLC will achieve a positive working environment full of rewards and successes, providing maximum benefit to the organizations we serve.

To ensure orderly operations and provide the best possible work environment, we expect you to follow rules of conduct that will protect the interests and safety of all employees and the organization. We expect each person to act in a mature and responsible manner at all times. If you have any questions concerning any work or safety rule or any of the unacceptable activities listed below, please see your Supervisor or the General Manager.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination:

- Violation of any company rule, any action that is detrimental to Riverwind Hotel, LLC's efforts to operate efficiently and effectively.
- Violation of security or safety rules; failure to observe safety rules or Riverwind Hotel, LLC's safety practices; or tampering with Riverwind Hotel, LLC's equipment or safety equipment.
- Negligence or any careless action that endangers the life or safety of another person.
- Non-exempt employees working unapproved overtime.
- Non-exempt employees taking meal periods or rest periods outside of work areas.
- Talking or visiting that interrupts Riverwind Hotel, LLC or the facility's employees.
- No gambling is allowed by Riverwind Hotel, LLC employees at the Casino, while on duty.
- Being intoxicated or under the influence of a controlled substance while at work, use, possession or sale of a controlled substance in any quantity while on Riverwind Hotel, LLC premises except medications prescribed by a physician, which do not impair work performance.
- Unauthorized possession of dangerous or illegal firearms, weapons or explosives on Riverwind Hotel, LLC premises or while on duty.



- Insubordination or refusing to follow instructions properly issued by your Supervisor or the General Manager pertaining to your work, refusal to assist on a special assignment or refusing to work overtime when directed.
- Poor attendance and/or excessive tardiness.
- Threatening, intimidating or coercing fellow employees on or off Riverwind Hotel, LLC premises at any time, for any purpose.
- Theft or unauthorized possession of Riverwind Hotel, LLC property or the property of fellow employees, unauthorized possession or removal of any Riverwind Hotel, LLC property, including documents, from Riverwind Hotel, LLC premises without prior permission from management, unauthorized use of company equipment or property for personal reasons, using Riverwind Hotel, LLC equipment for profit.
- Dishonesty, falsification or misrepresentation on your work records, lying about Paid leave, falsifying reason for a leave of absence or other data requested by Riverwind Hotel, LLC administration, alteration of company records or other Riverwind Hotel, LLC documents.
- Spreading malicious gossip and/or rumors, engaging in behavior which creates discord and lack of harmony, interfering with another employee on the job, restricting work output or encouraging others to do the same.
- Immoral conduct or indecency on Riverwind Hotel, LLC premises.
- Any act of harassment, sexual, racial, or other, telling sexist or racist jokes, making racial or ethnic slurs.
- Unsatisfactory or careless work, failure to meet quality standards as explained to you by your Supervisor or the General Manager.
- Leaving work before the end of a workday or not being ready to work at the start of a workday without approval of your Supervisor or the General Manager, stopping work before time specified for such purposes.
- Excessive use of Riverwind Hotel, LLC telephone or personal cell phone for personal calls during work hours.
- Smoking in restricted areas or at non-designated times, as specified by Riverwind Hotel, LLC's rules.
- Failure to report an absence, late-in or early-out, excessive absence or tardiness.
- Obscene or abusive language toward any employee or guest, indifference or rudeness toward any employee or guest, any disorderly/antagonistic conduct on Riverwind Hotel, LLC premises.
- Alteration of your own time sheet or records or attendance documents, altering another employee's time sheet or records or causing someone to alter your time sheet or records.
- Fighting or threatening violence in the workplace.
- Boisterous or disruptive activity in the workplace.
- Negligence or improper conduct leading to damage of Riverwind Hotel, LLC-owned or guest-owned property.
- Sexual or other unlawful or unwelcome harassment.
- Unauthorized disclosure of business "secrets" or confidential information.
- Violation of personnel policies.

### **Credit Card (Policy 702)**

Corporate credit cards are distributed to management in effort to enhance business efficiency and provide safety and/or security while on required business travel. They are to be considered a privilege and are allocated at the discretion of the General Manager. These credit cards are company property to be forfeited upon termination or resignation.

Corporate cards are for business-use only and are not to be used for personal reasons. If lost or stolen the employee should report this immediately.

### **Cell Phone (Policy 703)**

Corporate-issued cell phones are distributed to the management team in an effort to enhance business efficiency and provide safety and/or security while on required business travel. They are to be considered a privilege and are allocated at the discretion of the General Manager. These cell phones are company property and are to be forfeited upon termination or resignation.

Corporate-issued cell phones are for business-use only and are not to be used as the primary method of communication. Personal calls should be kept to a minimum. They are to be handled with care. The cell phone holder is responsible for any damages done to the cell phone. No downloads or purchase should be made on cell phone that will be charged to bill. If such charges appear, the employee will be responsible for reimbursing the company.

For the safety of our employees and other motorists, the use of cell phones while driving (including texting, instant messaging and emailing) is prohibited. Employees are required to comply with all applicable state and local laws governing cell phone use. In adverse weather conditions, cell phone use is prohibited. Any violation of this policy is subject to employee disciplinary action.

Personal cell phone use while on work time is allowed; however, it must NOT interfere with your duties or the guests. Personal cell phones should be silenced and kept out of the guests' site at all times.

### **Confidentiality (Policy 704)**

On several occasions, the Entertainers and their crew that perform in the Casino's Showplace Theatre will be guests of the hotel. While they are our guests, no employee is allowed to "leak" the news of their presence. If an employee tells any family member, friend or media person of the guests' presence, it will lead to disciplinary action, up to and including termination of employment.

### **Drug and Alcohol Use (Policy 705)**

It is our desire to provide a drug-free, healthful and safe workplace. To promote this goal, you are at all times required to report to work in appropriate mental and physical condition to perform your job in a satisfactory manner.

While on the Riverwind Hotel, LLC premises and while conducting business-related activities off Riverwind Hotel, LLC premises, you may not use, possess, distribute, sell or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair your ability to perform the essential functions of your job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences. If you have any questions or concerns about substance dependency or abuse, we encourage you to contact the General Manager. You may also wish to discuss these matters with your Supervisor to receive assistance or referrals to appropriate resources in the community. If you have a drug or alcohol problem that has not resulted in, and is not the immediate subject of, disciplinary action, you may request approval to take unpaid time off to participate in a rehabilitation or treatment program. Leave may be granted if you agree to abstain from use of the problem substance, if you abide by all Riverwind Hotel, LLC policies, rules and prohibitions relating to conduct in the workplace, and if granting the leave will not cause Riverwind Hotel, LLC any undue hardship.

Riverwind Hotel, LLC does conduct employment drug and alcohol testing. All employees must undergo drug and alcohol testing. Employees do sign a waiver of acknowledgment when submitting the employee application. An employee who refuses to undergo drug or alcohol testing or who has a confirmed positive test will result in a withdrawal of the offer of employment.

During employment, all employees are subject to the following additional drug and alcohol testing:

1. For Cause Testing – if Riverwind Hotel, LLC has a reasonable suspicion that an employee has violated this policy;
2. Post-accident testing – if the employee has sustained a work related injury or damage has occurred to Riverwind Hotel, LLC's property in an amount reasonably estimated to exceed five hundred dollars (\$500.00);
3. Random testing – testing of any employee on a random basis; or
4. Post-rehabilitation testing – may be conducted for a period of up to two years without prior notice following an employee's return to work after a confirmed positive test or following participation in a drug or alcohol dependency treatment program under an employee benefit plan or at the request of Riverwind Hotel, LLC.

Substances which may be tested shall be for drugs and/or alcohol as defined in the Standards for Workplace Drug and Alcohol Testing Act, including controlled substances approved for testing by rule by the State Commissioner of Health.

Employees must provide prompt notice to their Supervisor or the General Manager of any workplace accident or injury. Any failure to promptly report your accident or injury can constitute the basis for denial of your Workers' Compensation claim based upon your refusal to undertake timely drug/alcohol testing.

**Testing and Collection Procedures:** All testing will be conducted by a licensed independent testing facility, which will follow testing standards established by the State of Oklahoma and/or federal government. Testing will be conducted on a sample provided by the employee and/or applicant to the testing facility under procedures established by the facility to insure privacy of the employee/applicant, while protecting against tampering/alteration of the test results.

All samples collected shall be sufficient for splitting into two separate specimens to provide for any subsequent independent analysis in the event of a challenge of the test results of the main specimen. Samples shall be collected with regard to the privacy of the employee being tested. No employer or other representative shall directly observe an applicant or employee in the process of producing a urine sample. However, collection of urine samples shall be done in a manner reasonably calculated to prevent substitutions or interference with the collection or testing of reliable samples. All sample collection, storage, transportation and chain of custody shall be performed in accordance with State law.

Applicants will submit to testing before hire and will not be paid for time spent in taking the test.

Riverwind Hotel, LLC will pay for the cost of the testing, including the confirmation of any positive test result by gas chromatography. The testing lab will retain samples in accordance with State law, so that an employee may request a retest of the sample at his/her own expense if the employee disagrees with the test result. If the retest requested by the employee reverses the findings of the challenged positive test, Riverwind Hotel, LLC will pay for the challenged test.

**Confidentiality Requirements:** All records concerning test results will be kept in files which are maintained separately from the personnel file of the employee/applicant and kept as confidential excepts as to Riverwind Hotel, the employee and review officer. These test records cannot be used in any criminal or civil proceeding, except where such action has been brought by Riverwind Hotel, LLC or involves a suit between Riverwind Hotel, LLC and the employee, unless the records have been ordered released in accordance with a valid court order.

All records relating to drug and alcohol testing are the property of Riverwind Hotel, LLC. Upon written request by the applicant or employee, the records shall be made available for inspection and copying to the employee or applicant. The records will not be released

to any other person by Riverwind Hotel, LLC except where the employee/applicant has signed a release which specifically authorizes Riverwind Hotel, LLC to disclose such records to another person or except pursuant to a valid court order.

Except where testing is done as a part of a routine employee/applicant physical exam, testing laboratories may conduct testing only for substances included on the Disclosure list provided to the individual, and may not conduct general testing related to the medical conditions of the individual which are unrelated to drug/alcohol usage.

**Right to Explain Test Results:** All employees and applicants have the right to meet with the testing facility personnel, and with Riverwind Hotel, LLC, to explain their test results. These discussions shall be considered confidential (except that information disclosed in such tests may be communicated to personnel within Riverwind Hotel, LLC or within the testing facility who need to know such information in order to make proper decisions regarding the test results or regarding the employment of the individual).

**Consequences of Refusal to Undergo Testing:** Employees and applicants who refuse to take testing which is requested under this Policy are subject to immediate discharge or withdrawal of the offer of employment. A refusal to take a lawfully requested drug/alcohol test, or testing positive on such a test, constitutes "misconduct" within the meaning of the Oklahoma Unemployment Compensation laws and will disqualify an employee from receipt of unemployment compensation.

**Potential Adverse Personnel Action From Positive Test:** If applicants have a positive test result, the Company reserves the right to immediately withdraw the offer of employment unless the applicant can provide a satisfactory explanation of the positive test, and thereafter can take and pass another drug/alcohol test.

If an employee tests positive on an initial screening test, the employee may be temporarily suspended while the confirmation test is being conducted. A confirmation test will be conducted using gas chromatography, gas chromatography-mass spectroscopy or an equivalent scientifically accepted method of equal or greater accuracy as approved by the State Board of Health. On receipt of a positive confirmation test, the employee is subject to disciplinary action, up to and including discharge.

**Available Appeal Procedure, Remedies and Sanctions:** Employees and applicants may request a retest of their confirmed positive test results, within five working days after notification by Riverwind Hotel, LLC of such positive test result. This retest is at the expense of the employee, unless the retest reverses the findings of the challenged test.

Where the employee/applicant believes that the positive test result was affected by taking of lawful or prescribed substances, the individual may be suspended without pay (or hire date postponed) pending receipt of confirming information to substantiate the claims of the individual.

Once Riverwind Hotel, LLC has determined that there is insufficient evidence to indicate that the test results are inappropriate, Riverwind Hotel, LLC will advise the individual of

its decision concerning disciplinary and/or corrective action. Applicants have no further appeal rights. Employees may appeal any disciplinary decisions through the Problem Resolution Policy, Policy No. 715, in this handbook.

Employee Assistance Program: Riverwind Hotel, LLC will offer to all employees an employee assistance program which provides drug and alcohol dependency evaluation and referral services for substance abuse counseling, treatment or rehabilitation.

**Notice of Policy Changes:** Riverwind Hotel, LLC reserves the right to modify, alter or amend this Policy at any time, and for any reason. Under Oklahoma law, no changes in the Policy will take effect until ninety (90) days after the new Policy has been given to employees. This Policy and any changes will be posted on the memo boards and in all break rooms.

### **Sexual and Other Unlawful Harassment (Policy 706)**

We are committed to maintaining a workplace free from harassment. We expect all interactions between employees, between guests and employees, between vendors and employees, and between employees and casino employees to be conducted in a professional manner.

Harassment Defined:

- Harassment in the workplace includes, but is not limited to unwelcome: remarks, jokes, verbal or graphic behavior relating to an individual's race, color, religion, sex, national origin, age, disability, sexual orientation or any other characteristic protected by law.
- Sexual harassment in the workplace is defined as unwelcome: sexual advances, request for sexual favors, and/or other verbal, graphic or physical conduct.

Harassment and/or sexual harassment occur if:

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

If you experience (or witness) sexual or other unlawful harassment in the workplace by anyone connected with your work, you must report the matter promptly to your Supervisor. It is helpful for you to directly inform the harasser that the conduct is unwelcome and must stop. If you cannot or will not report the matter to your Supervisor for any reason, you must report it to the General Manager.

The General Manager will carefully investigate each complaint of harassment or discrimination. It is our policy to listen to any reasonable complaint, promptly

investigate it, communicate the results of the investigation to the involved parties and take appropriate disciplinary action, to maintain a harassment-free working environment, if the results of the investigation so warrant.

Complaints will be treated as confidentially as possible and only those persons deemed essential to the investigation or resolution of the matter will be involved. We will not retaliate, intimidate or threaten you or applicants for employment who report complaints or discrimination or harassment to us or to any public agency in good faith.

### **Attendance and Punctuality (Policy 707)**

We expect all employees to be reliable and punctual when reporting to work. Absenteeism and tardiness place burdens upon other employees and the organization. **In the rare instances when an employee cannot avoid tardiness or is unable to work as scheduled, he/she must contact their manager as soon as possible and at least four hours prior to the scheduled shift.** The employee must speak to management--e-mails, text messages or a message relayed through a fellow employee is **unacceptable**. A family member or friend cannot contact management on behalf of the employee, except in cases of extreme emergencies.

Poor attendance and excessive tardiness are disruptive and will lead to disciplinary action, up to and including termination. Each employee will accumulate a record of "occurrences" for their attendance.

Depending on the circumstances surrounding a given situation, Riverwind Hotel maintains the right to carry out whatever disciplinary action is deemed appropriate, up to and including termination.

**Please refer to your locations Attendance and Punctuality Procedure for further details, disciplinary guidelines and requirements.**

### **Personal Appearance and Image (Policy 708)**

Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affect the business image we present to guests and visitors. You represent Riverwind Hotel, LLC and help form a guest's perception of us. A solid, professional appearance helps provide guests with confidence in the organization and enhances our community image.

During business hours or when representing Riverwind Hotel, LLC, we expect you to present a clean, neat and tasteful appearance. You should dress and groom yourself according to the requirements of your position. Because styles of dress and grooming for men and women change, we do not establish stringent rules. However, we expect you to exercise good judgment and to be dressed and groomed in a manner suitable for a fine dining restaurant.

During work hours the following are requirements regarding your appearance:

- SMILE, SMILE, SMILE!
- Jewelry is allowed as long as it corresponds with the uniform.
- No visible body piercing including tongue piercing.
- No visible tattoos.
- No visible hickies.
- No chewing of gum.
- Well groomed-fingernails.
- Minimal perfume or cologne.
- "Daytime" or neutral makeup is required for all employees who are a Front of the House employee or are visible to the guests.
- Uniforms will be provided by Riverwind Hotel, LLC. The management staff will determine which uniform the front desk employees will wear each day.
- Only buttons, pins or name badges assigned to you by Riverwind Hotel, LLC Management may be worn.
- Appropriate, comfortable shoes (slip resistant is required for housekeepers) must be clean. Shoes must be closed toe and closed heel.
- If you have an employee identification badge from the Chickasaw Nation, it must be worn at all times while on the property.

If your Supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstances, you will not be compensated for the time away from work. Keep in mind the discomfort your Supervisor would feel if he/she had to address this issue with you. Consult your Supervisor if you have questions as to what constitutes appropriate appearance. When necessary, reasonable accommodation may be made to a person with a disability.

### **Return of Property (Policy 709)**

You are responsible for all Riverwind Hotel, LLC property, uniforms, materials (including your time card and this handbook) or written information issued to you or in your possession or control. You must return all Riverwind Hotel, LLC property immediately upon request or upon termination of employment. Where permitted by applicable laws, we may withhold from your check or final paycheck the cost of any items that are not returned when required. We may also take all action deemed appropriate to recover or protect the organization's property.

### **Employment Resignation / Termination (Policy 710)**

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Terminations may be voluntary or involuntary. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation - voluntary employment termination initiated by the employee.



- Termination - involuntary employment termination initiated by the organization.

Resignation is a voluntary act initiated by the employee to terminate employment with the organization. Although advance notice is not required we request at least two weeks written notice for non-exempt employees and at least one month written notice for exempt employees, in advance of the resignation.

If your employment with us is terminated, you will receive your final pay in accordance with applicable state law.

The General Manager must approve any employee termination in advance of the termination.

### **Exit Interview (Policy 711)**

In a resignation situation, we would like to conduct an exit interview to discuss the employee's reasons for leaving and any other impression you may have about the company. This exit interview is an opportunity to provide insights into areas for improvement that we can make. Every attempt will be made to keep all information discussed in the exit interview confidential.

### **Rehire Restriction (Policy 712)**

If you are terminated from employment with Riverwind Hotel, LLC or fail to give a written two week notice of resignation, or give a written two week notice, but fail to work the required two weeks, a one year rehire restriction will be imposed for future employment with Riverwind Hotel, LLC.

### **Solicitation (Policy 713)**

In an effort to ensure a productive and harmonious work environment, persons not employed by Riverwind Hotel, LLC may not solicit or distribute literature in the workplace at any time for any purpose.

Riverwind Hotel, LLC recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities while on the premises. Examples of impermissible forms of solicitation include: the collection of money, goods or gifts for community groups, religious groups, political groups or charitable groups; the sale of goods, services or subscriptions outside the scope of official organization business; the circulation of petitions; the distribution of unapproved literature; and the solicitation of memberships or fees.

## **Disciplinary Action (Policy 714)**

The purpose of this policy is to state our position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all levels.

The major purpose of any disciplinary action is to correct the problem, prevent recurrence and prepare the employee for satisfactory service in the future.

Disciplinary action may call for any of four steps: verbal warning, written warning, suspension without pay or termination of employment, depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

**Verbal Warning:** A Supervisor and/or the General Manager will meet with you to discuss the problem or violation, ensuring that you understand the nature of the problem or violation and the expected remedy. The purpose of this meeting is to remind you of exactly what the rule or performance expectation is and also to remind you that it is your responsibility to meet our expectations.

**Written Warning:** If the performance does not improve within the specified period of time as indicated by your Supervisor or, if you are again in violation of the company practices, procedures, rules or standards of conduct, your Supervisor and/or the General Manager will discuss the problem with you, emphasizing the seriousness of the issue and the need for you to immediately remedy the problem. Written documentation will be provided to you with your acknowledgement and a copy will be placed in your personnel file.

**Suspension:** If the performance does not improve within the specified period of time as addressed by your Supervisor of the written warning, or if you are again in violation of the company practices, procedures, rules or standards of conduct, your Supervisor and/or the General Manager will place you on a suspension without pay. Written documentation will be provided to you with your acknowledgement and a copy will be placed in your personnel file.

Following the suspension without pay, you will be allowed to return to work with the understanding that if a positive change in behavior or performance does not occur, or if another disciplinary issue occurs, you will be terminated.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct and Work Rules, policy 701, includes examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger disciplinary action such as a verbal or written warning.

By using disciplinary action, we hope that most employee problems can be corrected at an early stage, benefiting both you and the organization.

All employee suspensions and terminations must be approved by the General Manager in advance of the disciplinary action.

### **Problem Resolution (Policy 715)**

We are committed to providing the best possible working conditions. We encourage an open and frank atmosphere in which any problem, complaint, suggestion or question receives a timely response. Whenever possible, Riverwind Hotel, LLC encourages employees to resolve issues with other team members by communicating the concern directly with the employee(s) involved.

We strive to ensure fair and honest treatment of everyone. We are all expected to treat each other with mutual respect and to offer positive reinforcement and, where necessary, constructive criticism.

If you disagree with established rules of conduct, policies or practices, you should express your concerns through the conflict resolution procedure. No one will be penalized, formally or informally, for voicing a complaint in a reasonable, business-like manner, or for using the conflict resolution procedure.

If you believe that a condition of employment or a decision affecting you is unjust or inequitable, you are encouraged to make use of the following steps. You may discontinue the procedure at any step.

1. Present the problem to your Supervisor. If your Supervisor is unavailable or you believe it would be inappropriate to contact that person, you should present the issue to the General Manager.
2. Your Supervisor should respond to the problem immediately and in any case within ninety (90) calendar days, after consulting with appropriate management, when necessary. Your Supervisor will document the discussion.
3. The General Manager will counsel and advise you, assist in putting the problem or issue in writing, visit with your Supervisor, if necessary.
4. If the problem remains unresolved, you should present the problem or issue to the General Manager within ninety (90) calendar days.

Not every problem can be resolved to everyone's total satisfaction; only through understanding and discussion of mutual problems can we develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment, and helps to ensure everyone's job security.

Employees are expected to refuse to follow an order to do anything which involves serious criminal wrongdoing and/or is likely to cause serious harm to them or to others.

**The following Grievance and Complaints steps apply to the suspension and termination of non-orientation period employees:**

1. **Written Notification.** The employee's Supervisor will present the employee with written notification of intent to suspend without pay or termination. The written notification will explain the reasons for the proposed action, the evidence to support the reason(s) and the employee's right to a pre-disciplinary meeting. The notification will be hand-delivered to the employee, receipt of which will be acknowledged by the employee or notification will be sent via certified mail. Should the employee want a meeting with the General Manager, the employee will request such a meeting within three days of receiving the notice of suspension or termination.
2. **Immediate Suspension.** In cases of termination, or where Riverwind Hotel, LLC property, other employees or citizens are at risk because of the employee's actions or when an investigation of the circumstances is necessary, Riverwind Hotel, LLC will put the employee on suspension without pay while the appropriate disciplinary action is determined and until the pre-disciplinary meeting is held and the final decision is rendered.
3. **Pre-disciplinary Meeting.** The General Manager, Supervisor and the employee will meet in person to discuss the proposed disciplinary action. At this meeting, the employee will have the opportunity to respond to the proposed disciplinary action.
4. **Decision of the General Manager.** The General Manager will issue a decision in writing within five calendar days of the pre-disciplinary meeting. The final decision will include the time, date and location of the meeting, persons present, the determination and effective date of the disciplinary action. The final decision will be either hand-delivered to the employee (obtaining employee's signature of receipt of the decision) or be sent by certified mail with a return receipt requested. The employee does not have the right to appeal as the decision of the General Manager is final.
5. **Layoff due to reduction in force is not grievable.**

### **Non-Retaliation (Policy 716)**

Federal and state law and Traditions Spirits strictly prohibit any form of retaliation against an employee, by another employee or by Traditions Spirits and its supervisors, who in good faith makes a complaint, raises a concern, provides information or otherwise assists in an investigation or proceeding regarding any conduct that he or she reasonably believes to be in violation of Traditions Spirits' policies, applicable laws, rules or regulations.

This policy is designed to ensure that all employees feel comfortable speaking up when they see or suspect illegal or unethical conduct without fear of retaliation. It is also intended to encourage all employees to cooperate with Traditions Spirits in the internal investigation of any matter as well as in any investigation, proceeding or

hearing conducted by a federal or state enforcement agency by providing honest, truthful and complete information without fear of retaliation.

**Definitions:**

**Good Faith:** A report made with the honest and reasonable belief that a Traditions Spirits related violation of law or policy or other instance of non-compliance or related misconduct may have occurred.

**Retaliation:** Materially adverse action against the employee because of the employee's good faith report. Retaliation may include but is not limited to tangible adverse employment actions such as denial of a promotion as well as other material changes in the terms and conditions of employment such as work assignments.

Other actions may include threats, reprimands, negative evaluations, salary reductions, harassment or hostile behavior or attitudes towards the complainant. Other adverse action(s) that may or may not be intentionally motivated but which results in negative treatment of an individual can also be considered retaliatory.

Post employment actions that may be considered retaliatory are actions that are designed to interfere with an individual's prospects for employment, such as negative job references, and informing prospective employers of the individual's protected activity also constitutes retaliation. Negative job references do not constitute retaliation unless the reference was based on a retaliatory motive.

**Scope of Policy:**

No employee should be retaliated against as a result of his or her making a good faith complaint, either implicitly or explicitly, or assisting in the handling or investigation of a good faith complaint, that a Traditions Spirits' policy, or an applicable law, rule or regulation has been violated. The law also prohibits retaliation against employees in a "zone of interest" connected to the reporting party. Employees who in good faith make a complaint or participate in an investigation or proceeding under this policy, however, remain subject to the same standards of performance and conduct as other employees.

Traditions Spirits prohibits employees from being retaliated against even if their complaints are proven unfounded by an investigation, unless the employee knowingly made a false allegation, provided false or misleading information in the course of investigation, or otherwise acted in bad faith.

**Reporting Violations**

Any employee who in good faith believes he or she or any other employee is being subjected to retaliation in violation of this policy or any other Traditions Spirits' policy or law must report the situation to the Director of Human Resources or a Traditions Spirits' management official as soon as possible.

Reports of retaliatory conduct will be promptly and objectively investigated in accordance with Traditions Spirits' investigation procedures. If a retaliation complaint is substantiated, appropriate disciplinary action, up to and including termination, will be taken against those who have engaged in such behaviors, as Traditions Spirits deems appropriate in its sole discretion.

Co-workers are legally prohibited from engaging in retaliation against other employees and will be subject to discipline, up to and including termination, for such conduct.

### **Social Media (Policy 717)**

At Traditions, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

This policy applies to all employees who work for Traditions, or one of its subsidiary companies.

#### **Guidelines**

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort

on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with Traditions, as well as any other form of electronic communication.

The same principles and guidelines found in Traditions' policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees, or otherwise adversely affects customers, suppliers, people who work on behalf of Traditions or Traditions' legitimate business interests, may result in disciplinary action up to and including termination.

#### **Know and follow the rules**

Carefully read these guidelines, the Traditions' Business Ethics and Conduct Policy, the Employee Conduct and Work Rules Policy, and Sexual and Other Unlawful

Harassment Policy, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

### **Be respectful**

Always be fair and courteous to fellow employees, customers, suppliers or people who work on behalf of Traditions. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers, supervisors or Human Resources Director than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, and threatening or intimidating, that disparage customers, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

### **Be honest and accurate**

Make sure you are always honest and accurate when posting information or news; and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about Traditions, fellow employees, customers, suppliers, people working on behalf of Traditions or competitors.

### **Post only appropriate and respectful content**

Maintain the confidentiality of Traditions' trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.

Do not create a link from your blog, website or other social networking site to a Traditions website without identifying yourself as a Traditions employee.

Express only your personal opinions. Never represent yourself as a spokesperson for Traditions. If Traditions is a subject of the content you are creating, be clear and open

about the fact that you are an employee and make it clear that your views do not represent those of Traditions, fellow employees, customers, suppliers or people working

on behalf of Traditions. If you do publish a blog or post online related to the work you do or subjects associated with Traditions; make it clear that you are not speaking on

behalf of Traditions. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of Traditions Spirits."

### **Using social media at work**

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your supervisor. Do not use Traditions' email addresses to register on social networks, blogs or other online tools utilized for personal use.

### **Retaliation is prohibited**

Traditions prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

### **Media contacts**

Employees should not speak to the media on Traditions behalf without contacting the Human Resource Director. All media inquiries should be directed to the Human Resource Director.

If you have questions or need further guidance, please contact Human Resources Department.



## **Employee Handbook Acknowledgement**

My signature on this form acknowledges that I have entered into my employment relationship with Riverwind Hotel, LLC voluntarily and acknowledge that there is no specified length of employment.

Because the information, policies, and benefits described herein are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Riverwind Hotel, LLC Founder, Ward Chilton, has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document; all employees of Riverwind Hotel, LLC are considered "at-will" employees. This means that both the employee and the company reserve the right to terminate employment at any time, with or without cause and with or without advance notice. Employees and/or managers may also be demoted or disciplined and the terms and conditions of their employment may be altered at any time, with or without cause, at the discretion of management. Employees below the level of Manager may have the right of appeal as described herein. Managers are not similarly endowed.

I have received information of where the handbook is located (i.e., online and hard copy in office), and I understand that it is my responsibility to read and follow the policies contained in this handbook and any revisions made to it.

I have no expectation of privacy when using publicly accessible areas of the premises of Riverwind Hotel, LLC, including but not limited to the front desk/lobby or VIP office or guest computing resources or public networks such as the Internet. Any conversations I may have in these public areas or my use of Riverwind Hotel, LLC or guest computing resources and network connections constitutes an express consent to monitoring, recording and auditing for the purposes identified in this handbook.

Employee Name (printed): \_\_\_\_\_

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

Date: \_\_\_\_\_



**RIVERWIND HOTEL, LLC**

**ACCIDENT PREVENTION PROGRAM**

**Creating a Safe Environment for Our Employees**

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## SECTION I: SAFETY

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### Nature of Accident Prevention (Policy 101)

The purpose of this policy is to develop a high standard of safety throughout all operations of Riverwind Hotel, LLC and to ensure that no employee is required to work under any hazardous or unsanitary conditions.

We believe that the individual employee has the right to derive personal satisfaction from his/her job and the prevention of occupational injury or illness is of such consequence to this belief that it will be given top priority at all times.

Our intentions are to initiate and maintain complete accident prevention and safety training programs. Each employee is responsible for the safety and health of those persons in their charge and coworkers around them. By accepting mutual responsibility to operate safely, we will all contribute to the well-being of ourselves, each other and our guests.

### Safety First (Policy 102)

No employee should perform any task which he/she sincerely believes will create a serious safety hazard to himself/herself or others. If orders are given to perform a task which the employee believes in good faith to create a serious safety risk, the employee must inform the Supervisor of his/her concerns and, if the problem is not corrected, the employee must report the matter immediately to the General Manager. Pending further review, the employee should not perform any task which the employee reasonably believes to be unsafe. Instead, the employee should request reassignment to other tasks.

Common sense is expected to be used in any refusal to perform an assigned task on the grounds that it is seriously unsafe to do so. Of course, Riverwind Hotel, LLC reserves the right to take disciplinary action against employees who raise bogus safety claims in bad faith (for reasons such as avoiding work, making trouble or defying a Supervisor).

Any employee who observes a situation that constitutes a danger or hazard must report the problem to their Supervisor immediately. If the problem is not addressed to the satisfaction of the employee, the matter should be taken to the General Manager.

### Employee Responsibility (Policy 103)

The most important part of this program is You! Without your cooperation, the most stringent program can be ineffective. Protect yourself, your coworkers and guests by following the rules. Remember: Work safely so you can go home to your family and friends.

- Report all on the job injuries promptly.
- Report all equipment damage to your Supervisor immediately.
- Don't take chances - use your safety equipment as directed.

- Follow instructions. When in doubt about any phase of your operation, ask your Supervisor.
- Observe and comply with all safety signs and regulations.
- Report all unsafe conditions or situations that are potentially hazardous.
- Operate only equipment you are qualified to operate. When in doubt, ask for directions.
- Talk to your Supervisor or the General Manager at any time about problems that affect your safety or work conditions.
- Don't take chances and remember – Safety First!

### Personal Work Rules (Policy 104)

- **Report every injury, no matter how minor, to your Supervisor immediately.**
- Horseplay, fighting, gambling, possession of firearms and possession or use of alcoholic beverages or drugs, except as prescribed to you by a qualified health care provider, are strictly forbidden. These restrictions apply to you while you are on Riverwind Hotel, LLC property, both while you are on duty and off duty. Any conduct or illegal activities that would discredit or reflect negatively on the image or reputation of Riverwind Hotel, LLC may be grounds for your termination.
- Report any prescription drug or over the counter medication that causes impairment, drowsiness or restricts your ability to operate equipment, machinery or motor vehicles to your Supervisor to ensure your safety and the safety of other employees.
- Wear clothing that is approved by Riverwind Hotel, LLC management.
- Jewelry (rings, bracelets, neck chains, etc.) that is worn should appropriately match the uniform.
- Proper eye protection must be worn where you are exposed to flying objects, dust, harmful rays, chemicals, flying particles, etc.
- Proper footwear must be worn. This means: shoes that lace should be tightly tied, no open-toed shoes, no open-heeled shoes, comfortable shoes, slip-resistant soles with good tread for housekeepers and no porous fabrics such as canvas for housekeepers (because they cannot protect against burns or chemicals).
- In the event of a robbery, respond to the robber's orders calmly to reduce the chance of violence. Call 911 as soon as possible.
- Whenever possible, if it is dark when your shift ends walk out with other employees.
- Visually inspect for sharp objects or other hazards before putting hands, legs or other body parts into containers such as garbage cans, boxes, bags or sinks.
- Remove or bend nails and staples from boxes and crates before unpacking.
- Do not try to kick objects out of pathways. Push or carry them out of the way.
- Do not let items overhang from shelves into walkways.
- Move slowly when approaching blind corners.
- Place heavier loads on the lower or middle shelves.
- Remove one object at a time from shelves.
- Place items on shelves so that they lie flat and do not lean against each other.
- Clean up broken glass using a dustpan and broom. Don't pick up broken glass with bare hands.

- Obey all posted safety and danger signs.
- Do not run on stairs or take more than one step at a time.
- Do not jump from ramps, platforms, ladders or step stools.
- Clean up spills or leaks immediately by using a paper towel, rag or a mop and bucket.

### **Environmental Compliance (Policy 105)**

Employees who handle chemicals or other substances which may cause health hazards or industrial pollution must follow requirements on the handling and disposal of such materials. Material safety data sheets are posted and on file to ensure that the information contained in them is readily available. Employees are expected to observe and follow environmental and safety rules pertaining to these materials and to take precautions to ensure that such materials are not placed in unlabelled containers where inadvertent injury or pollution may occur.

### **Accident Reporting (Policy 106)**

If you witness an accident involving a coworker, notify your Supervisor or the Manager on duty immediately. If you can do so without serious risk of injury to yourself, promptly take steps to safeguard your coworkers and company property. This will set in motion the sequence of events necessary to ensure that no further harm can occur, that first aid may be rendered, transport to emergency care locations can be swiftly arranged for, and that any necessary paperwork for insurance and treatment of the accident/injury victim can be obtained.

Likewise, if you sustain any accidental injury at work, no matter how minor, you should notify your Supervisor immediately so that Riverwind Hotel, LLC may complete federally-required job safety forms and make an assessment of whether you should be sent for emergency medical treatment. By promptly notifying Riverwind Hotel, LLC of job-related injuries, you also will protect your rights to workers compensation benefits in the event that the injury is more serious than first suspected.

### **Security Inspections (Policy 107)**

Riverwind Hotel, LLC wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives or other improper materials. Desks, lockers and other company property remain the sole property of Riverwind Hotel, LLC. Accordingly, employees are on notice that these areas may be inspected by any representative of the management team at any time, either with or without prior notice. Nothing should be stored in such areas which the employee does not wish to have inspected. Drug and/or alcohol testing may be required, see Policy 705 of the Employee Handbook for more detail.

## **Disciplinary (Policy 108)**

We believe that a safety and health accident prevention program is unenforceable without some type of disciplinary policies. Our company believes that in order to maintain a safe and healthy workplace that the employees must be aware of all Riverwind Hotel, LLC, state and federal safety and health regulations as they apply to the specific job duties required. The following disciplinary policy is in effect and will be applied to all safety or health violations.

The following steps will be followed unless in the unlikely event that the seriousness of the violation would dictate going directly to Step 2 or Step 3.

1. A first time violation will be discussed orally between the Supervisor and the employee. This conversation will take place as soon as possible.
2. A second time violation will be followed up in written form. A copy of this written documentation will be entered into the employee's personnel folder.
3. A third time violation will result in suspension or possible termination, depending upon the severity of the violation.

## **SECTION II: Prevention**

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### **Cut Prevention (Policy 201)**

Cuts can be caused by any of these items:

- Knives
- Furniture
- Equipment
- Counters
- Glassware
- Cleaning equipment

You must observe the following safety rules to prevent cuts:

- Follow all proper training procedures when operating equipment.
- Discard broken or chipped glassware.
- After cleaning, put all guards and safety devices back in place.
- Place a tag on any defective or unsafe equipment and immediately inform your Supervisor or the General Manager.
- Manufacturer's instruction manuals are available for review by all employees.
- Do not operate equipment if you feel sick or drowsy. (Remember, some cold remedies can make people feel sleepy.)
- Do not try to catch falling objects, especially knives.
- Do not wear loose or frayed clothing, gloves or jewelry that can become caught in equipment.

### **Burn Prevention (Policy 202)**

Burns and scalds can be caused by any of these items:

- Boiling hot liquids
- Hot dishwashers
- Microwaves
- Chemicals

You must observe the following safety rules to prevent burns and scalds:

- Organize your work area to prevent contact with hot objects.
- Follow manufacturer's operating instructions. Manuals are available through your Supervisor or the General Manager.
- Open hot water and hot liquid faucet slowly to avoid splashes.
- Do not overstretch to reach an uncomfortable distance.
- When handling chemicals, wear protective eyewear and rubber gloves.
- When mixing chemicals, pour slowly to avoid splashing.



## **Slip and Fall Prevention (Policy 203)**

Slips and falls can be caused by any of these:

- Slippery and cluttered floors and stairs
- Loose or bumpy carpets and floor mats
- Defective ladders and foot stools
- Poor visibility
- Improper shoes

You must observe the following safety rules to prevent slips and trips:

- Report any tripping or slipping hazards to your Supervisor immediately.
- Keep floors clean, dry and non-slippery.
- Keep floors clear of debris and obstructions.
- Report any lighting inadequacies and replace any burned out bulbs and fluorescent tubes as soon as possible.
- Make sure mats and carpeting are free of holes and bumps that may cause tripping.
- Use warning signs for wet floors and other obstacles.
- Make sure stepladders are in good repair and have non-skid feet.
- Never stand on the top step of a stepladder.
- Do not use defective ladders.
- Do not use chairs, boxes or tables as substitutes for ladders.
- Do not leave cabinet doors open. These may present a tripping hazard for you or your co-workers.

## **Electrical Hazard Prevention (Policy 204)**

Electrical hazards can be caused by any of these:

- Faulty electrical tools and equipment
- Faulty appliances and wiring
- Electrical outlets
- Switch panels
- Electric transformers

You must observe the following safety rules to prevent electrical hazards:

- Inspect equipment, cords and fittings for damage prior to use. Notify your Supervisor immediately for any repairs or replacements.
- Turn equipment off before connecting to a power supply and before making any adjustments.
- Make sure cords do not create a tripping hazard.
- When unplugging equipment, pull on the plug not on the cord.
- Keep cords away from heat, water and chemicals. These can damage the insulation and cause a shock.

- Do not use electric tools in wet conditions or damp locations.
- Do not clean electric equipment with flammable or toxic solvent.
- Do not carry electrical tools by the power cord.
- Do not tie power cords in knots.
- Do not plug several power cords into one outlet.

## **SECTION III: Procedures**

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### **Housekeeping General (Policy 301)**

- Do not place material such as boxes or trash in walkways and passageways.
- Mop up water on floor surface and around ice machines.
- Do not store or leave items on stairwells.
- Straighten or remove rugs and mats that do not lie flat on the floor.
- Use caution signs/cones to barricade slippery areas such as freshly mopped floors.
- Store chemicals and cleaning supplies in designated areas.
- Store laundry carts in designated areas out of walkways and passageways.
- Wear rubber gloves when washing and sanitizing glassware.

### **Hazardous Materials (Policy 302)**

- Follow the instructions on the label and in the Material Safety Data Sheet (MSDS) for each chemical product used in your workplace.
- Use personal protective clothing or equipment such as neoprene gloves, rubber boots, shoe covers, rubber aprons and protective eyewear, when using chemicals labeled "Flammable," "Corrosive," "Caustic" or "Poisonous."
- Do not use protective clothing or equipment that has split seams, pin holes, cuts, tears or other signs of visible damage.
- Each time you use your gloves wash them using cold tap water and normal hand washing motion. Always wash your hands after removing the gloves.

### **Glassware (Policy 303)**

- Visually inspect all glassware in guest rooms for cracks or chips before handling. If chips or cracks are discovered in the glasses, place them in containers labeled "broken glass."
- Carry one rack of glassware at a time when cleaning.
- When a glass is broken in the ice bin, pour hot water into the bin to melt down the ice allowing the melted ice to empty through the drain, remove the glass using a whisk broom and dust pan, hose down minute pieces of glass into the drain with clean water and wipe the bin dry with a towel before refilling it with ice.
- Do not submerge hot glass in cold water or submerge cold glass in hot water.
- Remove all chipped or cracked glassware from use.

- If glassware breaks in the sink, use tongs to remove the large fragments of glass; open the drain; run the water to wash any remaining small glass fragments down the drain.

### **Electrical Powered Equipment (Policy 304)**

- Do not use power equipment or appliances on which you have not been trained.
- Keep power cords away from the path of vacuum cleaners, floor polishers and slicers.
- Do not carry plugged in appliances with your finger on the switch.
- Do not carry appliances by the cord.
- Disconnect the appliance from the outlet by pulling on the plug, not the cord.
- Do not stand in water or on wet surfaces when operating power hand tools or portable electrical appliances.
- Do not operate appliances that have frayed, worn, cut, improperly spliced or damaged power cords.
- Do not operate an appliance if the ground pin of the three pronged power plug is missing or has been removed.
- Do not operate appliances with two-pronged adapters or two conductor extension cords.

### **Ladders and Step Ladders (Policy 305)**

- Read and follow the manufacturer's instructions label affixed to the ladder if you are unsure how to use the ladder.
- Do not use ladders that have loose rungs, cracked or split side rails, missing rubber foot pads or are otherwise visibly damaged.
- Keep ladder rungs clean. Remove buildup of material such as dirt or mud.
- Do not place ladders in a passageway or doorway without posting warning signs or cones that detour pedestrian traffic away from the ladder. Lock the doorway that you are blocking and post the sign "Detour."
- Allow only one person on the ladder at a time.
- Face the ladder when climbing up or down.
- Maintain a three-point contact by keeping both hands and one foot or both feet and one hand on the ladder at all times when climbing up or down.
- Do not stand on the top two rungs of any ladder.
- Do not stand on a ladder that wobbles or that leans to the left or right.
- Don't place ladders on barrels, boxes, loose bricks, pails, concrete blocks or other unstable bases.
- Do not carry items in your hands while climbing up or down a ladder.
- Do not try to "walk" a ladder by rocking it. Climb down the ladder and then move it.

### **Lifting (Policy 306)**

- Always wear a safety belt and plan the move before lifting.
- Remove obstructions from your chosen pathway.

- Test the weight of the load before lifting by pushing the load along its resting surface.
- If the load is too heavy or bulky, use lifting and carrying aids such as hand trucks, dollies, pallet jacks and carts, or get assistance from a co-worker.
- If assistance is required to perform a lift, coordinate and communicate your movements with those of your co-worker.
- Position your feet 6 to 12 inches apart with one foot slightly in front of the other.
- Face the load.
- Bend at the knees, not at the back.
- Keep your back straight.
- Get a firm grip on the object with your hands and fingers. Use handles when present.
- Never lift anything if your hands are greasy or wet.
- Wear protective gloves when lifting objects with sharp corners or jagged edges.
- Hold objects as close to your body as possible.
- Perform lifting movements smoothly and gradually. Do not jerk the load.
- If you must change direction while lifting or carrying the load, pivot your feet and turn your entire body. Do not twist at the waist.
- Set down objects in the same manner as you picked them up, except in reverse.
- Do not lift an object from the floor to a level above your waist in one motion. Set the load down on a table or bench and then adjust your grip before lifting it higher.
- Slide materials to the end of the tailgate before attempting to lift them off of a pick-up truck.
- Do not lift over the walls or tailgate of the truck bed.

### **Fire Extinguisher**

1. Locate the Fire Extinguisher in your outlet.
2. Pull pin.
1. Aim towards the fire and squeeze the trigger.

**Special safety equipment is for your protection. Use it when required. Keep it in good condition and report loss or damage of it immediately.**

### **EMERGENCY MANAGEMENT PLAN**

**Tornadoes, Earthquakes, Floods, Ice, Snow and power outages etc.**

Code Procedures

- Code 4 – Medical
- Code Black – Tornado
- Code Red – Fire

## Safety Orientation Training Acknowledgement

Instructions: Each employee will receive a safety orientation before beginning work. Please check each item that was covered in the orientation. Employees will sign this form once all items have been covered and all questions have been answered satisfactorily.

The employee (name): \_\_\_\_\_ has been:

- Informed about the elements of the written safety program that outlines the company's safety efforts.
- Informed to report all injuries to your supervisor immediately.
- Informed to report all hazards to a supervisor and shown how to do this.
- Informed about all machinery hazards and instructed about prohibited duties.
- Informed about all other hazards and ways to protect themselves (i.e., chemicals, use of ladders, slippery floors, etc.)
- Shown proper lifting procedures.
- Shown where the first aid supplies are located and who to call for first aid.
- Told what to do during any emergencies that could occur.
- Shown how to operate a fire extinguisher.
- Trained on the safe ways to perform the specific job the employee was assigned including any hazards associated with that job.
- Provided formal training required to do his/her job, such as proper lifting, use of knives, grill and fryer operation, spill clean-up etc.
- Informed what to do during any emergency that could occur.
- Informed and Shown MSDS.

**The signatures below document that the above orientation was completed on the date listed. Both parties accept responsibility for maintaining a safe and healthful work environment.**

Date: \_\_\_\_\_ Manager: \_\_\_\_\_

Date: \_\_\_\_\_ Employee: \_\_\_\_\_