

Mesquite Holdings LLC

# Tex Mex Primo Autos

2903 SW Military Dr, San Antonio TX 78224

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## **Section 1 - History, Goals & Culture**

### **1.1 Welcome to Tex Mex Primo Autos**

Tex Mex Primo Autos was started in 2014 with the belief that helping good people that may have had a few bad problems get into a good used vehicle. To help them move forward in life and establish a great friendship and with that in place to help our new friends with their future transportation needs as well as help them build credit. Our philosophy is treat people how you want to be treated and do the best we can to maintain a close friendship with our customers.

### **1.2 Purpose of this Handbook**

This handbook has been prepared to inform new employees of the policies and procedures of this company and to establish the company's expectations. It is not all-inclusive or intended to provide strict interpretations of our policies; rather, it offers an overview of the work environment. This handbook is not a contract, expressed or implied, guaranteeing employment for any length of time and is not intended to induce an employee to accept employment with the company.

The company reserves the right to unilaterally revise, suspend, revoke, terminate or change any of its policies, in whole or in part, whether described within this handbook or elsewhere, in its sole discretion. If any discrepancy between this handbook and current company policy arises, conform to current company policy. Every effort will be made to keep you informed of the company's policies, however we cannot guarantee that notice of revisions will be provided. Feel free to ask questions about any of the information within this handbook.

This handbook supersedes and replaces any and all personnel policies and manuals previously distributed, made available or applicable to employees.

### **1.3 At-Will Employment**

Employment at this company is at-will. An at-will employment relationship can be terminated at any time, with or without reason or notice by either the employer or the employee. This at-will employment relationship exists regardless of any statements by office personnel to the contrary. Only Herman Ford is authorized to modify the at-will nature of the employment relationship, and the modification must be in writing.

## **Section 2 – Workplace Commitments**

### **2.1 Equal Opportunity Employment**

This company is an equal opportunity employer and does not unlawfully discriminate against employees or applicants for employment on the basis of an individual's race, color, religion, creed, sex, national origin, age, disability, marital status, veteran status or any other status protected by applicable law. This policy applies to all terms, conditions and privileges of employment, including recruitment, hiring, placement, compensation, promotion, discipline and termination.

Whenever possible, the company makes reasonable accommodations for qualified individuals with disabilities to the extent required by law. Employees who would like to request a reasonable accommodation should contact Robert Raney.

### **2.2 Non-Harassment Policy / Non-Discrimination Policy**

This company prohibits discrimination or harassment based on race, color, religion, creed, sex, national origin, age, disability, marital status, veteran status or any other status protected by applicable law. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and is free from discriminatory practices, including without limitation harassment. Consistent with its workplace policy of equal employment opportunity, the company prohibits and will not tolerate harassment on the basis of race, color, religion, creed, sex, national origin, age, disability, marital status, veteran status or any other status protected by applicable law. Violations of this policy will not be tolerated.

Discrimination includes, but is not limited to: making any employment decision or employment related action on the basis of race, color, religion, creed, age, sex, disability, national origin, marital or veteran status, or any other status protected by applicable law.

Harassment is generally defined as unwelcome verbal or non-verbal conduct, based upon a person's protected characteristic, that denigrates or shows hostility or aversion toward the person because of the characteristic, and which affects the person's employment opportunities or benefits, has the purpose or effect of unreasonably interfering with the person's work performance, or has the purpose or effect of creating an intimidating, hostile or offensive working environment. Harassing conduct includes, but is not limited to: epithets; slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group based on their protected characteristic.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. 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.

Examples of sexual harassment include: unwelcome or unsolicited sexual advances; displaying sexually suggestive material; unwelcome sexual flirtations, advances or propositions; suggestive comments; verbal abuse of a sexual nature; sexually oriented jokes; crude or vulgar language or gestures; graphic or verbal commentaries about an individual's body; display or distribution of obscene materials; physical contact such as patting, pinching or brushing against someone's body; or physical assault of a sexual nature.

#### Reporting:

Any company employee who feels that he or she has been harassed or discriminated against, or has witnessed or become aware of discrimination or harassment in violation of these policies, should bring the matter to the immediate attention of his or her supervisor or the Operations Manager. The company will promptly investigate all allegations of discrimination and harassment, and take action as appropriate based on the outcome of the investigation. An investigation and its results will be treated as confidential to the extent feasible, and the company will take appropriate action based on the outcome of the investigation.

No employee will be retaliated against for making a complaint in good faith regarding a violation of these policies, or for participating in good faith in an investigation pursuant to these policies. If an employee feels he/she has been retaliated against, the employee should file a complaint using the procedures set forth above.

### **2.3 Drug-Free / Alcohol-Free Environment**

Employees are prohibited from unlawfully consuming, distributing, possessing, selling, or using controlled substances while on duty. In addition, employees may not be under the influence of any controlled substance, such as drugs or alcohol, while at work, on company premises or engaged in company business. Prescription drugs or over-the-counter medications, taken as prescribed, are an exception to this policy.

Anyone violating this policy may be subject to disciplinary action, up to and including termination.

## **2.4 Open Door Policy**

The company has an open door policy and takes employee concerns and problems seriously. The company values each employee and strives to provide a positive work experience. Employees are encouraged to bring any workplace concerns or problems they might have or know about to their supervisor or some other member of management.

## **Section 3 - Company Policies and Procedures**

### **3.1 Code of Professional Conduct**

This company expects its employees to adhere to a standard of professional conduct and integrity. This ensures that the work environment is safe, comfortable and productive. Employees should be respectful, courteous, and mindful of others' feelings and needs. General cooperation between coworkers and supervisors is expected. Individuals who act in an unprofessional manner may be subject to disciplinary action.

### **3.2 Conflicts of Interest**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interests. A conflict of interest is an activity that impairs, or gives the appearance of impairing, an employee's ability to deal objectively and impartially with regard to the Company's business transactions. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative or acquaintance of that employee as a result of the Company's business dealings. Employees are strictly prohibited from accepting cash bonuses or other compensation or rewards from third parties that provide products or services to the Company, unless previously approved by the President of the company or General Manager.

Business dealings with outside firms should not result in personal gain for an employee. For the purposes of this policy, a personal gain refers to bribes, inappropriate access to Company records or information, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit either the employee, another company, or a third party. Promotional plans that could be interpreted to involve personal gain require specific executive-level approval.

Personal gain may result not only in cases where an employee has a significant ownership in a firm with which the Company does business, but also when an employee receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealing involving the Company. All gifts, regardless of their value, are the property of the Company unless otherwise directed by the General Manager.

No presumption of guilt is created by the mere existence of a relationship with outside firms. If employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they immediately disclose such influence to the President of the company or General Manager so that safeguards can be established to protect all parties.

Additionally, a conflict of interest exists when an employee, while on the job or as a Company representative, solicits the Company's customers to hire or contract with the employee for outside work, products, or employment of any kind. Employees with questions or concerns regarding conflicts of interests or gifts should contact the President of the Company or General Manager.

### **3.3 Solicitation**

Working time is for work. Activities or conduct that would interfere with your work or the work of other employees is prohibited.

Employees are prohibited from conducting solicitations of any kind during their working time "Solicitation" includes attempting to orally persuade another person to engage in or refrain from certain actions such as joining an organization or endeavor, purchasing goods and or services, or donating goods, services or money to an organization.

Employees are also prohibited from distributing or circulating any written or printed materials in work areas at any time, during your working time, or the. Working time of the employee to whom such materials are directed. "Distribution" includes, for example, sharing or delivering written information, literature or petitions about individuals, organizations or programs, services, products and activities.

For the purpose of this policy, "working time" does not include break times, meal periods and time before and after your regularly scheduled work hours. "Work areas" do not include break areas designated employee lounges, and the employee parking area of parking lots.

The President of the company may authorize Company involvement in various charitable solicitation drives throughout the year such as United Way. Participation in these outreach programs is voluntary.

In an effort to ensure a productive and harmonious work environment, persons not employed by the Company may not solicit or distribute literature in the workplace at any time for any purpose. The workplace includes all Company property, such as buildings and parking areas.



### **3.4 Relatives and Dating Relationships**

The employment of relatives within the same dealership or office is not permitted without the consent of the President of the company prior to employment. Relatives of current employees may be hired to work at a separate location within the organization provided they will not be working directly for or supervising their relative(s), and they cannot be transferred into such a reporting relationship. For the purposes of this policy, a relative is any person who is related by blood or marriage or whose relationship with an employee is similar to that of people who are related by blood or marriage, including, but not limited to employees who live within the same household.

An individual involved in a dating relationship with a current employee may not occupy a position that will be working directly for or supervising the employee with whom he or she is involved in a dating relationship, regardless of gender or sexual orientation. For the purposes of this policy, a dating relationship is defined as a relationship that may be reasonably expected to lead to a consensual romantic or sexual relationship. Employees in a dating relationship should not display their affection in the workplace and should avoid excessive personal conversation.

If a relative or dating relationship is established after employment between employees at the same location or in a reporting role as previously described, it is the responsibility and obligation of the involved employees and the employees' immediate supervisor(s) to disclose the existence of the relationship to the General Manager or Controller. The individuals concerned may be given an opportunity to decide who will be transferred to another available position. If that decision is not made within 30 calendar days, the General Manager or Controller will decide who will be transferred or, if necessary, terminated from employment.

The Company additionally reserves the right to take appropriate and prompt action if an actual or potential conflict arises that involves relatives or individuals in, or perceived to be in, a dating relationship who occupy positions at any level (higher or lower) in the same line of authority.

Professional workplace behaviors should never be compromised or influenced by personal relationships between or among employees. Employees with questions about personal relationships and their role in the workplace should not hesitate to contact their immediate supervisor, the General Manager, or the President of the company.

### 3.5 Fraternization

While employees, particularly sales personnel, attempt to build professional relationships with a customer or prospective customer, advancing this professional relationship into a personal or dating relationship will not be tolerated. All interactions between an employee and a customer should comply with applicable professional standards of conduct. Customers must be treated with courtesy and respect at all times. Additionally, employees should minimize and monitor their joking or bantering with customers and ensure language that is profane, abusive, or based on sexual, racial, gender, religious, or other legally protected groups is not used on the Company's premises.

### 3.6 Gratuities

Accepting or soliciting gratuities or any other form of payment for services from a customer is a violation of the Company's standards of professional conduct.

### 3.7 Finders Fees

The Company does not allow finders fees to be paid to sales management or their family members for referrals. Employees with questions concerning this policy should contact the General Manager.

### 3.8 Dress Code

As an institute in the sales & finance industry, we believe our workplace attire should maintain a moderate and well-groomed appearance that reflects the company's character. Attire should be neat, respectful and not disruptive of or offensive to others. The following is a guideline in which employees of Bills Auto Sales should comply with for their individual work responsibilities and positions.

For Men	For Women
<ul style="list-style-type: none"><li>- Slacks or Jeans</li><li>- Collared shirts (short sleeve and polos)</li><li>- Dress shoes, loafer, boots or athletic shoes. (running, walking or cross training)</li></ul>	<ul style="list-style-type: none"><li>- Slacks, jeans or business capri pants to mid-calf.</li><li>- Dress shirts, sweaters set's, turtlenecks, dress blouses (cap sleeve length or longer), dresses (modest length)</li><li>- Heels, flats, dress sandals, boots or athletic shoes (running, walking or cross training)</li></ul>

<b>Dont's</b>	
<ul style="list-style-type: none"> <li>- Beachy flip-flops or evening shoes.</li> <li>- T-Shirts or shorts (except if working outside)</li> <li>- Halter tops.</li> <li>- Jeans with holes.</li> <li>- Jeans with elaborate stitching or embellishments.</li> <li>- Cargo pants (except if working outside.</li> <li>- Too baggy clothing.</li> <li>- Short tight skirts.</li> <li>- Low cut or revealing tops.</li> <li>- Sleeveless clothing or any off shoulder.</li> </ul>	<ul style="list-style-type: none"> <li>- Sundresses with spaghetti straps.</li> <li>- Sweatpants.</li> <li>- Leggings, stirrups, yoga pants.</li> <li>- Overalls.</li> <li>- Hats or caps (except if working outside)</li> <li>- Spandex or form fitting fabrics.</li> <li>- Exposed midriff, stomach or back.</li> <li>- Too tight or sheer clothing.</li> <li>- Visible body piercings.</li> <li>- Frayed or torn clothing.</li> <li>- Slogan/logos that can be offensive or not a good reflection, i.e. – beer ads, political hate or any hate clothing.</li> </ul>

### **3.9 Payday**

Payroll via check or direct deposit will be distributed by the 5th day after the 1<sup>st</sup> and 15<sup>th</sup> day of the each month after 05:00 PM. If the pay date lands on a holiday, paychecks will be distributed on the closest business day before the holiday.

For Hourly and Salary Employee's:

The paycheck will reflect work performed from the 1<sup>st</sup> of the month to the 15<sup>th</sup> and the 16<sup>th</sup> to the last calendar day of the month period. Paychecks include salary or wages earned less any mandatory or elected deductions. Mandatory deductions include federal or state withholding tax, and other withholdings. Elected deductions are deductions authorized by the employee, and may include, for example, contributions to benefit plans. Employees may contact the General Manager to obtain the necessary authorization forms for requesting additional deductions from their paychecks.

For Commission Employee's:

The paycheck will reflect work performed as well as commissions earned from the 1<sup>st</sup> of the month to the 15<sup>th</sup> and the 16<sup>th</sup> to the last calendar day of the month period. Paychecks include salary, wages and commission's earned less any mandatory or elected deductions. Mandatory deductions include federal or state withholding tax, and other withholdings. Elected deductions are deductions authorized by the employee, and may include, for example, contributions to benefit plans. Employees may contact General Manager to obtain the necessary authorization forms for requesting additional deductions from their paychecks.

Notify a supervisor if the paycheck appears to be inaccurate or if it has been misplaced. The company reserves the right to charge a replacement fee for any lost paychecks. Advances

on paychecks are permitted. Information regarding final paychecks can be found under the termination section of this handbook.

Any change in name, address, telephone number, marital status or number of exemptions claimed by an employee must be reported to General Manager immediately.

### **3.10 Company Property**

Company property, such as equipment, vehicles, telephones, computers, and software, is not for private use. These devices are to be used strictly for company business, and are not permitted off grounds unless authorized. Company property must be used in the manner for which it was intended. Upon termination, employees are required to surrender any company property they possess.

Company computers, internet and emails are a privileged resource, and must be used only to complete essential job-related functions. Employees are not permitted to download any “pirated” software, files or programs and must receive permission from a supervisor before installing any new software on a company computer. Files or programs stored on company computers may not be copied for personal use.

Phones are provided for business use. The company requests that employees not receive personal calls while on duty. If urgent, please keep personal calls to a minimum and conversations brief. Personal long distance calls are not permitted.

Employees are reminded that they should have no expectation of privacy in their use of company computers or other electronic equipment. At any time the company reserves the right to conduct searches and inspections of employees, offices, desk, cubicles, and other work areas, computers, assigned or occupied lockers, personal storage devices that are on company property.

Violations of these policies could result in disciplinary action.

### **3.11 Privacy**

Employees and employers share a relationship based on trust and mutual respect. However, the company retains the right to access all company property including computers, desks, file cabinets, storage facilities, and files and folders, electronic or otherwise, at any time. Employees should not entertain any expectations of privacy when on company grounds or while using company property.

All documents, files, voice-mails and electronic information, including e-mails and other communications, created, received or maintained on or through company property are the property of the company, not the employee. Therefore employees should have no expectation of privacy over those files or documents.

### **3.12 Personnel Files**

The company maintains a personnel file on each employee. These files are kept confidential to the extent possible. Employees may review their personnel file upon request.

It is important that personnel files accurately reflect each employee's personal information. Employees are expected to inform the company of any change in name, address, home phone number, home address, marital status, number of dependents or emergency contact information.

## **Section 4 - Employment Classification**

This company assigns positions, determines wages and compensates employees for overtime in accordance with state and local laws and the Fair Labor Standards Act.

### **4.1 Exempt**

Exempt employees are those that are excluded from the overtime pay requirements of the Fair Labor Standards Act. Exempt employees are paid a salary and are expected to work beyond their normal work hours whenever necessary to accomplish the work of the company. Exempt employees are not eligible to receive overtime compensation. Employees should consult with an administrator if they have questions regarding their classification as an exempt employee.

### **4.2 Non-Exempt**

Non-exempt employees are those eligible for overtime pay of 1.5 times the regular hourly rate of pay for all hours worked over 40 per work week. All overtime must be approved in advance. Employees should consult with an administrator if they have questions regarding their classification as a non-exempt employee.

### **4.3 Part Time, Full Time or Temporary Status**

Part-time or full-time status depends on the number of hours per week an employee works. Regular employees who work fewer than 37.5 hours receive part-time classification. Part-time employees are not eligible for employee benefits as described in this handbook. Regular employees who work at least 38 hours or more receive full-time classification.

From time to time the company may hire employees for specific projects or periods of time. Temporary employees may work either part-time or full-time, but generally are scheduled to terminate by a certain date. Temporary employees who remain on duty past the scheduled termination remain classified as temporary. Only the General Manager may change an employee's temporary status. Temporary employees are not eligible for employment benefits.

## **Section 5 – Attendance Policies**

### **5.1 General Attendance**

The company maintains normal working hours of 9am to 7pm Monday through Friday and Saturday from 9am to 6pm. Hours may vary depending on work location, job responsibilities and time of year (high point of sale season). Supervisors will provide employees with their work schedule. Should an employee have any questions regarding his/her work schedule, the employee should contact the supervisor.

The company does not tolerate absenteeism without excuse. Employees who will be late to or absent from work should notify a supervisor in advance, or as soon as practicable in the event of an emergency. Chronic absenteeism may result in disciplinary action.

Employees who need to leave early, for illness or otherwise, should inform a supervisor before departure. Unauthorized departures may result in disciplinary action.

### **5.2 Tardiness**

Employees are expected to arrive on time and ready for work. An employee who arrives 10 minutes after their scheduled arrival time is considered tardy. The company recognizes that situations arise which hinder punctuality; regardless, excessive tardiness is prohibited, and may be subject to disciplinary action.

### **5.3 Breaks**

When working conditions permit, and pending a supervisor's approval, employees are entitled to 1 (One) 60 (Sixty) minute break for every 8 (Eight) hours worked.

Meal periods are for 60 (Sixty) minutes, and must be approved by a supervisor.

## **Section 6 – Leave Policies**

### **6.1 Vacations**

The company provides, as a benefit, paid vacations for its eligible employees. Forward requests for time off in advance to a supervisor, who may approve or deny the request based on company resources. The company is flexible in approving time off when doing so would not interfere with company operations.

A regular employee is eligible to receive paid time off after 12 (Twelve) months of full-time service. Accrued time off needs to be approved by the General Manager for consideration due

to possibility of conflict with higher than normal flow of business. Employees must earn and accrue vacation benefits before they may be used. Employees should consult the General Manager regarding the amount of vacation leave they accrue each year of employment.

Any remaining accrued time off may not be accumulated or carried forward into the next year. Vacation benefits do not accrue during any period of extended leave of absence.

## **6.2 Sick Leave**

Situations may arise where an employee needs to take time off to address medical or other health concerns. The company requests that employees provide notification to their supervisor as soon as practicable when taking time off. Sick days are granted on an unpaid basis to all employees. Abuse of this policy may result in disciplinary action.

## **6.3 Family and Medical Leave Act Leave**

The company offers leave consistent with the requirements of the federal Family and Medical Leave Act (FMLA). Under the FMLA, an employee may be eligible for an unpaid family and medical leave of absence under certain circumstances, if the employee works within a seventy-five (75) mile radius of fifty (50) or more company employees.

Under the federal FMLA, a person who has worked as an employee of this company for at least 1,250 hours for twelve months is eligible for FMLA leave. Up to twelve weeks of unpaid leave per year is available for the following reasons:

- The birth of a child and to care for the newborn child;
- Placement of a child into adoptive or foster care with the employee;
- Care for a spouse, son, daughter or parent who has a serious health condition; or
- Care for the employee's own serious health condition.

If the need for leave is foreseeable, employees should notify a supervisor 30 days prior to taking FMLA leave. If the need for FMLA leave arises unexpectedly, employees should notify a supervisor as soon as practicable, giving as much notice to the company as possible.

Employees may be required to provide: medical certifications supporting the need for leave if the leave is due to a serious health condition of the employee or employee's family member; periodic recertification of the serious health condition; and periodic reports during the leave regarding the employee's status and intent to return to work. Employees must return to work immediately after the serious health condition ceases, and employees who have taken leave because of their own serious health condition must submit a fitness-for-duty certification before being allowed to return to work.

Leave may be taken on an intermittent or reduced schedule to care for an illness; yet, may not be taken intermittently for the care of a newborn or newly adopted child. When leave is

taken intermittently, the company may transfer the employee to another position with equivalent pay and benefits, which is better suited to periods of absence.

Subject to certain conditions, the employee or the company may choose to use accrued paid leave (such as sick leave or vacation leave) concurrent with FMLA leave.

The company will maintain group health insurance coverage for an employee on family and medical leave on the same terms as if the employee had continued work. If applicable, arrangements will be made for the employee to pay their share of health insurance premiums while on leave. The company may recover premiums paid to maintain health coverage for an employee who fails to return to work from family and medical leave.

If an employee would like the company to maintain other paid benefits during the period of leave, premiums and charges which are partially or wholly paid by the employee must continue to be paid by the employee during the leave time.

Family and medical leave will not result in the loss of any employment benefit accrued prior to the date on which the leave commenced. However, an employee on family and medical leave does not continue to accrue benefits (e.g., sick leave or vacation leave) during the period of family and medical leave. Questions regarding particular benefits should be directed to Robert Raney.

Upon returning from FMLA leave, an employee will be restored to his/her original job or an equivalent job with equivalent benefits, pay, seniority, and other employment terms and conditions as provided by the Family and Medical Leave Act.

## **6.4 Holidays**

The company observes the following holidays:

- New Year's Day (Closed)
- Martin Luther King, Jr. Day (Open)
- Memorial Day (Open)
- Independence Day (Open)
- Labor Day (Open)
- Thanksgiving (Closed)
- Christmas Day (Closed)

Holidays that are listed above and closed for business are observed on a paid basis for all eligible employees.



## **6.5 Jury Duty Time Off**

The company understands that occasionally employees are called to serve on a jury. Employees who are selected for jury duty must provide a copy of their jury summons to a supervisor. Time taken for jury duty is not granted on a paid basis. Employees released from jury duty with 4 (Four) hours remaining in the workday, are expected to return to work.

## **6.6 Voting Time Off**

Employees are encouraged to participate in elections. The company grants incremental time off to cast a ballot in an election. Voting time off is granted on a un-paid basis. Should extenuating circumstances arise while voting, notify a supervisor as soon as possible.

## **6.7 Military Leave**

Employees called to active military duty, military reserve or National Guard service may be eligible to receive time off under the Uniformed Services Employment and Reemployment Rights Act of 1994. To receive time off, employees must provide notice and a copy of their report orders to an immediate supervisor. Military leave is granted on a unpaid basis. Upon return with an honorable discharge, an employee may be entitled to reinstatement and any applicable job benefits they would have received if present, to the extent provided by law.

## **6.8 Leave of Absence**

Regular full-time employees may request an unpaid leave of absence after the exhaustion of paid leave. A request for a leave of absence must be submitted in writing in advance to the employee's immediate supervisor.

Leave of absences that are granted are unpaid, and will not be considered until an employee has exhausted all appropriate accrued leave balances. Continuation of employee benefits during a leave of absence will be addressed on an individual basis, as required by law.

## **Section 7 – Work Performance**

### **7.1 Expectations**

The company expects every employee to act in a professional manner. Satisfactory performance of job duties and responsibilities is key to this expectation. Employees should attempt to achieve their job objectives, and act with diligence and consideration at all times. Poor job performance can result in disciplinary action, up to and including termination.

### **7.2 Reviews**

The company may periodically evaluate an employee's performance. The goal of a performance review is to identify areas where an employee excels and areas that need improvement. The company uses performance reviews as a tool to determine pay increases, promotions and/or terminations.

All performance reviews are based on merit, achievement and other factors may include but are not limited to:

- Quality of work
- Attitude
- Knowledge of work
- Job skills
- Attendance and punctuality
- Teamwork and cooperation
- Compliance with company policy
- Past performance reviews
- Improvement
- Acceptance of responsibility and constructive feedback

Employees should note that a performance review does not guarantee a pay increase or promotion. Written performance evaluations may be made at any time to advise employees of unacceptable performance. Evaluations or any subsequent change in employment status, position or pay does not alter the employee's at will-relationship with the company.

Forward any questions about performance expectation or evaluation to the supervisor conducting the evaluation.

### **7.3 Insubordination**

Supervisors and employees should interact with mutual respect and common courtesy. Employees are expected to take instruction from supervisors or other persons of authority. Failure to comply with instructions or unreasonably delaying compliance is considered insubordination. Acts of insubordination are subject to disciplinary action, up to and including termination.

If an employee disagrees with a supervisor, the employee should first try to mediate the situation by explaining their position. If possible, a compromise might be met and accusations of insubordination avoided.

## **Section 8 – Discipline Policy**

### **8.1 Grounds for Disciplinary Action**

The company reserves the right to discipline and/or terminate any employee who violates company policies, practices or rules of conduct. Poor performance and misconduct are also grounds for discipline or termination.

The following actions are unacceptable and considered grounds for disciplinary action. This list is not comprehensive; rather, it is meant merely as an example of the types of conduct that this company does not tolerate. These actions include, but are not limited to:

- Engaging in acts of discrimination or harassment in the workplace;
- Possessing, distributing or being under the influence of illicit controlled substances;
- Being under the influence of a controlled substance or alcohol at work, on company premises, or while engaged in company business;
- Unauthorized use of company property, equipment, devices or assets;
- Damage, destruction or theft of company property, equipment, devices or assets;
- Removing company property without prior authorization or disseminating company information without authorization;
- Falsification, misrepresentation or omission of information, documents or records;
- Lying;
- Insubordination or refusal to comply with directives;
- Failing to adequately perform job responsibilities;
- Excessive or unexcused absenteeism or tardiness;
- Disclosing confidential or proprietary company information;
- Illegal or violent activity;
- Falsifying injury reports or reasons for leave;
- Possessing unauthorized weapons on premises;
- Disregard for safety and security procedures;
- Disparaging or disrespecting supervisors and/or co-workers; and
- Any other action or conduct that is inconsistent with company policies, procedures, standards or expectations.

This list exhibits the types of actions or events that are subject to disciplinary action. It is not intended to indicate every act that could lead to disciplinary action. The company reserves the right to determine the severity and extent of any disciplinary action based on the circumstances of each case.

## **8.2 Procedures**

Disciplinary action is any one of a number of options used to correct unacceptable behavior or actions. Discipline may take the form of oral warnings, written warnings, probation, suspension, demotion, discharge, removal or some other disciplinary action, in no particular order. The course of action will be determined by the company at its sole discretion as it deems appropriate.

### **8.3 Termination**

Employment with the company is on an at-will basis and may be terminated voluntarily or involuntarily at any time.

Upon termination, an employee is required:

- To continue to work until the last scheduled day of employment;
- To turn in all reports and paperwork required to be completed by the employee when due and no later than the last day of work;
- To return all files, documents, equipment, keys, access cards, software or other property belonging to the company that are in the employee's possession, custody or control, and turn in all passwords to his/her supervisor;
- To participate in an exit interview as requested by the General Manager, Owner or Officer of the cooperation.

## **Section 9 – Employee Health and Safety**

### **9.1 Workplace Safety**

The company takes every reasonable precaution to ensure that employees have a safe working environment. Safety measures and rules are in place for the protection of all employees. Ultimately, it is the responsibility of each employee to help prevent accidents. To ensure the continuation of a safe workplace, all employees should review and understand all provisions of the company's workplace safety policy. Employees should use all safety and protective equipment provided to them, and maintain work areas in a safe and orderly manner, free from hazardous conditions. Employees who observe an unsafe practice or condition should report it to a supervisor or the General Manager immediately. Employees are prohibited from making threats against anyone in connection with his/her work or engaging in violent activities while in the employ of the company. Any questions regarding safety and safe practices should be directed to the General Manager.

In the event of an accident, employees must notify a supervisor immediately. Report every injury, regardless of how minor, to a supervisor immediately. Physical discomfort caused by repetitive tasks must also be reported. For more information about on the job injuries, refer to the worker's compensation section of this handbook.

Employees should recognize any potential fire hazards and be aware of fire escape routes and fire drills. Do not block fire exits, tamper with fire extinguishers or otherwise create fire hazards.

### **9.2 Workplace Security**

Employees must be alert and aware of any potential dangers to themselves or their coworkers. Take every precaution to ensure that your surroundings are safe and secure.

Guard personal belongings and company property. Report any suspicious activity to a supervisor immediately.

### **9.3 Emergency Procedures**

In the event of an emergency, dial 911 immediately. If you hear a fire alarm or other emergency alert system, proceed quickly and calmly to the nearest exit. Once the building has been evacuated, only a supervisor may authorize employees to reenter.

## **Section 10 - Benefits**

This handbook contains descriptions of some of our current employee benefits. In the event of any inconsistencies between this handbook or any other oral or written description of benefits please contact the General Manager.

### **10.1 Health Insurance**

This company does not offer any health plans or medical coverage of any kind to any employees full or part time.

### **10.2 Retirement Plan**

This company does not offer any retirement plan of any kind to any full or part time employee's.

### **10.3 Workers' Compensation**

As required by law, the company provides workers' compensation benefits for the protection of employees with work-related injuries or illnesses.

Workers' compensation insurance provides coverage to employees who receive job-related injuries or illnesses. If an employee is injured or becomes ill as a result of his/her job, it is the employee's responsibility to immediately notify a supervisor of their injury in

order to receive benefits. Report every illness or injury to a supervisor, regardless of how minor it appears. The company will advise the employee of the procedure for submitting a workers' compensation claim. If necessary, injured employees will be referred to a medical care facility. Employees should retain all paperwork provided to them by the medical facility. Failure to report a work-related illness or injury promptly could result in denial of benefits. An employee's report should contain as many details as possible, including the date, time, description of the illness or injury, and the names of any witnesses.

A separate insurance company administers the worker's compensation insurance. Representatives of this company may contact injured employees regarding their benefits under the plan. Additional information regarding workers' compensation is available from the General Manager.

#### **10.4 Disability Coverage**

This company does not offer any disability coverage to any full or part time employee's.

### **Section 11 - Termination**

#### **11.1 Voluntary Termination**

The company recognizes that personal situations may arise which require a voluntary termination of employment. Should this occur, the company requests that the employee provide two weeks advance notice in writing. This request does not alter an employee's at-will relationship with the company.

All rights and privileges of employment with the company terminate upon the date of separation. As further discussed in Section 8.3, terminating employees are required to return all company property assigned to them. Failure to do so may result in the withholding of their final paycheck.

#### **11.2 Final Paycheck**

Employees who terminate employment with the company will be given their final pay check with-in 6 (Six) days of day of termination. Should the employee be unable to personally retrieve their paycheck, it will be mailed to the address on file.

#### **11.3 COBRA Continuation of Health Benefits**

This company does not offer any health plans or medical coverage of any kind to any employees full or part time.

#### **11.4 Exit Interview**

The company may request an exit interview upon notice of termination. The purpose of the exit interview is to complete necessary forms, collect company property and discuss employment experiences with the company.

### **12. Acknowledgments of Receipt**

12.1. Employee Copy

12.2. Employer Copy

12.1. Employee Copy

Tex-Mex Primo Autos  
2903 SW Military Dr  
San Antonio, TX 78224  
Main 210-293-1706  
Acknowledgement of Receipt for Employee Handbook

I acknowledge that I have received and read a digital or written copy of the Employee Handbook. I understand that I am responsible for reading the information contained in the Handbook.

I understand that the handbook is intended to provide me with a general overview of the company's policies and procedures. I acknowledge that nothing in this handbook is to be interpreted as a contract, expressed or implied, or an inducement for employment, nor does it guarantee my employment for any period of time.

I understand and accept that my employment with the company is at-will. I have the right to resign at any time with or without cause, just as the company may terminate my employment at any time with or without cause or notice, subject to applicable laws. I understand that nothing in the handbook or in any oral or written statement alters the at-will relationship, except by written agreement signed by the employee and the General Manager, Owner or Officer of the corporation.

I acknowledge that the company may revise, suspend, revoke, terminate, change or remove, prospectively or retroactively, any of the policies or procedures outlined in this handbook or elsewhere, in whole or in part, with or without notice at any time, at the company's sole discretion.

\_\_\_\_\_  
(Signature of Employee)

\_\_\_\_\_  
(Signature of Employer)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)





12.2. Employer Copy

Tex-Mex Primo Autos  
2903 SW Military Dr  
San Antonio, TX 78224  
Main 210-293-1706

Acknowledgement of Receipt for Employee Handbook

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\_\_\_\_\_  
(Signature of Employee)

\_\_\_\_\_  
(Signature of Employer)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)