

# EMPLOYEE HANDBOOK



Service You Can See. Experts You Can Trust.

**High Desert Oil Company**  
Independent Licensee of Valvoline Instant  
Oil Change Franchising, Inc.

January 1, 2025

## **Welcome to Valvoline Instant Oil Change**

We are a company specializing in fast oil changes and fluid maintenance in cars and light trucks. The service we provide is unique in that how we do it is more important in the customer's eye than what we do.

Our success depends on how well we treat the customer, how we look, how fast and effectively we provide the service, and how good the customer feels when they have left.

This can be accomplished with these specific skills and attitudes which are the most important part of your job description:

A big smile and a big hello greets every customer every time.

A clean and neat personal appearance is what the customer sees first. Look Good!

The consistent cleanliness of the store is a must and leaves a lasting impression on each customer.

Getting each and every customer in and out quickly (in approximately 15 minutes) will convince them to return.

We have a system, SuperPro 10®, to service our customers and the system is what you will be trained in and it is what we will use. Our customers know and expect that whenever they come in, their vehicle will be serviced in the same safe way every time.

Thank you for joining the Valvoline Instant Oil Change team.

High Desert Oil Inc.

D.B.A. Valvoline Instant Oil Change

Chris R. Malone

President

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## **INTRODUCTION**

The purpose of this booklet is to provide all employees with the common benefits, policies, schedules and work rules at High Desert Oil, Inc. D.B.A. Valvoline Instant Oil Change (VIOC).

VIOC continually reviews its Employee Benefit Program and provides the best program that is available consistent with the needs of the employees and the ability of VIOC to provide these benefits.

VIOC attempts to be as flexible as possible within its rules and regulations and to be consistent where necessary to maintain orderly operations.

It is important that you as an employee know what VIOC is providing for you and your family as well as what VIOC expects of you. In the event you need more information, ask your Service Center Manager (SCM) Human Resources (HR), or your Manager on Duty (MOD).

We will always be ready and willing to help you when we can.

While VIOC believes wholeheartedly in the plans, policies and procedures set out in this handbook, they are not conditions of employment.

Employment at VIOC is at-will. The handbook does not create an employment contract or term, nor does it limit the reasons for dissolution. It is simply a general guide to enable you to know what you can expect from your employer and what the employer can expect from you.

VIOC reserves full discretion to revise, modify, rescind, delete, or add to the provisions of this handbook, or the policies and procedures on which they may be based (other than the at-will policy), at any time without advance notice. Keep your handbook in a handy place so that you may refer to it when needed.

## **EMPLOYMENT AT WILL**

Employment at VIOC is “at will.” This means that your terms and conditions of employment may be changed with or without notice, and with or without cause, including but not limited to termination, demotion, promotion, transfer, compensation, benefits, duties, and location of work. Specifically, either you or VIOC may terminate your employment at any time, with or without notice, and with or without cause.

Nothing in this handbook or in any other document or statement shall limit VIOC’s right to change the terms and conditions of employment at any time, with or without notice or cause. No supervisor or other employee of VIOC has the authority to enter into any agreement for employment for any specified period of time or to make any agreement for employment other than “at will” employment.

Any requests to alter the at-will relationship must be brought to a manager’s attention in writing. Only the President of VIOC has the authority to make an agreement altering an employee’s at-will status. Such an agreement must be in writing and signed by the President of VIOC and expressly state that it is intended to alter the at-will employment relationship.

## **EQUAL OPPORTUNITY**

VIOC is an equal opportunity employer. VIOC provides equal employment opportunity for all employees and prohibits discrimination based on race, color, sex (including pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth, or breastfeeding), gender, religious creed (including religious dress and grooming practices), marital status, domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition, genetic information and characteristics, sexual orientation, gender identity or expression, military or veteran status, or any other basis protected under federal, state, or local laws.

This policy pertains to all of VIOC’s employment practices, including hiring, recruitment, promotion, training and compensation.

VIOC also prohibits discrimination based on the perception that anyone has any of the characteristics listed above, or is associated with a person who has or is perceived as having any of the characteristics.

**Violation of this policy will result in discipline, up to and including termination.**

## **REASONABLE ACCOMMODATIONS**

VIOC makes reasonable accommodations, where appropriate, to enable otherwise qualified individuals with disabilities to perform the essential functions of their jobs, as long as the accommodation does not result in an undue hardship to VIOC or a direct threat to health and safety.

Any employee who requires an accommodation to perform the essential functions of his or her job should contact their SCM or HR so that VIOC can work with the employee and their healthcare provider to determine which accommodations (if any) are reasonable and feasible. The individual with the accommodation request should specify what job restrictions they have and what accommodation they are requesting in order to perform the essential functions of their job. VIOC may request that the employee’s Medical providers verify the work restrictions and the requested accommodations.

VIOC will not inquire into any employee’s medical diagnosis and asks that the employee instruct his or her physician to communicate only information necessary to determine that they can perform the essential job duties and what accommodation(s) may be requested. VIOC will enact all necessary accommodations that are reasonable and will not impose an undue hardship or result in a direct safety threat.

VIOC will make reasonable accommodation for employees whose work requirements interfere with a religious belief or observance, including religious dress and grooming practices, unless doing so poses undue hardship on VIOC. Employees requiring a religious accommodation should notify their SCM or HR and submit a written request. Upon receipt of the request, VIOC will work with the employee to determine what, if any, reasonable accommodations exist.

## EQUAL PAY ACT

VIOC strives to pay employees fair and equal wages.

VIOC complies fully with the Equal Pay Act, which prohibits an employer from paying any of its employees wage rates that are less than what it pays employees of the opposite sex, or of another race, or of another ethnicity for substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions.

Pay differential may be based on seniority, merit, productivity, or a bona fide factor other than sex, race, or ethnicity.

VIOC will not pay wages to any employee at a rate less than the employees of a different the opposite sex, and/or a different race, or ethnicity for work that is substantially equivalent, other than for the reasons set above or for any other legally compliant reason.

If employees believe that they are not receiving equal pay in accordance with this policy, they should contact their SCM or HR. Employees who inquire or raise concern about equal pay will not be retaliated against in any way.

## POLICY AGAINST UNLAWFUL HARASSMENT

VIOC prohibits harassment on the basis of race, color, sex (including pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth, or breastfeeding), gender, religious creed (including religious dress and grooming practices), marital status, domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition, genetic information and characteristics, sexual orientation, gender identity or expression, military or veteran status, or any other basis protected under federal, state, or local laws.

VIOC does not tolerate harassment of employees because of a protected characteristic in the workplace or in a work-related situation. This policy applies to all persons involved in the operation of VIOC and prohibits harassment by any employee of VIOC, including coworkers, supervisors, managers, as well as third parties such as vendors, customers, independent contractors, suppliers, applicants and any other persons. **Violation of this policy will result in discipline, up to and including termination.**

### 1. Prohibited Harassment

Prohibited harassment in employment may take many different forms. Some examples are:

- Verbal conduct such as epithets, derogatory comments, slurs, unwanted comments, or jokes
- Visual conduct such as derogatory or inappropriate posters, cartoons, drawings, websites or gestures
- Physical conduct such as blocking normal movement, restraining, touching, or otherwise physically interfering with the work of another individual.
- Threatening or demanding that an individual submit to certain conduct or perform certain actions in order to keep or get a job, to avoid some other loss, or as a condition of job benefits, security, or promotion.

### 2. Sexual Harassment

Sexual harassment warrants special emphasis and will not be tolerated by VIOC. Sexual harassment may take various forms. It may include behavior listed above with a sexual connotation, but also includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

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

## **COMPLAINT AND INVESTIGATION PROCEDURE**

Employees who believe they have been subjected to conduct in violation of the policies detailed above, and/or have witnessed or are aware of violations of VIOC's EEO and anti-harassment policy, are requested and encouraged to promptly report such violations to their MOD, SCM, and/or HR.

Employees are not required to express their concerns directly to their immediate supervisor and may speak with any supervisor or HR about their concerns. Any supervisor who receives a complaint of conduct that violates VIOC's policies detailed above must report it immediately to HR to aid in internal resolution of the claim.

VIOC will promptly review and fairly investigate complaints, and take such action as is warranted. While VIOC cannot guarantee absolute confidentiality, the employee's identity and report will be kept as confidential as reasonably possible for VIOC to investigate the complaint.

If it is determined that evidence of a violation exists, VIOC will take prompt action as warranted. **This action may include disciplinary action, up to and including immediate termination.**

VIOC strictly prohibits retaliation against any employee who brings a complaint of harassment or discrimination to the attention of management or who participates in any workplace investigation.

## **EMPLOYEE CLASSIFICATIONS**

### **EXEMPT EMPLOYEES**

Exempt employees are employees whose positions qualify as "exempt" under specific tests established by state and federal law. Exempt employees are not eligible for overtime pay, regardless of the amount of time worked.

### **NON-EXEMPT EMPLOYEES**

Non-exempt employees are employees whose positions do not satisfy state and federal exemption tests. Non-exempt employees are subject to or eligible for, among other things, overtime, record keeping requirements, meal periods, and rest breaks. Any employee with questions regarding his or her classification should contact management.

### **FULL TIME EMPLOYEES**

Full-time employees (exempt and non-exempt) are those who are normally scheduled to work and who do work a schedule of at least 30 hours per week. Full time employees are eligible for all Company provided benefits, pursuant to the terms and conditions of the individual plans and policies.

### **PART TIME EMPLOYEES**

Part-time employees are those who are normally scheduled to work and who work less than 30 hours per week. Part-time employees are not eligible for benefits except where mandated by applicable law (i.e. paid sick leave, workers' compensation insurance, state disability, unemployment compensation, and social security benefits).

### **TEMPORARY EMPLOYEES**

Temporary employees are those employed for short-term assignments. Temporary employees are not eligible for employee benefits except where mandated by applicable law. An employee will not change from temporary to any other employee status or classification simply because of the length of time spent as a temporary employee. The status of a temporary employee may change only if the employee is notified of the change in status, in writing.

# **COMPENSATION**

## **PAY PERIOD AND PAYDAYS**

Employees are paid on a bi-weekly basis, every other Friday, for work performed through the end of the prior pay period, or as otherwise required by applicable law. For example, employees are paid for work performed for two workweeks, ending on a Saturday, the Friday after the end of the pay period. If a regular payday falls on a holiday, employees will be paid on the preceding workday.

For purposes of calculating overtime, VIOC defines a workweek as beginning at 12:00 a.m. on Sunday and ending at 11:59 p.m. on Saturday and defines a workday as beginning at 12:00 a.m. and ending at 11:59 p.m. If there is an error on a check, please report it immediately to Human Resources.

## **PAYROLL DEDUCTIONS (STATE AND FEDERAL EMPLOYMENT TAXES)**

The law requires that VIOC make certain deductions from your compensation. Among these are applicable federal, state, and local income taxes. VIOC also must deduct Social Security taxes on your earnings up to a specified limit. Other deductions may be required by law. For questions about deductions, please see the Payroll Department.

## **PAY FOR EXEMPT EMPLOYEES**

VIOC is committed to abiding by all applicable state and federal wage and hour statutes and regulations. As part of this commitment, VIOC pays its exempt employees on a salary basis and prohibits unlawful deductions from exempt employees' salary payments. Certain salary deductions are legally permitted, including, but not limited to deductions for: full-day absences for illness or vacation if the employee has exhausted his or her allowance under VIOC's vacation or sick policies (or is not yet eligible for vacation or sick time under the terms of the policies); for a full week disciplinary suspension; unpaid leave taken under federal or state leave statutes; or offsetting an employee's receipt of jury fees, witness fees, or military pay.

## **TIMEKEEPING PROCEDURES**

VIOC uses computer-generated time sheets from the Point of Sale system for payroll accounting.

**You are required to ensure that your timesheets are correct.**

Erasures or changes on time sheets are to be made only by your SCM. If your time is recorded incorrectly, have your SCM make the necessary corrections.

Improper or fraudulent completion of a time record is grounds for dismissal. This includes, but is not limited to, the falsification of information on time records, inaccurate recording of time worked, unauthorized removal or destruction of time records, or recording the time of another employee.

If you discover an error on your time records, please contact your SCM immediately to make the necessary correction.

All time worked must be accurately recorded. No work may be performed by non-exempt employees without accurately recording the time. Employees who fail to record time worked will be paid for time worked but may be subject to discipline. Any manager who asks an employee to work without recording the time will be subject to discipline.

## **OVERTIME POLICY**

All non-exempt employees who work more than 40 hours in a workweek will be compensated at 1 and ½ times their regular rate of pay or all hours worked over 40 in a workweek.

Only hours actually worked are counted towards calculating an employee's overtime pay. Compensated holidays, vacation time, or sick leave, for example, are not hours worked and therefore are not counted in making overtime calculations.



All overtime hours must be pre approved by VIOC management. If an employee works overtime without obtaining pre approval, the employee will still be paid for the time worked, **but may be subject to discipline, up to and including termination of employment.**

## **LACTATION ACCOMMODATION**

Any employee who is breastfeeding their child will be provided break time each time the employee has need to express milk. The break time should be taken concurrently with other break periods already provided when possible.

VIOC will also provide the employee with the use of a private room, other than a bathroom which is shielded from view and free from intrusion, in close proximity to the employee's work area, for the employee to express milk in private. Employees are not required nor expected to use a restroom to express breast milk.

All employees who are lactating have a right to request lactation accommodation for as long as they are lactating. Employees should notify their immediate supervisor if they are requesting time to express breast milk under this policy. The request can be verbal or in writing. VIOC will promptly respond to all requests for lactation accommodation. If an employee believes that their rights to appropriate lactation accommodation have been violated in any way, they are encouraged to bring the complaint to their manager or the president of VIOC.

VIOC does reserve the right to deny an employee's request for a lactation break if the additional break time will seriously disrupt operations.

## **BENEFITS**

VIOC shall provide a competitive package of benefits to eligible full time employees and Sick and Bereavement Pay to all employees. The following outline of available benefits is provided with the understanding that benefit plans may change from time to time.

### **HEALTH INSURANCE**

VIOC offers individual health insurance benefits for eligible full-time employees, beginning the first of the month following 60 days of employment. Eligible employees may elect to participate in any available health plan offered by VIOC. VIOC presently pays a portion of the individual insurance premium for all full time employees. Information about the benefit plans will be provided to the employee at the time of employment.

### **VACATION**

VIOC recognizes the importance of time away from work for you and your family. We strongly encourage you to take your annual vacation. VIOC grants vacation based on your length of service. All full-time employees are granted paid vacation hours based on the following metrics:

- All full-time employees will earn 40 hours of vacation upon completion of 12 continuous months of employment.
- All full-time employees with 24 to 60 months of continuous employment will earn 80 hours of vacation upon completion of the previous 12 months of full-time employment.
- All full-time employees with more than 60 months of continuous employment will earn an additional 8 hours of vacation for each year employed over 5 years. The maximum additional hours of vacation is limited to 40 (120 hours).

For purposes of vacation accrual, VIOC uses your date of hire. Eligibility dates for rehired employees will be determined at the sole discretion of management.

Employees may earn up to their annual maximum based on their length of service, but no additional vacation will accrue thereafter. For example, if you have been employed for 36 continuous months, you will accrue up to 80 hours of vacation on your anniversary date. However, you are not allowed to accrue above 80 hours. If

you have leave remaining on your anniversary date, you will only accrue the amount of additional vacation needed to bring you to the maximum based on your length of service.

Employees must notify their SCM that they are using Vacation time to cover prior to the final day of the pay period on which they are using the leave.

Vacation can be used in 15-minute increments. For non-exempt employees Vacation is paid out at the employee's hourly pay rate. It cannot be used to increase total of hours for any one work week higher than 40 hours and does not count toward overtime.

Employees that have a remaining balance of Vacation upon end of employment will be paid out that amount on their final check regardless of other hours worked in that pay period.

## **HOLIDAYS**

All Full time employees are eligible for the following paid holidays each year after 12 months of continuous employment:

- New Year's Day
- Memorial Day
- Labor Day
- Independence Day
- Thanksgiving Day
- Christmas Day

If a holiday falls on your regular day off, ask your SCM how it affects you.

Only full-time regular employees are eligible for holiday benefits. Eligible employees will receive 8 hours of holiday pay at their regular rate of pay.

Except for excused and/or approved absences, an employee must work his or her scheduled workdays preceding and following the holiday to be eligible for holiday pay. An employee claiming an excused absence may be required to offer proof of the excused nature of such absence.

Holidays are not counted as hours worked for calculating overtime.

VIOC reserves the right to revise which Holidays are paid without advanced notice.

## **SICK PAY**

VIOC provides one hour of paid sick leave for every 30 hours worked. Employees can accrue up to 64 hours of sick leave each year. Employees can roll over a maximum of 64 hours per year.

Sick leave can be taken in 15-minute increments for following reasons:

- Employee's treatment or diagnosis of illness, injury, or health condition, or preventative medical care.
- Care of employee's family members for treatment or diagnosis of illness, injury, or health condition, or preventative medical care.
- Meetings related to an employee's child's health or disability.
- Absence necessary because of and related to domestic abuse, sexual assault, or stalking suffered by the employee or their family member.

Employees must notify their SCM that they are using sick leave to cover absences prior to the final day of the pay period on which they are using the leave. Documentation is required to use sick leave if an employee uses two or more consecutive workdays of sick leave. If documentation is required, it must be submitted prior to the final day of the pay period on which the employee is using the leave. For non-exempt employees sick leave, like Vacation, is paid out at the employee's hourly pay rate. It cannot be used to increase the total of hours for any one work week higher than 40 hours and does not count toward overtime.

## **BEREAVEMENT PAY**

VIOC provides three days of paid bereavement to all employees who have a death in the immediate family. Employees must notify their SCM or HR that they are using bereavement leave to cover absences prior to the final day of the pay period on which they are using the leave. You may be asked to provide proof of leave needed.

## **FMLA**

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with the right to take unpaid leave from work for qualifying reasons. This law provides important protections to employees working for covered employers across the U.S. Here is a brief guide for employees about the FMLA.

### **Which Employers Are Covered by the FMLA?**

The FMLA does not cover all employers in the U.S. Instead, it covers public sector employers, including local, state, and federal employers, K-12 public schools, and private sector employers with 50 or more employees that work within 75 miles of each other.

### **Which Employees Are Eligible to Take Leave Under the FMLA?**

Just like the FMLA does not cover all employers, not all employees are eligible to take leave under this law. To be eligible, you must meet the following requirements:

- Work for a covered employer
- Have worked for your employer for at least 12 months before the date of your leave
- Must have worked a minimum of 1,250 hours during the previous 12 months for your employer
- Must be taking leave for a qualifying reason

### **When Can You Use FMLA Leave?**

If you are an eligible employee who works for a covered employer, you are entitled to take up to 12 weeks off from work for a qualifying reason. The qualifying reasons are discussed below.

#### **1. Serious Health Condition**

You can take leave from your job under the FMLA to care for your serious health condition or that of your child, spouse, or parent. The most common types of health conditions that qualify under the FMLA include the following:

- Conditions that require an overnight hospital stay
- Incapacitating conditions that last for three or more days and require continuing treatment
- Chronic medical conditions that cause intermittent periods of incapacitation that require treatment two or more times per year
- Pregnancy and pregnancy-related conditions

#### **2. Military Family Leave**

The FMLA also includes some protection for military families. You can take leave under the FMLA for certain reasons related to your family member's deployment. You can also take up to 26 weeks of unpaid leave under the FMLA in 12 months to care for a service member who is suffering from a serious injury or illness.

#### **3. New Children**

The FMLA allows eligible employees to take time off from work to bond with a newborn baby, a newly adopted child, or a child placed in their homes from the foster care system. Both men and women can take FMLA leave to bond with new children. However, you must take this type of leave within one year of the birth or placement of your child. You also must take your leave in a continuous block unless your employer agrees to grant intermittent leave.

## Important Definitions

Several terms should be defined so that you can understand the types of relationships that might qualify you to take leave.

Parent – Your parent includes your adoptive, biological, foster parent, or stepparent. It also includes any other person who has stood in loco parentis to you when you were a child. However, it does not include your in-laws.

Child – Your child includes an adopted, biological, or foster child, legal ward, stepchild, or a child for whom you stand in loco parentis who are younger than age 18. It also includes a child who is 18 or older who has a physical or mental disability that makes them incapable of taking care of themselves at the time your FMLA leave will start.

Spouse – Your spouse is your husband or wife and includes a same-sex spouse. If you live in a state that recognizes common-law marriage, it would also include your common-law spouse. However, New Mexico does not recognize common law marriage.

In Loco Parentis – You stand in loco parentis if you provide daily care or financial support for a child. You can be entitled to take FMLA leave to care for a child to whom you stand in loco parentis even if you are not biologically related to the child. You can also take FMLA leave to care for a person who stood in loco parentis to you when you were a child.

## Requesting FMLA Leave

You have to notify your employer of your need to take FMLA leave. If you know well in advance that you will need to take time off from work, you must give at least 30 days' notice to your employer. For example, if you are pregnant, you will need to give your employer notice that you want to take FMLA leave at least 30 days before your due date.

If you learn that you need to take leave under the FMLA less than 30 days before the leave is needed, you must notify your employer as soon as possible. In most cases, this means notifying your employer about your need on the day you learn that you need to take time off from work or the following day.

If your need to take time off from work unexpectedly arises, you are required to inform your employer as soon as possible. For example, if your child is seriously injured in a car accident, you must inform your employer that you need to take FMLA leave. Follow the normal procedures for calling off from work unless you are receiving emergency treatment for your own injuries.

When you ask to take leave, you should provide enough information to your employer so that your employer can determine that your leave might be covered by the FMLA. If your condition has already been approved for leave, and you will need to take additional leave for it, you should include that information in your request. For example, if you will need to take intermittent leave to attend ongoing physical therapy appointments, be sure to explain that to your employer in your request.

## MILITARY LEAVE

All employees are eligible for military service leave to the extent permitted by state and federal law. An employee requesting such leave must promptly submit to HR a copy of the employee's induction papers or orders.

An employee may use accrued vacation time at the beginning of an unpaid military duty leave. All employee benefits cease during the unpaid portion of a military duty leave unless otherwise required by law, although the employee may continue his or her participation in group health care plans sponsored by VIOC pursuant to COBRA by electing to do so and by paying the full premiums. If, however, the military service is for thirty (30) or fewer days, health benefits may continue and the employee will not be required to pay more than the employee

would be required to pay if he or she were actively employed. Upon being released from active duty, an employee may be eligible to reenter the Company's health care plan(s).

Returning service members are treated as if they had been continuously employed and will be reinstated in accordance with the applicable state or federal law governing the leave. In order to be reinstated to employment, an employee must report back to VIOC within specified periods after the conclusion of his or her military service.

## **STANDARDS OF CONDUCT**

VIOC expects its employees to observe a standard of conduct which will maintain an orderly, positive, and productive workplace. Such a standard of conduct will benefit and protect both VIOC and all employees. Behavior that violates this standard of conduct will subject employees to discipline, **up to and including immediate termination.**

The following list represents a **non-exhaustive** list of the types of behavior that will be considered improper and unacceptable in the workplace:

- Stealing private or VIOC property.
- Destruction or defacement of private or VIOC property.
- Possession or sale of illicit drugs (including marijuana, regardless of its legal status) or alcohol on VIOC property or during working hours.
- Possession, use, or being under the influence of alcohol or illegal drugs (including marijuana, regardless of its legal status) on VIOC property during working hours.
- Falsification or misrepresentation or material omission of information on any VIOC form, i.e., timesheets, injury report, Warranty Form and personnel records.
- Fighting or threatening violence on VIOC property.
- Indecent or disorderly conduct, or conduct that interferes with others in the performance of their jobs.
- Using obscene, abusive, or threatening language on VIOC property or during working hours.
- Disregarding the instructions of your manager or another proper authority.
- Failure to notify your manager that you will not be reporting to work.
- Failure to observe SuperPro10 safety rules. You must not take any action that results in, or could result in, personal injury, injury to others, or property damage.
- Inefficiency, lack of productive effort, or other unsatisfactory work performance.
- Unauthorized use of time, materials, or equipment.
- Unsuitable or improper attire for the workplace.
- Sleeping during work hours.
- Unexcused absences or tardiness.
- Failure to keep all work areas and workstations clean and orderly. All trash must be disposed of in the proper containers, and all spills and litter must be properly and promptly cleaned.
- Being distracted while working on vehicles. Personal communication devices should not be used on the floor except under extreme circumstances and unless authorized in advance by a supervisor.
- Smoking in areas not designated for smoking. Smoking is prohibited in all areas of the facility and allowed in designated outdoor areas only. This includes vaping.

These guidelines are meant to help you better understand the standards and expectations for all employees to promote and ensure a safe, productive working environment. This list is not exhaustive, and is not intended to address every conceivable situation. If you have any questions about appropriate behavior, safety processes and protocols, work rules or other work-related practices, ask your supervisor.

Employees who do not abide by these guidelines are subject to disciplinary action, **up to and including suspension or termination.** The appropriate disciplinary action used to maintain the standards of conduct will be determined in light of the facts and circumstances of each individual case.

## DISCIPLINE

VIOC expects its employees to perform to the best of their abilities at all times. Unfortunately, there may be occasions when an individual performs at an unsatisfactory level, violates a policy, or commits an act that is unacceptable. Depending on the circumstances, VIOC may choose to exercise its discretion to utilize forms of discipline that are less severe than termination, such as verbal warnings, written warnings, performance improvement plan, unpaid suspension, or demotion.

Although one or more of these steps may be taken in connection with a particular employee, no formal order or system is necessary, and VIOC is not required to treat each incident of discipline as a step in a progressive series of disciplinary measures. **VIOC may use whatever forms of discipline it deems appropriate under the circumstances, including immediate termination.**

## ACCESS TO PERSONNEL FILES

Personnel and medical files are the property of VIOC, and access to the information they contain is made available to authorized personnel only who have a legitimate reason to review information in a file. Any request for information contained in personnel files must be directed to HR. Only upper management and HR are authorized to release information about current or former employees. Disclosure of personnel information to outside sources will be limited. However, VIOC will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

An employee and an employee-authorized representative (designated in writing) may review or copy his or her personnel file (with the exception of records relating to the investigation of a possible criminal offense, letters of reference, ratings, or reports or records that were obtained prior to employment) upon written request and with prior reasonable notice to management. A member of HR will be present when the file is reviewed or copied. No copies of documents in your file may be made, with the exception of documents that you have previously signed, documents that relate to your performance, documents concerning any grievance against you, or documents related to the holding or obtaining of your employment with VIOC. You may add your comments to any disputed item in the file. You also have a right to inspect or copy payroll records, as provided by law, at a mutually convenient time.

## NON-FRATERNIZATION POLICY

In order to prevent misunderstandings, favoritism complaints, actual or potential conflicts of interest, harassment complaints, and employee morale issues, VIOC prohibits SCM and ASCMs from engaging in a romantic relationship with a subordinate. If a romantic relationship develops between a manager and a subordinate, both employees must immediately disclose the existence of their relationship to a manager or HR so that appropriate measures may be taken.

If HR and Senior Management deems, in its sole discretion, that the relationship may pose an actual or potential conflict of interest, VIOC may ask the employees to decide who will transfer (if another position for which the employee is qualified is available) or resign. Failure to approach VIOC about a possible violation of this policy may result in disciplinary action, up to and including termination. Employees should also refer to the strict policy against unlawful harassment, including sexual harassment, as detailed in this handbook.

Additionally, VIOC will not permit any individual to be in any supervisory or subordinate chain of command with any immediate family member.



## **ATTENDANCE AND ABSENTEEISM**

Regular and punctual attendance is considered an essential function of the job. If unable to report for work on any particular day, employees must call the MOD at the store number to report the nature of their absence. In the event of absence, if you are physically unable to speak to your MOD personally, you are responsible for having an authorized person notify the MOD. It is at the SCM's discretion if texts will be accepted. If an employee fails to call his or her MOD, his or her absence shall be unexcused (pre-approved vacation or sick days will not be counted as unexcused absences). Employees must inform their supervisor of the expected duration of any absence. Outside of extenuating circumstances, an approved leave of absence, or pre-approved vacation or sick days, employees must call in on every scheduled workday when they will not be reporting to work. If an employee fails to report for work without notifying their supervisor and the absence continues for a period of three (3) days, VIOC will consider the employment position abandoned and voluntarily terminated.

**Excessive absenteeism or tardiness will not be tolerated and will result in discipline, up to and including termination.**

## **SEVERE WEATHER CONDITIONS POLICY**

VIOC will make every effort to maintain normal work hours even during inclement weather.

Prior to normal starting time, if the weather conditions are dangerous please call your MOD to receive information about store closings. If weather conditions worsen as the day progresses, VIOC may decide to close early. Hourly employees will be compensated for only hours worked, if the store does close early. In such cases, Senior Management will make a decision and the MODs will be updated with closing information. Employees are expected to remain at work until the appointed closing time.

Employees who are unable to report to work due to weather conditions must call their MOD prior to the beginning of their shift, if they are able to reach a phone, or it may be considered an unexcused absence.

## **ANTI-VIOLENCE POLICY**

VIOC is committed to providing a working environment free of workplace violence, which includes verbal or physical threats of violence, aggressive behavior, violent outbursts, threats, or use of weapons of any kind.

**Workplace violence will not be tolerated under any circumstances and will lead to disciplinary action, up to and including termination.**

Any employee who has been subjected to or witnessed inappropriate behavior by anyone, including supervisors, co-workers, customers, or visitors, should report the incident promptly to his or her SCM or to Senior Management and HR. Employees that fear they are in immediate danger should dial 911. SCMs who receive complaints from employees or who observe inappropriate behavior should inform Senior Management and HR immediately. Every complaint of workplace violence that is reported will be investigated in as confidential a manner as possible. VIOC will not tolerate retaliation against any employee for cooperating in an investigation of inappropriate behavior or for making a complaint.

Specific examples of conduct which may be considered a threat or an act of inappropriate behavior under this policy include, but are not limited to:

- Intimidating or threatening physical or aggressive conduct directed toward another individual
- Threatening an individual or his or her family, friends, employees, or property with physical harm
- The destruction or threat of destruction of VIOC property or another's property
- Harassing or threatening phone calls
- Surveillance
- Stalking
- Veiled threats of physical harm or like intimidation.

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

# DRUG AND ALCOHOL POLICY

VIOC has a vital interest in maintaining safe working conditions for its employees and customers. Being under the influence or the unauthorized use of controlled substances (as defined in the policy), the manufacture, possession, sale, and/or distribution of a controlled substance in the workplace compromise the safety of the workplace for all employees and customers. **Employees may be disciplined, up to and including termination** without prior notice or warning, even for a first offense, for any of the following:

- Reporting to work and/or working with the presence of controlled substances and/or alcohol in their bodies; unless such use is under the direction of a medical provider and authorized by applicable law
- Bringing controlled substances and/or alcohol into VIOC property; either on their person or in their vehicle.
- Ingesting controlled substances and/or alcohol in the workplace during working hours, including meal and rest breaks
- Being impaired or under the influence of a controlled substance and/or alcohol while working.
- Involvement in the manufacture, sale, purchase, transfer, distribution or dispensation of controlled substances and/or alcohol in the workplace and/or during working hours, including lunch and rest breaks.

"Controlled substances" as used in this policy means any drug listed in applicable federal regulations other than those taken under the direction and prescription of a licensed physician or medical provider. Controlled substances also include legal drugs not taken under the direction and prescription of a licensed physician to the extent that their ingestion may affect the safety of co-workers or customers and /or the employee's job performance. Marijuana, regardless of the reason it is used, will be considered an illegal drug for purposes of this policy, in accordance with applicable law.

An employee who is using over the counter or prescription drugs and/or medication that may impair his or her ability to safely perform his or her work should discuss any potential side effects with his or her health care provider and provide a doctor's note detailing any work restrictions and their duration to HR.

## Testing

Any and all employees and/or prospective employees of VIOC may be required to participate in drug and alcohol testing. VIOC may conduct any or all of the following types of drug and alcohol testing, as permitted and in accordance with applicable federal, state, and local laws:

- Post-Offer/Pre-Employment - Applicants must submit to a drug screen after receiving a conditional offer of employment and before commencing employment. Post-offer/pre-hire drug screening will test for the presence of illegal drugs and substances and the illegal use of prescription drugs. This screen does not include an alcohol test. Potential applicants who refuse to submit to this test, or test positive, will have their offer of employment immediately revoked, unless prohibited by applicable state law.
- Post-Accident - Employees whose use of drugs or alcohol is reasonably believed to have contributed to an incident are required to submit to a drug screen and alcohol test.
- Reasonable Suspicion - An employee may be tested when a reasonable suspicion exists that the employee appears to be under the influence of illegal drugs or illegally using prescription drugs, synthetic drugs, and/or alcohol. When an employee is required to submit for reasonable suspicion alcohol or drug testing, he/she will not be permitted to drive to the collection facility; either the direct supervisor or another manager will provide transportation for the employee. The employee shall be suspended pending the initial test results, with non-exempt employees being placed on unpaid suspension. **Refusal by an employee to submit to reasonable suspicion alcohol and/or drug testing shall result in immediate termination of employment.**

The cost of any drug test required by the VIOC will be paid by VIOC. For current employees, VIOC will pay reasonable transportation costs incurred by the employee to travel to the testing facility. Tested employees have the right, upon written request, to obtain the written results of their drug test provided the testing facility receives



the request within five (5) working days after the employee has been informed of a confirmed positive test result.

Additionally, an employee whose Drug Test is reported as being positive, adulterated, or substituted from the split (first specimen), may request a test of the split (second specimen). Such a request must be made directly to HR within 72 hours of the employee being notified of a positive Drug Test.

In the case of a positive test result, an employee is subject to personnel actions that include, but are not limited to, the following: termination of employment; or suspension, with or without pay, unless prohibited by applicable state law. For job applicants, any job offer will be rescinded due to a positive test result that is not excused by a healthcare provider.

VIOC will keep information regarding tests conducted under this policy in the strictest confidence possible. Drug testing records are to be kept separate from an employee's regular personnel file, and are made available only to those with a need to know the results.

## **PROFESSIONAL CONDUCT AND DRESS CODE**

Employees are expected to be polite, courteous, prompt and attentive to every customer and/or guest. When a situation arises where the employee does not feel comfortable or capable of handling a problem, the employee's MOD is to be notified immediately.

You represent the Company to our customers. In a customer service oriented business, a professional image is important at all times. Therefore, VIOC requires you to follow our dress code. **Violations of the dress code can lead to disciplinary action, up to and including termination.**

- Employees must be in a clean uniform with the shirt tucked in. New hires can wear the shirt that is provided at hire or a black t-shirt with pants that are free of holes or tears.
- Employees must wear all black slip resistant shoes that cover the entire foot.
- Safety Glasses must be worn whenever an employee is working on a vehicle. Prescription glasses can be worn in lieu of safety glasses for employees that need them.
- A bump cap must be worn at all times by employees that are working below a car.
- Employees may wear an all black belt either with a velcro closure or with the buckle turned to the side or back.
- In cold weather employees can wear cold weather clothing but the top most layer must have the employees name tag visible. Any layers that are visible should be black and for visibility reasons hoods cannot be worn up over the head.
- Employee hair must be neat or covered by a VIOC provided hat. Hair longer than chin length must be restrained when working on vehicles to prevent it from getting caught in an engine.
- Employees must remove jewelry that hangs down and cannot be tucked into clothes. Again this is to keep anything from getting caught in an engine.

As part of our commitment to fostering a productive and respectful workplace, we kindly remind all employees to maintain a high standard of personal hygiene. This helps ensure a comfortable and pleasant environment for everyone. Please be mindful to arrive at work clean and fresh, as this reflects our professionalism and respect for one another.

## **CONFIDENTIALITY AND CONFLICTS OF INTEREST**

It is the policy of VIOC to conduct its affairs in strict compliance with the letter and spirit of the law and to adhere to the highest principles of business ethics. Conduct that is in conflict with the essential enterprise-related interests of VIOC and would substantially disrupt the VIOC's operations are prohibited. All employees must avoid activities which are in conflict, or give the appearance of being in conflict with the enterprise-related interests of VIOC. These include but are not limited to:

- Using or distributing collected or stored customer information for any reason that is not directly related to VIOC.
- Solicitation of customers or fellow employees for any activity or business that is not directly related

to VIOC

- Posting videos or pictures online that include fellow employees, customers, customer vehicles and/or parts of the stores that are not visible to the public both during and after work hours
- Using VIOC computers, phones, tablets, iPads and internet for any activities that are not directly related to VIOC business
- Revealing sales numbers, price information, training procedures, employee information (including disciplinary action) and any other information that has the reasonable expectation of privacy or confidentiality to anyone that is not authorized
- Representing yourself as an authorized party or speaking on behalf of VIOC without express permission from Senior Management, this includes on social media, to news organizations, and to suppliers and vendors
- Trading VIOC services for goods, favors, discounts or services with any outside party or business
- Providing services that have not been paid for to anyone including fellow employees
- Using VIOC funds to purchase products that are not related to VIOC business and have not been authorized by Senior Management
- Conducting personal business or business unrelated to VIOC during work hours or while clocked in

If you become aware that any violations of this policy are taking place, you are expected to report it immediately to your SCM or Senior Management. **Violations of this policy will be subject to disciplinary action up to and including termination** at the discretion of the SCM, HR and/or Senior Management.

## **SAFETY/WORKERS' COMPENSATION**

VIOC maintains a strong commitment to provide a safe, efficient, and productive work environment. VIOC wishes to ensure that employees will perform their duties safely and efficiently in a manner that protects their interests and those of their co-workers and to promote efficiency in the workplace by providing the highest quality products and services. It is the basic safety policy of VIOC that no task is so important that an employee must violate a safety rule or take a risk of injury or illness in order to get the job done.

If you suffer a work-related injury or illness, no matter how minor, you must report it to your supervisor as soon as reasonably possible and an injury report must be completed so that you can receive the proper treatment and VIOC can take steps to help prevent similar injuries or illnesses from occurring. Also, employees who witness another employee get hurt or become ill should not attempt to move him/her unless failure to do so would result in further injury or danger. In the event of an injury to another employee, a MOD should be called immediately.

VIOC's Workers Compensation Program covers all eligible employees. For more information, please contact a SCM or HR.

## **OPEN DOOR POLICY**

In an effort to create an open, safe and ethical atmosphere within VIOC, we have developed a system for each employee to share any concerns, questions or suggestions you may have about what goes on in our service centers.

Information or concerns submitted will remain anonymous to the Service Center Manager and or employee/s affected. This is simply a safe way for all crew members to be able to express any concerns you may have about safety, ethical dilemmas, harassment or anything making you uneasy about coming to work at VIOC every day.

If you have a concern, question or suggestion please do not hesitate to utilize the anonymous VIOC e-mail ([concerns@hdosw.com](mailto:concerns@hdosw.com)).

For Payroll and HR questions you can call Sarah (505-259-8895).

For questions about training or procedures you can call Dominic (505-803-3940).

We want all of our employees to work in a safe and open atmosphere where you want to come to work and have fun and enjoy what you are doing.

High Desert Oil Reporting e-mail: [concerns@hdosw.com](mailto:concerns@hdosw.com)

Chris Malone - President: 505-822-1541 [cmalone@hdosw.com](mailto:cmalone@hdosw.com)

Dominic Baca - Training Manager: 505-803-3940 [dbaca@hdosw.com](mailto:dbaca@hdosw.com)

Sarah Chancey - Employee Relations Manager (HR): 505-259-8895 [schancey@hdosw.com](mailto:schancey@hdosw.com)

# EMPLOYEE ACKNOWLEDGMENT FORMS

## EMPLOYEE ACKNOWLEDGMENT OF RECEIPT OF HANDBOOK

I have received my copy of the VIOC Employee Handbook. I understand and agree that it is my responsibility to read, familiarize myself, and abide by the policies, practices, guidelines, and procedures contained in the Handbook. If I do not understand any of the policies contained within the Handbook, I understand I have the responsibility to contact management regarding any questions.

I understand that VIOC can change any and all policies or practices at any time. I also understand that if the Handbook is translated into another language, and if there are any differences between the translated Handbook and the English version, the English version controls.

I further understand that my employment with VIOC is at-will and that I or VIOC may terminate employment at any time, with or without reason or notice. The at-will policy cannot be altered by any VIOC employee other than the President, and such agreement must be in writing signed by both me and the President. I have not entered into such an agreement.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name

## **ACKNOWLEDGMENT OF RECEIPT OF ANTI-HARASSMENT AND EEO POLICY**

I acknowledge receipt of VIOC's policy against discrimination, harassment, and retaliation, as detailed in the employee handbook. I understand that I may be held personally liable and responsible for acts of harassment that I commit, condone, tolerate, or fail to investigate. I will comply with the requirements of this policy at all times.

I understand that VIOC is committed to principles of equal opportunity for all employees. In accordance with this policy, VIOC does not engage in impermissible discrimination based on any protected characteristic, including an individual's disability. VIOC will make reasonable accommodations that are necessary to comply with state and federal disability discrimination laws. VIOC will make reasonable accommodations for the known physical or mental disability or known medical condition of an employee, consistent with its legal obligations to do so.

As part of its commitment to make reasonable accommodations, VIOC will participate in a timely, good faith, interactive process with a disabled applicant or employee to determine effective reasonable accommodations, if any, that can be made in response to a request for accommodations. Employees are invited to identify reasonable accommodations that can be made to assist them to perform the essential functions of the position they seek or occupy. I understand that I should contact management as soon as possible to request the opportunity to participate in a timely interactive process.

I also acknowledge receipt of VIOC's Equal Employment Opportunity Policy and Accommodations of Disabilities Policy and will comply with the requirements of the policies at all times.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name