



# MOODY GARDENS

GALVESTON ISLAND

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HOTEL, SPA & CONVENTION CENTER  
ATTRACTIONS, GOLF COURSE

**MOODY GARDENS, INC.**

## **EMPLOYEE POLICY AND HANDBOOK**

**December 2018**(amended 2020)

## **Moody Gardens, Inc. Mission Statement**

*Moody Gardens, Inc. is a Public, Non profit Educational Destination, Utilizing Nature in the advancement of rehabilitation, conservation, recreation and research*

### **Our Core Values**

-  *Genuine care and comfort of our guest, while staying true to our roots & giving back to our community is our highest mission.*
-  *Passionate attention to quality, detail, and consistency*
-  *Continuous improvement in our people, products, and services*
-  *Commitment to innovation and creativity*
-  *Excellence in our reputation to providing the best customer satisfaction & learning experience*

## **OUR ROOTS** and our continued growth

### ***HOW WE BEGAN***

Moody Gardens began in the mid 80's with only a horse barn and riding arena. The purpose was to begin a hippotherapy riding program for people with head injuries. Today Moody Gardens is one of the premier educational/recreational facilities in the Southwest.

### **HOW WE HAVE GROWN**

**1986 - HOPE THERAPY** – Site secured by The Moody Foundation to establish a hippotherapy program. Later expanded to include animal and horticultural therapy, therapeutic recreation, and education and employment for persons with physical and emotional disabilities.

**1986 – CONVENTION CENTER** – Originally opened as Hope Arena. Expanded to 60,000 square feet to accommodate trade shows, conventions and events.

2005 – North Tower and Convention Center Expansion

**1988 – PALM BEACH** – Tons of white Florida sand were barged in across the Gulf of Mexico to create this exotic family beach with a handicap accessible yellow submarine for kids.

**1989 - THE LEARNING PLACE** – The home of our educational programs including pyramid kids camps, outreach programs, overnight adventures, scout programs, birthdays, star parties, field trip programs, and educator programs.

**1990 - PRODUCTION AREA** – Includes two greenhouses used to propagate most of the plants seen on our grounds and for our Medicinal Plant Program.

**1993 - RAINFOREST PYRAMID and 3D THEATER** – More than 1,700 exotic plant and animal species from the rainforests of Asia, the Americas and Africa are featured in the Rainforest. The Visitors Center houses the Garden Restaurant. America's first 3D Theater showcases films by some of the world's top filmmakers.

**1997 – DISCOVERY PYRMID** – Moody Gardens second grand pyramid debuted with the discovery Museum exhibit “Living in the Stars” inspired by NASA. Also home to the Ridefilm Theater, offering a thrilling motion simulation experience.

**1998 – MOODY GARDENS HOTEL AND SPA** – Nestled among acres of tropical gardens and magnificent pyramids, sits the luxurious Moody Gardens Hotel, an architectural masterpiece, originally built with 303 beautifully decorated rooms, over 22,000 square feet of flexible meeting space, dining and a full service salon and spa.. **2014-** all rooms remodeled added 7 more rooms for current total of 432

**1999 – AQUARIUM PYRAMID** – Dive into the oceans of the world in a 1.5 million gallon aquarium teeming with creatures from tuxedo-clad penguins of the Antarctic, to seahorses and stingrays, to sharks of the Caribbean.

**2002- FESTIVAL OF LIGHTS-** (WINTER ATTRACTION) Enjoy more than **one million lights** within 100 sound-enhanced animated light displays and nightly live entertainment. You can also skate around on the area's only outdoor ice skating rink (bring your own skates or rentals available for \$7), try out our Arctic Slide or take pictures with Santa.

**2005 – 4D Special FX Theater®:** The 4D Theater features 3D images and extra special effects such as leg ticklers, seat buzzers, scent, mist, snow and more to enable you to see, feel, hear and smell the action!

**2005- MOODY GARDENS HOTEL AND SPA** North Tower expansion project added 122 rooms to total 425

**2008 – Moody Gardens Golf Course:** Galveston's premier public course opened in June after two years and \$16 million-comprehensive renovations to the former Galveston Municipal Golf Course. Lush paspalum fairways are lined with 500 palms and shorebird habitat.

**2011 – Rainforest Pyramid and Palm Beach Enhancements:** The Rainforest Pyramid and Palm Beach both reopened May 28 after extensive enhancement projects. The Rainforest Pyramid sustained substantial damage from Hurricane Ike in 2008 and through the generosity of the Moody Foundation received a \$25 million enhancement project that provided a canopy walkway that gives access to the treetop level for a whole new perspective of the rainforest, as well as new exhibits, plants and animals. Palm Beach added several new features, including a wave pool, lazy river and tower slides.

**2014- ROPES COURSE / ZIP LINE:** Sky Trail Ropes Course, the tallest Steel Ropes Course on the Gulf Coast! Ranging from Criss-Cross Tight Ropes to Burma Buckets, the 81-foot Ropes Course is filled with 48 fascinating obstacles suitable for the whole family to enjoy. Each participant is outfitted with a full body harness and a safety lanyard or sling line...ZIP LINE. Snap into your harness and step to the edge of the zip line platform and glide over Palm Beach and the Lazy River 60ft. in the air for a birds eye view of the Moody Gardens pyramids and tropical gardens.

**2014- ICELAND:** (WINTER EXHIBIT) A skilled team of master ice carvers from CHINA create a breathtaking exhibit made of two million pounds of ice.

**2015 – AUDIENCE RECOGNITION THEATER** : (ART) IN THE DISCOVERY MUSEUM a 3D digital show that features live narration; a unique interactive option that allows guests to choose which locations to visit on their underwater journey; and exciting 4D sensory elements, such as wind, seat sensors, bubbles, leg ticklers and scents that make the aquatic town come to life.

**2017 - AQUARIUM PYRAMID** total remodel. Added Gulf of Mexico Oil Rig exhibit, Jellyfish Gallery and Mangrove touch tanks.

## WELCOME!

We are happy to have you as a member of the Moody Gardens, Inc. team. We are delighted that you are joining us. Please review the policies contained within this Handbook and feel free to ask your supervisor or contact the Human Resources office with any questions.

This Employee Policy and Handbook (the “Policy”) contains important information about your employment with Moody Gardens, Inc. (the “Company”), your presence on properties owned, controlled or managed by the Company, including buildings, offices, facilities, grounds, parking lots, places and vehicles (collectively, the “Premises”) and essential information for you. It is important that you have a complete understanding of the Policy’s contents. Reread the Policy and periodically review the Policy. **Violations of this Policy can result in disciplinary action, including without limitation, termination of your employment with the Company.**

Employees are required to complete the enclosed Affirmation which will be retained in each employee’s Personnel File. This Affirmation constitutes your acknowledgement that you have received a copy of the Policy, have read and understood the Policy, have been afforded the opportunity to ask any questions about Policy, and agree to abide by all of the rules, provisions, procedures and terms contained in the Policy.

While the information contained herein is important, this Policy is primarily designed to serve as an overview of specific requirements, policies and procedures. Accordingly, this Policy is not an all-inclusive or exhaustive list of rules, policies and procedures. There may be times when the Company finds it necessary to change or modify all or part of this Policy, in which case such changes will be communicated to employees. Unless otherwise noted, such changes will take effect immediately. At Will Employment means that either the employee or the company may terminate the employment relationship at any time, for any reason, with or without notice. Nothing in this Policy shall be construed as creating an employment contract or otherwise altering your status as an employee-at-will. Accordingly, an employee can terminate his/her employment at any time, for any or no reason, and the Company reserves the same right to terminate any employee at any time and for any non-discriminatory reason.

The policies and procedures, as explained in this Policy, supersede any and all previous versions of these policies and procedures, regardless of how they have been communicated. One exception is the *Drug-free Workplace Policy*. The actual terms and provisions of the program document will govern and control the interpretation and administration of the *Drug-free Workplace Policy*.

This Policy does not supersede or modify the terms and provisions of existing employee benefit plans and programs. The actual terms and provisions of the respective benefit plan or program documents will govern and control the interpretation and administration of such plans.

This Policy has been developed for the sole benefit of and use by Company employees, and should be maintained in a confidential manner and should not be communicated or distributed outside the Company or its employees.



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## **EQUAL EMPLOYMENT AND ACCOMMODATIONS**

The Company adheres to a policy of equal opportunity in all personnel actions and in every phase of its business activity.

Accordingly, equal opportunity is afforded to all Company employees and applicants for employment regardless of race, color, religion, sex, pregnancy, sexual orientation, age, national origin, disability status, genetic information, service in the armed forces, or any other status protected by law. The Company will accept applications from all who apply. The Company hires and promotes based on the most qualified applicant who best fits the company mission and core values.

The Company and all employees are to ensure our working environment is free from discriminatory comments or insults, intimidation, or harassment due to any of these factors. Any violation of this policy should be promptly reported to management (see Open Door Policy) for investigation and corrective action as appropriate.

The Company will not retaliate or discriminate against any employee or applicant because he/she has opposed an employment practice made unlawful, filed a charge of employment discrimination, or testified, assisted or participated in any way in an investigative proceeding or hearing relating to employment practices.

The Company will make reasonable accommodations for qualified individuals with known disabilities, unless doing so would result in an undue hardship to the Company and/or its employees. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination and access to benefits and training. The Company also accommodates individuals' sincerely-held religious beliefs, provided it does not create an undue hardship to the Company.

If you need an accommodation at work, please alert your immediate supervisor AND the Human Resources Department. The Company may request that you complete an ADA Interactive Process Questionnaire.

## **OPEN DOOR POLICY & ASSURANCE OF FAIR TREATMENT**

The Company desires that every employee, regardless of position, be treated with respect and in a fair and just manner at all times. Company department managers and immediate supervisors have an "open door" policy and are always willing to listen to suggestions or concerns of employees. Employees who want to discuss a matter that needs attention should follow these steps:

- ▲ Freely approach an immediate supervisor to review the matter in a timely manner. If the problem or concern cannot be resolved by the immediate supervisor, the supervisor should notify the department manager.
- ▲ After reviewing all the facts and, if necessary, conferring with the employee and any others involved, the department manager will attempt to resolve the situation in a fair and equitable manner. The department manager will notify the employees of such resolution.

- ▲ If the employee does not believe the matter was properly resolved, the employee may notify the Human Resources Department.

If any issue involves an employee's immediate supervisor or department manager, the employee may notify the Human Resource Department, General Manager, or the President of the issue.

The Company's commitment to fair treatment provides employees with an opportunity to voice concerns or issues. It does not guarantee that such concern or issue will be resolved in the manner desired by the employee.

## HARASSMENT

The Company desires to provide employees a work environment free from all forms of discrimination and harassment of any kind, including sexual harassment or harassment on the basis of race, color, religion, sex, pregnancy, sexual orientation, age, national origin, disability status, genetic information, or service in the armed forces or any other status protected by law.

### What is harassment?

Harassment refers to behavior that is unwelcome, personally offensive, debilitating to employee morale, and/or interfering with work effectiveness. The types of harassment prohibited by this Policy may differ from that prohibited by applicable law.

The following is a non-exhaustive list of conduct that the Company deems harassment and, thus, is prohibited by this Policy whether directed toward another employee, guest or visitor:

- ▲ Unwelcome, deliberate, or unsolicited verbal comments, gestures, or physical actions of a sexual nature.
- ▲ An outright demand or subtle pressure for sexual favors or sexual activity.
- ▲ An explicit or implicit promise to give preferential treatment to someone in return for sexual favors or sexual activity ("*quid pro quo*" sexual harassment).
- ▲ Taking, recommending, or refusing to take or recommend, any personnel action because of the person's rejection or refusal of sexual favors or sexual activity, or in retaliation for reporting sexual advances or demands for sexual activity.
- ▲ Exercising or attempting to exercise the power of authority of one's position to control, influence, or affect the career, salary, job, or other employment conditions in exchange for sexual favors.
- ▲ The display of objects, pictures, or photographs in the workplace that are demeaning or insulting to a person's race, color, religion, sex, pregnancy, sexual orientation, age, national origin, disability status, genetic information, or service in the armed forces or any other status protected by law.
- ▲ Making comments (including jokes) that are sexually demeaning, insulting, or suggestive, or insult or demean a person on the basis of race, color, religion, sex, pregnancy, sexual orientation, age, national origin, disability status, genetic information, or service in the armed forces or any other status protected by law.
- ▲ Creating or passing on written, recorded, or electronically transmitted messages or posts which are sexually suggestive, or in any manner demeaning, intimidating, or insulting on the basis of a person's race, color, religion, sex, pregnancy, sexual orientation, age, national

origin, disability status, genetic information, or service in the armed forces or any other status protected by law.

- ⚠ Retaliating, directly or indirectly, against someone who makes a report or participates in an investigation under this Policy.

### **How can Employees help prevent harassment?**

It is the responsibility of each member of management and all employees to help provide the necessary environment and support to ensure that discrimination in employment does not occur and that employees are assured of a workplace free from harassment. All employees and members of management are accountable for its effective administration and enforcement of this Policy throughout their respective departments, as well as Company-wide.

### **The Company will not tolerate discrimination or harassment.**

All employees are encouraged to report suspected acts of discrimination or harassment set forth in this Policy to your Department Manager and/or the Human Resources Department as soon as possible. If you do not feel comfortable making a report to either one, then report the behavior to any member of management. Do not delay in reporting

## **DRUG-FREE WORKPLACE**

The use of alcohol, illegal drugs and other controlled substances on the Premises or during work hours subjects fellow employees, visitors and guests to increased safety risks and undermines the Company's ability to operate the Premises effectively and efficiently. The Company strives to create a drug-free workplace.

Consequently, the manufacture, distribution, possession, sale or use of alcohol, illegal drugs or controlled substances on the Premises or while engaged in Company business, is strictly prohibited. Such conduct is also prohibited during non-work time to the extent that, in the opinion of Company, it impairs an employee's ability to perform on the job, places other employees at risk, or threatens the reputation or integrity of the Company.

The Company has established the *Moody Gardens Drug-free Workplace Policy* which is provided to prospective employees prior to pre-employment drug-screening. Accordingly, the actual terms and provisions of the *Drug-free Workplace Policy* will govern and control situations involving the manufacture, distribution, possession, sale or use of alcohol, illegal drugs or controlled substances by employees.

## **SMOKE FREE WORKPLACE INCLUDING, ELECTRONIC CIGARETTES AND OTHER TOBACCO USE**

Whenever possible, the Company attempts to respect the preference of both the tobacco and non-tobacco user. However, when these preferences conflict, the preferences of the non-tobacco user will

take priority. Smoking, dipping, and vaping are prohibited by employees any where on Moody Gardens Property. This includes all offices, conference rooms, lobbies, hallways, restrooms, and elevators, employee break areas, kitchens, parking lot, parking garages, company vehicles or buildings of the Premises. Smoking is not permitted while on the job or in any of the general areas where guests are permitted. Employees are not permitted to smoke, dip, vape or chew tobacco while walking from work-site to break.

## WORKPLACE VIOLENCE

The Company is concerned about the increased violence in society and its effects in many workplaces throughout the United States. Accordingly, it has taken steps to help prevent incidents of violence from occurring.

In this connection, the Company prohibits any acts or threats of violence by any employee, former employee, contract worker, or visitor against any person on the Premises. In addition, the Company does not permit any person to use or possess openly carried and/or concealed firearms or other weapons on the Premises, while in company vehicles, or while acting as a company representative at any work-related activities, meetings, or functions. This prohibition against the possession or carrying of firearms or other weapons applies even if the employee is licensed to carry a concealed handgun or to openly carry a handgun.

Employees with a valid handgun license from the State of Texas, or who otherwise lawfully possess firearms or ammunition may, however, keep the handgun for which the license has been issued or the firearm or ammunition which is otherwise lawfully possessed in the employee's own personal vehicle while parked in Company parking areas. Your vehicle must be kept locked at all times while the handgun, firearm or ammunition is in it and you must strictly comply with all handgun and firearm/ammunition possession laws.

Employees may not carry, keep or store weapons and ammunition in any company vehicle at any time, nor may employees carry weapons or ammunition onto any property where the possession of a firearm or ammunition is otherwise prohibited by state or federal law. In keeping with the spirit of this policy, it is the intent of the Company (1) to provide a safe work environment; (2) to take prompt remedial action (up to and including immediate termination) against any employee who engages in threatening, violent, or abusive behavior; (3) to take appropriate action when dealing with customers, guests, former employees, contract workers, or visitors to the Premises who engage in threatening, violent, or abusive behavior; and (4) to take appropriate action against persons who use or possess firearms or other weapons on the Premises in violation of this policy. In furtherance of this policy, **employees have a duty to notify their supervisors or security personnel of any suspicious or prohibited conduct.** This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks, and/or the use or possession of openly carried and/or concealed firearms or other weapons on the Premises, unless otherwise allowed by law or this policy. Employee reports made pursuant to this policy will be kept confidential to the extent possible. The Company will not condone any form of retaliation against any employee for making a good faith report under this policy.

## **JOB OPENINGS**

Job vacancies will be posted on the bulletin board in the Human Resources Department for all employees to view. This listing is updated as new personnel requisition forms are submitted and approved. An employee who wishes to apply for an open position is encouraged to do so, provided that they have successfully completed their Introductory Period. Each employee who desires to apply for an open position must complete an employment application in the Human Resources Department and follow the same procedures as any outside applicant. Department managers, the Human Resources Department, and the General Manager must approve transfers before the employee is permitted to begin working in the new department.

## **INTRODUCTORY PERIOD**

Newly hired and rehired full-time and part-time employees (including all temporary employees converted to full-time or part-time status) are considered to be in an introductory period of sixty (60) days from the date of employment or conversion to full-time or part-time status. The Company may, however, in its sole and absolute discretion, decide to extend this introductory period for one or more employees for up to an additional sixty (60) days. The employee will be informed in writing if such employee's introductory period is to be extended beyond the initial sixty (60) days. Whenever the term "Introductory Period" is used in this Policy, such term refers to the initial sixty (60) days plus extensions, if any, applicable to any employee.

The Introductory Period provides time for the Company to decide on the initial suitability of the new or converted full-time or part-time employee.

During the Introductory Period, the employee will not be eligible for any of Company's employee benefits for which the employee would otherwise be eligible. Accordingly, the employee will not be paid for any leave that occurs during such Introductory Period.

The Introductory Period does not provide a guaranteed period of employment. Employment with Company is always at-will and, accordingly, terminable by either Company or the employee at any time, both during and after the Introductory Period.

\*Neither this section nor the Employee Privileges and Benefits section are applicable to temporary employees.

## **EMPLOYMENT OF RELATIVES**

Employment of relatives is permitted as long as such employment does not, in the opinion of Company management, create an actual, perceived, or potential conflict of interest. The term "Relative" is defined as a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, niece, nephew, cousin, or corresponding in-law, "step" relation, foster relation, or someone affiliated by legal guardianship status.

Relatives are not permitted to work under the direct or indirect supervision of each other. Additionally, the Company prohibits the employment, promotion, or transfer of any relative into positions where a relative may have influence over the employment, promotion, salary administration, or other employment-related decisions affecting a related employee. These situations will be considered when

assigning, transferring or promoting an employee, or when employees marry or become members of the same household.

If two employees become married or share the same residence while employed by the Company and, in the opinion of Company management, a conflict of interest exists, every reasonable effort will be made to reassign one of the employees, with their acceptance. If a suitable, mutually agreed upon reassignment cannot be made, the employees involved will be asked to determine which one should resign employment. If they are not able to do this on their own, the Company will determine which employee will be discharged.

The President or a General Manager may make an exception, based on business needs and the specific situation. Such an exception does not waive the right of the President or General Manager to subsequently reconsider this decision with regard to the employee(s) at issue, and does not waive the enforcement of this section with regard to any other situations involving other employees.

## **OUTSIDE EMPLOYMENT**

Company employees may avail themselves of outside employment providing it: does not represent a conflict of interest; interfere with assigned duties or Working Time, including special projects or assignments; or is not deemed to be contrary to the best interests of Company. Employees securing outside employment are required to notify their immediate supervisors of such employment. Please note that employees must give priority to Company job duties and scheduled hours over any outside employment duties and hours.

## **VOLUNTARY SEPARATION OF EMPLOYMENT**

In all cases of voluntary resignation (one initiated by the employee), Employee are requested to give immediate supervisors (14) days notice before resigning. Such notice should be in writing or on a *Letter of Resignation* form. Paid time off (PTO) will not be counted toward the 14-day notice. In some cases, Human Resources will conduct an exit meeting on or before the last day of employment to collect all company property, uniforms, ID badges, keys, radio, etc. and to discuss final pay. There may be situations when, at Company's sole and absolute discretion, employees may be asked to leave prior to the end of the 14-day notice period. Employees will be paid through the last day physically worked. PTO MAY NOT BE used in conjunction with a resignation. Employees need to remember that PTO is a privilege, not an entitlement.

## **REHIRING FORMER EMPLOYEES**

The Company invites former employees with good work records at the Company to apply for re-employment. However, preference will not be given to former employees over current employees or other candidates. Proper resignation steps must be followed in order for a former employee to be eligible for re-employment.



## DRESS CODE

***The appearance of Company employees is an important part of the Company's business reputation. The Company is proud of its high standards that its guests have come to expect.*** Employee wardrobes are not the only thing that guests will notice, but an employee's overall appearance is a critical part of the Company's atmosphere. Therefore, it is imperative for employees to have a clean, polished image at all times. The Company has adopted basic grooming standards for all employees as set forth below. Such standards are not all inclusive and the Company reserves the right to determine, in its sole and absolute discretion, that an employee's appearance or wardrobe is inappropriate.

If an employee has religious, medical or other reasons that prohibit them from adhering to the grooming standards, such employee should contact the Human Resources Director to address the issue.

### OFFICE PERSONNEL AND MANAGERS

- ▲ All employees are expected to appear neatly groomed and in business-like attire.
- ▲ Male employees are expected to wear jackets and ties when appropriate. However, sport shirts and slacks will be permitted on a limited basis.
- ▲ Female employees are expected to wear business suits, dresses, and/or coordinated pants outfits. Blouses and slacks may be worn if desired, but they must be that of proper business attire.
- ▲ Jeans, t-shirts, shorts, and sneakers are considered inappropriate and may only be worn after receiving permission from the President, or General Manager. , If jeans are permitted, they must be FITTED DRESS Jeans Only – Not Casual, Ripped, Cropped, Baggy, Cut-off, Frayed, Faded or Acid Washed
- ▲ Business attire must be properly pressed at all times.

### PRODUCTION & FRONT LINE EMPLOYEES

**ALL EMPLOYEES MUST WEAR A CLEAN UNIFORM OR BUSINESS ATTIRE AT ALL TIMES. THIS MUST INCLUDE PROPERLY PRESSED OR IRONED CLOTHING. APPROPRIATE BELTS SHOULD BE WORN AT ALL TIMES AND THEY MUST BE INSIDE THE BELT LOOPS. ONLY COMPANY-ASSIGNED HATS MAY BE WORN. Issued Uniforms shall remain, at all times, the sole and exclusive property of the Company and must be returned to the Human Resources Department upon termination or discharge**

- ▲ All production and Front Line Employees must wear their appropriate assigned uniform at all times. Each department uniform is significant to their area and only Company-approved apparel may be worn.
- ▲ All employees are expected to consider safety as the primary guideline in dressing for work. Loose clothing and jewelry may be prohibited due to the nature of work that is to be performed, unless they are for emergency or documented medical reasons.
- ▲ Each department may have specific personal protective gear that must be worn.
- ▲ Some departments will be assigned dates for which winter uniforms and summer uniforms are deemed appropriate. Department managers will advise employees of the appropriate uniform. Supervisor may advise employees when it is appropriate to wear Company-issued t-shirts and shorts. At no other time will t-shirts and shorts be permitted.
- ▲ Uniforms should not be worn outside of work in your leisure time.

## ALL EMPLOYEES REGARDLESS OF JOB

- ▲ Tattoos or other artificial coloring on the skin are not permitted on the **face, neck or hands**. Any visible tattoos or other artificial coloring cannot be displayed if they are perceived as violent, gang related, sexually explicit, vile, or inappropriate in a family-friendly environment. Tattoos or other artificial coloring deemed inappropriate must be covered while working.
- ▲ Any employee working with any electrical energy source will not be permitted to wear any metal jewelry, including, but not limited to, rings, necklaces, bracelets, earrings, or metal-rimmed eyeglasses.
- ▲ Clothing, hair, and jewelry must comply with all health department and safety codes. Clothing, hair and jewelry must not increase the risk of injury and/or accidents as defined by an immediate supervisor or management.
- ▲ Personal Affectations, badges, pins, sashes, etc., not authorized or in the best interest or taste of the Company, will NOT be allowed.
- ▲ SHIRTS:
  - ALL shirts MUST be tucked in. This includes behind the scenes. (Curatorial when coming out in the public eye and Contractors at all times).
  - Uniform shirt sleeves shall NOT be rolled up.
  - Buttons must be fastened to the appropriate level.
  - SOLID white or black undershirt ONLY. Can be long sleeved or short sleeved.
- ▲ BELTS: SOLID black OR brown, conservative. No designs, big belt buckles, chains or studs.
- ▲ SHOES:
  - SOLID Black or White TENNIS shoes. No boots (riding, ankle, uggs, etc...), flip-flops, or sandals unless authorized.
  - SOLID brown for *Maintenance and Painters*
  - F&B – The solid black slip resistant shoes distributed by HR during Orientation.
  - SOCKS – White shoes: SOLID white ankle socks. Black shoes – SOLID black/white ankle socks. No colored, designed, fringes, etc.
- ▲ PANTS/SHORTS:
  - SOLID black or khaki. Navy for authorized departments.
  - NO jeans, corduroy, leggings/tights, sweatpants, yoga pants, skorts or skirts
  - PROPER LENGTH of Shorts must be longer than mid-thigh.
- ▲ JACKETS / HATS/ CAPS/ OUTERWEAR
  - Moody Gardens issues outerwear to the specific assigned departments

- No personal hoodies, sweatshirts, scarves, coats, windbreakers, vests, suspenders, etc., allowed
- ONLY Company assigned Hats/caps will be allowed.

## **FEMALE EMPLOYEES' GROOMING AND APPEARANCE**

### **▲ Hair**

- **Appearance** should be clean, neat, and natural looking.
- **Scarves or Hairnets** may be required when working in food or drink areas, per the city health code.
- **Long Hair** is permitted as long as it is pulled away from the face. It may be required to be pulled back behind the shoulders for safety reasons, when working in certain areas. "Natural" or "Afro" hairstyles are permitted as long as they are neatly kept.
- **Rollers** are not permitted.
- **Braids** must be neat and professional in appearance.
- **Extreme Hairstyles** are not permitted (examples include tails, partially shaved heads, or unnaturally colored hair).
- **Hair Clips & Ribbons** must be discreet and match the outfit

### **▲ Make-Up**

- **Make-up and Perfume** should be used moderately.
- **Light Nail Polish** is permitted, but extreme styles or colors, mixed colors, glitter, gems or patterns are not. An immediate supervisor will make the final decision as to what is acceptable. Hands are to be clean and nails are to be of a moderate length. For health code reasons, food service personnel are **not** allowed to wear nail polish or artificial fingernails.

### **▲ Jewelry**

- **Necklaces** are permitted provided that only one gold or silver necklace is worn, and that it is worn on the inside of the clothing. Costume jewelry is permitted provided that it is appropriate with the outfit.
- **Bracelets** are permitted provided that only 1-3 small gold or silver bracelets are worn. Appropriate costume jewelry is also permitted.
- **Pins** may be worn if discreet, limited to one, and appropriate with the outfit.
- **Rings** are limited to a total of three (3) with no more than two (2) on one hand.
- **Earrings.** Employees are allowed to wear up to two earrings per earlobe. Earrings should be matching pairs. Oversized earrings, plugs, gauges, rods, bars and other cartilage piercings are prohibited

**▲ Lifeguards** may not wear bracelets or necklaces unless they are for documented emergency medical reasons only. Earrings are not permitted unless they are studs.

**▲ Body Piercing Jewelry** may be worn only if it is not visible to our guests, and does not interfere with or distract from job performance.

**▲ Facial or tongue rings are not permitted.**

- \*\*\* IN CERTAIN AREAS (SUCH AS FOOD SERVICE, TICKET BOOTH, OPERATIONS, SECURITY, ETC.), STRICTER RULES REGARDING HAIR,

JEWELRY, ETC. MAY BE APPLIED. THE DEPARTMENT MANAGER WILL INFORM EMPLOYEES ACCORDINGLY.

## MALE EMPLOYEES GROOMING APPEARANCE

### ▲ Hair

- **Appearance** should be clean, natural, and well groomed.
- **Hair Length** should be above the top of a regular shirt collar in back and no longer than the middle of the forehead in front. The back of the hair may either be tapered or blocked. The sides of the hair may be full, but cannot cover more than one third of the ear. “Natural” or “Afro” hairstyles are permitted, provided they are neatly kept.
- **Extreme Hairstyles** are not permitted -No man buns or ponytails (examples include tails, partially shaved heads, or unnaturally colored hair).
- **Rollers and Beads** are not permitted.

### ▲ Facial Hair is permitted according to the following guidelines:

- **Mustaches** must be kept trimmed neatly, no longer than half an inch and not to extend past the corner of the mouth (either to the side or down).
- Handlebars are not permitted.
- **Sideburns** must be neatly trimmed and may not extend to more than three-quarters of the ear length. Flared and Mutton Chop styles are not permitted.
- **Goatees** must not be longer than a quarter of an inch and must be kept neatly shaped.
- **Beards** are permitted to be worn at a length not to exceed half an inch and neat in appearance. Beards must be cut uniform in length and thickness. No bare patches or extreme styles.

### ▲ Jewelry

- **Necklaces** are permitted provided that only one gold or silver necklace is worn, and that it is worn on the inside of the clothing.
- **Bracelets** are permitted provided that only one small gold or silver bracelet is worn.
- **Rings** are limited to three (3), with no more than two (2) on one hand.
- **Earrings** will be permitted provided it's located on the lobe. The earring must be a small stud not to be more than 1/8" in diameter. No gauges or hoops will be allowed
- **Ear Cuffs** will not be permitted.
- **Lifeguards** may not wear bracelets or necklaces unless they are for documented emergency medical reasons only.
- **Body Piercing Jewelry** may be worn only if it is not visible to our guests, and does not interfere with or distract from job performance.
- **Facial or Tongue rings are not permitted.**
- \*\*\* IN CERTAIN AREAS (FOOD SERVICE, TICKET BOOTH, OPERATIONS, SECURITY, ETC.) STRICTER RULES REGARDING HAIR, JEWELRY, ETC., MAY BE APPLIED. DEPARTMENT HEAD WILL INFORM EMPLOYEES ACCORDINGLY.

## **HYGIENE**

- ▲ Due to close contact with fellow employees and guests, it is important that employees maintain good personal hygiene practices.
- ▲ Anything that could be considered offensive, distracting or not in the best interest of the Company will not be permitted.
- ▲ Personal appearance of employees is critical to the Company's success. Employees should take pride in their appearance. The Company's guests, as well as fellow employees, will notice.

\*\*\* The Company recognizes that these regulations, as to dress and personal presentation, are largely matters of opinion. Immediate supervisors, department managers, General Managers, and/or the President will make final decisions regarding the dress and personal presentation of employees. Employees agree to conform to these judgments and requirements accordingly.

## **EMPLOYEE ID BADGE (TIME CARDS)**

Employee ID Badges ("ID Badge") are issued to all Company employees. ID Badges are used as employee identification, official time card, and govern access to the Premises. Hotel employees who directly interface with hotel guests ("Front Line Employees") will be issued a name tag ("Name Tag") and an ID Badge. Employees must have their own ID Badge or Name Tag with them at all times while on the Premises.

ID Badges and Name Tags put employees on a first name basis with Company guests and visitors. ID Badges and Name Tags are an integral part of providing a comfortable atmosphere for Company guests and visitors and help everyone become well-acquainted in a shorter period of time.

The following are general guidelines about the use of ID Badges and Name Tags:

ID Badges and Name Tags are part of an employee's daily attire, and should be worn on the front of an employee's clothing or uniform at shirt pocket level, or on the whistle lanyard for lifeguards. ID Badges and Name Tags should not have any unauthorized stickers or drawings.

ID Badges and Name Tags should be worn only while working or otherwise on Company business and should not be worn while not on duty or acting as an agent or representative of Company.

Name Tags that are lost must be replaced through the Hotel Uniforms office at a cost of \$5.00 per Name Tag, paid for by the affected employee. ID Badges that are lost must be replaced through the Human Resources Department at a cost of \$5.00 per ID Badge, paid for by the affected employee. Payment must be made at cash control prior to coming to Human Resources. Old, broken or faded ID Badges or Name Tags will be replaced at no charge upon the surrender of the old, broken or faded ID Badge or Name Tag to the Human Resources Department.

ID Badges and Name Tags also serve as employees' access to time clocks. All employees will use ID Badges to clock in and out for work. Hourly employees must clock in and out at the beginning and end of a shift and for lunch breaks.

Employees must comply with any request by Company management or security to show his or her ID Badge or Name Tag. Failure to comply with such request or an inability to produce an ID Badge or Name Tag may result in being escorted from the Premises.

**ID Badges and Name Tags shall remain, at all times, the sole and exclusive property of the Company and must be returned to the Human Resources Department upon termination or discharge.**

Any misuse of ID Badges or Name Tags shall be a violation of this Policy. Examples of such misuse include, without limitation, (a) failing to timely clock in or out, and (b) clocking in or out for another employee.

## PAY PRACTICES

### CLASSIFICATION OF PERSONNEL

For the purposes of salary administration, eligibility for overtime payments and employee benefits, the Company uses these following employment classifications:

**FULL-TIME EMPLOYEE:** Employees hired to work from thirty (30) to forty (40) hours or more per week on a regular basis and to fill an authorized full-time position. These employees may be "exempt" or "non-exempt" as defined below. Full-time employees may be paid on a salary basis or, on an hourly basis.

**PART-TIME EMPLOYEE:** Employees hired to work less than thirty (30) hours per week on a regular basis and to fill an authorized part-time position. These employees may work up to and on occasion over forty (40) hours in one week with prior management approval. These employees may be "exempt" or "non-exempt" as defined below. Part-time employees generally are paid on an hourly basis.

**TEMPORARY EMPLOYEES:** Employees hired to work full-time or part-time hours with the understanding that this employment will be terminated no later than upon completion of a specific assignment. These employees may be "exempt" or "non-exempt" as defined below. A temporary employee may be offered, and may accept, a new temporary assignment with the Company and retain temporary employment status. The assignment may be terminated at any time.

**SEASONAL EMPLOYEES:** *Palm Beach* Employees hired to work full-time or part-time hours with the understanding that this employment will be terminated at the end of the specific season. These employees generally are "exempt" as defined below.

### EXEMPTIONS

Definitions of exempt and non-exempt status are based on provisions of the Fair Labor Standards Act (FLSA).

**EXEMPT STATUS:** Employees who are management, professional, administrative and employees whose positions meet specific tests established by the FLSA and who are exempt from overtime pay requirements EXEMPT EMPLOYEES GENERALLY ARE EXPECTED TO WORK A 48 HOUR WEEK

**NON-EXEMPT EMPLOYEE:** Employees whose positions do not meet FLSA exemption tests, are paid on an hourly basis, and who are paid one-and-one half (1 1/2) times the regular rate of pay for hours worked in excess of forty (40) in one week.

## EMPLOYEE PAYROLL PROCEDURES

The Company has adopted the following employee payroll procedures:

- ▲ Hourly employees are issued paychecks every other Friday. For hourly employees, pay periods end every other Friday; the paychecks are distributed the following Friday, thus covering the preceding two-week period. Should a payday fall on a holiday, employees will be notified in advance of the distribution date.
- ▲ Salaried employees are paid on the 15<sup>th</sup> and the end of the month. Salaried employees are paid up to the exact day on payday. Should a payday fall on the weekend, salaried employees will be paid on the Friday before normal pay date. Should a payday fall on a holiday, employees will be notified in advance of the distribution date.
- ▲ Hourly employees' pay is based on the approved hours shown in the time keeping. It is the responsibility of the employee to see that his or her time is recorded correctly each day. Any errors should be reported to the employee's department manager immediately. Questions regarding pay should be discussed only with the department manager, Human Resources or Payroll.
- ▲ Any errors or questions regarding pay should be discussed with the department manager.

### DIRECT DEPOSIT

ALL employees are expected to Enroll in direct deposit to receive their compensation. New employees must complete their enrollment before attending orientation and receiving their Time Badge. Employees should contact the Payroll Department for assistance.

### TIME CLOCKS AND TIMEKEEPING RULES

Hourly employees must have their hours of work recorded on a time clock. A record of time is required by law and assures employees of proper payment for the amount of time worked. Since this is the only record of an employee's time, **it must be accurate**. The immediate supervisor will show employee their designated time clock to punch in and out at and how the time clock is operated. Employee must use their designated time clock for all punches.

- ▲ ALL Employees (including management) must clock in before starting work, and clock out after completing work for the day. This allows the Company an accurate headcount of all employees on property for Safety and Security reasons.
- ▲ If lunch is scheduled, hourly employees are required to clock out before lunch and clock in after lunch. All meal breaks should last a minimum of 30 minutes.
- ▲ With a supervisor's permission, employees may also take short breaks, usually scheduled for 15 minutes. Employees do not have to clock in and out for such breaks
- ▲ No employee should clock in more than five to seven minutes before his or her scheduled time to begin work unless directed otherwise by an immediate supervisor. Employees must not begin work before clocking in. **Working "off the clock" or failure to report all time worked is**

**strictly prohibited.** In any event, however, any employee who reports having worked “off the clock” will be paid for such time.

▲ No employee may clock in or out for another employee.

During each pay period, the immediate supervisor will check the punch detail in the time system, make corrections, and approve for payroll processing. All absence forms (both approved and non-approved), such as vacation, PTO, jury duty, etc. should be turned into the Payroll Department. Forms need to be received prior to payroll processing to allow verification of eligible paid leave and forwarding to payroll. Forms are due by Monday following the end of each pay week.

## **OVERTIME**

Non-exempt employees who work more than forty (40) hours during a regular work week will be paid overtime at the overtime rate of one and one half (1 1/2) times the regular hourly rate for each hour worked more than forty (40). **Only hours actually worked count in the overtime calculation.** Therefore, vacation days, PTO days, etc. are not counted. The fact that an employee receives PTO or Vacation pay is of no consequence for overtime purposes. The test is hours worked, rather than hours paid.

Employees must receive prior permission from an immediate supervisor, department manager, or Company management to work past forty (40) hours within one work week. Whenever possible, the immediate supervisor will give employees advance notice if working overtime is required. However, there may be times when the need to work overtime cannot be determined in advance. In such cases, employees are required to work as needed.

## **COMPENSATORY TIME**

Private employers are not authorized under federal law to give compensatory time and must give monetary overtime compensation. Any non-exempt employee who works over forty (40) hours in one work week will be compensated according to the law. No department manager has the authority to operate compensatory time programs.

## **PERSONNEL OR PAYROLL DATA CHANGE**

Since deductions from pay checks are based on the information given on W-4 withholding forms, it is important that the Human Resources and Payroll Departments be informed as soon as possible of any W-4 changes an employee wishes to make. The Human Resources Department can provide an employee with a new W-4 withholding form for completion. Any name, address, telephone or marital status, etc. changes must be reported for proper file retention. Employees must complete appropriate forms in the Human Resources Department.

To keep records up to date, employees must notify their immediate supervisor and the Human Resources Department promptly of any changes in name, home address, telephone number or any other pertinent information. Emergencies may arise when such information is of the utmost importance to employees and their family, as well as the Company.

Any changes in marital status, number of dependents, and designation of beneficiaries for retirement plans, insurance or other benefits should also be made in the Human Resources Department.

### **Tipped Employees**

Certain tipped employees may be paid a base wage rate that is below the applicable minimum wage rate, because they receive tips directly from customers. The portion of tipped employees' compensation that they earn directly via tips from customers is credited toward meeting the minimum wage rate, and is commonly known as the "tip credit."

The Company uses the federal minimum wage as the base wage rate. The amount between the base wage rate and the applicable minimum wage is the tip credit. Employees should retain all tips received. Should the amount of tips be insufficient to meet the minimum wage, the employee shall have the amount earned increased to meet the minimum wage.

The tips an employee earns are required by law to be reported. All tips recorded in the Micros system are reported and paid via payroll.

Employees falsifying Company records or forms or not reporting tips, such as Tip Declarations and Guest Checks, will be subject to discipline up to and including termination. Further, any employee who adds a tip or gratuity to a guest check without guest authorization may be subject to immediate termination.

### **DEDUCTIONS FROM WAGES AND SALARIES**

There are two (2) types of deductions made from paychecks: (a) those required by law, and (b) those authorized specifically by the employee. By law, an employer must deduct from an employee's check any payments for Social Security and Medicare tax and for federal income tax. The amounts deducted depend on the salary and, in the case of income taxes, on the number of exemptions reported on the W-4 withholding form filed by the employee with the Company. The number of exemptions claimed may be changed by filing a new W-4 with the Human Resources Department.

Additional salary deductions are made, when authorized by an eligible employee, for those optional benefit programs offered by the Company.

By law, the Company must make deductions from an employee's check in accordance with any attachment or garnishment order it receives relating to the employee.

#### **Deductions for Exempt Employees**

Because exempt employees are paid the same amount each week, regardless of whether they work more or less than forty hours, there are special rules for deductions from the salary of exempt employees. Exempt employees will not be subject to deductions from salary for:

- Partial day absences whether for personal reasons or lack of work;
- Absences of less than one full workweek for jury duty, service as a witness, or temporary military service; or
- Disciplinary reasons (except as provided below).

Deductions from the salary of exempt employees may be made for:

- One or more full days of absence for personal reasons, other than sickness or disability.
- One or more full days of absence occasioned by sickness or disability when the employee has used all available paid time off benefits that would otherwise continue pay during the absence.
- As penalties imposed in good faith for infractions of safety rules of major significance.
- For unpaid disciplinary suspensions of one or more full days imposed in good faith for infractions of written company discipline policy.
- Days missed in the first and last workweek of employment.

Any exempt employee who believes that an improper deduction has been made should immediately contact the Human Resources Representative. If there is an improper deduction, the Company will reimburse the employee the amount of the improper deduction at the earliest opportunity.



## **ATTENDANCE**

### **REPORTING ABSENCES AND/OR TARDINESS**

Employees who are going to be late for work, or are ill and unable to come in, must notify their immediate supervisor or department manager at least one (1) hour prior to the start of the employee's scheduled shift. Employees must contact their immediate supervisor or department manager directly and are not permitted to just leave a message on the voice mail or with a fellow employee to relay this information. Employees must give their immediate supervisor or department manager as much advance notice as possible so that other staffing arrangements may be made. When an employee is late or absent without a replacement, it places a burden on the remaining employees. It can also cause an attraction or department to open late or run poorly. Therefore, it is very important that employees come to work for their scheduled shift on time.

If an employee is unavoidably detained, he or she should immediately contact the immediate supervisor or department manager to advise of the employee's estimated time of arrival.

Communication of absences or tardiness is mandatory in order to allow the immediate supervisor or department manager ample time to make the necessary changes or arrangements in scheduling. Absences and excessive late arrivals of employees may lead to a reduction of scheduled work hours, suspension or termination of employment.

For health and safety concerns, any employee that is absent three or more consecutive days due to any major illness or injury, whether personal or work-related, will be required to present a physician's statement for clearance to return to work. Such physician's statement must be provided to the Human Resources Department. Clearance can be for either full or restricted duty. This requirement is to protect the ill or injured employee as well as other employees and guests from further illness or injury.

**ANY EMPLOYEE ON LEAVE FOR MEDICAL REASONS, SUCH AS FMLA OR WORKERS COMP IS REQUIRED TO PRESENT A FITNESS FOR DUTY RELEASE TO RETURN TO WORK.**

If an employee is absent from work without notifying his or her immediate supervisor (not simply any co-worker), the employee generally will be subject to the following disciplinary actions

One day	-Write up,
Two Consecutive Days	- Suspension, and
Three Consecutive Days	-Deemed a "Voluntary Resignation"

(Voluntary separation see P 12)

### **WORK SCHEDULE AND HOURS**

Department managers or immediate supervisors will explain to each employee his or her daily schedule and will set future schedules as far in advance as practicable. However, by the very nature of the operation, staffing needs will vary widely. Such factors as weather, special events, projected attendance levels, frequency and numbers of educational groups, holidays, etc. will influence the work schedule.

## **TARDINESS AND LEAVING EARLY**

The Company, its employees and guests depend on their co-workers to report to work on time and work as scheduled. Tardiness includes reporting to work after the scheduled starting time, returning late from lunch or break without prior approval, or taking too many breaks or unreasonably long breaks. Employees are not permitted to leave work prior to the end of the scheduled work day without the immediate supervisor's approval. Tardiness and/or unscheduled early departures are strictly prohibited.

## **ILLNESS AT WORK**

If an employee becomes ill while at work, he or she should report to the person in charge of the work area. Ill employees may be sent home or given a chance to take a break if one is needed. If it is determined that an employee should go home or to a doctor, the immediate supervisor should be notified of these facts. After the immediate supervisor has been notified, the employee must clock out. Employees should also keep their immediate supervisor well informed as to the status of his or her condition and expected return date.

## **MEETINGS**

Management is committed to timely and effective communications. The Company believes well-informed employees feel better about their jobs and their employer, and will perform better to help achieve the common goals. Regular meetings are designed to inform all employees as to the status of Company business. Meetings will include such topics as safety, performance, upcoming events and changes that everyone will need to know concerning day-to-day work life. Department managers will inform employees of the time and place for these **mandatory meetings**. All employees will be compensated for their time for attending these meetings.

## **Lactation policy**

The Company has provided a private room for an employee's use in expressing milk. Employees are responsible for keeping the private room clean and sanitary for the next user. Employees who wish to express milk during work hours should keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the Company. The Company provides two paid breaks of up to twenty minutes each for these purposes. Please consult with Human Resources if you need additional time. Contact Human Resources for more information.

## **INCLEMENT WEATHER**

Although Texas is known for its thunderstorms and flash floods, it is also a well-known fact that these storms can disappear quickly and do not always affect all parts of our region. The Company will not close the Premises for inclement weather unless the forecast is for severe weather over an extended period of time. In addition, closing information about the Premises will be broadcast, as long as they remain on the air, on radio stations FM 100.3 - KILT, and AM 740 - KTRH. Broadcast email or phone text will go out over the Companys communication network In addition the information will be posted on the employee web site. [www.mghrinfo.com](http://www.mghrinfo.com). This will save employees from driving to work unnecessarily. If employees have any questions about the Company's operation status, they should contact their department manager.

## EMPLOYEE PRIVILEGES AND BENEFITS

REGULAR FULL-TIME AND PART-TIME EMPLOYEES ARE ELIGIBLE FOR DIFFERENT PRIVILEGES AND BENEFITS AT THE COMPANY.

The Company values its employees and their families. Accordingly, the Company offers a range of privileges and benefits for both regular full-time and part-time employees. The plans have been designed for the employees, so it is important that they know what privileges and benefits they are eligible to receive, how to obtain them and how they work.

The following are outlines of each plan, **not summary plan descriptions. Summary plan descriptions will control in the event of any conflict with any other description.** A summary sheet handout for each privilege and benefit is available through the Human Resources Department.

### Privileges and Benefits available for:

Full-time and Part-time Employees - Free Admission to Attractions  
Discounted Family Memberships  
Worker's Compensation Insurance  
Direct Deposit  
Pension Plan

Full-time Employees Only - Group Health Insurance ( optional for FTE)  
Paid Personal Leave  
Paid Vacation  
Paid Bereavement Leave  
Paid Court Leave

**Moody Gardens may at times find it necessary to make changes or modifications to any benefit or privilege, as business requires.**

**If an employee has questions regarding any privileges and benefits, please contact the Human Resources Department.**

# **PRIVILEGES AND BENEFITS FOR REGULAR FULL-TIME AND PART-TIME EMPLOYEES**

## **Admission to Attractions**

An ID Badge or Name Tag allows full-time and part-time employees enjoy the Premises at no cost. Employees are also entitled to discounted rates on certain services or merchandise purchased. For a current list of discounts, employees can obtain a summary sheet from the Membership Services Representative.

## **Discounted Family Memberships**

For discounted family memberships, employees should complete the Membership pass form and have it signed by their manager and the General Manager. The Employee should take the form to the Membership counter in ticketing and pay for the passes and have their photos taken.

## **Workers' Compensation**

Workers' Compensation insurance coverage is available if a full-time or part-time employee is injured while performing job-related tasks while at work. Workers' Compensation insurance is designed to cover the expense of the employee who is injured or has developed an illness as a result of the job. If an employee is injured on the job or witnesses a fellow employee's injury, such employee must notify their immediate supervisor as soon as the injury is known, usually immediately (notification more than thirty (30) days after injury/illness may result in forfeiture of Workers' Compensation benefits for that injury/illness). The immediate supervisor or employee must contact security to have an incident report made and forwarded to the Human Resources Department within twenty-four (24) hours of notification. If an injury requires medical treatment, the employee should contact the Human Resources Department immediately to obtain claim information for hospitals/clinics. A work status report from the physician must be returned to the Human Resources Department for all medical visits regarding work-related injuries. For more information about Workers' Compensation, employees should contact the Human Resources Department.

## **401(k) Retirement Plan**

The Company offers a 401(k) retirement plan to both regular full-time and part-time employees. Eligible employees can enroll during one of the two annual enrollment periods (December and June) and deductions will begin on the first pay date the month after enrollment (January and July). Eligibility requirements are;

One year of employment at the Company  
Must be 21 years of age  
Must have worked at least 1000 hours or more in prior 12 months.

For more information about the 401(k) retirement plan, employees should contact the Human Resources Department.

## **Group Medical Insurance Premium Share**

In compliance with the **Affordable Care Act (ACA)** Certain Regular Part Time Employees (Full Time Equivalent FTE) may be eligible and offered premium share medical insurance. The ACA regulations require Moody Gardens to provide a Look Back period to determine eligibility. The Eligibility look back will be 120 days. If eligibility is found the 60 day waiting period is then entered. The ACA regulations determine that to be considered AFFORDABLE the premium for the FTE medical insurance be no more than 9.5% of the employee's salary. Moody Gardens, Inc. will calculate this based on the Federal Minimum wage.

## **PRIVILEGES AND BENEFITS FOR REGULAR FULL-TIME EMPLOYEES**

### **Paid Time Off (PTO) Personnel Leave**

The Company is open for business 365 days a year. Our facility operates on all holidays, and employees may be scheduled to work on any of these days. Employees will receive normal compensation for the hours worked on holidays.

Regular full-time employees are provided ten (10) personal days per calendar year. Leave is a privilege afforded to employees, not a right. New full-time employees will be provided the prorated portion of the ten (10) days according to days remaining between the date of full-time status and the end of the calendar year. Leave days may not be used until the Introductory Period (60 days-from the date full-time status begins) has been completed.

- ▲ PTO leave will start over Annually with ten (10) days on January 1<sup>st</sup>
- ▲ Unused PTO leave will not carry over into the next year
- ▲ PTO leave is not paid when terminating employment.

### **Vacation**

The Company provides paid vacation time to regular full-time employees after one year of full-time employment. This time may be used after an employee's one-year anniversary date of full-time status. Any portion of vacation time may be used at any time (with supervisor's approval) during the next employment year. However, any unused portion is forfeited at the end of the employee's next year of employment. This time does not accumulate and cannot be used prior to the employee's anniversary date unless written permission is received from the President or General Manager.

- ▲ 0-1 years, no paid vacation time
- ▲ 1-9 years, the employee receives 10 days per year
- ▲ 10 -19 years, the employee receives 15 days per year
- ▲ 20 or more years, the employee receives 20 days per year

If an employee resigns in writing with full notice of Fourteen (14) days, the employee will be compensated for any unused vacation time. Employees who are terminated by the Company may be paid accrued vacation time if approved by the General Manager, or his designee. Generally, terminations for violations of policy will disqualify employees from payment of accrued vacation.

- ▲ **Requests for unpaid time off will not be considered for approval unless all PTO and Vacation time has been exhausted.**

## **Bereavement Leave**

Regular full-time employees will be allowed three (3) days leave with pay in case of death in their immediate family (must have completed Introductory Period). Members of the immediate family include husband, wife, child, step-child, grandmother, grandfather, grandchild, mother, father, step-parent, foster-parent, mother in-law, father in-law, sibling, niece, nephew, aunt, uncle, and cousins.

Consideration for additional time off is given based on extenuating circumstances, such as required travel time. With the appropriate approvals, an employee may extend the paid leave by using earned and unused vacation days. Verification of an employee's relationship to the deceased may be requested at Company management's discretion.

Funeral leave required for family or non-family members not included above may be taken as PTO or vacation with the approval of an immediate supervisor.

## **Paid Court Leave**

When a regular full-time employee is summoned for jury duty or subpoenaed to appear as a witness, the Company will normally continue the employee's regular base pay while the employee serves as a juror or subpoenaed witness (paid leave is only allowed if the date of court duty service is on the employee's normally scheduled work day). The employee must have completed their Introductory Period to be eligible. The Company has the discretion not to provide such pay continuation benefits if, in Company's sole and absolute opinion, the actual or possible length of time that the employee will be required to serve as a juror or witness makes it impractical or inadvisable to do so. Any employee summoned to serve as a juror or subpoenaed to appear as a witness must notify his or her immediate supervisor upon receipt of such summons or subpoena and, to the extent possible, keep in touch with his or her immediate supervisor during the time the employee is serving as a juror or appearing as a witness. If, on any given day, an employee is released from jury or witness duty and two or more hours remain in the workday, the employee must return to work.

An employee who serves as a juror or appears as a witness pursuant to a subpoena will be permitted to return to the same employment he or she held when summoned or subpoenaed, unless circumstances have changed while the employee was serving so that reemployment is unreasonable or impossible. An employee intending to return to the Company following jury service or appearance as a subpoenaed witness must, as soon as practical after release from jury or witness duty, give the Company actual notice that the employee intends to return to work and must provide the Company with documentation from the court or other tribunal concerning the actual dates and times of such employee's jury or witness duty.

Deductions will not be made from salaries of exempt employees for jury or witness service lasting less than one full workweek. If pay continuation benefits are provided, or in the event an exempt employee is called to serve as a witness or juror for less than one full workweek, the employee will receive his or her regular paycheck. Regardless of whether pay continuation benefits are provided, time spent by a non-exempt employee in service as a juror or subpoenaed witness will not count toward hours worked for purposes of overtime compensation.

An employee wishing to take unpaid time off to appear voluntarily as a witness or party to litigation or other judicial, legislative, or administrative proceeding must obtain the approval of his or her immediate supervisor. In the event an employee appears as a witness or attends court proceedings at

the request of the Company, such time will be considered hours worked for all purposes and this section of this Policy will not apply.

### **Group Health Insurance**

Regular full-time employees are eligible after the waiting period established by the Company's current insurance policy. Insurance coverage always begins at the first of the month after the waiting period, if elected (first of July (open enrollment period) for late enrollees). For a current schedule of benefits to choose from, employees should contact the Human Resources Department. *If you wish to decline participation in the Employee Sponsored plan you must sign a Waiver before your benefit start date per the Affordable Care Act regulations. If you have other insurance, This employer policy becomes PRIMARY.*



## **RULES OF CONDUCT**

When many people work together, there must be Rules of Conduct. These rules have been implemented to protect the rights and interests of everyone - employees, guests, and visitors.

These rules are applicable any time the employee is on the Premises (whether on-duty or off-duty) or engaged in Company business (whether on the Premises or off-Premises). For employee information, the Company provides the following non-exhaustive list of actions that must be avoided and will not be tolerated.

1. Theft or knowledge of theft by others. Theft includes, without limitation, taking money or property that belongs to Company or someone other than the employee.
2. Using money that belongs to the Company or someone else for personal use - i.e. buying lunch, purchasing items from the gift shop, etc.
3. Accepting or giving unauthorized discounts on food, merchandise, events, etc.
4. Selling complimentary tickets or merchandise.
5. Any verbal or physical altercation, regardless of who provoked it.
6. Destruction or misuse of Company property (including, without limitation, equipment, uniforms, etc.).
7. Committing violations of safety or security procedures.
8. Lying to managers, supervisors, security, etc.
9. Allowing another person to use an employee's ID Badge or Name Tag, including for clocking in and clocking out.
10. Leaving an employee's assigned position without authorization or refusing to report to an employee's assigned position.
11. Insubordination, including the failure or refusal to perform work as instructed or to follow Company policies and procedures.
12. Illegal gambling on the Premises.
13. Use of abusive, impolite, or profane language or gestures.
14. Chewing gum, chewing or dipping tobacco, Vaping or smoking in any non-designated area. An employee's immediate supervisor should be consulted for a list of such areas.
15. Accepting or soliciting tips or gratuities (except for the wait staff, bussers, or bartenders).
16. Eating or drinking while on duty as a Front-Line Employee, unless on break or sitting down in the restaurant or designated employee break area.
17. Violation of the dress code.
18. Possession of illegal knives, weapons, firearms or explosives on the Premises or while engaging in Company business off-Premises.

19. Unauthorized entrance to or trespassing on the Premises.
20. Failure to observe safety rules or willfully creating a hazard. Failure to report any injury in a timely fashion.
21. Tampering with or falsification of time cards, personnel records, employment applications, or other Company records or reports.
22. Failing to timely clock in/out or clocking in/out with another employee's time card.
23. Transporting unauthorized passengers in a Company-owned vehicle.
24. Leaving the Premises or work during Working Time without the permission of an immediate supervisor.
25. Having family or friends loiter around an employee's work area.
26. Displaying affection in public. Employees are not to hold hands, put their arms around each other, or in any way display affection towards any other employee, guest or visitor.
27. Failing to maintain acceptable standards of politeness to guests and visitors and a personable attitude towards fellow employees and supervisors.
28. Engaging in disorderly conduct including horseplay, physical or verbal harassment of another person or use of abusive language on the Premises.
29. Being tardy or absent without proper notification to an immediate supervisor or without satisfactory reason, or being unavailable for work.
30. Engaging in any conduct deemed by the Company to have a significant adverse effect upon the mission, operations, or reputation of Company.
31. Unauthorized handling or interference with Company animals, birds, fish, or water quality.
32. Unauthorized use of or tampering with the Company's computer equipment.
33. Unauthorized use of Company or personal communication equipment or information resources during Working Time on the Premises.
34. Failure to follow the seasonal parking restrictions or not parking in the designated employee parking locations
35. Any action which would violate this Policy or the Code of Business Conduct.

The foregoing list merely contains examples of the type of behavior that will not be permitted and is not intended to be an exhaustive or wholly inclusive list. Any questions in connection with this Policy and whether a particular behavior is prohibited by this Policy should be directed to the Human Resources Department.

## CODE OF BUSINESS CONDUCT

The Company seeks to conduct its business in accordance with the highest ethical standards. The Company expects all assets including, without limitation, cash, tickets, receivables, inventory, food and beverage inventory, fixtures, equipment, supplies and other assets to be protected, safeguarded and controlled to the highest practical degree possible. In order to promote such accountability, the Company requires all employees to follow the following Code of Business Conduct:

**Unethical Business Practices are Not Tolerated.** Unethical business practices put the employee's interests above the Company's interests. Examples of such unethical practices include: (1) purchasing goods or services from related or non-independent parties at a cost other than the lowest possible cost; (b) providing Company business to a family member or friend of any employee without disclosing it; or (c) funneling Company business to a company owned by an employee, without disclosing it. As this Policy cannot list all examples of unethical business practices, it is the employees' responsibility to make appropriate inquiry and disclosure about any situation or transaction, which could be reasonably be construed as an unethical business practice.

**Conflicts of Interest Must be Avoided.** All employees must avoid being placed in a position where, due to their relationship, influence, interest or activity, it could present the appearance that the best interests of Company have been or will be compromised. Employees are expected to perform their responsibilities without any personal gain or benefit other than compensation from Company. Questions about any potential conflicts of interest should be referred to the employee's immediate supervisor or department manager. The following specific guidelines relate to Conflicts of Interest:

No employee may accept or solicit any money, kickbacks, loans or anything else of value for themselves or another person's personal gain or benefit from a supplier, customer, vendor, contractor or any individual or company seeking a business relationship with Company.

Nominal entertainment may be accepted only as required by protocol or as necessary to build a business relationship. The frequency and cost of such entertainment must not be excessive.

No employee should be employed by or receive compensation from any other company under any circumstances where such employment is detrimental to Company's best interests.

No employee should be indirectly involved i.e., through a spouse, friend or family member, in any activity, which would violate the Company's Code of Conduct if the employee had engaged in the conduct themselves.

**Protection of Company Funds and Assets.** The Company will not tolerate any instances of theft or misappropriation of goods, services or any Company asset or property, regardless of amount. In general, employees can only purchase goods and services on the same terms available to the general public, with the exception of Company-authorized programs such as free or discounted annual pass memberships for employees. The following specific guidelines relate to protection of Company funds and assets:

No employee may use their relationship with Company to obtain from vendors, suppliers or contractors merchandise or services for personal purposes, which would otherwise be unavailable, or at a lower cost or better terms than would otherwise be available to the general public.

No co-mingling of funds is ever tolerated between Company funds and those of employees. It is unacceptable to “borrow” Company funds, even for the shortest duration, under any circumstances, other than advances to employees authorized by the President for Company travel.

## **HANDLING OF CONFIDENTIAL INFORMATION**

In the course of employment, employees may have access to confidential information and documents regarding various phases of Company business (collectively, “Confidential Information”). It is the employee’s obligation not to reveal any such Confidential Information to anybody not employed by Company, and only to other Company employees who require such Confidential Information to perform their jobs.

If there is ever any doubt as to whether certain information constitutes Confidential Information, employees should refer any questions to their immediate supervisor or department manager.

At no time should an employee divulge private or personal information concerning a fellow employee, former employee, or any guest or visitor, including without limitation the address or telephone number of such person. All mail or telephone inquiries requesting employment verification of current or former employees must be referred to the Human Resources Department.

All Confidential Information shall remain, at all times, the sole and exclusive property of Company and all copies of Confidential Information (paper or electronic) must be returned immediately to the Company upon the termination of employment.

The following is a non-exhaustive list of information that is considered Confidential Information under this Policy: salaries or benefits of Company employees; financial reports, budgets or projections; strategic plans; any information which has not or will not be made public; pricing information; discount information; any personal information of employees, visitors or guests; recent sales and volume information; marketing strategies or plans.

## **SOLICITATION, DISTRIBUTION, AND LOITERING POLICY**

In the interest of maintaining a proper business environment and preventing interference with work, inconvenience to others, and disruption to our visitors and guests, the Company has adopted the following rules regarding solicitation, distribution and loitering on the Premises and/or during work hours:

Solicitation (including selling merchandise and soliciting for financial contributions or any other cause) is not permitted by employees during Working Time (as defined below) or on the Premises. Solicitations are also prohibited in any area that is open to the public or where visitors or guests may be present. An employee may not engage in solicitation of any other employees who are on Working Time.

Distribution of non-work related literature is not permitted for any purpose during Working Time or at any time in working areas.

Distribution to, or solicitation of, guests, customers, visitors or clients is strictly prohibited at all times.

Non-employees may not solicit for any purpose or engage in distribution of literature of any kind on the Premises. Employees should report any such persons making solicitations or distributions on the Premises.

Loitering on the Premises, whether in the buildings or other Working Areas before a work shift begins or after it ends is not permitted.

As an employer and responsible corporate citizen, the Company may authorize certain solicitation and distribution to its employees as long as such activity is in furtherance of the Company's business functions or charitable undertakings. Employees who wish to engage in solicitation or distribution other than as provided in this Policy must request permission to do so and may not until he or she has obtained the prior, written consent of a General Manager or President of the Company, which may be granted or withheld in the Company's sole and absolute discretion.

The term "Working Time" means any time work is occurring on the Premises or an employee should be working.

The term "Working Areas" means any areas of the Premises where work normally occurs, which includes areas where guests may be present, such as hallways, lobbies, guest rooms, ballrooms, meeting rooms, offices, front desk, concierge or information stands, luggage stand, coat-check area, cubicles, exhibit area, restaurants, concessions, gift shops, and theatres.

## **MEDIA GUESTS**

Members of the media (such as radio stations, television stations and newspapers) are often guests of the Company on the Premises. However, employees may not be able to distinguish members of the media from other guests or visitors. Members of the media are usually invited to the Premises for special events or occasions. On occasion, the media will come from outside of the Houston/Galveston area in order to develop a story on the Company. It is important for all employees to remember that the impression made on one member of the media can be multiplied thousands of times through articles or news spots. Employees can make the difference between a negative and a positive impression of how all Company guests are cared for at the Premises. All media questions should be directed to the Marketing Department, General Manager, or the President.

## **PACKAGES AND SEARCHES**

All packages leaving the Premises are subject to inspection by Company security officers or a member of Company management.

Tote bags, backpacks, purses and other handbags are also subject to periodic, random inspection by Company security officers or a member of Company management or for reasonable cause The Company may also search an employee's personal area (including desks, lockers, and cubicles) at any time.

## LOST AND FOUND

All lost items found on the Premises must be turned over to an immediate supervisor or to the information desk as soon as possible on the day they are found. The Security officer will complete an *Incident Report* or record it in the daily log. This process is necessary for guest convenience, record-keeping, and security purposes.

If a guest reports a lost item or has a question in regard to a lost item, employees should contact their immediate supervisor, Security, or information desk and have them assist the guest in order for them to resolve the problem. If the Company has possession of the guest's lost item and it has been properly identified, it will be returned to the guest. **However, the Company is not responsible for any lost items.**

## TELEPHONE CALLS, VISITORS & MAIL

Company telephones in an employee's work area are intended for Company business purposes only. Personal phone calls should not be made from Company telephones in work areas. Employees may make personal phone calls only upon prior permission from an immediate supervisor and only during a break period; provided, however, no long distance phone calls are permitted. Long distance phone calls are reserved only for Company business purposes. If someone needs to contact an employee in an emergency, they may call any department office directly and the message will be relayed to the appropriate employee if at all possible. Personal phone calls will not be transferred to an employee's work area.

Employees are encouraged to keep visits of friends and family to a minimum and limited to non-Working Time. Employees are responsible for the conduct of their visitors on the Premises.

The Company mail system is intended for Company business purposes only. Personal mail should not be sent to the Premises. All mail will be opened prior to being forwarded to the appropriate party. The mail room and the postal meter are to be used for Company business only. Since personal mail is not to be sent to the office, all mail is presumed to be for the Company and is subject to inspection by the Company. Employees should not have any expectation of privacy with respect to mail sent to their attention at the Premises.

## RADIOS, CELLULAR PHONES, HEADPHONES AND PERSONAL ELECTRICAL DEVICES

Certain employees are assigned a radio, and/or cellular phone. When an employee has physical possession of any of these items, such employee also signs for and become responsible for replacing them at a pre-established monetary amount. Employees must return these items to the Company in good condition upon termination of employment. If these items are lost, stolen, or destroyed while in an Employee's possession, such employee may be held financially responsible for reimbursing the Company at the pre-established rate for the lost, stolen or destroyed item.

**Use of personal cellular phones is not permitted during Working Times or in working areas (except as authorized by management). This includes all forms of personal communications devices and services; i.e. phone calls, text messaging, streaming music or visiting social media sites.**

## **FACSIMILE & VOICE MAIL**

The facsimile, voice mail, and electronic mail systems are Company property and, in general, are to be used for Company business purposes only. The following rules shall govern the use of each of these systems:

### **Facsimile**

The Company's facsimile equipment, including fax/modem boards, is to be used for Company business only, unless otherwise authorized by a department manager. Personal facsimile messages are not to be received or sent. All facsimile transmissions are subject to review by the Company. Accordingly, an employee should not have any expectation of privacy with respect to any facsimiles.

### **Voice Mail**

The Company's voice mail system is to be used only for Company business purposes. Employees are not to make unauthorized or personal use of the voice mail system. Use of the voice mail system by any employee grants consent to the Company to monitor any voice mail messages. All messages are subject to review by the Company and random monitoring to determine whether any non-employees have gained unauthorized access to the voice mail system or whether any violations of Company policy have occurred. Employees should not have any expectations of privacy with respect to voice mail messages.

## **ELECTRONIC MAIL (E-MAIL), AND INTERNET POLICY**

The Company's e-mail system and Internet access are to be used primarily for Company business purposes. Company e-mail and Internet access may be used sparingly for incidental, personal reasons, but employees should not abuse this privilege. When using e-mail or accessing the Internet, the Company prohibits:

- ▲ Unauthorized dissemination of Confidential Information;
- ▲ Sending, receiving, storing or printing of any materials or any information in violation of any applicable law;
- ▲ Forwarding e-mail messages under circumstances likely to embarrass, injure or harass any person or that violate a clearly expressed desire of the sender to restrict additional dissemination;
- ▲ Any use that may be disruptive, offensive, harmful or otherwise violates this Policy, including without limitation:
  - ▲ Transmissions containing ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, color, religion, sex, pregnancy, sexual orientation, age, national origin, disability status, genetic information, service in the armed forces, or any other status protected by law;
  - ▲ Sending or soliciting sexually-oriented messages or images;
  - ▲ Operating a business or conducting activities for personal gain;
  - ▲ Sending chain letters;

- ▲ Posting information known to be false about the Company, its employees, customers, or vendors.

### **Monitoring of Electronic Messaging Systems and Privacy of Information**

While incidental, personal use of the Company's electronic messaging systems is permitted, all employees should be aware that information passing through such system is not private and THERE SHOULD BE NO EXPECTATION OF PRIVACY in the use of the Company's information technology systems, including email and Internet browsers.

All information on Company-owned, leased or controlled computer systems and equipment, including electronic mail, is the sole and exclusive property of the Company. To ensure compliance with this Policy, the Company's management may inspect and disclose the contents of such computer systems and equipment, including any electronic messages.

IT SHOULD ALSO BE NOTED THAT ELECTRONIC MESSAGING SYSTEMS, AS WELL AS OTHER COMPUTER SYSTEMS, ARE SUBJECT TO THE RIGHT OF DISCOVERY IN LEGAL ACTIONS INVOLVING THE COMPANY. THIS MEANS THAT OUTSIDE PARTIES MAY GAIN ACCESS TO THE INFORMATION STORED ON COMPANY SYSTEMS AND, AS A RESULT OF THE DISCOVERY PROCESS, SUCH INFORMATION MAY BECOME PUBLIC.

### **Social Media**

The Company recognizes that many employees access and enjoy the Internet outside of Working Time while using their personal equipment and resources, and engage in activities such as chatting, posting opinions, and blogging. The Company expects that its employees will adhere to this Policy when accessing the Internet for personal use. For example, the Company prohibits the disclosure of Confidential Information, as defined on page 10; taking actions that would otherwise violate this Policy; or posting or displaying comments about co-workers or supervisors that are malicious, vulgar, obscene, threatening, intimidating, or harassing, or meant intentionally to harm someone's reputation.

### **Rules for Internet Access, Social Media, and E-mail**

The Company provides access to the public Internet for the basic functions of e-mail, file transfer, and interactive terminal access, where the use of those services is necessary to accomplish the business goals of the Company. The Company has no control over the content of the Internet that the viewer may find offensive or that may cause emotional distress.

The following rules should be observed when using the Company's electronic resources:

- ▲ Do not leave an Internet connection open when not actively using it. There are resource costs associated with Internet access and also a limited number of Internet access points from the Company's system. Employee Internet access limits the access of someone else, so employees should disconnect when finished with their immediate work.
- ▲ Outgoing transmissions are not automatically encrypted by the messaging systems. Therefore, employees must encrypt any transmission containing Confidential Information, proprietary or sensitive information.

- ▲ E-mail attachments or files obtained through the Internet are not scanned for known software viruses. Employees importing files are responsible for ensuring that files are free of viruses. Virus scanning software is provided on desktop computers and should always be used to scan for viruses when downloading files from the Internet.
- ▲ Exploration of the Internet to discover useful resources is encouraged, but the Company does not sanction connection to websites that contain any material that may offend others, including without limitation, websites containing sexually-explicit material. The Company has the right and the ability to block access to any website, and may exercise that right at any time.
- ▲ E-mail names are considered public information and can be advertised in any form, including on Company employees' business cards. The name must adhere to the Company's e-mail standards.
- ▲ The use of Internet style signatures at the end of messages sent over the Internet is encouraged, but these signatures must be limited to the sender's name, the Company's name, an Internet style e-mail address, phone number, and fax number. Employees may not add messages or quotes at the end of such signature without prior written authorization from an immediate supervisor.
- ▲ When posting on social media, employees must add the following disclaimer at the end of any message:  
*"My comments are provided for information only and they do not constitute an opinion of Moody Gardens"*.
- ▲ Employees should assume that every Internet website visited will capture the electronic address, which can then lead them back to the Company. Employees should keep this in mind when visiting websites because the Internet tracks the sites visited.
- ▲ **Employees may not speak for the Company online without prior written authorization from the President.**
- ▲ Accessing Social Media during Working Time is prohibited other than to conduct Company-related business or activities.
- ▲ It may be a violation of federal truth-in-advertising (FTC) law to make false or potentially misleading endorsements about the Company's services when posting online. For that reason, if an employee's job responsibilities include endorsing the Company's services online, such employee must identify himself or herself as an employee of Company.
- ▲ Employees may only access the Internet from within Company offices. Access to the Internet from a remote computer through the Company's systems, by accessing the Company's host computer, is strictly prohibited. This prohibition is necessary to preserve system resources for other, non-Internet, remote connections to Company systems.

## **SAFETY, HEALTH & ACCIDENT PREVENTION**

The Company believes in the safety and well-being of every individual employee. The Company is committed to providing the safest and best possible working environment. Training programs have been developed and implemented to provide employees with an understanding of the advantages of

conducting work in a safe environment. The Company strongly believes that the success of these programs and training is dependent on the employee. This Policy requires employees to conduct their work in a safe manner. All concerns and issues involving safety and health are a top priority; therefore, it is everyone's responsibility to immediately report all unsafe or hazardous conditions. Immediate action will be taken to correct all matters of safety.

The Company's objectives will be achieved by following established safety guidelines, developing a commitment to safety, and by employees assuming responsibility for their own safety, the safety of their co-workers, and the prevention of loss to the Company.

### **Safety Guidelines:**

- ▲ Employees must report all injuries, no matter how slight, to their direct supervisor immediately.
- ▲ The Company prohibits retaliation against any employees who makes a good faith report of an injury. Retaliation does not include any discipline for violating safety rules.
- ▲ If an accident investigation occurs, all employees involved in the incident, or witnesses to the incident, must cooperate in the investigation performed by Company security, management or safety officer.
- ▲ Employees must be thoughtful and orderly in work conduct. Many injuries are the result of horseplay or other conduct outside the scope of employment.
- ▲ **ONLY** authorized personnel shall operate, modify, adjust or repair Company equipment.
- ▲ Employees must use all safety equipment provided for a particular job as instructed. Employees must wear or use safety devices provided for employee protection **AT ALL TIMES**.
- ▲ Employees must report any unsafe conditions or practices to an immediate supervisor and/or safety officer **IMMEDIATELY**.
- ▲ Employees must follow any and all safe work instructions provided by an immediate supervisor. In addition, specific safety and emergency regulations are available in each department. Employees are responsible for learning and following applicable fire, safety and health regulations.
- ▲ Employees must practice good housekeeping around work areas. **EMPLOYEES MUST CLEAN AS THEY GO.**
- ▲ **WET FLOORS** are dangerous. If an employee sees a spill, he or she should either wipe it up at once, or report it to a supervisor and either place appropriate caution sign or wait until someone arrives to clean the area. Employees must use caution when walking in areas such as kitchens, pools, and stairways.
- ▲ Employees must **SWEEP** broken items, like glass: never pick it up with hands.
- ▲ **AISLES**, halls and walkways must always be clear of debris, electrical cords, or anything that can be tripped over.
- ▲ Employees must **TALK** to others when entering work areas which have blind corners, or when carrying a load which obstructs vision. A little conversation goes a long way.
- ▲ Employees must **LOOK** before turning corners, and never push or pull a cart blindly. Employees must always look where he or she is going.
- ▲ **SHOES** must be appropriate for work conditions or areas. No open toed, open heel, or sandal-type shoes (except for lifeguards).
- ▲ **REACHING** for objects on high shelves can be dangerous. Employees must use a stepladder and never use boxes or a chair for reaching high projects.
- ▲ **LIFTING** requires a certain technique. When lifting objects, Employees should never lift more than one-third of his or her own weight, or anything that an employee is unsure of. Employees should use their legs, not their back, and avoid twisting movements as lifting. When turning, Employees should make use of foot movement rather than twisting the body and then shifting the feet. When the object is too heavy or bulky to be moved by one person, check with an

immediate supervisor for assistance or call a co-worker for help. Employees should never lift an object when stretching across a counter, shelf, table or other surface. Employees should slide or pull it toward them, then lift. Employees should always be sure that they have a firm grip on the object and wear protective gloves if the object is rough-edged which could cut or bruise the hands. When moving an object from above (such as on a high shelf), an employee should be sure that it not too heavy. Ladders should be positioned so that the object may be removed with the arms and legs bearing the weight of the item.

- ▲ **WEAPONS/ FIREARMS are expressly prohibited to be carried, either openly or concealed, by any employee on the premises. Violations of this firearm possession policy will result in immediate termination. This policy is for the safety and welfare of both our employees and our guests.**

Employees will learn other safety measures while on the job, but it is imperative that employees be aware of the need for safety requirements for the welfare of all employees.

### **Fire Prevention:**

Department managers are responsible for informing employees about the fire procedure in their department. All employees are required to become familiar with the procedures and regulations to be followed in the event of fire or disaster and should fully understand the role each employee is to play in an emergency. Employees must know how and what to do.

There are fire extinguishers located in every area of every building on the Premises. Employees should always be on the alert for fire or smoke. Employees must observe all “No Smoking” rules and areas. In those designated areas where smoking is allowed, ashtrays must be used. Employees are not permitted to tamper with the fire alarm systems. Employees should remain calm in the event of fire or smoke and follow the fire procedures provided by their department manager. Employees must report all unsafe conditions that may result in a fire **IMMEDIATELY**.

All accidents or incidents of safety or security concerns must be reported immediately to the immediate supervisor, management, safety officer or security. The Company may set up surveillance to protect the Company, the Premises, and Company guests and employees by using video cameras, security staff or other security service.

If an employee has any questions regarding safety or accident prevention, they should contact the Human Resources Department for assistance. Additional handouts and other information will be made available through safety meetings and at other times during employment.

### **PARKING AND TRAFFIC SAFETY**

Sufficient parking area is provided in order to maintain a proper flow of traffic and to allow parking spots for both Company employees and guests. It is mandatory that these regulations be followed. **SPECIFIC PARKING RESTRICTIONS ARE ANNOUNCED EACH SEASON.**

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- ▲ Employees working in or visiting the Premises must park in the designated employee parking lot unless otherwise notified. Each employee using a personal vehicle must have a parking sticker issued by the Human Resources Department.
- ▲ Employees must observe all Handicap parking spaces. Only those vehicles with the proper permits are allowed. The police department will be called to ticket and tow any vehicle illegally parked in a handicap space.

- ▲ The speed limit is 15 M.P.H. in the parking areas, the boulevards and driveways through the Premises. Hope Boulevard and Lockheed are posted at 25 M.P.H. All parking garages have a speed limit of 5 M.P.H. for all vehicles, including carts. All traffic signs must be observed at all times.
- ▲ All employees are to observe and follow all traffic safety procedures including stop signs, speed limits, pedestrian walkways, and handicap parking.

Violations of the Parking and Traffic Safety section of this Policy are subject to the following disciplinary actions:

- 1<sup>st</sup> Offense – employee will be issued a written warning
- 2<sup>nd</sup> Offense – employee will be suspended without pay for one day
- 3<sup>rd</sup> Offense – employee will be disciplined up to and including termination of employment, if prior offenses occurred within a one year period.

Employees must lock their car when parked on the Premises. The Company is not responsible for anything that may happen to an employee's car or belongings while parked on the Premises.

## **USE OF VEHICLES ON COMPANY BUSINESS**

The Company has established the following guidelines regarding the use of vehicles while engaging in Company business: Any Employee driving or operating a company owned vehicle (including carts) is required to have training or instructions on the operation of said vehicle. Any driver must be over 21 with a valid TEXAS drivers license to operate a street legal vehicle and over 18 to operate a cart. Your TEXAS Drivers license should be kept updated with Human Resources

- ▲ All employees must drive a Company vehicle (when available) while conducting Company business away from the Premises.

If a Company vehicle is unavailable, an employee may request permission from a department manager to use his or her personal vehicle to conduct Company business away from the Premises.

The Company's insurance protects Company from liability to third parties arising out of accidents which occur while an employee is driving his or her personal vehicle on Company business. However, such insurance protects the Company only and neither Company nor Company's insurance provider will protect the employee from his or her liability or pay for damages to his or her personal vehicle arising out of his or her use of a personal vehicle on Company business.

- ▲ **Use of cell phones or other personal electronic devices while driving a Company vehicle is strictly prohibited.**
- ▲ **Use of company issued cell phones or other company issued electronic devices while driving any vehicle is strictly prohibited.**

If an employee is granted permission to use his or her personal vehicle to conduct Company business, such employee will be reimbursed for any Company business mileage at a rate equal to the current IRS rate of reimbursement per mile. This rate changes annually based on the current IRS tax laws.

In order to be reimbursed for any Company business mileage, employees must submit a monthly *Mileage Reimbursement for Personal Vehicle Use* report to their department manager.

## **VIOLATIONS OF THIS POLICY; REPORTING**

It is the responsibility of all employees to ensure compliance with every part this Policy. All members of management are accountable for the effective administration and enforcement of this Policy throughout their respective departments, as well as Company-wide.

**Violations of this Policy can result in disciplinary action, including without limitation, termination of employment with the Company.**

All employees are encouraged to bring suspected violations of this Policy to the attention of their immediate supervisor or department manager promptly. If the suspected violation involves an employee's immediate supervisor or department manager, the employee may notify the Human Resource Director, General Manager, or the President of the suspected violation.

## **INVESTIGATIONS; CORRECTIVE ACTION**

All reported violations of this Policy will be promptly and thoroughly investigated. This Policy prohibits retaliation against any person who reports or assists in the investigation of a suspected violation of this Policy.

The Company believes this Policy is necessary for the safe and efficient operation of the Company, and that corrective action will occasionally be required to protect the interests of the Company and its employees and guests, or to assist employees in improving their own job performance. Therefore, situations requiring corrective action will be acted upon promptly, though not in haste, and the action taken will be consistent, impartial, and based on sound and prudent judgment. The Company may provide a verbal counseling, a written warning, a suspension, or termination, depending on the offense

The exact steps for corrective action will be determined on a case-by-case basis and will be left up to the discretion of the Company's management. While it is **NOT** possible to specify the appropriate corrective action for every situation, it is the responsibility of management to determine the appropriate action on a case-by-case basis, considering the particular facts and circumstances involved. For any questions or assistance regarding such corrective action, all employees should contact the Human Resources Department.



## FAMILY AND MEDICAL LEAVE POLICY

Moody Gardens has adopted this Family and Medical Leave Policy in accordance with the Family and Medical Leave Act of 1993, as amended (“FMLA”).

### Eligibility

To be eligible for leave under the FMLA, an employee must have been employed by Moody Gardens for at least one year, and must have worked at least 1,250 hours during the 12-month period preceding the commencement of the requested leave. In addition, employees must work at a worksite that has at least 50 employees employed within 75 miles of their worksite.

### Reasons for Leave

Eligible employees may take up to twelve weeks of unpaid leave under FMLA for the following reasons:

- ▲ for prenatal care, and for incapacity due to pregnancy or the birth of a child, and to care for the newborn child;
- ▲ to care for a newborn or adopted or foster care child for 12 months after the birth of placement;
- ▲ when the employee is needed to care for an immediate family member (*i.e.*, spouse, son or daughter who is either under 18 or disabled and incapable of self-care, or parent) with a serious health condition;
- ▲ when the employee is unable to perform the functions of his or her position because of the employee’s own serious health condition; or
- ▲ for a “qualifying exigency” of a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation.

Covered Servicemember Leave: Eligible employees may take up to twenty-six weeks of unpaid leave under the FMLA to care for a covered servicemember, but only during a single twelve-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. or a veteran not dishonorably discharged at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

### Terms used in this policy have the following meanings:

- ▲ ““Spouse” means husband or wife as recognized under State law including common law marriage.
- ▲ “Parent” means a biological parent or an individual who acted as a parent to the employee when the employee was a child. To “act as a parent” means having day-to-day responsibilities to care for and financially support a child. “Parent” does not include parents “in-law.”
- ▲ “Son or daughter” means biological, adopted, or foster child, a stepchild, a legal ward, or a child for whom the employee acts as a parent if the child is under 18 years of age, or a child over 18 years of age for whom the employee acts as a parent if the child is incapable of self-care because of a mental or physical disability.

- ▲ “Serious health condition” means any illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities. The term “serious health condition” generally does not include:
  - “Continuing treatment” such as routine physical examinations, eye examinations, or dental examinations.
  - “Continuing treatment” involving only a regimen of taking over-the-counter medications, bed-rest, drinking fluids, or other similar activities that can be initiated without a visit to a health care provider.
  - Conditions for which cosmetic treatments are administered (*e.g.*, acne or plastic surgery) unless inpatient care is required or complications develop.
  - Conditions such as the common cold, the flu, earaches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, *etc.*, unless complications develop.
- ▲ “Qualifying exigency” may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

#### How Leave Is Calculated and Maximum Amount of Leave Allowed

For all leaves other than the Covered Servicemember Leave, an eligible employee may take a maximum of 12 weeks leave within a 12-month period of time. The 12-month period is a “rolling” period, measured backward from the date an employee uses FMLA leave. Each time an employee takes FMLA leave, the employee’s remaining leave allotment would be any balance of the 12 weeks that has not been used during the immediately preceding 12 months. For example, if an employee has taken eight weeks of leave during the past 12 months, the employee would be able to take an additional four weeks’ leave.

Leave taken for the birth or placement of a child must be completed within the 12-month period beginning on the date of the birth or placement.

Employees taking a Covered Servicemember Leave are entitled to take 26 weeks of leave during a single 12-month period. The single 12-month period begins on the first day of FMLA leave and ends 12 months after that date, regardless of the amount of leave actually taken. All leave not taken at the end of the single 12-month period is forfeited.

Spouses who are both working for Moody Gardens are limited to a combined total of 12 (or in the case of Covered Servicemember Leave, 26) weeks’ leave during any 12-month period, when the leave is due to the birth or placement of a child, or to care for a parent with a serious health condition.

For employees who take a Covered Servicemember Leave and FMLA leave for any other reason, the total amount of time which the employee may take is 26 weeks in a single 12-month period.

#### Intermittent or Reduced Schedule Leave

An employee does not need to use the FMLA leave entitlement in one block. When certified to be medically necessary, an employee requesting leave for the serious health condition of the employee or a member of the employee’s immediately family may take FMLA leave on an intermittent or

reduced schedule basis. Employees may also take leave for a qualifying exigency on an intermittent basis.

Intermittent leave is leave taken in separate blocks of time due to a single illness or injury, rather than for one continuous period of time and may include leave taken in periods from an hour or more to several weeks. Intermittent leave may not be taken in increments of less than 1 hour.

#### Notice of Leave

If the need for the FMLA leave is foreseeable, the employee must give Moody Gardens at least 30 days advance notice of the need for leave. This notice should be provided by completing Moody Gardens' Request for Leave form, which is available from the Human Resources Representative.

If it is not possible to give 30 days' notice of foreseeable leave, or if the need for the leave was not foreseeable, employees must notify Moody Gardens of the need for leave as soon as practicable under the circumstances. Ordinarily this would mean at least verbal notice to the employee's supervisor or Human Resources Representative on the same or next day of when the need for the leave becomes known to the employee. This verbal notice should, at a minimum, state the reason for the leave and its anticipated timing and duration. The employee should complete a Request for Leave form as soon as practicable.

Employees must provide sufficient information to determine if the leave may qualify for FMLA protection and the anticipated duration and timing of the leave

When planning medical treatment, the employee should consult with the employee's supervisor and make a reasonable effort to schedule the leave so as not to disrupt unduly Moody Gardens's operations, subject to the approval of the health care provider.

**Employees must follow Moody Gardens' call-in procedures for any absences under the FMLA, and are subject to discipline for their failure to do so. If an employee fails to give 30 days notice for foreseeable leave with no reasonable excuse for the delay, Moody Gardens may delay the start of the leave until at least 30 days after the date the employee provided notice of the need for the leave.**

#### Medical Certification

If an employee requires leave due to the serious health condition of the employee or a member of the employee's immediate family, then Moody Gardens may ask the employee and the attending health care provider to provide medical certification of the need for the leave. Moody Gardens may later require recertification under certain circumstances.

Failure to provide requested medical certification in a timely manner may result in delay of the requested leave, a denial of leave and/or disciplinary action under the attendance policy.

#### Employer Responsibilities

It is Moody Gardens's responsibility to inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, Moody Gardens must provide a reason for the ineligibility.

Moody Gardens must inform employees if leave will be designated and the amount of leave counted against the employee's leave entitlement. If Moody Gardens determines that the leave is not FMLA-protected, Moody Gardens must notify the employee.

### Status Reports

An employee on FMLA leave must contact Moody Gardens on the 1st and 15th day of each month (or on the first workday following the 1st and 15th, if those days fall on a weekend or holiday) to report on the status of the reason for the leave, the employee's intent to return to work, and the expected date of return.

### Use of Paid Leave, Health Insurance and Other Benefits

Paid leave (i.e. PTO, vacation leave, Short Term Disability, Workers Compensation, or other paid leave) runs concurrently with FMLA. Moody Gardens requires employees to use all accrued paid leave while taking FMLA leave unless receiving other benefits. During the period of paid leave, if any, the employee will continue to actively participate in all applicable benefit plans, including health insurance, for so long as the FMLA leave is paid. This means that the employee's portion of health insurance premiums and other benefits contributions will continue to be deducted from the employee's regular payroll check.

When FMLA leave is unpaid, Moody Gardens will maintain the employee's group health insurance benefits under the same terms as if the employee had continued to be actively employed. The employee must pay the employee's portion of the premium during the leave. Payment of the employee's portion of the premium should be submitted to the office and is due on the 1st day of each month. If the employee's portion of the premium is more than 30 days late, the employee's health insurance coverage may cease.

The employee will be required to reimburse Moody Gardens for any amounts that may be paid to cover the employee's portion of the premium during leave. If the employee returns from the leave, this reimbursement will be accomplished through payroll deduction unless Moody Gardens approves of another arrangement. Moody Gardens will work with the employee to establish a reasonable repayment schedule.

If an employee does not return to work following completion of FMLA leave, the employee will be required to reimburse Moody Gardens for the amount of the premiums paid (whether designated the employer's or the employee's portion) to maintain the employee's health insurance coverage during unpaid FMLA leave, unless the employee is unable to return to work because of the continuation, recurrence or onset of a serious health condition or some other reason beyond the employee's control. Such amount will be deducted from any moneys owed by Moody Gardens to the employee unless Moody Gardens approves of another arrangement. If no moneys are owed by Moody Gardens to the employee, such amount will be a debt owed by the employee to Moody Gardens which may be collected by any legal means. If the employee is unable to return because of a serious health condition, Moody Gardens may require the employee to submit medical certification using the Certification of Health Care Provider form in order to forgive premium amounts due. If the employee fails to submit the required certification within 30 days of Moody Gardens's request, the employee will be required to reimburse Moody Gardens for premiums paid during the unpaid FMLA leave in the manner described above.

While an employee is on unpaid FMLA leave, Moody Gardens may maintain other employer-provided insurance coverage (such as life, accident and long term disability insurance) for the employee under the same terms as if the employee had continued to be actively employed. If such other insurance coverage is maintained, the provisions of this policy regarding payment and reimbursement of health insurance premiums will apply to the payment and reimbursement of premiums for such coverage.

#### Returning from Leave

Following the completion of FMLA leave, the employee will be reinstated to his or her former position, or to an equivalent position in accordance with the law. If the leave is for an employee's own serious health condition, then Moody Gardens may require a return to work release before reinstating the employee. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

#### FMLA Violations and Enforcement

FMLA makes it unlawful for any employer to (1) interfere with, restrain, or deny the exercise of any right provided under the FMLA; or (2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA. An employee may file a complaint with the U.S. Department of Labor Wage and Hour Division, or pursue private action against an employer. The FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.



**MOODY GARDENS, INC.**  
**EMPLOYEE POLICY ACKNOWLEDGMENT**

This Policy supersedes all previous employee statements, including any previous guides, manuals, memorandums, and oral or written statements pertaining to Moody Gardens, Inc.'s policies described here. It is effective immediately and is applicable to all employees regardless of their date of employment.

I understand that this Policy is a general guide and that the provisions described do not constitute an employment agreement contract or a guarantee to continued employment. It is, properly, a compilation of useful information about Moody Gardens, as well as policies and procedures concerning employee's obligations, responsibilities, benefits, and privileges.

I further understand that Moody Gardens reserves the right to change the provisions of this Policy at anytime. When appropriate, Moody Gardens may of its own volition deviate from or make exceptions to particular provisions stated here. Moody Gardens reserves the right, on a case-by-case basis, to interpret its stated or usual policies, practices, and procedures when Moody Gardens deems it necessary or appropriate.

I further agree that employment at Moody Gardens is "at-will," meaning that either the employee or Moody Gardens may terminate the employment relationship for any reason at any time. This Policy is not a contract of employment and Moody Gardens disclaims any implied contractual obligation for continuing employment.

I am aware that the Policy handbook is available to me at all times at [www.mghrinfo.com](http://www.mghrinfo.com) and that if I am not able to access the site I can contact Human Resources for a copy. I am aware of the policies outlined in this Policy. I am also aware that I will be held accountable for understanding and following this Policy and violations of this Policy may result in disciplinary action up to and including termination of my employment. **Please sign your acknowledgement below.**

I have received and am aware of Moody Gardens Harassment Policy. I am also aware that I will be held accountable for understanding and following these policies. **Please sign your acknowledgement below.**

*I have received training in what constitutes harassment. If I am a victim or suspect someone else is a victim of harassment, I agree to immediately bring it to the attention of my supervisor, manager, Human Resources Director, General Manager or the President of Moody Gardens*

I furthermore acknowledge that I have been given a copy of Moody Gardens Drug Free Workplace Policy. I was issued and read this policy prior to my pre-employment drug screening. I acknowledge understanding of this policy with receipt of this Employee Guide. **Please sign your acknowledgement below.**

I have read and understand the Code of Business Conduct contained in this Policy. I understand that my compliance with the provisions of the code is a condition of my employment and that violations of the code may result in disciplinary action up to and including immediate termination of employment and other legal action. **Please sign your acknowledgement below.**

I also affirm that I am not currently involved in any violations of the code and I have set forth below any disclosures or requests for approvals or exceptions.

Below are areas of potential conflict or disclosures that either already exists or that Moody Gardens Inc. should be aware of:

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By signing this acknowledgement I have accepted and understand all of the policies mentioned in this Policy and I agree to abide by the provisions of this Policy.

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
EMPLOYEE ID#

\_\_\_\_/\_\_\_\_/\_\_\_\_  
DATE

\_\_\_\_\_  
PRINT EMPLOYEE NAME

\_\_\_\_\_  
POSITION / LOCATION