

# **Kitchen Employee Handbook 2026**

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## Who are we?

Tropical Soup is a family-owned company with four locations. The ownership, Joe Walsh and Winnie DeMent, have run restaurants in Key West for decades. Our restaurants are a source of pride. We believe in One Human Family.

We have a great team of managers and coworkers to support you. You are our community, and we want you to succeed. Caroline's (est. 1999), Fogarty's (est. 2000), Jack Flats (est. 2003) and the Waterfront Brewery (est. 2015) are our restaurants. In general, we are known for big portions of delicious food and excellent service.



## Parking

Do NOT Park your car or scooter at our loading docks, loading zones, dumpster removal areas, driveways, etc.

NO estacione su automóvil o scooter en nuestros muelles/zonas de carga, áreas de retiro de basureros, entradas de vehículos, etc.

PA pake machin w oswa scooter w nan waf loading nou yo, zòn loading, zòn retire bokit, oswa ale garaj.

Park and lock bikes at designated bike racks. Do not lock bikes to trees, street signs, company property, etc.

Park where you can leave your car or scooter for the entirety of your shift. Do not leave your station while on the clock to move your vehicle, pay the meter, etc.

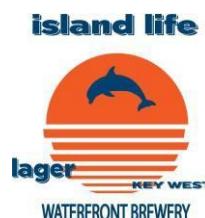
We are not responsible for damage or loss.

## Hours and Numbers

We are generally open 7 days a week, 365 days a year.

We open as soon as we are ready in the mornings.

We close when it is logical to do so at night.



# Company Culture

Our identity as a company is a composite of decades of growth and expansion together. Our company culture is:

**INCREDIBLE SERVICE, FOOD, & COCKTAILS.** If you love the Food & Beverage business, we want to be the place where you reach your career goals. We have lots of work to give, lots to learn from you, and lots to teach anyone who wants to grow in this field. We usually have management openings and can give you steps in that direction. If your work with us is a job rather than a career and your goals lie outside this industry, we want to help you get there too. Maybe you're saving money to travel the world, you are in school to be a nurse, or you're pursuing goals for family, citizenship, etc. We want to help you achieve your goals! This makes for pleasant work environments, effective performance, and employee retention.

**A PASSION FOR EXCELLENCE.** We are known for big portions, big smiles, and big taste! We serve the best dishes, beers, and cocktails! We want the best employees.

## PROGRESSIVE COMPENSATION.

### BASE WAGE.

This is only 1 part of your compensation.



There is red locked mailbox that only Joe and Winnie access. You may provide any feedback you wish.

### TEAM TIP POOL.

As a member of the pool, you have the opportunity to earn tips and be rewarded for your skills and efforts.

### 401K

Your employer's contribution If you are over 21 and have worked 1000 hours, you are eligible to participate in the company retirement plan.

This plan is a benefit we are proud to offer you so we can pay you more money, in the form of money set aside for your retirement. Contact HR if you are interested (enrollment is twice a year—January and July).

## Health Insurance

Your employer's contribution to your health insurance is also a bump up in compensation.

See the table of contents and the sections for these compensation topics.

**RESPONSIBLE ALCOHOL SALES AND CONSUMPTION.** We appreciate a great cocktail, but we believe in appropriate alcohol sales. Participate in your training and practice appropriate sales. If you choose to party, do so responsibly.

**POSITIVE & SAFE WORK ENVIRONMENT.** We appreciate and value each employee on this team. Every employee deserves a safe workplace, both in terms of physical safety and in terms of security from harassment. Thank you for being part of this ongoing pursuit and for alerting us to any threats to positive morale or physical safety. Actively participate in training and communication. This makes us the best place workplace in Key West!

## EMPLOYEE RETENTION.

We are a leader in the community in wages, career growth, and workplace happiness. We offer development and cross-training. Give us your FEEDBACK! We want to keep you! If you are unhappy, don't give up on us. We may be able to transfer you to a new department (and possibly even a new location) if you are dissatisfied in your current assignment. There may be something we can do to retain you as an employee.

Please speak to Human Resources (HR) sooner rather than later.

**TRANSPARENCY AND FAIRNESS** This is why we want communication in writing, so all appropriate parties can review it and understand you clearly. And it's why our handbook is so long.

## MVPs & Our Merit-based System

We operate on a merit-based system. This simply means that the best people get the best shifts, the best stations, the highest wages, the best schedules, the most tip in, the best sections, etc. We hire the best; we provide the best staff development, and we promote the best.

Here are some factors that we use to determine merit:

Availability is critical. We are open 365 days/year and we need to be able to staff any and all shifts. If you are hired for a full time/full availability work schedule and then you change that, you change your role in the company. Employees who make us their priority are a priority to us. If you decrease the shifts for which you are willing/available, you decrease your merit to us.

Workplace attitude, teamwork, outgoing cheerfulness/smiling, initiative, and courtesy. Merit begins with attitude. We have zero tolerance for bullying, rudeness, recreational complaining, team-splitting, or hostility. We want employees who want to be here and show it. We want employees who represent the company pleasantly. Great employees are the ones all the coworkers want to work with and learn from. They go the extra mile.

Professionalism, boundaries, and common sense increase your value as an employee as well.

Attendance matters. In order to do a great job, you need to be here, be on time, and be prepared

Willingness to help the team when needed is a key component of your merit. Employees who cover shifts when needed are valued and respected for making this team a priority.

After workplace courtesy, professionalism, and availability/attendance/willingness to help, we judge the more specific aspects of your skills/ performance and how they compare to others. We listen to our guests and your coworkers. Once you have the basics down, you can continue to grow and go above and beyond to make more money.

"Seniority" is based on merit, not the amount of time you have been with the company.

If you are unsure what your merit is in our organization, then we are not doing our jobs, and we need to clarify your status with us. You may request a written evaluation at any time. Evaluations are your friend! Your GM or any manager (or HR if you get no response) can assist you.

We are a team: All jobs are your job.

For a restaurant to run smoothly, all necessary tasks must be completed. Dishes, kitchen utensils, surfaces, etc must all be washed. Food must be prepped, in proper quantities, to recipe. Tickets must be completed on the line, to recipe. Line, expo, "back line," etc must all work together as a team and get the job done.

are you one of our Most Valuable Players?

- ↳ Are you fully available to be scheduled for any shifts (other than those that conflict with childcare and worship services)?
- ↳ Are you bringing a professional, positive, can-do attitude?
- ↳ Are you a teammate who others can count on to show up, do well, and help others?
- ↳ Are you skilled in your position? Do you stay calm during the rush? Are you a leader?

If so then you will be rewarded! Each quarter of the year we assess your reliability etc and the MVPs receive certificate for the gift shop, cash to use as you wish, etc.

## Reporting Hierarchy

For each shift, there is a manager on duty (MOD). They are responsible for all operational decisions on that shift. This is who will take care of any concerns you might have regarding customer service, recipe adherence, close out financials, etc. on your shift. Do not approach guests - Get a manager and let him/her handle any difficult situations.

Employee hiring, schedules, hours, promotions, rewards, pay rates, discipline, tip pool, cross-training options, etc all occur at the restaurant location level.

Your team of managers will provide feedback to you in verbal counseling, conversations that are recorded in your personnel file, and formal evaluations.

If you are unsure of your standing in the company, request an evaluation.

## Check out before leaving

Employees must check out with their manager on duty prior to leaving!

**Anplwaye yo dwe tchekè deyò ak manadjè yo sou devwa anvan yo kite!**

**¡Los empleados deben consultar con su gerente de turno antes de irse!**

Each location has closing procedures and check lists. All areas of the kitchen, including beneath and behind equipment, must be clean before closing employees leave. These procedures must be followed daily to our standards to keep the workplace clean and safe for food preparation.

### Managers:

Make your daily staffing adjustments well before staff will be leaving for work. Respect employees' time!

If you do not need an employee based on expected sales volume/weather/etc then as a general rule, we ask that you call them at least 2 hours before they are scheduled to arrive.

We do not want team members to schedule their day around our work schedule over other valuable uses of their time, launder and dress in their uniform, secure transportation/parking etc, and arrive-- just to be sent home.

## Smoke Free Workplace

(see also FL statute 64E-11.005)

We are a smoke free workplace - which means NO cigarettes, cigars, e-cigarettes (even if they don't contain tobacco), or vapes (even if they don't contain tobacco) indoors.

Guests can smoke cigarettes outside (no pipes or cigars). Employees are not to smoke, vape, chew tobacco, or use other non-smoke tobacco or nicotine gum anywhere on the property, on the clock, or in uniform.

There are no smoke breaks or other types of breaks in which you can smoke. This is a safety, health, and public relations issue. Smoking is misconduct.

**NO SMOKING ON OUR PROPERTY.**

There are the numerous free and low-cost health and wellness programs offered by Keys AHEC to help quit smoking. For two decades, Keys AHEC, a nonprofit organization has been an essential part of a healthier Florida Keys.

You may wear patches at work during cessation.

## Schedules, Attendance, & Availability

Look after your schedule. We do not call you with reminders. Write your schedule down or take a picture. Cover your own shift if you are sick! Call ins are for managers to increase the grid—not for your coverage. All requests – for less work, for more work, for different work -whatever it is - **MUST BE IN WRITING**. Your requests for regular schedule, for vacation, etc are between you and the Company. It is not with one manager. An individual manager does not make approvals alone. Decisions are made by the team. Policies for schedules do not change. No one has any arrangement or deal for any specific schedule unless there is a signed approval in their file. We are usually open 365 days a year and employees will need to work holidays. No employee is guaranteed a certain job. Requests are due by Mondays for the following week. Only submit requests for yourself. Schedule requests are REQUESTS. Do not demand time off. Failure to come to work on a scheduled shift, whether you requested off or not, is a No Show No Call. Approved Schedule Requests are usually listed at the bottom of the schedule each week. We have black out and brown out dates. Before you make a request, check this section of your handbook. Also look at the posted schedule and see if others are already approved for that time off. Set schedules" hurt the company and are discouraged. When allowed, they are a generally accepted agreement, not an overriding contract with your employer. You have no guarantee of a set schedule regardless of how long you have been scheduled a certain way. If, for example, you prefer night shifts over morning shifts, we may be able to offer you work mostly at night. But we may need to change your schedule back to days from time to time. All employee needs & skills must be considered. If you have any questions, you may seek guidance from HR. Schedule requests that qualify under the Family Medical Leave Act will be approved if we can accommodate. We appreciate it when you can work with us to plan ahead and take our seasonal needs into consideration.

## Availability

We want you to have a great quality of life and we look forward to supporting your full life outside of work! The most valuable employees are those who are available to be scheduled when needed. When considering a job offer, we look for reasonable availability and enough flexibility to make the business run. We are open 7 days a week. We are primarily hiring full time employees who can work Fridays/Saturdays/Sundays and holidays as we are open 365 days/year. We rarely hire part time. Our minimum schedule is 3 shifts (including Sunday)/week for part timers. Preferential scheduling is afforded for childcare, worship services, etc. Availability is a critical part of your value to the company. Just as missing work is a huge problem, so is limiting your availability to us. Only a few people can take off from work at the same time.

### **Outside Work or other restrictions negatively affect your Availability**

If you wish to change your availability, we may or may not be able to honor what you have in mind.

## Types of time off/length

1. Vacation or other personal time request off up to 14 days. Check for approval before you make plans.
2. Medical leave under work comp (whatever time is medically certified)
3. FMLA if you qualify (up to 12 weeks)
4. Bereavement (whatever you need and that we can accommodate)

### Blackout dates

Dates that are not typically acceptable to take off include:

All of December at WFB due to holiday parties.

Dec 22 - Jan 4 Christmas & New Year's

Sundays & Football season

Goombay / Fantasy Fest

Speed boat races in early November for Caroline's and Fogarty's

Poker Run, Hemingway Days, and several other festivals (typically 2-3 days)

WFB-specific events and events that affect the bight and harbor areas for WFB

Thanksgiving, Easter, and other holidays and long weekends.

Spring break weeks for colleges and other schools

Holidays and long weekends such as July 4<sup>th</sup>, Labor Day, Memorial Day, etc.

**Brown-out dates:** Best times to take time off depends on location and staffing. From Feb 1-July 30th we are extremely busy.

**OFF SEASON:** Our 4 month "off season" is Aug 20- Dec 20 and that is generally the best time to take vacation- apart from Goombay/Fantasy Fest, holidays, festivals, and football games. The first step when planning time off is to look at the calendar and start with this Aug 20- Dec 20 time frame.

## Holidays

Holidays are blackout dates and regular schedules get changed up- even if your regularly scheduled days off fall on Christmas and Christmas Eve, you do not get both these days off if you don't have kids or attend religious services all day on both. Be prepared to deviate from your usual schedule. "Set schedules" are a generally accepted agreement, not an overriding contract with your employer. Other employees' needs must be considered.

**Celebrating on Alternate days:** Being in the service industry, we often need to pick an alternate day that we celebrate holidays. This frees us to work when the general public is celebrating but still recognize events that are important to us.

## Vacation and Time Off

We want you to have time off. Talk with us and let's come up with a plan.

Vacation or similar time away from work must be 14 days or less to remain actively employed with us. If you are gone for 15 days or more and do not qualify for leave, you must resign and then reapply upon your return. There is no guarantee of a job upon your return. Merit, need, & timing are factored in.

Vacations cannot be granted during blackout dates, even by a GM, without HR approval..

## Counting Vacation days

Your vacation time is no more than 14 days in a row. Every day counts, even your "regular" days off. You must actually work to stop the counting of days away from the company. If you usually have Mondays off, for example, and your last day of work is a Sunday the 31<sup>st</sup>, then you could be off the Monday the 1<sup>st</sup>- Sunday the 14<sup>th</sup>. But you would need to start again on Monday the 15<sup>th</sup> or else you will have missed 15 days of work which means you are no longer an active employee. If you are traveling, arrive back home in time to get to work even if your flight arrives a day late. A day's delay could push you over the 14 days if you have made your plans that tight. We must adhere strictly to the actual count of days in order to treat everyone the same.

## Rehire status after leaving during a black out period

Resignations and returns are not to be used to circumvent blackout periods; rehire is unlikely under this scenario as it is simply unfair to your teammates. Each case will be evaluated.

## Bereavement

If you have a death in your family, we are sorry for your loss. Make plans as needed and please contact us. We will cover your shifts for you if you cannot. You will be excused from work. You do not need to qualify for FMLA (Family Medical Leave Act) etc. to get time off for a funeral. We may sometimes require some information related to your time off.

## Missing work due to Illness or Injury

Plan for your work shift 24 hours ahead of time. If you leave the decision to the last minute you won't be able to find anyone to cover. It is your responsibility to cover unless you are in a true emergency.

You must call the **restaurant phone (speaking with a manager)** if you are sick. Do not call and leave a message with a coworker – speak to the MOD.

DO NOT COME HERE when contagious, sick, or injured. WE BELIEVE YOU!

Do not come here to SHOW us you are sick or to in some way get "credit" for showing up! Just call.

All absences are recorded. Recording the difference between your schedule and your micros time sheet does not mean discipline or "punishment".

Please provide any pertinent information in the comment space provided on the HR doc. You might write "manager told me not to work because I might be contagious" or "see doctor's note." Please reference Doctor Note section.

## Evacuations

The only time we deviate from our posted schedule is during severe threatening weather such as a hurricane. If we are having a hurricane evacuation order that specifically states for you to leave, you are excused from work and may call us from the road to say you have left. Listen carefully to advisories and call the county government to understand what the advisories mean to you. Take travel conditions into consideration. If you want to be gone even after the evacuation has been lifted, you need to be in contact with the restaurant to request an extended time-off from work. Call us to let us know that you are OK and when you would like to return to work.

### Working versus not working

Do not enter non-guest areas when you are not working. Do not grab your own silverware, run behind the bar for a ketchup, help anyone out, or do any type or service/work/favor/etc.

If you are working, then you must be drug and alcohol free, scheduled/directed to be at work, clocked in, wearing slip resistant shoes, and on-task in your scheduled area. If you do not meet this description, then you are not working.

If you are not working, then you are a guest. Guests do not go past the guest areas. When they are not given silverware or ketchup, they must wait until their server or another working staff member can help them.

### Status of Employment

You can be on active status, on suspension, on work comp medical leave, on Family Medical Leave, or terminated (by voluntarily quitting or by being discharged). Active employees are those who report to work either full time or part time as scheduled.

Terminated and inactive employees do not receive an employee discount.

## Clocking in/out

The Point of Sale or POS system is where you clock in and out. You must choose the correct job code in the POS system. Get a manager if you do not have the correct job code options to be able to clock in properly.

This is also where you typically declare your tips.

There is no "volunteer" work in this company. We sometimes hear of employees wanting to arrive early and do the set up slowly before clocking in. Other times we hear an employee wants to clock out prior to finishing their side work. These sorts of "working off the clock" activities are not allowed. Always clock in and out properly for your job code. This is a required job function. When not on the clock, you may not be in employee-only areas or do employee tasks.

You may only clock in for yourself. Do NOT ever clock in another employee. It is like you are signing their name. It is fraud.

Fraudulent use of the POS is theft and is grounds for dismissal.

Never use another employee's POS screen (the exception being bartenders working off the same drawer).

No one other than a manager is allowed to conduct manager functions such as time adjustments, voids, or discounts.

If there is ever a time when you work but the POS is not operational (such as a power outage), then you record your hours by hand and sign, replacing the e-signature with an actual one.

You are welcome on the property before and after work as long as we are open and there is no issue of safety etc. But do not work, not even to "help out", unless you are clocked in.

Always clock in (when you start work) and clock out (when you are done) for the job you actually do. If you report as cook for example and then the manager switches you to foodrunner, clock out as cook and clock back in as foodrunner.

The act of clocking in and out is your electronic signature of sorts. You are attesting that you have arrived to begin to work and that you are done with work. If you forget to clock in or out, you must sign on paper for your hours worked.

Employees who work off the clock, leave property while on the clock, or in any way alter time records will be disciplined.

## Breaks at Work

In the state of Florida there is no legal requirement to provide adult employees with a break unless there is a reason protected under Fair Labor Standards Act (FLSA), such as breastfeeding or pumping of milk in some situations.

Each restaurant has or creates as needed a nursing room which is not a restroom, and which is shielded from intrusion.

See HR for more information.

Employees under age 18 take a break every 4 hours- see MOD & clock out for your break. Mandatory.

Our employees tend to get breaks as needed without clocking out. Downtime during your shift is normal and an acceptable time to use the restroom, get a drink, etc.

You may not smoke/vape on our property under any circumstances during work, immediately before work, on break, immediately after work, or in uniform.

We ask that employees clock out for any break over 10 minutes.

You may not leave the property when in possession of any assets belonging to your employer.

If you would like to take a longer break, see a manager to arrange your break in a way that is convenient for the restaurant.

## Pumping breast milk at work

If you are pumping breast milk at work, plan ahead for storage.

Breast milk will keep at room temperature for up to 6 hours. You may bring an insulated cooler or you may have someone pick up your breast milk.

We ask that you not store breast milk in our coolers due to the regulations associated with food storage. If you have a need to do this, speak with a manager to find out where exactly to put it, and label the item with your name only.

Note for managers: anytime you have an employee who is nursing or pumping, you must first speak with both ownership and HR so that we can ensure the nursing room is properly shielded from intrusion, etc.

# Contagious Illnesses

If you have an illness that is contagious via casual contact or food service, you may not work *or be on the property*.

## Doctor's note to return to work

In some cases, you will need to provide a note from a doctor in which she/he states that you may return to work in food service and that you will not infect guests or coworkers. If there is any doubt, we must err on the side of food safety.

Your manager will ask you some questions to try to determine whether we need a note from a doctor. If you call in and say you are vomiting, for example, and you have no idea why, it is your only symptom, and are not intending to see a doctor; then we might simply tell you to see how you feel in 24 hours and to be in touch the next day. If your roommate has been diagnosed with hepatitis, however, and you have other symptoms in addition to the vomiting, then it would be prudent to consider that you might have that illness; and the manager might ask you to cover your shifts for the remainder of the posted schedule and to get a doctor's note when ready to return.

The purpose of the doctor's note is NOT to excuse you for the days missed- it is to **allow you to work again with the doctor's statement that you can safely serve food and do the tasks of the job**. When you ask the doctor for the note, make sure you explain that you are in food service and you need to stay out of work until you are not contagious through food handling.

Always tell the doctor that you work with food service to the public.

You must be free of symptoms for at least 24 hours, and sometimes longer.

Do not come to the restaurant if you have symptoms of a contagious illness. Call the manager on the phone to discuss scheduling etc.

All employees are to obtain their coworkers' phone numbers from the schedule as advance preparation for potential illness.

Then when you start to feel ill, you are to cover your own shifts. If you are not sure if you are getting sick, but think maybe you will need coverage, ask a coworker to be your back up, but that you retain the right to work the shift if possible.

## The “BIG 5” Foodborne Illnesses

### Hepatitis A

#### Overview:

Fecal-oral transmission, can be found in water and raw shellfish (oysters, clam, mussels), highly infectious; disease can be spread 2-4 weeks before any symptoms appear, children may show no symptoms but still spread the disease to others

#### Prevention:

Wash hands (especially after using the bathroom), no bare hand contact with ready-to-eat food, obtain water and shellfish from an approved source

**Incubation Period:**  
10-50 days

**Symptoms:**  
Fever, nausea, fatigue, abdominal cramps, loss of appetite, jaundice

### Shiga toxin-producing E. coli

#### Overview:

Young, elderly and immunocompromised at greatest risk; can cause death; E. coli is naturally found in intestines of all animals and humans

#### Prevention:

Cook beef (especially ground beef) thoroughly, prevent cross contamination from raw beef, use only pasteurized milk and juice

**Incubation Period:**  
3-9 days

**Symptoms:**  
Severe (watery to bloody) diarrhea, severe abdominal cramps

### Shigella

#### Overview:

Fecal-oral transmission; can be caused by water polluted with human feces; some strains similar to E. coli 0157:H7; produces a toxin; young, elderly and immunocompromised at greatest risk

#### Prevention:

Wash hands (especially after using the bathroom), no bare hand contact with ready-to-eat food, wash produce, obtain water from an approved source

**Incubation Period:**  
12-50 hours

**Symptoms:**  
Diarrhea (sometimes with blood/mucus), abdominal cramps, fever, vomiting

### Salmonella Typhi (Typhoid Fever)

#### Overview:

Fecal-oral transmission, people who show no symptoms can still spread the disease to others, can cause death

#### Prevention:

Wash hands (especially after using the bathroom), no bare hand contact with ready-to-eat food

**Incubation Period:**  
5-72 hours

**Symptoms:**  
Sustained high fever, nausea, vomiting, abdominal cramps, headache, fatigue, rash on chest and/or abdomen

### Norovirus

#### Overview:

Fecal-oral and person to person transmission, leading cause of viral foodborne illness and diarrhea in the United States, highly infectious

#### Prevention:

Wash hands (especially after using the bathroom), no bare hand contact with ready-to-eat food, sanitize all surfaces with chlorine solution

**Incubation Period:**  
12-48 hours

**Symptoms:**  
Nausea, vomiting, diarrhea, abdominal cramps, low fever



DBPR Form HR 5030-100

### Division of Hotels and Restaurants

[www.MyFloridaLicense.com/DBPR/hotels-restaurants/](http://www.MyFloridaLicense.com/DBPR/hotels-restaurants/)

Florida Department of Business and Professional Regulation



2015 October 15

## Info for your medical provider

We are not looking for notes that say our employees are excused from work missed.

What we need from you is a clearance when they can safely work around food and other people again in a full duty position.

## Full Duty Work

Our jobs are full duty positions.

We recommend all employees secure disability insurance of their own choosing. If you have a bike accident for example and you end up in a cast or on crutches, you cannot do the tasks of your job. Make plans now for how you would pay your rent and meet your other obligations.

By Florida law, employees are required to notify their employer if:

You have been diagnosed with an illness that is transferable via food service.

You have symptoms relating to intestinal illness, boils, or infected wounds.

You have had one of these illnesses in the past.

You are high risk for becoming ill due to one of these pathogens.

In these cases, a doctor's note will need to certify that you are cleared/that restrictions are lifted.

Request for Doctor's note (whether work comp or not)

Dear Medical Provider,

This patient works in the food service industry in a full duty position. She/he presents with a medical

concern that has prompted us to ask that she/he see a doctor.

\*\*We do not want an "excused from work" slip. We want to know when the employee is safe to be around food and other people. We are trying to keep contagions away from our food and our employees/guests. We want our employee to return to work as soon as it is safely possible.

**Dear Medical Provider: We are a food service company and our jobs are full duty.**

1. Is this person diagnosed with an illness that is contagious through normal food preparation and service?
2. Is this person restricted in any way from lifting, standing, using stairs, bending, etc? If so, please specify clearly.

*We do not want a note excusing the employee from missed shifts. We want a note that states when they will be safe to work - (1) noninfectious (2) released for full duty*



If this employee may return to work, please provide them with a note to this effect.

On your note, please specify any restrictions to normal work duties:

walking, touching food preparation/service areas, climbing stairs, working in the sun, bending, reaching, carrying plates with both hands, repetitive movements, lifting (give a specific weight amount- bus tubs for example weigh approximately 30 pounds), standing for hours, ability to work on station for hours without a break other than restroom breaks, use of latex gloves, working AM or PM as needed.

PLEASE PROVIDE THE DATE THAT THE EMPLOYEE CAN  
RETURN TO WORK WITH  
OR WITHOUT specific ACCOMMODATIONS.

Food safety and employee safety are our top concerns. If you have any questions, please call our HR office at (305)780-7913.

**\*\*We do not use doctors' notes to excuse employees from work. We use them to verify that an employee is safe to work around food and other people.**

We give you this card for you to put in your wallet. Then you give it to the doctor for his/her review each time you visit a doctor if you have been contagious or unable to do full duty tasks. Each employee should have it. It provides this information in a business card size format that is easy to carry with you. Get your copy from HR if you don't have one.

## Advancement

All employees have opportunities to progress to other positions. Sometimes we approve the expense of cross-training employees in new positions. See a manager or HR to discuss. One person's idea of a "promotion" is not the same as the next person's. Look at the options we offer and discuss the challenges of the various positions. We can work with you to set up a series of goals to get you where you want to go! Talk to us about your goals; let's see how we can work with you, so you can make your dreams come true.

### Cross-Training

There are opportunities in a normal shift to learn something from another area. Speak to a manager about your goals and taking these opportunities as they present themselves. For example, dishwashers can learn to cook by moving over to prep to help out. Cooks must approve anyone training on their station.

There is NO volunteer work in this company. You may not come in on your own time to train on something new. Do not enter non-guest areas when you are not working. If you are working, you must be clocked in. Get permission and discuss the best path to mastery of a new area.

### Action Plans

An action plan is simply a plan of action. Some are verbal and some are in writing.

Example #1: If you are a foodrunner and want to learn to serve, we might give you an action plan to study your food menu, study your liquor/beer/wine/etc menu and take a test the following week. This is not disciplinary; it is just providing you with a series of steps to get where you want to be. Pass that test and you get to the next step.

Example #2: You need to go out of town and are not sure your exact date of return. Your action plan might be to 1) cover your shifts and 2) call us by Monday so we can include you on the following schedule. This is not disciplinary; it just outlines what your responsibilities are.

## HR Docs

HR docs or other records reflect conversation, clarification, staff development, evaluation, changes, and/or progressive discipline in this company.

Most documents that employees sign are ones that help with record-keeping. Many times, you will be asked to sign documentation to replace what would normally take place electronically. You would typically electronically sign yourself out via the POS system. If that is not operating properly, you must sign to confirm your clock out time. Same for any tip declaration- if you did not declare or the credit card tip that is being attributed to you in the POS system is incorrect then you need to sign off on the correct amount.

All missed shifts are recorded. Swapping similar shifts or approved coverage arranged ahead of time are recorded in the blue shift change book. Sometimes, the conversation regarding absences will be chronicled on an HR doc. An HR doc can record conversations as simple as us thanking you for covering your own shift. An HR doc is a piece of paper, so it has no power. It is not inherently representative of a positive or negative conversation; it is just showing that a conversation took place. HR docs can also be part of a progressive discipline plan.

One part of an HR doc will be set aside for you to record your side of the conversation, your comments, or anything you wish to be passed along to others. This is very important because it is your way to be heard in writing and on the record. Examples of what you might write on your side of the conversation: illness, a flat tire on the way to work, the people you called to try to cover your shift, the manager who said no coverage was needed, etc.

The HR document simply records a conversation.

## When you are being asked to sign an HR doc, remember:

Comment. Write something in the comment section even if it is "I agree," "I disagree," "Thanks," or "No comment."

Always sign HR docs to prove that you were present and to get your side of the situation on record. Your signature on that document - with YOUR comments included- guarantees that this exact paper with your input is what goes in your file to record this event or conversation and as evidence of your compliance with the discussion.

Sign it even if you disagree. You have free speech on this document. You may write anything you wish. If you believe someone is being untruthful, say so in the comment section. If you believe the policy is bad, explain why in the comment section. Fill in the comment section of the HR doc so that we can see the circumstances and your feedback. If you were super busy, or you did not feel well, or something happened that created a difficult situation, please tell us this on the form. If you do not understand the conversation, please write that. We welcome your feedback, and we will assess for possible remedy.

Do not refuse to sign or dictate conditions of your signature. Your signature indicates your presence at the meeting, not your agreement with what the manager is writing. Refusal to sign is grounds for termination. If you refuse to comment or sign, you appear unwilling to have the conversation. The signed HR doc provides you protection from misquotes and mischaracterizations. Write down any action plans so you can respond properly and in a timely manner.

Follow up any time with HR or management. If you want to discuss further, add more comments, re- read the HR doc, etc, we welcome follow up and the notes of that subsequent meeting will get added to the 1<sup>st</sup> to preserve a transparent record. Any emails, messaging, or letters will also be kept for the record.

The employee action plan part of the paper is where it says whether an employee is being disciplined, what they can do to avoid discipline, how the discipline will take place, etc.

The HR doc may also have a company action plan. We may provide more support or additional training, adjust your in/out times, improve our communication, or investigate related issues for example.

Comments: Your comments can include that you disagree with the action plan, any questions that you have, or compromises you propose.

\*There is no set number of warnings that dictate any specific action by the company. Do not panic that you have, for example, 3 warnings in your file.

Pieces of paper have no meaning by themselves.

If you have any questions just ask your GM (or HR via visit, email, or phone call. We are happy to clear up any misunderstanding. You can also review your action plans or get clarification.)

## Online Communication & the Company

Facebook Messenger or similar is not an acceptable way to communicate with your managers.

Do not communicate company correspondence in public forums.

Do not presume that anything that is available online is known to us.

You must comply with all laws and regulations in your postings. You may not, for example, make a comment online that harasses a coworker, just like you may not say such a comment in person.

Information you provide publicly online can be read by management. Take care to not disparage the company, its services, its managers, its line staff, or its products in any way. Think before you speak or post.

## Access to our properties

All visitors from the insurance company, the government, the police, etc need to be linked to the manager on duty as soon as possible. Do not allow any non-staff into our kitchen, offices, ketchup or "back of house" areas. If MOD is unavailable, the visitor must wait.

## Progressive discipline

We have a process of resolving conflicts between policy and behavior, between individuals on the team, or between what is communicated and what is understood. Management or HR communicates things that have occurred and what needs to happen from that point on.

The primary purpose of progressive discipline is to tell an employee how they can better do their job.

It typically occurs verbally in coaching conversations between managers and employees. They tell you how you can get better at the specific tasks of your job, how you can help your team, how they see you doing a great job, how to achieve your goals, or how you need to change your behavior.

If a manager or management team tells you ways you can improve, and you do not respond accordingly, they may try telling you again or explaining it in a different way. In this way, the discipline progresses from informal coaching to a more formal or clarified instruction or counseling. The manager may ask you to repeat it back as you understand the instruction or to verbally agree on what is being said. The goal is to clarify the path forward to a more successful behavior.

If the verbal coaching does not facilitate any change, the manager may try writing the coaching down as one way to make it clear or to emphasize its importance. It typically occurs at your location although management is supported by HR as needed.

Management will use the HR doc to outline the problem, discuss the issues at hand, and formulate an action plan for the restaurant, the employee, or both.

If the written documentation and action plan does not prompt a change, the discipline will progress or escalate from documentation to more severe plans of action. At every step of this process the goal remains for you to successfully correct the behavior that conflicts with our policy.

We hope that employees care about the guests and their teammates and that they do the job successfully.

Progressive discipline is effective most of the time simply because it disrupts a pattern of behavior or an ineffective habit and instills a more productive habit or an alternate behavior. It reminds the employee of what they need to do and asks them to make a commitment to correcting the problem. Most people are happy to do tasks the correct way and can change once they know what is expected.

There is a space for an action plan for both parties. Sometimes it is the employer and not the employee that needs to change. For example, if employee is repeatedly late, maybe the employer needs to schedule the employee to start later. The conversation between employer and employee might involve the bus schedule and an action plan to accommodate it.

## Misconduct

Not all situations lend themselves to progressive discipline. If an employee commits an offense that the employer feels so hurtful, significant, willful, dangerous, dishonest, criminal, or extreme that it cannot be corrected and/or that there is no way forward in the employment, separation may be the best or only solution.

Reminder- Any employee who is suspended or terminated immediately loses discount privilege as they are no longer actively scheduled with the company.

Stay on task

Stay guest-focused! Do not get caught up in one guest to the exclusion of others. Do not invite friends, your significant other, etc. to visit you on shift. Work is not a time to watch a ball game or make travel plans. Stay focused on the elements of guest service that will create happy guests, good impressions, and return business.

# HUMAN RESOURCES

## Reporting Grievances and Harassment

Report any harassment, sexual or otherwise, or general grievances to ownership in writing or verbally. If we are not available, you may have any operations manager or the HR office find us. We welcome your feedback; and we want to hear from you! We will not tolerate unacceptable behavior. If something inappropriate is going on, tell us. You have a direct line of communication with HR. You do not need to go through any chain of command (such as asking a manager) to make a report. The email is [hr@tropicalsoup.com](mailto:hr@tropicalsoup.com). Alternatively, you can email ownership at [winnie@tropicalsoup.com](mailto:winnie@tropicalsoup.com). Do not presume that we know what is happening. If something inappropriate is happening, we are not aware of it. Help us to understand what your work environment is like. Email, call, or come to the office. Once made aware of the behavior, we can investigate fully and make changes.

## Ways to reach HR

A note in the FEEDBACK BOX! It can be anonymous or signed, whichever you prefer.

Email [hr@tropicalsoup.com](mailto:hr@tropicalsoup.com). HR or Winnie/Joe will be happy to respond.

Face-to-face meeting. HR is also typically open Mon-Fri 9-4 on the 2nd floor of WFB.

If you come to HR prior to WFB opening at 11am, enter at the loading dock.

If you cannot safely and comfortably go upstairs have someone get HR for you and meet on the 1st floor – or call instead.

Call (305)780-7913 for HR. If you are having trouble getting through call 305.293-1895.

The role of HR during your employment

Human Resources is here to assist you and your managers, to clarify policies, and to get ownership involved as needed. Day-to-day decisions are made at the store where you work, sometimes in conjunction with ownership.

If you don't understand the decisions being made or something seems amiss, HR is happy to help. HR does not assess your merit or write your schedule. HR will not approve or deny your vacation or schedule request. If you submitted a request and have not heard anything, first try talking with your managers (be aware they work with a decision-making team, so give them some time), and if they are not responsive or made a decision you disagree with, then you may see HR.

HR can pull your file and together you look at approvals on record.

HR will discuss your request with you and find the related subjects in your handbook. HR will then assess your eligibility for Family Medical Leave Act, whether your request falls under the Bereavement policy, etc.

HR will look further – if the answer was no, we can find out why the managers said no and confirm that it is in keeping with our policies.

We can help make a compromise.

HR determines eligibility for FMLA by computing your hours. HR assists injured employees with work comp & health insurance. With Accounting, HR executes the payroll from the POS records provided by the locations. We research possible accommodations as needed. Your managers may refer you to HR and we will all work together to solve any employment problems you have.

*HR does not continue to provide information and support to you after your employment has ended. With your consent we can provide specific information to your future employer for a reference check (see Reference Check Policy later in this handbook). Your check stubs throughout your employment and your W-2 at the end of the year will serve as your reference regarding your income. Further requests for information, such as employment verifications for your future housing, are not answered by HR—this is so we can prioritize the needs of active employees.*



## Access to data and personnel files

Every employee has access to their personnel file. We do not make copies of the file for you or allow you to photograph it, email it, videotape it, fax it, or to in any other way copy it.

We allow you to review and add current comments or otherwise add your point of view or clarification to the record.

If you are asking us to fill out paperwork on your behalf give us 3 full working days- coming to drop it off or emailing it, then return at 3 days later. Do not assume that we can provide what a 3rd party is looking for; but try to understand as much as possible what they need. We give the info to you. We only release directly to a 3rd party if you authorize and request it. We will do our best to assist you.

## Sexual Harassment & Stalker Behavior

Sexual harassment of any type won't be tolerated. It is prohibited by federal law and company policy.

There are two types of sexual harassment.

The first type is when one person in a position of authority (the offender) affects the job of another (the victim) on the basis of sex or gender. The effect could be, for example, a threat of decreased hours, schedule changes, or decreased income if the victim does not go along with a sexual advance.

The second type of sexual harassment is known as the sexually hostile work environment. This is when anyone at any level of employment, or even a vendor or a guest, creates an unwelcome or unpleasant environment in the workplace based on gender or sexuality.

Examples include:

Granting job favors to those who participate in sexual activity

Discussion of sexual activity- past, present, future, or imaginary

Engaging in hostile physical conduct

Touching another person

Sabotaging the victim's work

Using indecent gestures

Using crude or offensive language or off-color jokes. Using demeaning or inappropriate terms such as

"Babe"

Sharing comments that others have made can also be harassment (even if you are not endorsing their message).

\*The law prohibits an employer from creating or allowing a hostile work environment. While an employer cannot anticipate and prevent occasional remarks by coworkers, guests, vendors, or passersby, it must not allow a pervasive environment to develop in which there is an inappropriate atmosphere in the workplace.

\*Employees at all levels are to refrain from any conversation or conduct that relates to or hints of gender or sexual acts.

Suspicions of sexual harassment must be brought to HR immediately by anyone who is aware of the offensive conduct. The owners, other employees, and guests are offended by any such action or comment, regardless of to whom it was intended or whether it was welcome to that person.

Employees of this company work in a public place. While it is private property, others can see and hear what goes on here. There is no expectation of privacy. Everything that you say may be heard by others. A person may not even mutter an indecent comment to himself or herself, as others would potentially hear that and potentially be offended.

Professional conduct is required at all times, even when off duty. Employees are not to bring personal matters onto our property in a way that could be construed as offensive.

**SEXUAL HARASSMENT OF ANY SORT IS PROHIBITED. IT IS A DISCHARGE OFFENSE.**

Employees are obligated to maintain a safe and respectful culture for all parties.

### Stalker Type Behavior

If a crime is committed – whether on our property or not - we encourage you to pursue justice and advocate for your rights as a victim of a crime. We cannot do that for you; but we can support and accommodate you.

See also the **Get Help** section

Harassment is inherently unwelcome in the workplace. We strive to offer a pleasant workplace to all employees. Comments that in some contexts might be a "joke" or welcome contact is not OK in the workplace. Contact HR or Joe or Winnie anytime about harassment concerns.

## Fraternization Issues

Close relationships between employees in different positions in the company hierarchy or related companies require HR guidance to safeguard our employees. You are required to discuss this with ownership, despite the newness of such a relationship, and any other directives from other employees at any level are incorrect and void. There can be a conflict of interest even if your partner isn't your boss.

We will examine each situation for potential conflict, and we will work to develop an action plan that protects all employees. Good business practices often conflict with the scheduling wishes of friends or loved ones who want the same days off together. The company's priority must remain the efficiency and effectiveness of the whole.

We typically do not hire significant others. If people begin dating when already employed with us, we typically do not schedule them together. In some instances, we will make an exception. If problems arise, the exception will end. Keep your private life private. Do not touch one another or discuss private matters (whether happy or not) at work.

Managers are not to fraternize with employees.

## Workplace Courtesy

### No pranks or inappropriate behavior

We value a sense of fun and humor in our directly tipped employees as this makes the environment fun for guests and for employees. **HOWEVER**, fun and humor may never cross the line of others' rights, embarrass others, or create a safety hazard. We are a family restaurant. No foul language, sexual innuendo, touching, or other activities that might offend someone. Do not reference others' gender or sexual orientation. Do not touch others. These things are not

Be courteous to everyone you work with.

No yelling, indoors or out. No teasing or making fun of people even if you think it is welcome.

Do not call coworkers "baby" or similar. Use their actual name.

Shortened versions of names are of course permitted (Nick for Nicholas or Beth for Elizabeth for example) if this is what the person wants to be called. Nicknames like "Ditz" or "Smash," however, are not derived from a name and are unacceptable.

Be pleasant!

## COMMUNICATION with your EXPO

"It's on deck" or "In my hand" means I am putting it up now.

"2 minutes" or "It's working" means heard/less than 5 minutes

"It's nowhere" means get a manager to visit the table because this ticket is not started/is hung up.

Tipped employees such as servers and bartenders are not to speak to the line cooks to request something from the cook stations. Only the expediter or manager should be addressing you about tickets.

Cooks do not make items without a ticket.

## No phone or devices

You may not use your phone or other electronics at work.

Use of electronics at work is rude.

Use of electronics at work means you are off task (unless it is an emergency).

The use of electronics has been associated with accidents, theft, disparagement, and privacy violations.

No earbuds, smart devices, etc.

There is no break to use your phone.

If you have an urgent issue, see a manager.



### Music, TV, etc

- ⊗ In the interest of courtesy, safety, and teamwork, we limit music in the workplace.
- ⊗ We do not permit music at a level that is too loud to communicate with coworkers.
- ⊗ No earbuds or headphones.
- ⊗ No music that offends others due to lyrics or anything else.
- ⊗ If there is separate kitchen music, then we rotate what type of music.
- ⊗ No TVs in kitchens. TVs are for guests, not employees.

**Please use your phone or any phone to call 911 in an emergency!**

## Posters & Company Information

You will see numerous posters hung in your workplace. It is important that you do not remove them, deface them, or damage them in any way. If any poster is missing or damaged, please alert a manager or email HR at [hr@tropicalsoup.com](mailto:hr@tropicalsoup.com).

We hang up memos, conduct pre-shift meetings, and do various sort of coaching to get you the info you need.

There is NO employee Facebook page, group chat, or other approved social media for employees to use to trade shifts or get info.

See the bulletin board or a manager to access the information we provide.

*This handbook* is an important reference.

# Uniform, Personal Cleanliness, Personal Property

## Uniform tees

We provide you with a week's worth of uniform tees upon hire.



Do not use bleach except with manager supervision as it will ruin your clothes and other people's clothes.

You may continue to wear bleach or stained clothing in the kitchen as long as it is clean. If working in the front of house areas, do not wear bleach or stained clothing.

How to get more? Each quarter employees are eligible for a reward of \$50 or more.

Use your certificate or cash reward to freshen up your uniform.

We are bound by Health Department guidelines for food safety. Clothing must be clean and free of anything that could contaminate food. Nothing ragged or torn.

PA KITE SOULYE OSWA RAD LA

Iannwit lan, yo pral voye jete! Kèlkeswa si li pwòp oswa sal, nou oblige jete atik sa yo jan yo konnen yo atire ensèk nuizib.

## Personal Property Storage Issues

Leave nothing on our property when you depart.

Do not leave any clothing, shoes, etc at the restaurant.

Leave any valuables at home.

Do not bring valuables to work as there is no secure place to store them.

Any clothing or shoes will be thrown out as per health department requirements.

## Work Attire Top to Bottom

Hat and hairnet combination. Company ball caps must be worn facing forward. You must wear a hairnet and hat, even if you are completely bald. Sounds weird; but it's true!

Beard-net must be worn if you have a beard. Any facial hair must be kept neatly trimmed. Clean shaven is preferred.

We will provide you with goggles if you are using bleach.

Shirt – wear your uniform tees provided to you. No polos/button down shirts or tanks/sleeveless tees.

Ladies must wear a bra. No bathing suit tops.

No ornaments that can fall into food: No nail polish, tips, gels, or jewelry on nails. (See FL statute)

Remove all piercings other than minimal, small earrings. could fall into the food during preparation.

Apron – wear an apron provided from the linen closet. Change it when it is soiled.

Long pants are preferred to help protect from burns. Bottoms must fit properly. No jingly things hanging. Do not show your underwear.

Shoes - slip resistant, closed toe shoes in good repair. See section on shoes.

Waterproof boots if working in wet environment, provided free. Jackets provided for working in walk-in coolers. Goggles provided.

HR for assistance and guidance regarding uniform and appearance -

If you have a religious practice/affiliation/etc that conflicts with the dress code, then we will make every attempt to accommodate you. see HR in person.

## Slip Resistant Footwear

They are the most important piece of safety equipment & of your uniform!

A slip-resistant sole is specifically designed with added traction to grip wet, greasy, or otherwise slippery floors. You'll see shapes on the bottom of the sole—the smaller the pattern, the better. This creates friction, helps you grip the floor surface, and allows water to make its way out from under the shoe to avoid slipping on a slippery surface



Where do I buy slip resistant shoes?

A popular brand is SHOES FOR CREWS at [shoesforcrews.com](http://shoesforcrews.com).

Their "Afterpay" program allows you to pay in installments AFTER getting your shoes.

Slip-resistant surfaces typically last 6 months maximum with full time wear at work. Get new shoes at least every 6 Months or earlier!

Check your treads!

Your work shoes must be closed-toe black shoes/boots. You must wear socks.

**DO NOT LEAVE SHOES OR OTHER ITEMS HERE  
OVERNIGHT.**

They will be thrown away because they attract pests.

Do not wear flip flops or other inappropriate footwear with the intention of changing into your work shoes.

When on property working, be in your shoes for crews slip-resistant shoes.

Do not walk into non-guest areas with street shoes on.



What is NOT slip-resistant?

Treads that are too far apart.

Shoes like tennis shoes with too much uniform surface contact with the floor.

## Have ID, EAD, LPR on you

Arrive safely!

Have a form of ID and work authorization on you. Comply with state and federal laws.

Follow rules for cycling, driving, parking etc.

# Employee Belongings

Do not bring valuables to work or leave personal belongings here.

The Company is not responsible for any loss related to rain, products, theft, accidents, etc.

## General Security Procedures

Work with Managers to improve security in and around the workplace. Do not step away from a register without securing it.

Notify the Police of Suspicious Persons

Trust your instincts.

Don't hesitate to report to your manager anything that makes you suspicious. If any suspicious person arrives or departs in a car, get a license plate number.

Crimes are committed by people of any age so the fact that someone looks like a child does not mean they are not dangerous.

Be alert to any suspicious person loitering in or near your restaurant with no apparent intention of making a purchase. Don't rush to conclusions about a customer's intentions, but don't be afraid to notify your manager either. Your awareness may prevent a robbery or facilitate apprehension.

If it is impossible for a Manager to get to a phone, you or a customer may have to call the police and give them a description of the suspicious person or vehicle.

### Opening Safety Procedures

Always try to enter through the front door of the restaurant. If a manager is not present, do not enter. Leave and call the landline of your location. If no one answers, call the landline of another location.

The opening manager walks around the building looking for anything or anyone suspicious prior to opening the store.

Do not enter the building if there are strange cars or people in or near the vicinity of the restaurant. Leave the area and call the police. Let the police check the situation.

### Back Door/Unauthorized Persons

Always try to leave through the front door of the restaurant. Many robberies occur when employees leave through the back door to empty trash or to go home, robbers can force their way into the restaurant with employees or delivery persons.

Do not allow anyone unfamiliar to you in the back door.

Have a manager verify identification of anyone you do not know who claims to be a new employee, delivery man, salesman, inspector, corporate employee, or repairman.

No delivery people should be allowed to carry anything out of the restaurant unless authorized by the manager on duty.

The back door is not to be propped open, even during deliveries or when taking out the trash.

### Closing/After Dark Procedures

Premises should be well-lit, including entrances, exits, and parking areas when applicable.

If a light is out, alert the manager.

A Manager or any employee should call the police and have the premises checked if something is amiss. After closing, if anyone approaches the front door, do not go to the door.  
If the person appears to be hurt, notify the Manager.

Parking Your Car- Park in areas that are well lit and will STILL be well lit when you leave. Look around before you get out of your car. Always lock your car doors, no matter how soon you plan on returning.  
Do not bring valuables into work, and do not leave them in your car. Leave them at home or in another secure place.

## Employee Violence & Weapons Policy

The possession of any weapon by an employee, on any property owned, managed, or leased by this company is strictly prohibited except when in compliance with Fla. Statute Section 790.251. This includes any parking lot and common areas; also included is any off-site event (and the property on which an event is being held), any apartment, vehicle, any storage facility, etc.

Any possession of a weapon may result in police action and the employee's immediate dismissal.

If another employee reports a weapons violation, the manager is to call the police.

All managers must notify the police in any situation involving a weapon or when there is either a direct or implied threat by the employee toward another individual.

We have a zero tolerance for violence or threats of violence.

Do not make threats, even in a joking manner or even if you perceive that the behavior is welcome.

Do not utilize internet, email, phone, fax or any other method of communication to make a threat.

Surveillance, Cameras, Photography etc.- Your employer may or may not videotape all areas of the restaurants other than restrooms. The possible tape could be for investigation purposes, safety reviews, etc. Such surveillance is accessible to management/ownership and sometimes to law enforcement, and other parties as required or appropriate. We do not guarantee surveillance or retention of footage. Videos, photos, etc. are used for public relations for the restaurants. Video and photography may also be used for record keeping or training/education purposes. When you sign for your handbook you are signing a release for all media during and beyond your employment. There is no time limit on the validity of this release nor is there any geographic limitation on where these materials may be distributed. Any requests that we not use media should be submitted via email to [winnie@tropicalsoup.com](mailto:winnie@tropicalsoup.com).

## Safety & Health Policy Statement

We are committed to working with our employees to provide a safe workplace. It is our policy that employees should report unsafe conditions and will not perform work tasks that are unsafe. Employees must report any/all incidents, injuries, and unsafe conditions to the manager. We have established a protocol for this purpose and expect to see our mission of minimizing workplace injuries and incidents fulfilled.

All employee recommendations to improve safety and health conditions are encouraged and will be given thorough consideration by the management team. Management will give top priority to and provide the financial resources for the correction of unsafe conditions and analysis of unsafe work practices. Ideas and involvement with fulfilling the program goals and objectives will be expected.

The primary responsibility for the coordination, implementation, maintenance, and review of the workplace safety program will be assigned to the General Manager overseeing the location:

General Manager will be actively involved with our workforce in establishing and maintaining an effective safety program. The program will be reviewed as needed to determine if all areas of exposure are addressed.

Members of our management team will participate by: promoting employee participation providing safety and health coaching and training or arranging for same reviewing and updating workplace safety rules based on accident investigation findings, inspection findings, and employee reports of unsafe conditions or work practices accepting and addressing anonymous complaints and suggestions from employees

updating the workplace safety program by evaluating employee injury and accident records, identifying trends and patterns, and formulating corrective measures to prevent recurrence

evaluating employee safety skills and work habits following any accident- and illness-prevention programs promoting safety & health awareness/participation through continuous improvements to the workplace safety program

Preventive maintenance- This is a schedule of planned inspections to prevent breakdowns and failures before they happen. The preventive maintenance program will help lessen the chance of equipment failure. An effective preventive maintenance program will save productivity loss and costs associated unexpected equipment breakdown.

The above practices are intended to reiterate our management's commitment to, involvement in, and expectation of providing our employees a safe and healthful workplace.

Compliance with these safe work expectations will be required of all employees as a condition of employment. We will hold all employees accountable for safety performance equal with quality and production expectations.

By working together, we can create a safe working environment and restaurant for our employees and guests.

While performing your job, it is your responsibility to know the necessary preventive measures to keep you and others in the restaurant safe. If an accident does occur, inform a Manager immediately so proper action can be taken.

Even if you do not think you or others are injured, notify a manager of any accident.

# Handwashing, Sanitation, Pests

## Pests

Notify a manager immediately if you see a pest, evidence of pest such as droppings/wings/etc, or a hole that would allow a pest to enter. Notify management if you see, smell, or hear evidence of pests.

Vèmin: Notifye yon manadjè imedyatman si ou wè yon ensèk nuizib oswa prèv ensèk nuizib tankou jete, zèl, yon twou ki ta pèmèt yon ensèk nuizib antre, oswa si ou wè oswa tande nenpòt lòt prèv ensèk nuizib.

## Towels

Keep a clean, fresh Sani bucket on your station, with properly mixed sanitizer solution

The sanitizing solution is what kills the germs

Towels cannot ever be set down damp or hung up to dry.

For drying surfaces, you use disposable PAPER towels so that you do not spread germs.

## Restrooms Cleanliness & Use

Restroom cleanliness is everyone's job!

Check them throughout your shift when you access them or are between tasks. Floors should be free of scraps of toilet paper, paper towels, etc. Toilets, sinks, flooring, etc should be visibly clean.

Toilet paper, soap, etc should be fully stocked.

The counters should be clean and dry.

Walls and doors should be clean and in good repair.

Fixtures like the toilet paper holder, any décor or ads, etc should be dusted and clean. Mirrors should be clean and streak free.

Use gloves when cleaning any aspect of the restroom and then wash your hands.

Alert the MOD to any issues that need cleaning up with mop etc and get the WET FLOOR sign.

When you use the restroom, visibly wash your hands fully – if using the handicap stall use the common area sink so that guests see you washing your hands.

## Hand washing

### Lave men      Lavado de manos

The most important aspect of personal and job cleanliness is hand washing.

Hand washing lessens the chance of a contaminant reaching a food product or of passing germs to your coworkers and guests.

**Remove your apron and gloves before you go to the restroom and get new ones when you return.**

**Use a paper towel to open the bathroom door so that you do not re-infect your hands with germs that hundreds of people entered the bathroom left behind.**

**When you visit the restroom, wash your hands in the visible sink in the restroom.**

**Do not use the sink located in the handicap stall. Guests will see you and think you have not washed your hands.**

In the kitchen use the hand-washing sink to wash your hands. Keep it empty of any items like pans or food. Use paper towels to dry your hands afterwards.

**Maintain supplies- such as cleaning and sanitizing products, gloves, hairnets/beard-nets, Sani- buckets, aprons, machine chemicals, etc that are necessary to follow safe food handling practices.**

Be aware of how often you touch your face. Every time that you touch a surface that someone else touched – knife handle, plate-ware, door handle, etc- and then later touch your eyes, mouth, or nose- (or the other way around) -you have spread germs.

When you take a break to get something to eat, leave the line and prep areas. Wash hands and get new gloves afterwards.

**Change gloves with every task and after any interruption in task. Never re-use gloves. We have plenty.**

**Change apron when soiled. We have plenty.**

**Sweep line when time allows. This must be done throughout the shift and as part of closing clean.**

## Cooking Basics

Swiv Recette a...Sigue la receta

**Follow the Recipe.** We provide recipes for all production items and for all line dishes. Recipe books should be out and being utilized on every shift.

Swiv Lis pwodiksyon an...Sigue la lista de producción

Production -Follow the list

Your opening manager or production manager will write a prep and production list with amounts to be made. Some kitchens with multiple prep cooks can assign who does what list. Follow that list and assignment.

Do not make anything that is not on the list unless you speak with your manager and they agree that yes, we need it.

The manager has access to all the data predicting volume – tour group schedule, weather, last year's sales on same day, etc.

Discuss and understand what needs to be made.

Do not make food without a ticket!

Pa fè manje san yon tikè!...¡Usted no cocina sin boleto!

Cooks do not prepare food without a ticket.

Servers are not to speak to the line cooks to request food with no ticket. They tell the manager on duty or the expo.

FOH employees may not order kids' meals or alter dishes to change the value.

**No Steak Weights.** Steak weights make dried out overcooked food. Do not squeeze the delicious, flavorful juices from the food and burn them away so the guest can't eat them.

Do not use steak weights or make your own steak weight out of a heavy pan or anything else.

**Station Readiness.** Getting the line set up properly each day is a big part of a shift's success. Work with management to stock the correct levels and products for the anticipated volume.

All cooks set up ALL stations, not just the one they are going to work at.

**Food Safety and Sanitation.** The kitchen produces food dishes that are great tasting and safe to consume. Our kitchen is a clean food preparation area where employees and Managers follow government and company health and sanitation standards. The food we serve must meet Health Department standards. Be inspection ready daily!

We must constantly maintain high standards to avoid incidents such as food poisoning.

**Work Clean.** Your station should be clean. Your dish rims should be clean. Your apron should be clean. The floor should be clean. Your hands and person should be clean. Change gloves and apron frequently, when you step off station, when you change tasks, and when there is any risk of cross contamination. Sweep floors throughout shift.

Do not use a FOH or retail mop, broom, lobby pan, etc in kitchen.

Wash hands frequently in the handwashing sink and leave it empty of items.

Alert a manager to any equipment or supplies needed. Alert a manager to any problems.

Sweatshirts or coats are provided for working in coolers.

Thawing is done via refrigeration. Thawing under running water is food safe but wastes water. Therefore, we thaw in the refrigerator.

Properly chill soups and other hot foods with ice paddles.

**Your tools and equipment.** Visually inspect knives, etc. Alert the MOD if anything is loose, changing in color, unable to be cleaned, etc. Keep tools in the kitchen area to be used by cooks only. Servers only use a paring knife for fruit.

## FIFO

FIFO nan lang angle se PAPS nan kreyòl: Premye Antre, Premye Soti

**First-In, First-Out.** When storing food, the First one made or received is the first one we use or sell. If we received one jug of milk on Monday and one jug of milk on Wednesday, the Monday milk should be at the front of the cooler. That way when we pull milk, we will use the First one First. It will be First In, First Out.

## Food Contamination

Contamination means something unsafe in food. There are three kinds of contamination: physical, chemical, and biological.

**Physical Contamination** is when non-food items are in the food.

Employees must be on the alert to minimize these hazards.

Examples of physical contamination include:

Metal curls from a worn can opener.

The tie from the bread bag.

A piece of latex from a glove.

A strand of a server's hair.

**Chemical Contamination** of food is a matter of concern all along the food supply chain. In the kitchen, the greatest risk is from cleaning chemicals getting into food. Keep cleaning products separate from food storage. Follow company procedures; never clean food-contact surfaces with chemicals that aren't food safe.

**Biological Contamination** comes from microorganisms like viruses and bacteria. They can make people sick even if they do not smell or cannot be seen. We prevent biological contamination by not working in the kitchen when we are sick. Do not work if you have any symptoms - such as vomiting, nausea, diarrhea, fever, etc. Always wash your hands after using the restroom, touching your face, and throughout the day.

Microorganisms can multiply to dangerous levels when:

Food is exposed to warm air and moisture for long periods of time (i.e. is not kept refrigerated)

Food is cooked or stored at improper temperatures.

The people who handle the food or equipment contaminate the food. Cross contamination occurs when uncooked and cooked products interact or when old is mixed with new.

Signs of contamination in a food product include color change, lack of moisture in the food, or foul odor.

## SAFE FOOD PREPARATION

Temperature control is the most effective way of avoiding bacteria growth conditions. Food products must be prepared to recipe at the assigned temperature. Cooked foods must be held at proper temperatures to prevent bacteria growth. Safe food preparation is the most important aspect of your job performance.

Sanitation, proper heating and cooling, allergies, prevention of any contamination, etc are all critical aspects of food safety.

The Safe Food Handler class is available for you to review and/or renew at any time.

## READY TO EAT foods

These are foods that will be consumed without cooking or further cooking. If germs were to get on Ready to Eat food, we would expect those germs to be eaten by guests!

On the cook line we have a mixture of foods being cooked and ready to eat foods.

For example, if you use your tongs to place raw chicken on the grill, and then use your tongs without sanitizing them to touch the bun that goes with that chicken breast, you have just contaminated that bun. The bun was Ready to Eat and was cross-contaminated with raw chicken.

## Guest Allergies & Special Diets

If a ticket shows that guests have a special request or a dietary need, confirm with manager, and prepare their food separately with clean utensils and clean cooking surfaces.

Use new pans, utensils, gloves, etc when cooking a special diet item.

**Sèvi ak kivèt nèf, istansil nèf, gan nèf lè w ap fè manje yon atik rejim alimantè espesyal**

Use sartenes nuevos, utensilios nuevos, guantes nuevos, cuando cocine una dieta especial.

Gluten is a protein found in wheat, rye, and barley grains.

**Gluten son proteínas que se encuentran en los granos de trigo, centeno y cebada.**

**Gluten: pwoteyin yo nan gress.**

## Common Food Allergens

(THE ITEMS BELOW ACCOUNT FOR up to 90% OF ALLERGIES) *Alèrjèn Manje Komen*

Peanuts (a legume... other legumes include soybeans, lentils, beans, lupines, and peas) *Pistach, ki se yon legum (plant soya, lantiy, pwa, lupon ak pwa)*

Tree nuts (walnuts, almonds, hazelnuts, cashews, pistachios, brazil nuts, etc). FYI seeds are not tree nuts or legumes. *Pyebwa nuts (nwaye, nwazèt, kajou, Pistache, nwa Brezil, elatriye)*

Milk (includes butter, cheese, etc) *Lèt (bè, fwomaj, elatriye)*

Egg (includes mayonnaise, egg wash, and pasta with egg) *Ze (mayonèz, lave ze, ak pasta ak ze nan li)*

Wheat (breads, regular soy sauce, beer, sauces, fry batter, many deli meats) *Ble (yo jwenn li nan pen, sòs soya regilye, byè, sòs, batri fri, anpil vyann charkutri)*

Soy (Soybeans are a legume. Soy is found in many sauces, deli meats, etc)

Fin Fish (Fish protein can become airborne in the steam.) *Fin Pwason ak kristase (pwoteyin pwason ki vin ayeryen nan vapè*

Shellfish (Shellfish protein can become airborne in the steam.)

## Employee Allergies

If you, the employee, have a dietary allergy, you must make the manager and other employees aware of it regularly. If you have an allergy by consumption or contact, speak to management or HR about special gloves, other PPE, tools, equipment, medical supplies, and/or a new job assignment.

We cannot accommodate every allergy. Each case is handled individually.

## Safety Responsibilities

If you are provided with a piece of safety equipment, you are required to use it. This might include goggles to protect your eyes, a cutting glove to minimize cuts to your hands, or hot pads to carry dishes.

Do not work when you are sick! Don't even come here when sick with a potentially contagious illness!



Call us on the phone instead PLEASE to let us know who is covering!

Wash your hands frequently and properly.

### Falls

Do not walk into work areas on your day off.

Wipe up all spills immediately using dry paper towels.

Place the caution triangle over the spill if you cannot wipe it up immediately.

Inform Managers of dangerous areas so mats & caution signs can be placed.

Never run. Use deliberate movements with firmly planted feet.

Pay attention to where you are walking, to guests, and to heavy traffic areas.

Use a ladder with a helper to hold the ladder when you need to. Do not climb on things.

Never stand on the top rung of the ladder or step ladder.

Place ladders/stools on a clean/dry surface.

See shoe section. Every employee is required to wear slip-resistant shoes.

### Cuts

Clean your own knife, do not put them in the dish water. Store knives on a magnetic knife holder.

Front of House staff use a paring knife, not a chef knife. Use only sharp knives/blades.

Always use an ice scoop (never scoop a glass into the ice).

When taking out the garbage, keep the garbage in the can until you are at the dumpster. The thick plastic of the can will protect your skin from shards of glass in the garbage bag.

Never place ice in a hot glass.

Dispose of broken glass into the designated container.

Sweep up all broken glass (never use your hands).

Do not place silverware in glasses.

### Burns

Use hot pads, towels, mitts, and/or spatula or tongs at all times.

Communicate clearly when moving hot items or when moving behind someone.

Use the cart to move hot liquids. Do not carry large pans of hot liquid.

Never use glass coffee carafes that have been boiled dry (they will crack)

### Strains

Do not lift anything if you have a history of back injuries or strains.

Do not lift anything that is not within your own job description or that violates a doctor order or accommodation.

Notify management of any medical issues that might affect your job duties.

Lifting procedures: bend knees; lift with your legs, not your back; hold heavy items close to your body

When carrying plates, use your forearm (not your wrist) to support the weight.

Always check the weight before lifting. Use both hands for stability.

Reduce the size of the lift whenever possible. Limit overhead lifts to 25 pounds.

Use carts, or other devices, whenever possible. Use coordinated lifting if you lift items over 40 pounds.

### Miscellaneous Physical Hazards

Keep all walkways clear of clutter and equipment

Call "corner" and "behind you" when passing by people. Ask people to move. Do not push or touch them.

Watch where you are going/stepping (blind corners, uneven surfaces, tiles missing, obstacles in pathway).

## Accidents and Workers' Compensation Insurance

Employees are covered by insurance when they are injured while doing work tasks. As with any insurance, we must follow the protocols set up by the insurance company and the state to access benefits.

Use of drugs/alcohol increases the likelihood of injury. Do not work under the influence. See the section on Drug Free Workplace. If you are injured, **notify your manager immediately**, even if you do not want medical treatment or do not think it is a serious injury. If you decide to go for treatment, the manager will fill out a First Report of Injury - a copy of which you give to any medical providers when you get treatment. This 1<sup>st</sup> report is like an insurance card.

\*Save and submit all receipts for cabs, band-aids etc for possible reimbursement by the Work Comp Co. Speak with the carrier to understand exactly what they want you to do. If you have not been contacted by the work comp company, please let HR know so we can facilitate your communication with them.

### INVESTIGATION

Our protocol is to investigate all injuries or illness as thoroughly as possible. Your cooperation is essential to getting the proper care, reimbursement for expenses as allowable, and to preventing future accidents whenever possible. If a guest, for example, witnessed your accident, connect the manager to that guest whenever possible.

### Getting you back to work

Like you, we want you back working as soon as possible! The most important factor in getting you back to work is a *clear note from your doctor saying specifically what you can and cannot do*, whether you can handle food, how many hours you can work, etc. Since the doctors will not release information to us, you will have to proactively obtain this release and provide the original to us.

### Full Duty versus "Light Duty"

Our jobs are full duty positions. We sometimes get requests for light duty work due to medical issues. We are unlikely to have any permanent light duty job options. We will consider any doctor's note and attempt to accommodate any employees we can on a case by case basis.

Please ask your doctor to write specifics of what you cannot do rather than writing "light duty" as this can be interpreted in various ways.

### Indemnity Benefits

You do not receive any "lost wages" reimbursement from work comp unless you miss more than 7 days of work. If out of work for more than 7 days, you may be entitled to a percentage of your regular wages for a certain period of time. Read all of the information from the work comp carrier to understand possible benefits.

### HOW TO GET MORE INFORMATION AND HELP WITH YOUR CLAIM:

Division of Workers' Compensation Employee Assistance and Ombudsman Office:

The Employee Assistance and Ombudsman Office (EAO) will assist you at no cost with questions or concerns you may have about your workers' compensation claim.

EAO works on your behalf to resolve issues with your workers' compensation claim.

EAO offices are located around the state to assist you.

Phone (toll free): 1-800-342-1741

**The Division of Workers' Compensation Website:** <http://www.myfloridacfo.com/division/WC>

For additional information click on "Information and FAQs" on the left side of the Division's homepage.

## If you are injured at work

\*Do not go to Truman Medical Center. To utilize the Work Comp insurance, you need to follow instructions. Truman Medical does not take our Work Comp. They will make you pay out of pocket.

### Injury at work



Notify manager. Discuss your symptoms and need for treatment. Understand when to get any treatment.  
Employee and Manager create a plan of action.



**Option #1:**  
No treatment at all  
\*You must still notify your manager of your injury, no matter how minor.  
\*Complete and sign the **Refusal of Treatment** form  
\*Follow up with management as needed.

**Option #2:**  
First Aid at Work (no professional treatment)  
  
\*Complete and sign the **Refusal of Treatment** form  
  
\*Follow up with management as needed.  
\* Get more first aid supplies as needed.  
Keep any wound clean.

**Option #3:**  
Go for Professional Treatment  
Together you and the manager will fill out:  
1. Notice of Injury form  
2. Request for Doctor's note form  
3. Authorization for testing with your phone # on it.  
4. \*make sure you have a photo ID  
5. You must get the drug test at the time of the treatment or as soon as Key West Urgent Care opens following your injury/treatment.  
6. Where to go?



Emergency? Go to Lower Keys Medical Center via cab, personal vehicle, uber, ambulance etc. Save receipt.

Non-emergency? Go to KW Family Medical between 8a-4p M-F on date or injury or next day. Call ahead.

We sometimes have employees report an injury but say they do not want to use our work comp insurance.

We cannot force you to see our comp carrier's authorized providers. However, be aware that you are likely jeopardizing any benefits.

Don't leave without our RETURN TO WORK FORM.

Follow up with HR at (305)780-7913.

Don't walk up steps if injured.

## TREATMENT FOR A WORK-RELATED INJURY

The first step is that the manager on duty provides first aid; and in discussion with you, assesses whether you need treatment by a medical provider and if it is an emergency.

If you are seeking treatment, the manager will give you 2 forms – notice of injury form and drug test chain of custody form. You must have those forms to access care.

Managers: do not drive anyone to the treatment facility. You are required to stay on the restaurant property.

If your injury is not an emergency, seek non-emergency care at Key West Family Medical

For non-emergencies, go during their office hours and get the drug test and treatment at the same place.

For example, if you are injured at 8pm, you can go to the doctor the next day at 8:30.

Hours: Monday – Friday, between the hours of 8:30am to 4pm Address: 1446 Kennedy Dr. KW

Phone # 305.294-8900 \*call ahead

How to get there- Take a taxi and save your receipt or drive and keep your mileage for reimbursement by the comp carrier.

Give them your first report of injury and your chain of custody drug test form.

If your injury is an emergency, you have 2 places you must go

1<sup>st</sup> go to Lower Keys Medical Center Emergency Room

Address: 5900 College Road on Stock Island

Take the first report of injury, get medical treatment.

(305) 294-5531 you do not need to call ahead; we are just giving the # in case you wish to call for any reason. How to get there- taxi or ambulance typically. Do not drive yourself during an emergency.

Save receipt from taxi for reimbursement by the comp carrier.

**Then, get the drug test done at Key West Family Medical at the first available opportunity**

Q: Why not just go to the hospital no matter the time of day or severity of the injury?

A: Because the Emergency Room is much more expensive than Key West Urgent Care. As the party paying for the care, the work comp carrier has procedures that dictate how their money is spent. If you go to the ER when it is not an emergency, it is possible they could refuse the charge.

Q: Will work comp pay if it is determined that my injury is not work related?

A: The comp carrier can refuse all or partial charges if the injury is determined not to be work related, even if it happened on the work premises while you were clocked in.

Follow up care should be arranged after you communicate with our work comp carrier. HR will facilitate your conversations with the work comp carrier. You can always call HR at (305)780-7913. We will want to discuss your injury and what you and your doctor plan to do next. Be prepared to have multiple conversations about the injury.

## Company Assets

If you have any property of the company such as keys, swipe card, menus, training materials, or other items, these belong to the company and must be surrendered immediately upon request.

All employees are to protect company assets such as money, food or beverage products, equipment, etc. If there is a danger to the security of any company asset, speak up to the MOD and/or email [hr@tropicalsoup.com](mailto:hr@tropicalsoup.com).

### Employee Theft

Any alleged theft or potential theft must be investigated fully. This may take time and you might be suspended pending the outcome of the investigation.

Guest tickets, credit card slips, personnel files, recipes, emails, POS reports, etc. are all property of the employer. Do not copy them or remove them from the accounts, server, or premises. You are not authorized to take/release proprietary information.

FOH Employees may consume complimentary soda, regular American coffee, tea, and tap water while they are working. Nothing else is free. Milk, bottled water, energy drinks, etc are not free.

If you take, remove, give away, serve, or consume any other product from this company without properly ordering it and paying for it, we will call the police and you will be charged with theft.

Serving ANY beverage or food item without a ticket is theft.

Improper/fraudulent clock in, discounting, comping, or voiding is theft.

Using a manager's security code is theft.

Credit card fraud is theft. This includes signing or scribbling on the signature line, adding on a tip or altering the tip amount, charging a card for something you have collected cash for, or in any way failing to secure proper payment or tip exactly as the guest intended it.

Taking sunglasses, camera, packages, etc left by a guest is theft.

If you are not sure if something is theft, simply ask yourself if it belongs to you. If you paid for a meal or other item through normal purchase procedures, it is yours. If not, it is not.

### Giving Things Away Policy

You are not authorized to give away the restaurant's property or items left behind by a guest. The fact that you might not be taking the items for your own personal gain or that the company is not out any money does not change the fact that taking it is theft.

If the lost items remain abandoned for an extended period, the company will designate a charity to receive them. Even if it is set aside to be given to charity, it is not yours and it is not for you to decide which charity to give it to.

The trash, garbage, and items waiting for discard or recycling belong to this company and its owners.

Mistakenly ordered food and beverages or mis-cooks belong to the company. Even if those items will go to waste, they are not yours to take. In addition to the issue of whose property this is, there are sanitation regulations involved.

Sometimes a person feels justified to give something away because a third party needs it. The restaurants serve big portions and many people do not take their leftovers with them. Some might want to pass this food to a homeless man or woman walking by. However, this is not your food/ waste/garbage and you are not authorized to give it away. The restaurants support a number of charities and encourage staff to do the same, with their own property. Staff is not authorized to give away the restaurant's property.

If any item of value is changing hands outside the normal close out type tasks, it is best if all parties sign for value and receipt of that item. Use first and last name in your signature and date it. Simply ask for an HR doc and utilize the comment section then sign and date.

## Accommodations

All our jobs are full duty positions. All our jobs require repeated lifting of objects weighing 20 pounds or more, standing for hours, and repetitive motion of the arms and legs.

ONE-TIME Accommodation- If you cannot do your normal job duties on any given day, verbally tell your manager that you need an accommodation, and she/he will provide it if she/he can reasonably do so. If the manager cannot accommodate you as requested, you will be excused from work for that shift. An example of a one-time accommodation is a sore knee due to exercising; the manager might give you a server section that is closer to the kitchen or cut you first. The manager may prefer for you to stay home and have someone else work. Calling in ahead and speaking with the manager is best, whenever possible. The manager and the employee should both sign an HR doc stating what the employee requested, if and how we were able to accommodate it, and that the employee needs to get a doctor's note if she/he needs this accommodation for more than this one time.

ONGOING Accommodations- If you need an on-going accommodation, present a *doctor's note* and we will assess whether we can reasonably provide this on an on-going basis.

What should the doctor's note include? If you cannot do any of the job requirements, you will need to get a doctor's note specifying exactly what you cannot do. The following are some requirements of our various jobs: *Walking, climbing stairs, working in the sun, bending, reaching, carrying plates with both hands, repetitive movements, lifting (get a specific weight amount- full bus tubs for example weigh approximately 30 pounds), standing for hours, ability to work on station for hours without a break other than restroom breaks, use of latex gloves, working AM or PM as needed.*

End date of the accommodation: Get the doctor to write the end date of an accommodation whenever possible. For example, a pregnant employee might get a doctor's note to work only evenings due to morning sickness, but that the restriction is lifted when the morning sickness ends.

Sometimes an employee is restricted to a certain number of hours working per day or per week. We can usually accommodate this, but you will need to track those hours and follow all doctors' orders.

The Company's role: Employers do not have to provide accommodations that "are expensive, that involve a significant difficulty that disrupts the business, or that change the basic nature of the business". If the manager is unsure whether we can provide an accommodation, she/he will contact ownership and we will research the particular issues. Employees are urged to do their own research as well and to alert Winnie or Joe if there of any questions or concerns.

Each case is handled individually and whether we were able to accommodate one person's restrictions does not mean we can always accommodate another's.

Once again, we suggest that all employees research disability insurance and prepare for a potential crisis.

Accommodations are sometimes part of Work Comp Medical Leave or Family Medical Leave. Please read those sections of the handbook carefully.

Wound Care: Each wound is evaluated individually; and HR will work with all parties to see if the employee should be allowed to work. If allowed to work with a wound, you must cover it entirely. This is a critical sanitation requirement.

<https://www.eeoc.gov/policy/docs/accommodation.html> [https://www.eeoc.gov/facts/restaurant\\_guide.html](https://www.eeoc.gov/facts/restaurant_guide.html)

## Drug-Free Workplace Program

Substance abuse is an on-the-job problem, as well a social problem. We believe abuse of alcohol and use of illegal drugs endangers health and safety. Employees under the influence are less productive at work and are more likely to get hurt at work, miss work, or negatively impact the work environment for others.

We are committed to creating and maintaining a drug-free workplace. We want to safeguard the health and safety of all employees, to provide a safe environment for guests and visitors, and to assist anyone who needs help.

Substance abuse will not be tolerated during working hours or prior to work. This prohibition includes the possession, use, or sale of illegal drugs or alcohol during work hours. Employees who are found to be under the influence of illegal drugs or alcohol or who violate this policy in other ways are subject to disciplinary action, which may include termination. Because of the serious nature of these violations, each individual case will be thoroughly investigated to determine the appropriate course of action.

The testing components of our Drug Free Workplace include:

Drug & alcohol testing any time an employee is injured on the job.

Drug & alcohol testing any time an employee returns to work after being out on medical leave associated with a workplace injury.

Drug & alcohol testing any time an employee demonstrates behavior that management suspects may compromise employee safety.

Erratic behavior, whatever the cause, can cost you your job. Think before you act. When you report to work, leave your emotions at the door. Think before you enter our properties on your day off. If you party, party responsibly.

If you have been diagnosed by a medical provider to be an alcoholic (even if you do not agree with this diagnosis), you are not allowed to drink in any of our establishments or at any company function.

Backpacks, purses, pockets, beverages, etc brought in from outside are subject to search. We retain the right to search any part of our restaurant for drugs or alcohol. The Florida Department of Alcoholic Beverages and Tobacco (DABT) also has the right, with or without management involvement, to search any person, location, or item. They do not require a warrant or probable cause. This applies to any establishment which serves liquor. If any government authority approaches you for a search, get a manager. Management must be made aware of their presence.

All staff are required to notify a manager immediately if any staff has drugs on company property is or under the influence of drugs or alcohol.

Do not drink here unless you are 21 years old or older.

Do not invite underage friends here or attempt to secure alcohol for anyone under 21.

Signs of a substance-abuse problem:

Information that an employee has caused, or contributed to, an accident while at work. "Accident" includes injury to person(s) and/or damage to equipment or property.

Observable phenomena while at work - such as direct observation of drug or alcohol use or of the physical symptoms or manifestations consistent with being under the influence of a drug or alcohol.

Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.

A report of drug use provided by a reliable and credible source.

Evidence that an individual has tampered with a drug test during his employment with the current employer.

Evidence that an employee has used, possessed, sold, solicited or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery or equipment.

Physical symptoms such as slurred words, bloodshot eyes, enlarged pupils, odor on breath, changes in appearance.

Legal issues such as possession charges, DUI, etc.

## Employee Assistance

We do not maintain an Employee Assistance Program. Included below is a list of local service providers. Any employee who fails the drug or alcohol test, who does not get tested as directed, or who obstructs the testing and information release process may forfeit his/her work comp coverage and their employment.

There is no provision for progressive discipline as drug and alcohol use at or before work is misconduct.

### **National Helplines**

**1-800-662-HELP (4357)** Treatment referral and information, 24/7.

**1-800-945-1355 Born Drug Free** Help for pregnant women from 4PM-10PM daily.

#### Local Support Resources:

Guidance Care Center Inc 305-434-7660

Key Bridge Inc 305-783-3677

#### Medical Review Officer (MRO)

John C. Eustace, MD at National Medical Review Corp is our MRO. Go to <http://nmrcorp.com> for more information or to contact the MRO. Employees who receive a positive confirmed test result may contest or explain the result to the medical review officer within 5 working days after receiving notification of the test result. If the employee's

explanation or challenge is unsatisfactory to the medical review officer or the employee does not return his messages, the medical review officer shall report a positive test result back to the employer. Employees also may contest the drug test result pursuant to law or to rules adopted by the Agency for Health Care Administration (AHCA).

#### Challenges to Test Results

A requirement of a drug-free workplace program is that within five working days after receiving the notice of a positive confirmed test result, an employee may submit information to the employer explaining or contesting the test result, and why the result does not constitute a violation of the employer's policy. If the employee's explanation or challenge of the positive test result is unsatisfactory to the employer, a response as to why the employee's explanation is unsatisfactory, along with the report of positive result, shall be provided by the employer to the employee; and all such documentation shall be kept confidential by the employer pursuant to confidentiality provisions and shall be retained by the employer for at least 1 year.

An employee may undertake an administrative challenge by filing a claim for benefits with a Judge of Compensation Claims pursuant to Chapter 440, Florida Statutes, or, if no workplace injury has occurred, the person must challenge the test result in a court of competent jurisdiction. When an employee undertakes a challenge to the result of a test, it shall be the employee's responsibility to notify the laboratory, and the sample shall be retained by the laboratory until the case is settled. Employees were first notified of this policy as of 12/27/13. It went into effect on 3/1/14.

While this company understands that employees under a physician's care may be required to use prescription drugs, abuse of prescribed medications will be dealt with in the same manner as the abuse of illegal substances.

Employees have the right to consult the company's Medical Review Officer (MRO) for technical information regarding prescription and nonprescription medications.

Employees may confidentially report to the company's medical review officer (MRO) the use of prescription or non-prescription medications both before and after being tested.

We test employees in accordance with the regulations outlined by the State of Florida and the Federal Government. The information below is subject to change to maintain our compliance with these regulations.

You may speak with management or HR at any time to get information on any additional local providers of employee assistance such as drug and alcohol treatment and family services that you may access without company involvement.

The cost of such services is the responsibility of the employee.

FLHRS 10 Panel Urine Drug Screens Testing For: Amphetamines, Marijuana / Cannabinoids, Cocaine, Opiates, Phencyclidine, Methaqualone, Barbiturates, Benzodiazepines, Methadone, Propoxyphene, MDMA Ecstasy (NIDA)  
Medical Review and Reporting of Results by National Medical Review Corp - Dr. John C. Eustace, MD  
Confidentiality:

All information, interviews, reports, statement memoranda, and drug test results, written or otherwise, received by the employer through a drug testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except in accordance with this section or in determining compensability under this chapter 440.,F.S (Workers' Compensation).

Notice:

Employees were given notice that it is a condition of employment to refrain from working with the presence of drugs or alcohol in his or her body. The company is in compliance with notification requirements.

Employees have been subject to drug testing under the standards of this policy since March 1, 2014, which was more than 60 days from implementation.

This policy is implemented pursuant to the drug-free workplace program requirements under Florida Statute 440.102 and Administrative Rule 59A- 24 of the State of Florida Agency for Health Care Administration.

The policy is to employ a workforce free from use of illegal drugs and abuse of alcohol, either on or off the job. Any employee determined to be in violation of this policy is subject to disciplinary action, which may include termination, even for the first offense.

It is a standard of conduct for employees of the company that no employee shall report to work or work with the presence of illegal drugs or alcohol in his or her body. In order to maintain this standard, the company shall establish and maintain the programs and rules set forth.

There are substances or other things that could alter or affect the outcome of a drug test. These include but are not limited to: over-the-counter medications, illnesses, foods, and prescription drugs. If you are tested for drugs following an accident, and you test positive, you can then review any such things with the Medical Review Officer.

Reminder: In order to access your work comp benefits, you must get a drug test within 24 hours of the injury. You can go get a drug test even if you are not intending to get treatment. This will allow you to assess the injury each day and go get treatment days later if it worsens or does not heal.

## Marijuana and Medical Marijuana

Marijuana, whether prescribed or not, is not presently legal according to Federal law.

Having a prescription, a medical marijuana card, a doctor's letter, or other documentation does not change the law.

Our Drug Free Workplace Program was designed according to the pertinent laws.

The laws that pertain to use of marijuana, as of the time of this handbook production, include the Florida statutes on workers' compensation, the Federal Medical Leave Act, and the Federal statutes on ADA (American Disabilities Act)

Americans with Disabilities Act does not address any treatment with marijuana. It addresses disabilities/injuries/illnesses.

Marijuana is an illegal drug under federal law, with no exceptions for medicinal use, so its use is not protected under the ADA.

See HR and tell us your medical diagnosis and we will do our best to accommodate you, but that will not include an accommodation for being under the influence of marijuana at work.

## Get Help

Some Information and Local Treatment Centers

Alcoholics Anonymous 404 Virginia St, Key West (305)296-8654

Guidance Care Center 1205 4th Street, Key West (305)434-7660

Guidance Care Center 3000 41st Street Ocean, Marathon (305)434-7600

Lower Keys Medical Center Behavioral Health 1200 Kennedy Dr Suite 301, Key West (305)293-1295

We are including these numbers in case you need helpline assistance. If you are struggling with mental health or suicidal thoughts, please reach out.

### **Suicide prevention lifeline**

1-800-273-TALK (8255)

Free and confidential support for people in distress, 24/7.

### **National Helpline**

1-800-662-HELP (4357)

Treatment referral and information, 24/7.

### **Disaster Distress Helpline 1-800-985-5990**

Immediate crisis counseling related to disasters, 24/7.

## Assistance for victims of crime

Local resources:

STATE ATTORNEY'S OFFICE KEYSSAO.ORG 305.292-3400 530 Whitehead St

CHRISTINA'S COURAGE cityofkeywest-fl.org 800.916-0673 24 hour hotline

Samuel's House shelter 305.296-0240 samuelshouse.org

We want you and your loved ones to be safe and comfortable in your home, at work, and in the community.

We are happy to accommodate any therapy and victim services that we can.

If we are banning a person from our properties, we need the victim to seek assistance from the local resources as well as from us so that we have appropriate tools to help.

# Family Medical Leave Act

If you and this company both meet the qualifications of the Family Medical Leave Act, then you may take leave under this act. There are criteria that need to be met to access leave under the rules of this act. Contact Human Resources anytime for more information on FMLA.

For your reference, consult the U.S. Department of Labor Wage and Hour Division's Fact Sheet #28: The Family and Medical Leave Act.

The Family and Medical Leave Act (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons. This fact sheet provides general information about which employers are covered by the FMLA, when employees are eligible and entitled to take FMLA leave, and what rules apply when employees take FMLA leave. We are a covered employer; therefore, some of our employees qualify for FMLA leave.

## ELIGIBLE EMPLOYEES

Only eligible employees are entitled to take FMLA leave. An eligible employee is one who:

Works for a covered employer;

Has worked for the employer for at least 12 months;

Has at least 1,250 hours of service for the employer during the 12 month period immediately preceding the leave\*; and

The 12 months of employment do not have to be consecutive. That means any time previously worked for the same employer (including seasonal work) could, in most cases, be used to meet the 12-month requirement. If the employee has a break in service that lasted seven years or more, the time worked prior to the break will not count unless the break is due to service covered by the Uniformed Services Employment and Reemployment Rights Act (USERRA), or there is a written agreement, including a collective bargaining agreement, outlining the employer's intention to rehire the employee after the break in service. See "FMLA Special Rules for Returning Reservists".

## LEAVE ENTITLEMENT

Eligible employees may take up to 12 workweeks of leave in a 12-month period for one or more of the following reasons:

The birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care;

To care for a spouse, son, daughter, or parent who has a serious health condition;

For a serious health condition that makes the employee unable to perform the essential functions of his or her job; or

For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

An eligible employee may also take up to 26 workweeks of leave during a "single 12-month period" to care for a covered service member with a serious injury or illness, when the employee is the spouse, son, daughter, parent, or next of kin of the service member. The "single 12-month period" for military caregiver leave is different from the 12-month period used for other FMLA leave reasons. See Fact Sheets 28F: Qualifying Reasons under the FMLA and 28M: The Military Family Leave Provisions under the FMLA.

Under some circumstances, employees may take FMLA leave on an intermittent or reduced schedule basis. That means an employee may take leave in separate blocks of time or by reducing the time she/he works each day or week for a single qualifying reason. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operations. If FMLA leave is for the birth, adoption, or foster placement of a child, use of intermittent or reduced schedule leave requires the employer's approval. Under certain conditions, employees may choose, or employers may require employees, to "substitute" (run concurrently) accrued paid leave, such as sick or vacation leave, to cover some or all of the FMLA leave period. An employee's ability to substitute accrued paid leave is determined by the terms and conditions of the employer's normal leave policy.

Employees must comply with their employer's usual and customary requirements for requesting leave and provide enough information for their employer to reasonably determine whether the FMLA may apply to the leave request. Employees generally must request leave 30 days in advance when the need for leave is foreseeable. When the need for leave is foreseeable less than 30 days in advance or is unforeseeable, employees must provide notice as soon as possible and practicable under the circumstances.

When an employee seeks leave for a FMLA-qualifying reason for the first time, the employee need not expressly assert FMLA rights or even mention the FMLA. If an employee later requests additional leave for the same qualifying condition, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave. See Fact Sheet 28E: Employee Notice Requirements under the FMLA.

#### FMLA CERTIFICATION

When an employee requests FMLA leave due to his or her own serious health condition or a covered family member's serious health condition, the employer may require certification in support of the leave from a health care provider. An employer may also require second or third medical opinions (at the employer's expense) and periodic recertification of a serious health condition. See Fact Sheet 28G: Certification of a Serious Health Condition under the FMLA. For information on certification requirements for military family leave, See Fact Sheet 28M(c): Qualifying Exigency Leave under the FMLA; Fact Sheet 28M(a): Military Caregiver Leave for a Current Service member under the FMLA; and Fact Sheet 28M(b): Military Caregiver Leave for a Veteran under the FMLA.

#### JOB RESTORATION AND HEALTH BENEFITS

Upon return from FMLA leave, an employee must be restored to his or her original job or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. An employee's use of FMLA leave cannot be counted against the employee under a "no-fault" attendance policy. Employers are also required to continue group health insurance coverage for an employee on FMLA leave under the same terms and conditions as if the employee had not taken leave. See Fact Sheet 28A : Employee Protections under the Family and Medical Leave Act

#### OTHER PROVISIONS

Special rules apply to employees of local education agencies. Generally, these rules apply to intermittent or reduced schedule FMLA leave or the taking of FMLA leave near the end of a school term.

Salaried executive, administrative, and professional employees of covered employers who meet the Fair Labor Standards Act (FLSA) criteria for exemption from minimum wage and overtime under the FLSA regulations, 29 CFR Part 541, do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the "salary basis" requirements for FLSA's exemption extends only to an eligible employee's use of FMLA leave.

#### ENFORCEMENT

It is unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise any right provided by the FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to the FMLA. See

Fact Sheet 77B. The Wage and Hour Division is responsible for administering and enforcing the FMLA for most employees. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress. If you believe that your rights under the FMLA have been violated, you may file a complaint with the Wage and Hour Division or file a private lawsuit against your employer in court. : Protections for Individuals under the FMLA

For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call our toll- free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4-USWAGE (1-866-487-9243). This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

**U.T. Department of Labor** Frances Perkins Building 200 Constitution Avenue, NW Washington, DC 20210

1-866-4-USWAGE TTY: 1-866-487-9243 Contact Us

This information is also posted on the employee bulletin board. This information comes from dol.gov/whd/regs.

Please see HR for further information on Family Medical Leave Act.

## Tips & Tip Pool

Guests tip the team in appreciation for excellent food, service, and beverages.

The tip pool is designed to reward the team members for their role in making and delivering those excellent products and service to the team's guests.

You are a member of the tip pool. So are servers, food runners, bartenders, hosts, barbacks, and fillers.

Managers and owners are not in the tip pool. The tip pool follows all pertinent laws and regulations.

Your work impacts the guests' experience and the tips that the guests leave.

Tips that remain in the pool (not paid out to staff on the shift) are pooled and distributed on biweekly paychecks. (In contrast, workday tip sharing is done in cash on the shift – for example by 2 bartenders working the bar together. Your job does not typically include tip sharing.)

The amount of tip income that you receive from the pool is based on the skill, effort, and team work that you contribute to the guest's experience here.

The amount of tip income that you receive will vary from one period to another and is impacted by fluctuations in sales.

You can see the amount of tip income you received by looking at the TIP IN line on your paycheck.

This income is already declared for you; and you are taxed on your entire income, including what you receive on your check from the pool.

Records of each biweekly tip pool receipt / distribution are kept in the HR and accounting office. Service charges are not tips.

The company pays all employees a base wage of the Florida minimum wage or higher.



## Tip Pool Feedback

Your managers assess employee performance every two weeks—the management team's judgement shapes how the tip pool is distributed. Your opinion matters here too, no matter what your role in the company is. You can submit feedback anonymously by filling out a Tip Pool Feedback sheet and placing in the locked red box at your location, or you can always email us your thoughts at [hr@tropicalsou.com](mailto:hr@tropicalsou.com).



## FAQs: W4, Pay Checks, W-2s, Taxes etc

Each year your employer provides you with a W2 which sums your income for the calendar year. The W2s get mailed by Jan 31st as per regulation. We keep them on hand until that deadline so that you get us your address change for mailing or pick it up as you choose. If you call us with an address change after Feb 1st, then we can either wait for the W-2 to be forwarded to you via the US Postal Service, wait for it to be returned to us so we can mail again, **or we can email it to you**.

On your W4 you communicate to us your address for your W2, the number of deductions you instruct for your federal withholding, your social security number, etc.

If you need to make any changes, see HR so you can fill out a new W4 and sign it.

The address on the W-4 is where we mail any checks, W-2s, or other financial documents.

We advise you to keep us abreast of all address changes throughout your employ and after you have separated from us as well.

You may change your W-4 at any time to change your address or any tax information.

The BEST ways to prevent paycheck problems and avoid stop payment fees to be taken from your check:

Plan to receive your paycheck.

Review it upon receipt. Confirm understanding and accuracy.

Cash or deposit your check in a timely manner. Do not hold on to checks as you increase your likelihood of losing them, them going "stale," or other difficulties. Your bank may then refuse to cash/deposit them when you decide to act on them.

Cash or deposit it at a bank that does not charge you a check cashing fee or similar. That potential fee is between you and that company, not us.

Keep us up to date on address changes.

Take responsibility for your asset and property. Be organized and logical in what you do with your earnings.

\*If you simply review your check, confirm it matches your record of hours/earnings, cash/deposit it, and put the most recent stub into your wallet every 2 weeks, you will lessen potential headaches all around.

Q. How do I get my paychecks?

A: Paychecks are typically at your location on pay day by 4pm. Most people get their checks by physically picking them up on payday. If you want us to mail your check (for example you are no longer employed or out due to isolation/injury/illness) please speak to HR so we have the appropriate address. Make sure you keep us up to date on any changes of address by completing a new W-4. When we mail checks, you may be responsible for potential loss. If a mailed check does not arrive, but also does not get returned to us at our posted return address, then you may be responsible for a \$50 stop payment fee to reissue your check. Then the paycheck is typically re-issued in the next payroll cycle.

Q. What if I believe there may be an error in my paycheck computation?

A: Contact a manager, your GM, or HR same day. Have specifics of dates, hours worked, etc. The POS record is available for you to examine.

Q. Do you offer direct deposit?

A: No, we do not offer direct deposit at this time.

Q. May I deposit my check via app /photo?

A. Sure, that is between you and your bank. Make sure to write across any check you deposit via photo so you will be aware that you already deposited it. If you deposit your check via photo and then physically deposit it or attempt to deposit it/cash it etc directly at a bank or other elsewhere, you will be discharged for theft and prosecuted.

Q. Can I have someone else pick up my check?

A: Only with a signed or e-signed authorization. Ask any manager for the form to fill out, or email [hr@tropicalsoup.com](mailto:hr@tropicalsoup.com). Specify if the authorization is a one-time thing or a permanent authorization.

Q. What happens when I lose or ruin a check?

A: You will typically pay a \$50 stop payment fee per check. We will void the first check and create a new one ASAP which may be in the next payroll cycle.

Q. How can I reach HR to get a check, a replacement tax form, etc?

A: Email [hr@tropicalsoup.com](mailto:hr@tropicalsoup.com) or call us (305)780-7913.

Q. How long is my check good for?

A: We advise you to present your paycheck to your bank for payment soon after receiving it. As far as we are concerned, any check we issue is good forever. We do not put an expiration date on our checks. But you will need to check with your bank to find out their policies, fees, or requirements. Some banks or check cashing centers will not cash your check if you wait for a certain period to present it for payment. This "stale check" policy is between you and your bank or check cashing center.

According to the U.S. Department of the Treasury, ([www.helpwithmybank.gov](http://www.helpwithmybank.gov)) "A check is a negotiable instrument—the payee, the person to whom the check is written, may negotiate it through the banking system at any time" Banks

are not required by the Uniform Commercial Code to honor stale-dated checks and can return them to the issuing bank unpaid."

Your bank MAY cash your "stale" dated check if they wish.

Q. If my check is close to zero, I don't need to bother with it, right?

A: That is incorrect. Pay attention to all parts of your check. Deposit it as you do normally. Review/understand your check and retain your stub. Also, a near-zero check may indicate you fell short of paying your taxes, health insurance, child support, etc. Speak with your accountant, attorney, or other professional.

Q. There is a note with my check saying I owe money for my health insurance, what should I do?

A. Bring any balance to the HR office to stay active on the health insurance plan.

Managers – keep employee checks in your pocket on pay day, then move to the safe. Do not keep on surfaces in the managers' office or elsewhere.

# Food and Beverages Purchases by Employees

## When working:

- Do NOT EVER touch or eat any portion of a guest's food. This is grounds for dismissal.
- Staff may not order kids' meals which are meant for guests under 12. Staff may not excessively modify our dishes to change the value or get something extra.
- All drinks must have a lid or cap when you are working.
- Unused or improperly cooked food is not available for you to eat.
- If you regularly need to eat during a shift (for example, if you have a blood sugar issue), get a note from your doctor.
- Soda, coffee, tea, and tap water (items that arrive in bulk) are free when you are working. Juices, Red Bull, bottled water, and milk (items that arrive in a small or large package) are NOT free. For items that are not free, have someone put in your order, then you serve yourself that beverage. *If you are drinking a packaged item, it must already be on a ticket when you consume it.*
- Don't order outside food to be delivered to our property.

## Purchases as a guest

The employee discount is a privilege for active employees, subject to approval. **It is not a right.**

Be courteous when coming in as a guest and only bring courteous people with you.

No drinking (at your location) in uniform.

You may get a discount. You may bring 1 guest with you who will also be discounted.

Do not enter non-guest areas when you are not working. Never ever do any work of any kind when you are on property as a guest. Do not get your own silverware or other items. You are a guest.

*Have your most recent pay stub with you to get your discount for you and 1 guest. Present your most recent pay stub prior to ordering. You must be actively employed.*

Don't come at peak rush or take up spaces for full paying guests. Be courteous and respectful.

Tip on the normal check amount (prior to discount).

Active employees may receive a 50% food and beverage discount for themselves and 1 guest up to \$50.00 total (\$100 regular price discounted to \$50). The \$50 is for the combination of food and beverages, approved by the MOD. Retail merch is 25% off. If you have family visiting for a meal, the MOD may discount more than 1 person if it is still within the total of \$50 discount off \$100. If you bring your parents, for example, all 3 of you may be discounted with manager approval. Friends are not extended past 1 person. Speak to a manager to let them know you have visitors.

You must be present as a guest for your companion to receive the discount. It is not for your person to come in for discounted items while you are working. See your MOD if you feel an exception is in order.

The purpose of this discount is to offer you a benefit. It is not to be used to overindulge in alcohol. Party responsibly if you drink. Do not drink or order alcohol if you are underage, have been directed not to drink by a medical professional, if you have been diagnosed an alcoholic, or have reason to believe you are an alcoholic. Do not drink or order alcohol if your employer has directed you not to drink here.

Delivery cannot be discounted. Discounted to-go food may be picked up.

You may not drink (or come in while intoxicated) at your workplace in uniform. If you work at one of our restaurants, though, you may wear your uniform when going out to other locations.

## Paycheck Info

Each pay period is 2 weeks.

Pay Day is the Friday following the end of the pay period. If we have questions regarding your hours, etc, management or HR may contact you at the phone # listed on your schedule or on the email listed on your application.

If you change your contact information, please let us know.

We are governed by numerous State and Federal laws. The Fair Labor Standards Act, the Florida wage and hour laws, etc all speak to how you are paid, and which law supersedes which. It is our desire and our intention to comply with every applicable law on both the state and federal levels. If you have a question about our compliance with any law, please email us at [hr@tropicalsoup.com](mailto:hr@tropicalsoup.com) and we can sit down together to review the statutes.

## Work Week

Our work week is 7 days and runs Mon morning until Sun night.

No one in our company makes reduced minimum wage or even solely a base of minimum.

## Minimum wage

Schedule of increases	Straight time at minimum wage	Overtime at minimum wage
9/30/24-9/29/25	\$13	\$19.50
9/30/25-9/29/26	\$14	\$21
9/30/26	\$15	\$22.50

Overtime is calculated at 1.5 times your regular wage. After 40 hours in one week, you are paid at overtime. This is determined by FLSA, the Fair Labor Standards Act. [https://www.dol.gov/whd/overtime\\_pay.htm](https://www.dol.gov/whd/overtime_pay.htm)

There is no limit in the Act on the number of hours employees aged 16 and older may work in any workweek.

The Act does not require overtime pay for work on Saturdays, Sundays, holidays, or regular days of rest, unless overtime is worked on such days.

OT earned will be paid on the regular pay day for the pay period in which the wages were earned.

## Examine your paycheck

Review it for accuracy/understanding on hours, job code, gross wages, net wages, etc.

**KEEP YOUR STUB** as proof of employment. You need this to present this PRIOR to purchasing food and beverages at half off up to \$100, and retail at a 25% discount. It is yours to keep track of and to use for any purposes in which you need proof of employment/residency/income. Each pay day file the old one and put the current stub in your wallet.

We use the POS reports to create the payroll record so that is where we look to investigate any issues. If you have any questions or think your hours are wrong in some way, see HR. We can sit down with you with the payroll reports and look for discrepancies and figure out and fix any error. Reading your check:

*Current* means the information pertaining to the 2-week pay period.

The actual dates are listed where it says *pay period*.

**YTD** means year to date. This figure can be useful if you choose to give income information to anyone.

The lines on the left from top to bottom show the regular wages per job, any overtime, *Tips In* from the tip pool, and performance or catering bonuses.

Other lines include money paid for attending classes, hours paid for training, bonuses etc.

If you are on the health insurance, a 125 Health Insurance Plan line will show contributions for health or vision insurance.

If you enrolled in the retirement plan, you will see that 401k deduction on your stub as well.

**Net Pay** is the amount of the check. If your net pay is zero, consult a tax specialist about tax short-falls.

## Retirement Plan

A 401(k) is an employer-sponsored retirement savings plan allowing employees to save a portion of their salary in a 401(k) account, subject to the rules of the plan.

Effective 1/1/2025 if a company has a retirement plan, it must automatically enroll eligible employees unless the employee opts out in writing.

You access your account at [myplan.johnhancock.com](http://myplan.johnhancock.com) using your personal password etc. We cannot access your account.

As with the health insurance, workman's compensation, FMLA, etc – there are things that you the employee are responsible for regarding this benefit.

## Employer Health Benefits

Who is our Provider?

Our provider is Florida Blue, a part of Blue Cross Blue Shield. Blue Cross Blue Shield reports that its plans are accepted at over 90% of all doctors and specialists in the U.S. You can visit their website at [www.floridablue.com](http://www.floridablue.com).

What Coverage can I receive?

Health and Vision.

Florida Blue is offering Health Benefits for you, your spouse, dependents, and qualifying dependents. Your employer does not offer any other coverage at this time.

How do I know if I am eligible?

To be eligible for this plan, you must be considered a full-time employee working an average of 30 hours per week. Your employer uses an eligibility period of 60 days to determine if you are a full-time employee.

When does the Plan take effect?

Your plan will take effect the 15<sup>th</sup> day of the month following the 60 days. For example: If your waiting period starts January 7<sup>th</sup>, your coverage will begin March 15<sup>th</sup>. If your waiting period starts January 20<sup>th</sup>, your coverage will begin April 15<sup>th</sup>.

How much/when will I have to pay?

The Affordable Care Act restricts employees from paying more than 9.5% of total household income towards the health benefits provided. For this reason, your employer has two tiers of payment based on income. Depending on who you choose to have covered under your new plan, rates vary. Your employer pays at least 50% of your premium for you. If you have any questions, please contact your plan administrator in HR.

Your Insurance premium is deducted automatically from your paycheck on a **pre-tax** basis.

If I do not want coverage now but may want it later, am I still eligible?

Full time employees will be offered to acquire or renew Health Benefits in July. Our Plan Year runs from July 15<sup>th</sup> to July 14<sup>th</sup> of each year. Generally, you cannot change the elections/choices you have made after the beginning of the Plan Year. However, you are permitted to change elections if you have a "change in status" and you make an election change that is consistent with the change in status.

Currently, Federal law considers the following events to be a change in status:

- Marriage, divorce, death of a spouse, legal separation or annulment;
- Change in the number of dependents, including birth, adoption, placement for adoption, or death of a dependent;
- Any of the following events for you, your spouse or dependent: termination or commencement of employment, a strike or lockout, commencement or return from an unpaid leave of absence, a change in worksite, or any other change in employment status that affects eligibility for benefits;
- One of your dependents satisfies or ceases to satisfy the requirements for coverage due to change in age, student status, or any similar circumstance; and
- A change in the place of residence of you, your spouse or dependent that would lead to a change in status, such as moving out of a coverage area for insurance.

See your Summary Plan Description or speak with your Plan Administrator in HR for more details.

We comply with all employer regulations regarding the ACA. You as an individual are responsible for your own requirements. Consult a professional tax advisor for advice.

Blue Cross Blue Shield can change elements to their coverage, providers, plans, etc without advance notification to us or our consent. Please stay on top of your plan and Blue Cross Blue Shield changes by following their website, current news, etc. Keep in mind that the start and end of the plan goes from July to July whereas this handbook goes from Jan to Dec so in the second half of the year this handbook could be outdated.

## COBRA

Dear Employee and Covered Dependents:

This notice is intended to summarize your rights and obligations under the group health continuation coverage provision of COBRA. You and your spouse should take the time to read this notice carefully. Should you qualify for COBRA coverage in the future, the group health plan administrator or plan sponsor will send you the appropriate notification.

Federal law requires the Company to offer employees and their families the opportunity for a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end.

### TO QUALIFY FOR COBRA COVERAGE

**Employees.** As an employee of the Company covered by Florida Blue, you have the right to elect this continuation coverage if you lose your group health coverage because of a reduction in your hours of employment or the termination of your employment (for reasons other than gross misconduct on your part).

**Retirees.** As a retiree, spouse of a retiree, or dependent child of a retiree, of the Company covered by Florida Blue, you have the right to elect this continuation coverage if you lose your group health coverage because the Company declares Chapter 11 bankruptcy and you lose your group health care coverage within one year before or after the bankruptcy proceedings.

**Spouses.** As the spouse of an employee covered by Florida Blue, you have the right to choose continuation coverage for yourself if you lose group health coverage under the Company's Florida Blue for any of the following reasons:

The death of your spouse who was an employee of the Company.

A termination of your spouse's employment (for reasons other than gross misconduct)

A reduction in your spouse's hours of employment

Divorce or legal separation from your spouse

Your spouse becomes entitled to Medicare

**Dependent Children.** In the case of a dependent child of an employee covered by Florida Blue, she/he has the right to continuation coverage if group health coverage under Florida Blue is lost for any of the following reasons:

The death of a parent who was an employee of the Company.

The termination of a parent's employment (for reasons other than gross misconduct) or reduction in a parent's hours of employment with the Company

Parent's divorce or legal separation

A parent who was an employee of the Company becomes entitled to Medicare

The dependent ceases to be a "dependent child" under Florida Blue.

**YOUR NOTICE OBLIGATIONS.** Under the law, the employee or a family member has 60 days from (1) the date of the event or (2) the date on which coverage would be lost, whichever is later, to inform HR at 201 William St. of the employee's divorce or legal separation, or of the employee's child losing dependent status under Florida Blue. Please give notice by stopping by HR or calling 305-780-7913.

Failure to give notice within the time limits can result in COBRA coverage being forfeited.

The Company has the responsibility to notify the plan administrator of the employee's death, termination of employment, reduction in hours, or Medicare entitlement.

**TO ELECT COVERAGE.** When your plan administrator in HR is notified that one of these events has happened, She/he will in turn notify the employee, spouse and dependents that they have the right to choose COBRA continuation coverage. The employee and spouse have independent election rights. The employee, spouse and dependents have 60 days from either (1) the date coverage is lost under Florida Blue or (2) the date of the notice, whichever is later, to respond informing the plan administrator that they want to elect continuation coverage.

There is no extension of the election period. If an employee, spouse or dependent does not elect continuation coverage within this election period, then rights to continue group health insurance will end.

If an employee, spouse or dependent chooses continuation coverage and pays the applicable premium, the company is required to provide coverage which, as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated active employees or family members. If the Company changes or ends group health coverage for similarly situated active employees, your coverage will also change or end.

#### DURATION OF COBRA COVERAGE

**Termination or Reduction in Hours.** If group health coverage was lost because of a termination of employment (other than for reasons of gross misconduct) or a reduction in work hours, the continuation coverage period is 18 months from the date of the qualifying event, if elected.

**Employees, Spouses or Dependents with Disabilities.** The 18 months of continuation coverage can be extended to 29 months if the Social Security Administration determines that the employee, spouse or dependent child was disabled on the date of the qualifying event according to Title II (Old Age Survivors and Disability Insurance) or XVI (Supplemental Security Income) of the Social Security Act. Disabilities that occur after the qualifying event do not meet the criteria for the extended COBRA coverage period.

The employee, spouse or dependent must obtain the disability determination from the Social Security Administration and notify HR/bookkeeping of the result within 60 days of the date of disability determination and before the close of the initial 18-month period. The employee, spouse or dependent has 30 days to notify the plan administrator from the date of a final determination that she/he is no longer disabled.

**Multiple Events.** The 18-month continuation period can also be extended, if during the 18 months of continuation coverage, a second event takes place (divorce, legal separation, death, Medicare entitlement, or a dependent child ceasing to be a dependent). The 18 months of continuation coverage will be extended to 36 months from the date of the original qualifying event. Upon the occurrence of a second event, it is the employee's, spouse's or dependent's responsibility to notify the plan administrator within 60 days of the event and within the original 18-month COBRA period. COBRA coverage does not last beyond 36 months from the original qualifying event, no matter how many events occur.

#### DURATION OF COBRA COVERAGE

**Other Qualifying Events.** If group health coverage was lost because of the death of the employee, divorce, legal separation, Medicare entitlement, or a dependent child ceasing to be a dependent child under Florida Blue, then the continuation coverage period is 36 months from the date of the qualifying event, if elected.

#### COBRA CANCELLATION

The law provides that continuation coverage may be cut short for any of the following reasons:

The Company no longer provides group health coverage to any of its employees

The premium for continuation coverage is not paid in a timely manner

The employee, spouse or dependent becomes covered under another group health plan that does not contain any exclusion or limitation with respect to any preexisting condition

The employee or spouse becomes entitled to Medicare

The employee, spouse or dependent extended continuation coverage to 29 months due to a Social Security disability and a final determination has been made that she/he is no longer disabled

The employee, spouse or dependent notifies the plan administrator that they wish to cancel continuation coverage.

#### PREMIUMS

An employee, spouse or dependent does not have to show that they are insurable in order to choose continuation coverage. But an employee, spouse or dependent must have been actually covered by the group health plan the day before the qualifying event in order to elect COBRA coverage.

An employee, spouse or dependent may have to pay all of the applicable premium, which generally cannot exceed 102% of the plan costs for a 12-month period. An exception exists for coverage of employees with disabilities during the extension from the 19th month to the 29th month. During that time, 150% of the plan cost may be charged. The group health plan may increase the cost that must be paid for COBRA coverage if the applicable premium increases.

The period for paying the initial COBRA premium following the election of coverage is 45 days. The first payment made is to be applied retroactively toward coverage for the period beginning after the date on which coverage would have been lost as a result of the qualifying event.

There is a 30-day grace period following the date regularly scheduled monthly premiums are due. Only in the case of mental incapacity is any further extension permitted, since the group health plan does not permit extensions.

#### CONVERSION PRIVILEGES

At the end of the continuation coverage period, the employee, spouse or dependent must be allowed the option to enroll in an individual conversion health plan provided under Florida Blue if such conversion plan is available.

#### FURTHER INFORMATION

If you have any questions about the law or your obligations, please contact HR at 201 William St (above WFB Game Room), email [hr@tropicalsoup.com](mailto:hr@tropicalsoup.com), or call (305)780-7913.

If you come to HR prior to WFB opening at 11am, enter at the loading dock.

## Separation & Rehire

There are 2 types of separation or termination: resignation (also called voluntary quit) or discharge.

Resignation - Please give your WRITTEN professional 2 week notice to any manager. Tell us when your last day will be and why you are leaving. If you chose to voluntarily leave your employment with us, we require a written letter of resignation.

Managers are not permitted to accept verbal resignations. Employees must give 2 weeks' notice. Management must give a minimum of 1-month notice. If you fail to give proper notice or fail to finish your notice, you may not be eligible for rehire.

The proper resignation will allow your file to be marked as eligible for rehire, which in addition to dates, is the information we provide when prospective employers call to verify your employment with us.

Final Paycheck- Your final check is produced along with all other checks on the next regularly scheduled pay day in accordance with Florida law. You can pick it up in HR.

*When you want to rescind your resignation....* If you resigned and now you wish to stay, we will need a written note with your signature.

*When you want to come back....* Fill out an application at any location. Hiring decisions are made at individual locations by a team, they are not made in HR. Being eligible for rehire does not guarantee rehire.

If you abandon your job by failing to come to work, then you are quitting. Since abandonment does not provide notice, an employee who quits in this way would not typically be eligible for rehire. Please see HR to explain your situation. If you resign so that you can leave us during a Blackout period, you are not eligible for rehire. Notice can be waived in an emergency.

Communicate with us.

Discharge If you are discharged, you are not eligible for rehire.

Exit interviews can be scheduled at your convenience. We welcome all feedback. We would prefer to hear what is bothering you before you quit so we can fix any issues that we can and keep you on the team. But even after you have left, we are still interested in what you have to say.

The receipt of last paycheck form may be different from the normal signing for a check. Your signature reflects only that you are receiving your check and read our description of the separation.

## Reference Checks Policy

It is the Policy of this company that only HR can verify employment or give reference information. If we receive authorization from the former employee, HR provides the following to prospective callers regarding our previous employees:

dates of employment (including all episodes of employment separately to indicate all departures and rehires).

eligibility of rehire – yes or no

reason for departure as listed on the letter of resignation

Eligibility for Rehire

Leave on good terms so you remain eligible for rehire!

Give 2 weeks or more written (put in schedule request box or email) notice and fulfill it. (You can change dates as needed as long as you fulfill notice, and you don't leave shifts uncovered.)

Do not leave us hanging at a blackout period such as hell week, Fantasy Fest, etc (see page 12). When joining the company, you are making a commitment to us. We are also making one to you. If we are not fulfilling our commitment to you, see HR so we can correct it. We will expect you to professionally honor your commitment to us. Don't just make plans without thinking of your job! Weigh your options and make responsible decisions with these rehire requirements in mind.

Private Property - If you are told to vacate the premises, you are to do so immediately. If you are told by management or the police to stay away from our premises, then do not return.

You can contact [hr@tropicalsou.com](mailto:hr@tropicalsou.com) or (305)780-7913 to verify the instructions and arrange for paycheck, meeting, an exit interview, etc.

## Acknowledgements

Upon receipt of this handbook, you agree to the following:

I will refer to this document until a new handbook is issued.

I will keep it as a source or reference; and I may request a new one at any time.

This Handbook describes important information about the employer- herein also referred to as house/company/restaurant.

I acknowledge that it is my responsibility to read and comply with the rules, policies, and procedures contained in this Employee Handbook; and to consult with Human Resources Department regarding any questions not answered in the Handbook.

This handbook does not contain all the information that employees need.

Since the information, policies, and benefits herein are necessarily subject to change, I acknowledge that revisions to the Employee Handbook policies may occur. Such changes will be communicated orally and/ or in writing through notices, emails, newsletters, pay day notes, memos, etc.

I understand such revised information may supersede, modify, or eliminate existing policies.

I acknowledge that it is my responsibility to read memos, posted notices, newsletters, etc and to email [winnie@tropicalsoup.com](mailto:winnie@tropicalsoup.com) if I am confused or unsure of any policy.

I acknowledge that this Employee Handbook is not a contract of employment. All employees are legally at-will employees. Any prior oral statements, promises, or other contracts to the contrary are hereby deemed invalid. This means that either the employee or The Company may terminate the employment relationship at any time, with or without cause or advance notice.

I further understand that there is no promise of full-time work or of a set schedule.

The Company reserves the right to move employees into whatever schedule or job it sees fit.

The company operates 365 days a year, including holidays & weekends.

I understand that I must be available to be scheduled on Fridays, Saturdays, and Sundays unless granted a requested day off.

If I restrict my availability to less than what I was hired with, I am essentially quitting; my employer may not be able to accommodate my demands.

I started my job with a 90-day probation.

I am aware that the job I am hired for is full duty and that my employer has no light duty jobs unless created in partnership with a doctor for medical reasons.

I am advised to get disability insurance.

I am responsible for the statements on my application and my job offer is contingent on the validity of all my documents etc.

I must pass the quizzes pertinent to my position.

I authorize the company's agents to take and use my photographs for media/marketing, for training purposes, for surveillance, and for other business reasons.

If I move, I am responsible for picking up my paycheck or arranging to have it mailed to a valid US address.

I agree to review calendar dates of the 2 week pay periods for which I am owed earnings, and to be present on the corresponding pay day to receive my check or to authorize someone to pick up my check.

If my check is to be mailed, I may incur certified mail fees.

Further I understand that my employer is not responsible for the US Postal Service and I consent to \$50 stop payment fees if my check does not arrive/must be re-issued for any reason.

I agree to examine my check (and ask any questions or notify my employer of any errors or issues immediately).

I agree to regularly cash/deposit my check in a timely manner each payday.

I understand the Drug Free Workplace program as outlined in my handbook. I understand that this policy is in effect.

I acknowledge that I have received and read the Drug-Free Workplace Policy. I have had an opportunity to have all aspects of this material fully explained. I also understand that I must abide by the policy as a condition of initial and/or continued employment, and any violation may result in disciplinary action up to and including discharge.

Further, I understand that during my employment I may be required to submit to testing for the presence of drugs or alcohol. I understand that submission to such testing is a condition of employment with the Company and disciplinary action up to and including discharge may result if:

I refuse to consent to such testing or I refuse to authorize release of the test results to the Company.

I refuse to execute all forms of consent and release of liability as are usually and reasonably attendant to such examinations

The tests establish a violation of the Company's Drug-Free Workplace Policy or I otherwise violate the policy.

I understand that if I am injured in the course and scope of my employment and test positive or refuse to be tested, I forfeit my eligibility for medical and indemnity benefits under the Workers' Compensation Act upon exhaustion of the remedies provided in Florida Statute 440.102(5). I UNDERSTAND THAT THE DRUG-FREE WORKPLACE POLICY AND OTHER DOCUMENTS ARE NOT INTENDED TO CONSTITUTE A CONTRACT BETWEEN THE COMPANY AND ME.

I understand that if I use alcohol or drugs at or before work, I may be discharged.

I know to speak with a manager or HR if I am on a medication that might lead to impairment.

I understand that this is a smoke-free workplace.

I understand that this is a cell phone and electronics free workplace except in case of emergency when employees need to call 911 or to take a picture of my schedule.

I agree to attend Safe Food Handling training.

I agree to minimize potential loss or negative incidents.

My employer offers health insurance coverage in ACA compliance.

I acknowledge the notification of Employee Health Coverage my employer is currently offering.

If go on FMLA I understand that my health insurance coverage can continue but that I must pay my part as normally scheduled.

I UNDERSTAND THAT IF I HAVE ANY QUESTIONS I MUST SPEAK UP. If my concerns are not resolved, I may see, call, or email HR. If HR does not resolve my concerns, I may email Winnie at winnie@tropicalsoup.com.