

# The Wine Group



## Employee Handbook



# Handbook & Policies Acknowledgement



## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

Upon hire and ongoing annual basis, it is your responsibility to read through the summary of policies and procedures as outlined in this handbook. It is important to note that TWG reserves the right to change the employee handbook without notice. Updated versions of the employee handbook will supersede prior versions of the handbook and employees will be notified of any such changes through various communications channels.

I understand that the information contained in these materials does not constitute an employment contract between The Wine Group and I. I understand The Wine Group may terminate my employment at any time with or without any cause. I understand that no representative, other than the Chief Executive Officer of The Wine Group, has any authority to enter into any agreement for employment for any specific amount of time.

I have received and read the TWG Employee Handbook. I understand that it is my responsibility to comply with all of the policies contained in this handbook and any revisions made to it.

- Employee Handbook 01.01.25
- Anti-Harassment and Non Discrimination Policy HR-06 11.01.24
- Anti-Harassment Policy New York HR-94 10.01.23
- At Will Employment Policy HR-61 12.02.24
- Code of Conduct & Ethics Policy HR-70 01.01.23
- Confidential Information Policy
- Drug & Alcohol Policy HR-88 01.01.23
- Search Policy HR-87 11.01.24
- Social Media Policy HR-37 09.01.22
- Time & Attendance Policy HR-81 12.01.24

Employee acknowledgment can be made online via [Dayforce](#) (in Forms>HR Policies>Employee Handbook) or via the signature block below.

Employee Name \_\_\_\_\_

Employee Number \_\_\_\_\_

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

Date \_\_\_\_\_



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# Welcome to The Wine Group



## INTRODUCTION TO THIS HANDBOOK

This handbook is intended to help employees get acquainted with working at The Wine Group (TWG). It also summarizes many of our policies and practices. TWG's policies and practices are intended to comply with local, state and federal employment laws and regulations. They are also based on principles which are intended to create a work environment reflective of TWG core values.

This handbook serves as a reference to our policies and practices in effect at the time of publication. It does not attempt to provide a complete statement of your employment and is not inclusive of all circumstances which might arise during the course of employment with TWG. Employees are encouraged to speak with their direct manager when they have questions about their employment.

TWG reserves the right to modify, delete, or add to any and all policies, practices, or benefits stated in this Handbook and other Company documents. No oral statements or representations may alter the provisions of this handbook or TWG policies.

*Employees covered by a collective bargaining unit should refer to their collective bargaining agreement. To the extent the policies and practices in this handbook conflict with any express provisions of an applicable collective bargaining agreement, the express provisions of an applicable collective bargaining agreement will supersede.*

## AT-WILL EMPLOYMENT STATEMENT

**The purpose of TWG's At-Will Employment Policy is to help you understand that your employment with TWG is at will, and therefore may be terminated by you or by the Company at any time and for any reason, with or without cause and with or without notice. By accepting employment with The Wine Group, you agree you understand and agree that your employment with TWG is "at-will" and that no contrary representation has been made to you.**

**This At-Will Employment relationship is, and will remain, in effect throughout your employment with the Company and any of its parents, subsidiary or affiliated entities and may only be modified by an express written contract for a specified term signed by you, the Chief Executive Officer and the Chief Human Resources Officer. It may not be modified by any oral or implied agreement or any written agreement that is not signed by all the individuals identified in the prior sentence.**

**This handbook is not a contract, either express or implied**

For more information on our At-Will Employment Policy, click on this [direct link](#) or refer to the appendix in this handbook

## EQUAL EMPLOYMENT OPPORTUNITY

TWG is an equal employment opportunity employer. TWG's policy prohibits unlawful discrimination based on race, national origin, religion, age, color, sex, sexual orientation, gender identity, disability, protected veteran status, or any other characteristic protected by applicable local, state, or federal laws, rules, or regulations. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics. All such discrimination is unlawful.

TWG is committed to compliance with all applicable laws providing equal employment opportunities. This commitment prohibits unlawful discrimination by any employee of TWG, including supervisors and co-workers.

For more information on our EEO Policy, click on this [direct link](#) or request a copy by emailing [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).



# Welcome to The Wine Group



## WELCOME TO THE WINE GROUP

We are delighted that you have chosen to join our organization and hope that you will enjoy a long and successful career with us. As you become familiar with our purpose, strategy and values ("Our Blend for Success"), we hope you will take advantage of opportunities to enhance your career and further The Wine Group's goals.

You are joining an organization that has a reputation for outstanding culture, innovation, and expertise in wine making. Our employees use their creativity and talent to invent new solutions, meet new customer demands, and offer excellent services and products. With your full engagement, creativity, and participation, TWG will continue to achieve its goals. We look forward to you being a part of TWG's success.

## ABOUT THE WINE GROUP

It takes passion—for the land, for the product—plus an entire team working together, to become one of the largest and most respected wine producers in the world.



For over forty years, we have led with passion. A passion for the Company (privately held and management-owned) and for our more than 60 award-winning brands.

When you open a bottle of TWG wine, you open a story of passion—from the way we care for the land and vines, to the creative blending and caretaking by the winemakers and cellar teams, and to all of those who tend to the wine along the way.

We continually improve our industry status as a world-wide leader by honoring the land and vines we care for, and investing in technology, innovation, and the people who make The Wine Group what it is today.

Our vision for TWG is embedded in everything we do. Our portfolio of wines demonstrates our success and commitment to our vision of building strong wine brands that deliver unbeatable value.

## OUR PURPOSE, STRATEGY AND VALUES

At TWG, we share a common purpose, a bold strategy for the future, and core values that guide our behaviors. These components represent who we are and what we stand for – they comprise our unique blend of success.

### Our Purpose (Why We Exist)

Through our company's purpose, Appreciate the Moment, our products help people enjoy all types of moments. From big to small to celebratory to quiet or introspective moments. No matter our role, we all play an important part in bringing our purpose to life each and every day.

### Our Strategic Vision (Where We're Headed)

Our vision is to become a consumer-led, innovative house of beverage brands, leading in wine. This vision is helping us to evolve, and build on, our strong heritage as a best-in-class operations-driven wine producer focused on products. As we continue to transform and strengthen our leadership, it's critical that we: focus on the consumer, drive new innovation, and continue to expand our portfolio to beverage categories beyond wine – although, we will always lead in wine.

### Our Strategic Pillars (How We'll Succeed)

To drive ongoing success, we will:

- Invest in Our People
- Focus on the Consumer



# Welcome to The Wine Group



- Optimize Operational Flexibility
- Create Long-Term Sustainable Value

## Our Values (How We Behave)

Our shared values guide our behaviors each and every day. We always strive to:

- **BE A STEWARD.** Our responsibility is to the organization today and for generations to come. We take pride in who we are and make decisions that are beneficial to our people, our planet, and our collective business for the long term.
- **SEE POSSIBILITY.** Our curiosity is the source of our creativity and innovation. We constantly look for new opportunities to make everyday improvements and big leaps forward and have the courage to take risks, even when the path is unclear.
- **FIND A WAY.** Our big aspirations for the future require us all to be determined and resourceful. We roll up our sleeves, put in the effort, and persevere to overcome challenges in support of our goals.
- **STAY GROUNDED.** Our care for our teammates is genuine and we value everyone's contribution. We strive to set our ego aside by embracing the best ideas and putting team success above our own. We are proud but never arrogant.

To learn more about who we are at TWG, visit our [Culture page](#) featured on the homepage of [TWG Connect](#).

## Our Blend for *Success*

### OUR PURPOSE (Why We Exist)

Appreciate the Moment

### OUR STRATEGIC VISION (Where We're Headed)

A consumer-led, innovative house of beverage brands, leading in wine.

### OUR STRATEGIC PILLARS (How We'll Succeed)

Invest in Our People

Focus on the Consumer

Optimize Operational Flexibility

Create Long-Term Sustainable Value

### OUR VALUES (How We Behave)



#### BE A STEWARD

Our responsibility is to the organization today and for generations to come. We take pride in who we are and make decisions that are beneficial to our people, our planet, and our collective business for the long term.



#### SEE POSSIBILITY

Our curiosity is the source of our creativity and innovation. We constantly look for new opportunities to make everyday improvements and big leaps forward and have the courage to take risks, even when the path is unclear.



#### FIND A WAY

Our big aspirations for the future require us all to be determined and resourceful. We roll up our sleeves, put in the effort, and persevere to overcome challenges in support of our goals.



#### STAY GROUNDED

Our care for our teammates is genuine and we value everyone's contribution. We strive to set our ego aside by embracing the best ideas and putting team success above our own. We are proud but never arrogant.

# Perks of Working at The Wine Group



## PERKS AND BENEFITS

We care deeply about the people who make the products about which we are passionate. To demonstrate our commitment, we strive to provide competitive salaries, benefits, training opportunities, tuition reimbursement, and other resources to help TWG employees and their families to thrive.



## SICK AND VACATION TIME

TWG recognizes that employees have diverse needs for time off from work, and as such, has established the Sick & Vacation Time Policy to cover vacation, illnesses, appointments, family needs, and other personal reasons for time away from work. The Company believes that time off is valuable for employees not only to make their work experience with the Company personally satisfying but to also enhance their productivity.

**Sick Time** for full-time regular employees begins accruing on the first day of employment.

**Vacation Time** for full-time regular employees begins accruing on the first day of employment.

Employees covered by a collective bargaining unit should refer to their specific collective bargaining agreement (CBA).

For more information on our Sick & Vacation Time Policy, click on this [direct link](#) or request a copy from [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

## PAID HOLIDAYS

TWG defines paid holidays on an annual basis. Holiday schedules can be found on TWG's [Intranet](#) site, or you can request a copy of the holiday schedule from [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

Employees covered by a collective bargaining unit should refer to their specific collective bargaining agreement (CBA).

## EMPLOYEE ASSISTANCE PROGRAM (EAP)

TWG cares about the health and well-being of its employees and recognizes that from time to time employees may need additional support from a professional counselor. TWG provides confidential access to clinical counseling services through the Employee Assistance Program. All full-time, active employees are eligible for benefits under this policy.

For more information on our Employee Assistance Program, click on this [direct link](#) or send a request to [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com). Employees covered under UFCW Local 1D's collective bargaining unit should refer to their collective bargaining agreement (CBA).

## TWG SCHOLARSHIP PROGRAM

The Wine Group is pleased to continue its tradition of making scholarships available to the eligible dependents of TWG employees. Since 2009, The Wine Group Scholarship Program has awarded close to \$500,000 in scholarships.

Types of scholarships available to applicants:

1. The Wine Group Merit Scholarship.
2. The Wine Group Opportunity Scholarship for college or certified vocational programs.

For more information, click on this [direct link](#) or send a request to [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

# Perks of Working at The Wine Group



## EDUCATIONAL REIMBURSEMENT

The Wine Group encourages all team members to continue to grow their skills and knowledge in pursuit of their respective career goals. The Education Reimbursement Program is designed to assist team members with their educational continuation by providing financial assistance toward TWG business-related degree programs and professional certifications.

Reimbursement for programs may be made for the cost of tuition, books, registration fees, library fees, and parking fees, up to a specified amount per calendar year.

Employees with one or more years of continuous employment will be eligible for educational reimbursement. Part time, intern, seasonal, or temporary employees are not eligible.

Employees covered by a collective bargaining unit should refer to their specific collective bargaining agreement (CBA).

For more information on our Educational Reimbursement program, click on this [direct link](#) or email [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

## WINE TASTING DISCOUNTS

One of the many perks of working for The Wine Group is receiving the employee discounts at our three TWG

hospitality locations, which may include tastings, tours, and other winery experiences.

For wine purchases or tasting experiences, employees must be at least 21 years old, and have a current TWG business card or active TWG identification badge with them.

More information on these discounts can be found on [TWG Connect](#), or by reaching out directly to the wineries using the phone numbers provided below.

### Benziger Family Winery

TWG employees receive a 50% discount on the purchase of wine and merchandise from the Benziger Tasting Room. Employees are also welcome to complimentary tastings and tours subject to space availability.

For more information on these discounts, or to make advance reservations, employees should call 707-935-3020.

### Imagery Family Winery

TWG employees receive a 50% discount on the purchase of wine and merchandise from the Imagery Tasting Room. Employees are also welcome to complimentary tastings, subject to space availability.

For more information on these discounts, or to make advance reservations, employees should call 707-935-3010.



# Perks of Working at The Wine Group



## MONTHLY WINE DISCOUNTS

All TWG employees working at a TWG site, 21 years and older, may purchase discounted wine by using the Employee Wine Order Form. The completed wine order form and check payable to The Wine Group must be turned in as indicated on the form, by the first Wednesday of the month.

Employee wine will be delivered to each California location on the second Friday of the month. The Westfield, NY location may vary in delivery times but will be available for pick up on a monthly basis.

Employees can access the form on [TWG Connect](#) or by requesting a copy of the form via [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

## HOLIDAY WINES

Twice a year TWG employees working at a TWG site, 21 years and older, are gifted cases of wine for holiday celebrations. There is one wine giveaway for spring holiday celebrations and one for winter holiday celebrations. The wines are sent to each location for employees to pick up, if desired. Employees must pick up on scheduled date and location; no longer able to pick up after date. If an employee is unable to pick up the wine during the times set, they may use a Holiday Wine Pick Up Authorization Form to designate another employee to pick up on his/her behalf.

Employees can access the form on [TWG Connect](#) or by requesting a copy of the form via [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

## CHEERS! PROGRAM

The Wine Group (TWG) Cheers! program intends to recognize team members for embracing the TWG Values. We want to celebrate our team members at The Wine Group while also creating a consistent culture of appreciation. We believe in acknowledging and rewarding team members who have exhibited the behaviors and demonstrated the core values of TWG. This program is open to all levels

of team members, and all can be both receivers and givers. Recognition makes us all feel valued, engaged, and appreciated for our contributions in helping make TWG a great company.

More information about the program can be found on [TWG Connect](#) or by visiting [cheers.thewinegroup.com](https://cheers.thewinegroup.com).

## LEAVES OF ABSENCE

TWG understands that situations may arise that require an employee to be away from work for circumstances occurring in an employee's life. TWG offers the following leaves to eligible employees.

- Bereavement;
- Bone Marrow and Organ Donor;
- California Family Rights Act (CFRA);
- Civil Air Patrol;
- Crime Victim;
- Family Medical Leave Act (FMLA);
- Disability Leave as an Accommodation;
- Jury Duty and Witness;
- Military and Military Spouse;
- New Parent;
- Personal;
- Pregnancy Disability Leave of Absence and Accommodation;
- Rehabilitation;
- School and Childcare Activities;
- Victims of Domestic Violence, Sexual Assault or Stalking;
- Volunteer Civil Service / Emergency Responder;
- Voting

For more information on FMLA or any other leave, click on this [direct link](#) or request a copy of the Leaves of Absence Policy by emailing [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

Employees covered by a collective bargaining unit should refer to their specific collective bargaining agreement (CBA).



# Getting Started at The Wine Group



## WORKPLACE ATTIRE

TWG strives to maintain a workplace environment that functions well and is free from unnecessary distractions. As part of that effort, TWG requires employees to maintain a neat and clean appearance that is appropriate for the workplace setting and for the work being performed.

Any clothing considered to be offensive or harassing in some way, is not permitted. No fragrances are allowed in areas that are combined with operational, production, or winemaking activities.

Specific dress code requirements for work areas are defined in our Workplace Attire Policy, available via this [direct link](#) or by requesting a copy from [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

In addition, hospitality team members can reference the hospitality dress code policy using this [direct link](#) or by requesting a copy by emailing [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

## IDENTIFICATION BADGES

All non-remote employees are provided a TWG identification badge upon hire. Per TWG's Workplace Attire Policy, all employees must wear their identification badge while at work.

If an employee badge is lost or stolen, employee should immediately notify their direct manager or email [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com). A badge replacement form is available in TWG's timekeeping system or via [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com). Full time remote employees will not be issued a new or replacement badge.

## JOB DUTIES

Managers will explain job responsibilities and the performance standards expected. Be aware that job responsibilities may change at any time during employment. From time to time, employees may be asked to work on special projects, or to assist with other work necessary, important, or desirable to the operation of your department or the Company.

The Company reserves the right, at any time, with or without notice to alter or change job responsibilities, reassign or transfer job positions or assign additional job responsibilities.

Employees covered by a collective bargaining unit should refer to their specific collective bargaining agreement (CBA).

## WORK SCHEDULES

Each department operates under work schedules designed to meet the needs of the department. As work demands change, management reserves the right to adjust working hours and shifts. The Company's work week is from Monday through Sunday. TWG defines the following scheduled shifts for employees: Grave Shift, Day Shift, and Swing Shift. Time worked on a Graveyard Shift is recorded on the day the shift ends. Workday begins at 6:30 PM and ends at 6:29 PM the following day for all sites outside of New York. Workday for New York begins at 4:30 PM and ends at 4:29 PM the following day.

Questions concerning your schedule should be directed to your direct manager. Employees covered by a collective bargaining unit should refer to their specific collective bargaining agreement (CBA).

## PAYMENT OF WAGES

The Wine Group is on a bi-weekly payroll schedule, with the exception of New York non-exempt employees who are on a weekly pay schedule. Paychecks are either direct deposited or mailed. You may start, stop or change direct deposit at any time. To start direct deposit, you must complete a direct deposit form available on TWG's timekeeping system or by emailing [payroll@thewinegroup.com](mailto:payroll@thewinegroup.com).

Paystubs can be accessed directly through the HCM system, Dayforce, found under the Earnings section.

The form must be turned in to payroll by emailing [payroll@thewinegroup.com](mailto:payroll@thewinegroup.com) at least 10 business days before the pay period for which you would like

# Getting Started at The Wine Group



direct deposit to begin.

If a regular payday falls on a holiday, employee checks will be direct deposited or mailed on the preceding work day.

Employees are encouraged to carefully monitor their pay stubs. If you have any questions regarding your pay stub, email [payroll@thewinegroup.com](mailto:payroll@thewinegroup.com).

## **PERSONAL PROPERTY**

The Wine Group is not responsible for any loss, damage, or theft to the employee's personal property on a TWG site.

The Company reserves the right to conduct searches of Company property, employees and employee's personal property in order to maintain a safe and productive work environment.

For more information on TWG's Search Policy, click on this [direct link](#) or refer to the appendix in this handbook.

## **ANTI-HARASSMENT & NON-DISCRIMINATION**

TWG strives to create and maintain a work environment in which all people are treated with dignity, decency and respect. The environment of TWG should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. TWG will not tolerate unlawful discrimination or harassment of any of our employees by direct managers, co-workers, customers, vendors, agents or any other third-parties. Through enforcement of this policy and by education of employees, TWG will seek to prevent, correct and discipline behavior that violates this policy.

For more information on our Anti-Harassment and Non-Discrimination Policy or the Anti-Harassment New York Policy, click on this [direct link](#) or refer to the appendix in this handbook.



## **CODE OF CONDUCT & ETHICS**

TWG employees and representatives are expected to conduct business in a fair, ethical, and forthright manner. Employees and representatives must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws, regulations and Company policies.

TWG is committed to the highest standards of ethics and business conduct while doing business with customers, suppliers, competitors, communities in which we operate, and each other as employees at every organizational level. That commitment means that employees must always strive to ensure that they:

- Conduct business in a manner that avoids the appearance of conflict between personal and Company interests.
- Never directly or indirectly disseminate, disclose, lecture upon or publish articles concerning information which is confidential, proprietary, or a trade secret.
- Refrain from bribery, corruption, kickbacks or other improper cash payments (or anything else of value) to influence business decisions and/or services provided. TWG expects its employees and representatives to comply with the U.S. Foreign Corrupt Practices Act (FCPA) and any

# Getting Started at The Wine Group



comparable law in any jurisdiction where the employee is conducting business.

For more information on our Code of Conduct and Ethics Policy, click on this [direct link](#) or refer to the appendix in this handbook.

## ACCEPTABLE USE OF TECHNOLOGY

All employees, contractors, consultants, temporary, and other workers at TWG and its subsidiaries are responsible for exercising good judgment regarding appropriate use of information, electronic devices and network resources in accordance with TWG policies and standards, and applicable local laws and regulations.

Under no circumstances is any worker at TWG authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing TWG-owned, leased or licensed resources.

For more information on our IT Acceptable Use Policy, click on this [direct link](#) or request a copy of the policy from [ITSupport@thewinegroup.com](mailto:ITSupport@thewinegroup.com).

## SOCIAL MEDIA

TWG recognizes that social media can be a fun and rewarding way to interact with family, friends, work colleagues, customers, and consumers. In the rapidly changing world of electronic and digital communications, "social media" can mean many things. For purposes of this policy, "social media" means all methods of communicating or posting information or content on the internet, whether to your own or someone else's blog, personal web site, social networking site, web bulletin board or chat room, as well as any other electronic communication visible outside of TWG's internal systems.

As a TWG Employee, what you publish on social media reflects on TWG and you must comply with certain responsibilities and obligations when using social media in connection with our company, our brands, and our products. TWG's same values that

we encourage you to apply in our workplace also apply when you mention TWG, our brands or our products on social media. While you are ultimately responsible for what you communicate via social media, we encourage you to apply common sense, good judgment and TWG's values to all of your communications.

For more information on our Social Media Policy, click on this [direct link](#) or request a copy of the policy from [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

## CONFIDENTIALITY

Employees are responsible for safeguarding confidential information obtained during employment. In the course of your work, you may have access to confidential information regarding the Company, its suppliers, its customers, or fellow employees.

TWG has a comprehensive Confidential Information Policy. It is your responsibility to know and understand your role in protecting TWG confidential information.

For more information on our Confidential Information Policy, click on this [direct link](#) or refer to the appendix in this handbook.

## TIME & ATTENDANCE

Attendance at work must be reliable and predictable to ensure adequate staffing, positive employee morale, and to meet the expected goals and business objectives of the organization. All employees are expected to be on time, ready to work, and maintain a satisfactory record of attendance.

Hourly employees are expected to clock-in at the beginning of their work day or scheduled shift, and to stop work and clock-out at the end of their work day or scheduled shift. Hourly employees are also expected to clock-out at the beginning of their meal period and clock-in at the end of their meal period.

For more information on our Time and Attendance



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Policy, click on this [direct link](#) or refer to the appendix in this handbook.

Employees covered by a collective bargaining unit should also refer to any applicable Time and Attendance provisions and disciplinary guidelines in the collective bargaining agreement (“CBA”) between TWG and the applicable collective bargaining unit .



## **PAYROLL ADVANCES**

The Company does not permit advances against an employee’s pay.

## **PERSONNEL RECORDS**

Employee files are maintained by the Human Resources Department and are considered confidential. Every current and former employee has the right to inspect the personnel records that the employer maintains relating to the employee’s performance or to any grievance concerning the employee through the HCM system, currently Dayforce. Current and former employees have the right to not only inspect the file but also to receive a copy of the contents. Request for a copy must be in writing and the company must provide a copy of the file within 30 days. If a copy is requested, the employee or former employee can be charged the actual cost of copying. Employees have the right to designate a representative to conduct the inspection of the file or receive a copy of the file. The

representative must be authorized in writing by the employee or former employee to inspect or receive a copy of the personnel file.

Managers, supervisors, and Human Resources have access to personnel file information on a need-to-know basis.

Any request for information contained in personnel files must be requested in writing or by emailing [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com). The company will cooperate with requests from authorized law enforcement or local, state and federal agencies conducting official investigations and as otherwise legally required.

## **PERSONAL INFORMATION UPDATES**

The Company is required by law to keep current all employee names and addresses. Employees are responsible for notifying the Company in the event of name, address, phone number, or email changes.

For more information on how to process a name, address, or phone number update, employees can either log onto the Company’s timekeeping system to submit personal information changes or contact [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

## **VOLUNTARY TERMINATION**

Voluntary termination results when an employee voluntarily resigns his or her employment, or fails to report to work for three consecutive workdays without notice to, and approval by, his or her direct manager. All Company owned property, including keys, uniforms, identification badges, credit cards, computers, cell phones, and other equipment must be returned immediately upon termination of employment.

Employees covered by a collective bargaining unit should refer to their specific collective bargaining agreement (CBA).

For more information on Separation of Employment, click on this [direct link](#) or request a copy of the policy from [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

# Getting Started at The Wine Group



Employees covered by a collective bargaining unit should refer to their specific collective bargaining agreement (CBA).

## **BULLETIN BOARDS**

The Wine Group maintains Company bulletin boards to communicate information to employees and to post notices as required by law. These bulletin boards will let you know about upcoming events, personnel announcements, etc. All notices to be posted must have approval from Human Resources prior to posting.

Employees covered by a collective bargaining unit should refer to their specific collective bargaining agreement (CBA) regarding bulletin board use.

## **PERFORMANCE MANAGEMENT**

TWG believes that setting OKR's Objectives and Key Results at the individual contributor level is foundational to meeting our company goals and seeing the positive impact on employee performance, development, and engagement. Non-Union employees will engage several times a year with their direct manager to have conversations about the progress on their OKR's, receive and provide feedback, and discuss personal development. The timing of these conversations may vary but is expected to be at least quarterly. Employees are encouraged to proactively engage with their direct manager in this discussion. For more information on our Performance Management philosophy and the setting of individual OKR's you can email [HRSup-port@thewinegroup.com](mailto:HRSup-port@thewinegroup.com).

Employees covered by a collective bargaining unit should refer to their specific collective bargaining agreement (CBA).

## **CORRECTIVE ACTION**

Violation of Company policies may warrant disciplinary action. The Company has established a system of corrective action that may include verbal warnings, written warnings, suspension, and

termination. The Company may, in its sole discretion, utilize whatever form of corrective action it deems appropriate under the circumstances, up to and including termination of employment.

Employees covered by a collective bargaining unit should refer to their specific collective bargaining agreement (CBA).



# Safety & Health at The Wine Group



## SMOKE AND TOBACCO IN THE WORKPLACE

The Wine Group is committed to providing a safe and healthy workplace and to promoting the health and wellbeing of its employees. It is our desire to provide a healthy work environment for our employees.

The Wine Group prohibits the use of smoking and tobacco products on Company premises, except in designated smoking areas, in order to help provide and maintain a safe, healthy, and hygienic work environment for all employees.

For more information on TWG's Smoke and Tobacco in the Workplace Policy, click on this [direct link](#) or request a copy of the policy from [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

## DRUG AND ALCOHOL ABUSE

In compliance with the Drug-Free Workplace Act of 1988, TWG is committed to maintaining a drug-free workplace to ensure a safe and productive work environment. The use of illegal drugs (based on all applicable laws) or the misuse of alcohol, prescription drugs, or over the counter drugs create safety risks that impact our ability to operate safely, effectively and efficiently, are inconsistent with TWG core values and will not be tolerated.

Employees are expected to report to work fit for duty and free of any adverse effects of alcohol or drugs. Whenever employees are present on TWG premises, or are working, operating equipment or vehicles, or conducting TWG-related work offsite, they are prohibited from:

1. Using, possessing, buying, selling, manufacturing, or dispensing illegal drugs.
2. Being under the influence of alcohol or an illegal drug as defined in the Policy.
3. Performing duties while on prescribed or over the counter drugs that adversely affect the ability to safely and effectively perform their job duties.

For more information on our Drug and Alcohol Policy,

click on this [direct link](#) or refer to the appendix in this handbook.



## SAFETY AND SECURITY

The Wine Group is committed, above all else, to providing a safe work environment for all employees, visitors, and guests at all of our locations. We ask that all individuals working at our facilities be active participants in our safety programs and in the recognition and communication of workplace hazards.

The welfare of our employees and security of the facilities depends upon the alertness and sensitivity of every individual to potential security risks. As such, we request that employees be aware of unauthorized persons on company property and report the activity to their direct manager or TWG security.

To ensure the security of TWG information and data, employees must ensure their computer is in lock-mode (password protected) whenever they leave it unattended. Employees should immediately notify their direct manager when TWG assigned keys or identity badges are missing.

TWG's safety policies and programs can be found in the TWG Safety Manual. Copies of the safety manual and its individual sections, as well as TWG Security



# Safety & Health at The Wine Group



policies are available to all employees through TWG's online regulatory management system Intellex, if you have computer access, or in hard copy by asking your direct manager. Any additional questions pertaining to TWG's Safety and Security programs can be directed to the Environmental, Health, Safety, and Security (EHSS) Department.

## **CELL PHONE USE WHILE DRIVING**

All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cell phones at all times, regardless of whether the cell phone is issued by TWG or is a personal cell phone being used for work purposes or Company related business. TWG prohibits the use of cell phone while driving for company business unless you are using a hands-free device.

In order to promote a productive and safe work environment TWG employees are expected to exercise discretion and good judgment in using cell phones in the workplace.

For more information on the use of cell phones in the workplace, click on this [direct link](#) or request a copy of the policy from [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

## **EMPLOYEES DRIVING VEHICLES FOR COMPANY BUSINESS**

Employees who are required to drive a company vehicle or their own vehicle on company business may be required upon request to show proof of current, valid licenses prior to the first day of employment. Additionally, those employees who will be driving their own vehicle on company business may also be required to provide proof of current, valid personal automobile insurance coverage for the vehicle. Drivers will be required to maintain an acceptable DMV record at all times. For employees who are required to drive for work, the Company retains the right to transfer to an alternative position, suspend or terminate an employee whose license is revoked or suspended, or who fails to maintain

personal automobile insurance coverage.

All employees driving company vehicles or their own vehicle on company business must observe all posted speed limits and abide by traffic laws. Employees who drive their own vehicles on company business will be reimbursed for business mileage at the current approved rate per mile, unless they are participating in the automobile allowance program.

For more information on driving company vehicles, employees can email [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).



# Safety & Health at The Wine Group



## **ACCIDENTS OR PERSONAL INJURIES ON COMPANY PROPERTY**

All employees are covered by our Workers' Compensation Insurance plan. Should an employee suffer an on-the-job injury or illness, they are required to report it immediately to their direct manager, even if they do not wish to seek medical treatment. Employees are encouraged to work with their direct manager, who is required to complete an accident investigation and submit proper reporting of the incident. All required documentation must be completed as soon as possible after the incident has occurred.

Compliance with all safety procedures and accident reporting procedures is a condition of employment.

For more information about our Workers' Compensation Policy, click on this [direct link](#) or request a copy from [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

For additional information or questions about accident investigations, please contact your direct manager or the EHSS Department.

## **EMERGENCY ACTION PLANS**

It is important that all employees know what to do in case of an emergency. Employees should become familiar with the Emergency Action Plan for their facility, including procedures for evacuation, shelter in place, lock down, or in response to a natural disaster or fire.

For more information about a facilities Emergency Action Plan, please contact your direct manager, facilities management team, or the EHSS Department.



# Creating a Productive Work Environment



## **WORK ENVIRONMENT**

All employees can contribute to keeping our work environment clean and organized. Employees using common areas such as lunchrooms and restrooms are expected to contribute to keeping them germ free, sanitary, and hygienic.

## **CONDUCTING PERSONAL BUSINESS**

TWG expects employees to conduct personal business during meal breaks and rest periods, or outside of work hours, whenever possible.

## **SOLICITATION & DISTRIBUTION OF LITERATURE**

In order to ensure efficient operation of the Company's business and to prevent disruption to employees, it is necessary to control solicitations and distribution of literature and merchandise on Company property. The Company prohibits all employees from solicitation, distribution of written material or merchandise, and requests for financial contributions during working hours or on TWG property. Any employee who is in doubt or has any questions concerning the application of the above should consult with his or her direct manager.

## **NON-RETALIATION**

The Wine Group prohibits retaliation against individuals who have engaged in protected activity, to include but not limited to any individual who reports discrimination or harassment or participates in an investigation of such reports. Employees who engage in retaliatory behavior will be subject to disciplinary action up to and including termination of employment. If you feel that you have been retaliated against for reporting discrimination or harassment, or for cooperating with an investigation of a complaint of discrimination or harassment, immediately notify your Human Resources Business Partner or TWG's Ethics Hotline at 855-477-4504, available 24 hours/day, 7 days/week.

For more information on our non-retaliation policy,

see our Code of Conduct and Ethics Policy, by clicking on this [direct link](#) or requesting a copy of the policy from [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

## **PRIVACY**

TWG has adopted a policy that protects the privacy and confidentiality of employee records and protected health information (PHI) whenever it is used by company representatives. The Wine Group's philosophy is to safeguard personal employee information in its possession to ensure the confidentiality of the information.

For more information on our privacy policy, click on this [direct link](#) or request a copy of the policy from [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

## **PAY TRANSPARENCY NONDISCRIMINATION PROVISION**

TWG will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information. 41 CFR 60-1.35(c).

# Supporting Our Employees



## **ETHICS HOTLINE**

Employees who wish to report an issue to the TWG Ethics hotline can call the toll-free number at 855-477-4504, available 24 hours/day, 7 days/week.

While employees and representatives can choose to remain anonymous, they are encouraged to identify themselves and provide as much information as possible, so the Company can conduct an efficient and effective investigation.

Employees and representatives wishing to report electronically may do so by using the Ethics Hotline Website at [TWG.Ethicspoint.com](https://TWG.Ethicspoint.com).

## **HUMAN RESOURCES SUPPORT**

Employees with questions regarding HR Policies and/or procedures, or general employment questions, can contact HR Support at [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

## **PAYROLL SUPPORT**

Employees with questions regarding their paychecks or requesting to start or stop direct deposit, can reach out to the payroll department at [Payroll@thewinegroup.com](mailto:Payroll@thewinegroup.com).

## **ACCOUNTS PAYABLE SUPPORT**

Employees with questions regarding expense reports payments, or payment made to vendors or outside sources, can contact the Accounts Payable department at [AccountsPayable@thewinegroup.com](mailto:AccountsPayable@thewinegroup.com).

## **BENEFITS SUPPORT**

Employees with questions regarding their benefit plan can contact TWG's Benefits Administrator at [TWGBenefits@thewinegroup.com](mailto:TWGBenefits@thewinegroup.com).





# ***Company Policies for Acknowledgement***



—PAGE BREAK—

*COMPANY POLICIES FOR ACKNOWLEDGEMENT; SEE FOLLOWING PAGES*

1. **Policy Title:** Anti-Harassment and Non-Discrimination Policy
  2. **Policy Number:** HR-06
  3. **Last Revision Date:** 11/01/2024
- 

#### 4. Scope

For purposes of this policy “TWG” is defined as The Wine Group, Inc. and its affiliates. TWG strives to create and maintain a work environment in which all people are treated in a manner appropriate for the workplace. TWG will not tolerate and prohibits discrimination, harassment, or retaliation of or against any of our job applicants, contractors, interns, volunteers, or employees by supervisors, co-workers, customers, vendors, agents or any other third-parties on the basis of any actual or perceived protected characteristic (as defined below). Our management team is dedicated to ensuring the fulfillment of this policy as it applies to all terms and conditions of employment, including recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, and general treatment during employment. Through enforcement of this policy and by education of employees, TWG will seek to prevent, correct and discipline behavior that violates this policy.

Discrimination, harassment and retaliation are unacceptable in the workplace and in any work-related settings such as remote work settings, business trips and TWG-sponsored social functions, regardless of whether the conduct is engaged in by a supervisor, co-worker, client, customer, vendor or other third party. In addition to being a violation of this policy, discrimination, harassment or retaliation based on any protected characteristic as defined by applicable federal, state, or local laws and ordinances also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws and ordinances are unlawful.

This policy applies to all employees of TWG.

#### 5. Policy Statement

##### 5.1. Prohibited Conduct Under This Policy

TWG, in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines.

- 5.1.1. **Protected Characteristic** includes a person’s sexual orientation, gender identity or gender expression (including transgender status), race, color, national origin, ancestry, citizenship status, creed, religion, sex or gender (including pregnancy, childbirth, related medical conditions and lactation), protected medical condition as defined by applicable state or local law, disability, age, genetic information, marital status, military service or veteran status, reproductive health decision making, or any other characteristic protected by applicable federal, state, or local laws and ordinances.

##### 5.1.2. Discrimination

Discrimination under this policy means treating differently or denying or granting a benefit to an individual because of the individual’s protected characteristic. Discrimination can involve the unjust or prejudicial treatment of people based on their protected characteristic(s) when making decisions regarding, but not limited to, hiring, compensations, promotions, performance evaluations, terminations, benefits or privileges, or development opportunities.

Discrimination may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Acts 1964, the Age Discrimination Act of 1975 and the

Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws, as well as any other applicable law or ordinance.

#### 5.1.3. **Harassment**

Harassment is defined in this policy as unwelcome conduct based on or because of any protected characteristic that creates an intimidating, offensive, or hostile work environment that interferes with work performance.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment can include, but is not limited to, comments, jokes, insults, epithets, slurs, teasing, and/or stereotypes that are offensive or unwelcome regarding, but not limited to, a person's protected characteristic.
- Physical harassment can include, but is not limited to, offensive gestures, physically threatening another person, or blocking someone's way.
- Visual harassment can include, but is not limited to, distribution and/or display of offensive posters, symbols, cartoons, drawings, computer displays, or e-mails..

Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state, or local laws and ordinances. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

#### 5.1.4. **Sexual harassment**

Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under TWG's anti-harassment policy. Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal or physical conduct of a sexual nature.

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as conversations regarding sexual activities, and unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature or which is directed at an individual because of that individuals' sex or gender (including pregnancy, childbirth, related medical conditions and lactation), gender identity or gender expression (including transgender status), and/or sexual orientation when:

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

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment can include, but is not limited to: unwelcome sexual advances, flirtations, or innuendoes; unwelcome sexually-related or suggestive

comments; jokes of a sexual nature; propositions; lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates) in exchange for favorable treatment; sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies; and comments, inquiries, or gossip about one's own or someone else's sex life or sexual activities.

- Nonverbal sexual harassment can include, but is not limited to: the distribution or display of any written or graphic material, such as calendars, posters and cartoons, that are derogatory or sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene or vulgar gestures, posters, and comments; sexually explicit letters, notes, facsimiles, e-mails, photos, text messages, tweets and Internet postings; or other forms of communication that are sexual in nature and unwelcome.
- Physical sexual harassment can include, but is not limited to: unwelcome, uninvited or unwanted physical contact; touching; tickling; pinching; patting; brushing up against someone's body; hugging; blocking normal movement; kissing; fondling; and forced sexual intercourse or assault.
- Sexual harassment can also include, but is not limited to, conduct or comments consistently targeted at only one gender, even if the content is not sexual, as well as teasing or other conduct directed toward a person because of the person's gender.

#### 5.1.5. **Consensual Relationship**

TWG strongly discourages romantic or sexual relationships between a manager or other supervisory employee and their staff (an employee who reports directly or indirectly to that person) because such relationships can create compromising conflicts of interest and/or the perception thereof, claims of sexual harassment, and/or other negative impacts to the working environment.

In situations other than those set forth above, TWG discourages, but does not forbid, dating or engaging in romantic or sexual relationships between employees. Nonetheless, dating or engaging in romantic or sexual relationships between employees may still create conflicts of interest, claims of sexual harassment, and/or otherwise impact the working environment.

The restrictions set forth above apply regardless of the sex/gender, gender identity/expression and/or sexual orientation of the employees involved. The policy applies only to consensual dating, romantic or sexual relationships between employees. Unwanted sexual attention (including physical contact) with the purpose or effect of creating an offensive environment is strictly prohibited and a violation of TWG's Anti-Harassment and Non-Discrimination policy.

If any employee of TWG enters a consensual relationship with another employee of TWG (or any other third party doing business with TWG) that is romantic or sexual in nature, or any relationship that creates a potential or actual conflict of interest, the parties must notify their managers and the Human Resource Business Partner (HRBP) so immediate steps can be taken to resolve any actual or perceived conflict with the policy. Such information will be treated by TWG as confidentially as possible consistent with TWG's business needs; however confidentiality cannot be guaranteed. Failure to comply with this policy may result in disciplinary action, up to and including discharge. Once the relationship is disclosed to TWG, the involved employees will be required to sign TWG's Consensual Relationship Agreement.

Where such a relationship exists, TWG reserves the right to make such employment decisions as are necessary to ensure that the risks enumerated above attendant to the relationship will not occur. If it is determined by Human Resources (HR) that one party must be moved, and there are other jobs available, either the two parties may decide who will be the one to apply for a new position, or in the case the two parties cannot decide within a reasonable amount of time given the circumstances, HR will make the decision based on which move will be least disruptive to the organization. If no other jobs are available, the parties will generally be given the option of terminating their relationship or resigning.

#### 5.2. **Non-Retaliation**

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. “Adverse conduct” includes but is not limited to: shunning and avoiding an individual who reports harassment, discrimination or retaliation; express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; and denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process described below.

Additionally, no hardship, loss, benefit or penalty may be imposed on an employee in response to:

- Filing or responding to a complaint of discrimination, harassment, or retaliation.
- Appearing as a witness in the investigation of a complaint.
- Serving as an investigator of a complaint.

Lodging a bona fide complaint will in no way be used against the employee or have an adverse impact on the individual's employment status. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation.

#### 5.3. **Confidentiality**

All complaints and investigations under this policy are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. However, complete confidentiality may not be possible in all circumstances. All information pertaining to a complaint or investigation under this policy will be maintained in secure files.

#### 5.4. **Formal Training**

To ensure that TWG's employees remain educated about their obligations under this policy, TWG will require all employees to receive training regarding violations of this policy, as required by law. For more information on this training requirement, employees can visit <https://calcivilrights.ca.gov/shpt/>.

### 6. **Reporting Procedure**

The following steps have been put into place to ensure the work environment at TWG is free of discrimination, harassment and retaliation. If an employee believes that someone has violated this policy, whether by an employee or non-employee, the employee should promptly report any allegations or incident to their direct manager, HRBP, or the Ethics Hotline at 855-477-4504. If either of these individuals is the person toward whom the complaint is directed and the employee is unable to utilize the Ethics Hotline, the employee should contact any higher-level manager in their reporting chain. If the employee makes a complaint under this policy and has not received an initial response within five (5) business days, the employee should contact TWG's Chief Legal Officer, Keith Bauman, immediately.

Any supervisor or manager who learns of (whether formally or informally), observes, or has reason to be concerned about conduct in violation of this policy must immediately inform their direct manager, HRBP, or TWG's Chief Legal Officer, Keith Bauman.

TWG takes reports of harassment very seriously. As a result, all reports made pursuant to this policy will be thoroughly and promptly investigated.

## **7. Investigation Procedures**

Upon receiving a complaint, TWG will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy. As stated above and to the extent possible, TWG will endeavor to keep the reporting employee's concerns confidential. However, complete confidentiality may not be possible in all circumstances.

During the investigation, TWG generally will interview the complainant and the accused, conduct further interviews as necessary and review any relevant documents or other information. Upon completion of the investigation, TWG will determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. TWG will inform the Complainant and the accused of the results of the investigation.

## **8. Policy Accountability**

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur.

Managers and supervisors are required to report any incident or allegation of discrimination, harassment or retaliation pursuant to the process outlined above. Managers and supervisors who knowingly allow or tolerate discrimination, harassment or retaliation, including the failure to immediately report such misconduct to HR, are in violation of this policy and subject to discipline, up to and including termination.

TWG will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if TWG determines such measures are necessary. If HR concludes that conduct in violation of this policy has occurred, the offending individual(s) will be subject to disciplinary action, up to and including termination of employment. Please note that TWG's Anti-Harassment and Non-Discrimination Policy may be construed to be more protective of employees than the law requires. Regardless, TWG will discipline any individual who violates this policy, regardless of job title, even if such conduct does not rise to the level of a violation of the law. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or termination of employment.

In addition to being a violation of this policy, harassment, discrimination or retaliation can also be against the law. Employees who engage in conduct that rises to the level of a violation of law can be held personally liable for such conduct.

Remember, we cannot remedy claimed discrimination, harassment or retaliation unless you bring these claims to the attention of management. Please report any conduct which you believe violates this policy.

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- 9. Content Author:** Human Resources
  - 10. Policy Reviewer:** VP Total Rewards, HR
  - 11. Policy Approver:** Chief Human Resources Officer
  - 12. Review Cycle:** Every Two Years

**13. Addendum:** Consensual Relationship Agreement

(Employee A name) \_\_\_\_\_, employed by TWG as a  
\_\_\_\_\_ (name of position), and (Employee B name)  
\_\_\_\_\_, employed by TWG as a  
\_\_\_\_\_ (position name), hereby disclose to TWG that we  
have entered into a voluntary and mutually consensual romantic relationship. By signing this agreement,  
we both understand and agree to the following:

1. We are both free to continue or end the romantic relationship at any time.
2. We represent that the romantic relationship shall not have any impact on our working relationships with one another. We also represent that the romantic relationship shall not have any impact on our professional relationship with any other TWG employee.
3. We represent and warrant that we will not carry out our romantic relationship while performing our duties for TWG. By way of example, but not limitation, we agree to maintain a professional demeanor while on TWG time and agree not to engage in any amorous conduct (e.g., holding hands or touching in an affectionate or sexually suggestive manner; kissing or hugging; romantic or sexually suggestive gestures; or romantic or sexually suggestive speech or communications, whether oral or written) while performing work-related tasks or while interacting with the public on behalf of TWG.
4. Prior to signing this Consensual Relationship Agreement, we have received and reviewed the TWG's Anti-Harassment Policy and Non-Discrimination, a copy of which is attached. By signing this agreement, we acknowledge that the romantic relationship between us does not violate TWG's Anti-Harassment and Non-Discrimination Policy because it is consensual.
5. We understand that sometimes an individual may feel compelled to engage in or continue a workplace relationship against the individual's will, out of concern that it may affect the individual's job or working relationships. However, we represent that the romantic relationship will be at all times on equal footing, fully voluntary and welcome.
6. [If a supervisor/subordinate relationship: I, [non-supervisor name] represent and warrant that at no time has [supervisor name]'s conduct toward me or my relationship with [supervisor name] violated TWG's Anti-Harassment and Non-Discrimination Policy.]
7. We agree that we will inform Human Resources, collectively or on an individual basis, immediately and in writing, upon the termination of our romantic relationship. Unless either of us provides such written notification to Human Resources, TWG should consider the relationship to remain fully voluntary and consensual.
8. We agree that we will inform TWG, collectively or on an individual basis, immediately of any conduct which we reasonably believe violates TWG's Anti-Harassment and Non-Discrimination policy.
9. We acknowledge that violation of this Agreement or the Anti-Harassment and Non-Discrimination policy may result in immediate termination of employment.

We acknowledge that we have been given a reasonable period of time to review and consider this Agreement.



We acknowledge that we have signed this Agreement freely and knowingly, and after due consideration. We have not been promised any benefit in exchange for signing this Agreement, nor have we been threatened with reprisal if we refuse to sign this Agreement.

Employee A (print name): \_\_\_\_\_ EID: \_\_\_\_\_

Employee A (sign name): \_\_\_\_\_ Date: \_\_\_\_\_

Employee B (print name): \_\_\_\_\_ EID: \_\_\_\_\_

Employee B (sign name): \_\_\_\_\_ Date: \_\_\_\_\_

#### **Acknowledgment & Receipt of TWG's Anti-Harassment and Non-Discrimination Policy**

I acknowledge that I have received, read, and understand TWG's Anti-Harassment and Non-Discrimination Policy. I agree to abide by and be bound by the rules, provisions and standards set forth in TWG's policy. I further acknowledge that TWG reserves the right to revise, delete, and add to the provisions of the Anti-Harassment and Non-Discrimination Policy at any time. I also acknowledge I have received the California Civil Rights Department's Sexual Harassment Fact Sheet (CRD-185).

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

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

1. **Policy Title:** Anti-Harassment Policy New York
  2. **Policy Number:** HR-94
  3. **Last Revision Date:** 10/01/2023
- 

#### 4. Scope

For purposes of this policy “TWG” is defined as The Wine Group, Inc. and its affiliates. TWG is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but TWG recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, predisposing genetic characteristics, familial status, marital status, criminal history, an employee’s or a dependent’s reproductive health decision making, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual’s race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual’s intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of TWG’s commitment to a discrimination-free work environment.

#### 5. Policy Statement

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with TWG. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit <https://dhr.ny.gov/complaint>. To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

#### 6. Sexual Harassment and Discrimination Prevention Policy

- 6.1. TWG policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our

workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with TWG. For the remainder of this policy, we will use the term “covered individual” to refer to these individuals who are not direct employees of the company.

- 6.2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
- 6.3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of TWG who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or TWG. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on [Legal Protections](#).
- 6.4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject TWG to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
- 6.5. TWG will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever TWG receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. TWG will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, TWG will act as required. In addition to any required discipline, TWG will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including managers and supervisors, are required to cooperate with any investigation of discrimination or sexual harassment.
- 6.6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered

individual who prefers not to report harassment to their manager, Human Resources Business Partner, or EthicsHotline ([twg.ethicspoint.com](http://twg.ethicspoint.com)) may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe or become aware of, to their Human Resources Business Partner.

- 6.7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

## 7. What is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of TWG's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted

person does not need to be the intended target of the sexual harassment;

- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a hostile work environment include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, sexual orientation, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called quid pro quo harassment.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

## 8. Examples of Sexual Harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. This list is just a sample of behaviors and should not be considered exhaustive. Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, blocking someone's way, brushing against another employee's body, or poking another employee's body; or
  - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
    - This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship;
  - Subtle or obvious pressure for unwelcome sexual activities; or
  - Repeated requests for dates or romantic gestures, including gift-giving.

- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
  - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
  - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
  - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
  - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;
  - Bullying, yelling, or name-calling;
  - Intentional misuse of an individual's preferred pronouns; or
  - Creating different expectations for individuals based on their perceived identities;
  - Dress codes that place more emphasis on women's attire;

## 9. Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy. Harassers can be anyone in the workplace. A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;

- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

#### 10. Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

#### 11. Retaliation

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as "difficult" and excluding them from projects to avoid "drama";
- Undermining an individual's immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable location.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- Made a complaint of sexual harassment or discrimination, either internally or with any



government agency;

- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

## 12. Reporting Sexual Harassment

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, manager or their Human Resources Business Partner. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or their Human Resources Business Partner.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is attached to this policy if an employee would like to use it, but the complaint form is not required. Employees who are reporting sexual harassment on behalf of other employees may use the complaint form and should note that it is on another employee's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained below in the section on [Legal Protections](#).

## 13. Supervisory Responsibilities

Supervisors and managers have a responsibility to prevent sexual harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to their Human Resources Business Partner. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Supervisors and managers can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors and managers can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the impact that harassment and a subsequent

investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

#### **14. Bystander Intervention**

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

- A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
- A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
- A bystander can take notes on the harassment incident to benefit a future investigation;
- A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and

If a bystander feels safe, they can address the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response. Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

#### **15. Complaints and Investigations of Sexual Harassment**

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. TWG will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in harassment investigations.

TWG recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, a Human Resources Business Partner:

- Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who

reported the harassment), as appropriate. If complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, Human Resources Business Partner will prepare a complaint form or equivalent documentation based on the verbal reporting;

- Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. A Human Resources Business Partner will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
- Will seek to interview all parties involved, including any relevant witnesses;
- Will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
  - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Will keep the written documentation and associated documents in a secure and confidential location;
- Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
- Will inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

## **16. Legal Protections and External Remedies**

Sexual harassment is not only prohibited by TWG, but it is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in the policy above is one way for employees to report sexual harassment. Employees and covered individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may also seek the legal advice of an attorney.

## **17. New York State Division of Human Rights**

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted any time within three years of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to TWG does not extend your time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies but it may include requiring your employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

[Go to dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR as well as a form that can be submitted online. The website also contains contact information for DHR's regional offices across New York State.

Call the DHR sexual harassment hotline at 1(800) HARASS3 for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

#### **18. The United States Equal Employment Opportunity Commission**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e et seq. An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred by does not file a lawsuit.

Individuals may obtain relief in mediation, settlement or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

#### **19. Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment or discrimination with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

#### **20. Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

#### **21. Conclusion**

The policy outlined above is aimed at providing employees at TWG and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.

#### **22. Accountability**

Employees and representatives of TWG must comply with this policy. Failure to comply with this policy may result in disciplinary action, up to and including immediate termination.

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- |                            |                                   |
|----------------------------|-----------------------------------|
| <b>1. Content Author:</b>  | Human Resources                   |
| <b>2. Policy Reviewer:</b> | VP Total Rewards, Human Resources |
| <b>3. Policy Approver:</b> | Chief Human Resources Officer     |
| <b>4. Review Cycle:</b>    | Every Two Years                   |

## Appendix

### Complaint Form for Reporting Sexual Harassment: New York

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment or gender discrimination, you are encouraged, but not required, to complete this form and submit it to your Human Resource Business Partner Michael Ramos, phone (559) 259-9609, via [Michael.Ramos@thewinegroup.com](mailto:Michael.Ramos@thewinegroup.com). No employee will be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, your employer should complete this form, provide you with a copy, and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

For additional resources, visit: [ny.gov/programs/combating-sexual-harassment-workplace](https://ny.gov/programs/combating-sexual-harassment-workplace)

*Adoption of this form does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure*

#### COMPLAINANT INFORMATION

EMPLOYEE NAME		EMPLOYEE ID #	
WORK ADDRESS		WORK PHONE	
JOB TITLE		EMAIL	
SELECT PREFERRED COMMUNICATION METHOD	<input type="checkbox"/> EMAIL <input type="checkbox"/> PHONE <input type="checkbox"/> IN PERSON		

#### MANAGER INFORMATION

MANAGER NAME		EMPLOYEE ID #	
WORK ADDRESS		WORK PHONE	
JOB TITLE		EMAIL	

#### COMPLAINT INFORMATION

1. Your complaint of sexual harassment is made about:

EMPLOYEE NAME		JOB TITLE	
WORK ADDRESS		WORK PHONE	
RELATIONSHIP TO YOU:	<input type="checkbox"/> Manager <input type="checkbox"/> Management <input type="checkbox"/> Co-Worker <input type="checkbox"/> Other (please specify):		



2. Please describe what happened and include as many details as possible such as specifics of event, accused, date, time, witnesses etc. You may use additional sheets of paper if necessary. If you have any relevant documents, please include them.

--

3. Date(s) sexual harassment occurred:

Is the sexual harassment continuing: ☐ Yes ☐ No

4. If possible, please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

***The last question is optional but may help in the investigation.***

5. Have you previously provided information (verbal or written) about related incidents? If yes, when and to whom did you provide the information: ☐ Yes ☐ No

***This is not required, but if you have retained legal counsel and would like us to work with them, please provide their contact information.***

Signature		Date	
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### ***Form Instructions for Employer***

If you receive a complaint about alleged sexual harassment, follow your sexual harassment prevention policy.

- An investigation involves:
- Speaking with the employee
- Speaking with the alleged harasser
- Interviewing witnesses
- Collecting and reviewing any related documents

While the process may vary from case to case, all allegations should be investigated promptly and resolved as quickly as possible. The investigation should be kept confidential to the extent possible.

Sexual harassment occurs on a spectrum and employers are encouraged to view all potential allegations with an open mind. Disciplinary action should meet the severity of the alleged actions.

Employers should document the findings of the investigation and basis for your decision along with any corrective actions taken. Notify the employee and the individual(s) against whom the report was made of the investigation's outcome and corrective actions taken. This may be done via email.

1. **Policy Title:** At Will Employment Policy
  2. **Policy Number:** HR-61
  3. **Last Revision Date:** 01/01/25
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#### 4. Scope

For purposes of this policy “TWG” is defined as The Wine Group, Inc., and its affiliates. We hope that you will enjoy and benefit from your employment at TWG as well as contribute to the business objectives of the enterprise. The purpose of this policy is to help you understand that your employment with the company is at will, and therefore may be terminated by you or by the company at any time and for any reason, with or without cause and with or without notice. By accepting employment with The Wine Group, you understand and agree that your employment with TWG is “at-will”, and that no contrary representation has been made to you.

#### 5. Policy Statement

This At-Will Employment relationship is, and will remain, in effect throughout your employment with the company and any of its parent subsidiary or affiliated entities and may only be modified by an express written contract for a specified term signed by you, the Chief Executive Officer and the Chief Human Resources Officer. It may not be modified by any oral or implied agreement or any written agreement that is not signed by all the individuals identified in the prior sentence.

If you have any questions about the nature of your employment or the meaning of our At-Will Employment policy, please contact Human Resources.

6. **Content Author:** Human Resources
7. **Policy Reviewer:** VP Total Rewards, Human Resources
8. **Policy Approver:** Chief Human Resources Officer
9. **Review Cycle:** Every Two Years

1. **Policy Title:** Code of Conduct & Ethics Policy
  2. **Policy Number:** HR-70
  3. **Last Revision Date:** 01/01/23
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#### 4. Scope

For purposes of this policy “TWG” is defined as The Wine Group, Inc., and its affiliates. This policy reflects a code of conduct that requires all team members of TWG to observe high standards of business ethics. TWG team members and representatives are expected to conduct business in a fair, ethical, and forthright manner. TWG team members and representatives must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

The policy applies to all team members of TWG.

#### 5. Policy Statement

TWG is committed to the highest standards of ethics and business conduct whilst doing business with customers, suppliers, competitors, communities in which we operate, and each other as team members at every organizational level. That commitment means that team members must always strive to ensure that they:

- Conduct business in a manner that avoids the appearance of conflict between personal and company interests.
- Never directly or indirectly disseminate, disclose, lecture upon, or publish articles concerning information which is confidential, proprietary, or a trade secret.
- Refrain from bribery, corruption, kickbacks, or other improper cash payments (or anything else of value) to influence business decisions and/or services provided. TWG expects its team members and representatives to comply with the U.S. Foreign Corrupt Practices Act (FCPA) and any comparable law in any jurisdiction where the team member is conducting business.

Failure to comply with any of the above can result in high corporate fines, legal action, and imprisonment of individuals, as well as harm to our company reputation.

#### 6. Policy Accountability

All team members and representatives of TWG are expected to comply with this policy. Failure to comply with this policy may result in disciplinary action, up to and including termination.

If a team member or representatives is aware of any possible violation of this policy or is unsure as to whether they may be in violation, they should discuss the subject with their immediate manager or with a representative from TWG’s human resources department.

##### 6.1. Reporting:

All team members and representatives of TWG are required to report any conduct or activity that they believe may give rise to legal or ethical problems or violate applicable legal requirements. This includes, but is not limited to, discrimination; harassment; fraud; unethical or unlawful conduct; retaliation; bribes, kickbacks, or other improper cash payments or the improper provision of things of value; improper conduct regarding accounting, internal accounting controls, and violations of any applicable laws. No team member or representative who in good faith reports a violation of the code shall suffer harassment, retaliation, or adverse employment consequence.

Reporting of any suspected improper, unethical, or illegal conduct or activities should be made to a member of the human resources department or to any member of management. If a team member or representative feels uncomfortable reporting such conduct or activity directly, they may report such conduct or activity anonymously through the company's Ethics Hotline or Ethics Hotline website.

The TWG Ethics Hotline is a toll-free number available 24 hours/day, 7 days/week, at 855-477-4504. While team members and representatives can choose to remain anonymous, they are encouraged to identify themselves and provide as much information as possible, so the company can conduct an efficient and effective investigation. Team members and representatives wishing to report electronically may do so by using the Ethics Hotline Website at [TWG.Ethicspoint.com](https://www.twg.com/TWG.Ethicspoint.com).

### **6.2. Investigations:**

Once a team member or representative reports suspected improper, unethical, or illegal conduct or activities or retaliation identified in this policy, the company will investigate the matter, and keep the team member informed to the extent permitted by law or otherwise appropriate under circumstances. However, due to the confidential nature of such investigations, it may not be appropriate to provide specific details of the investigation or of the actions taken.

All investigations will be handled with sensitivity. Confidentiality of the investigation or actions taken will be maintained to the extent possible and as appropriate under the circumstances.

The company will endeavor to deal with all team member disclosures under this policy and complete all related investigations in a timely manner.

### **6.3. Retaliation:**

The company's policies expressly prohibit any form of retaliation against team members or representatives who:

- In good faith and for lawful purposes report, cause to be reported, or assist in an investigation of suspected improper, unethical, or illegal conduct or activities by anyone in the company.
- Lawfully provide, or cause to be provided, information to, or assist in an investigation conducted by TWG, any international, federal, state, or local government regulatory or law enforcement agency.

File with the court, cause to be filed, assist, participate, or give testimony in any court proceedings filed or about to be filed related to such conduct. The company will not terminate, demote, suspend, threaten, harass, or in any manner discriminate against any team member in the terms and conditions of employment based upon such team member's good faith reporting of complaints.

If a team member believes they have been retaliated against (including threatened or harassed), they should report it to their immediate supervisor, manager, or human resources representative. If a team member feels uncomfortable reporting such retaliation, they may report anonymously through the company's Ethics Hotline or Ethics Hotline website.

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<b>7. Content Author:</b>	Human Resources
<b>8. Policy Reviewer:</b>	VP, Total Rewards Human Resources
<b>9. Policy Approver:</b>	Chief Human Resources Officer
<b>10. Review Cycle:</b>	Every Two Years

# **THE WINE GROUP**

## **CONFIDENTIAL INFORMATION POLICY**

**THIS DOCUMENT IS SUBJECT TO CHANGE AT ANY TIME. PLEASE REFER TO THE INTRANET FOR THE LATEST CONFIDENTIAL INFORMATION POLICY.**

**ANY QUESTIONS SHOULD BE DIRECTED TO THE LEGAL DEPARTMENT.**

# INTRODUCTION

This Confidential Information Policy (the “**Policy**”) establishes The Wine Group’s (“**TWG**” or the “**Company**”) policy and procedure for disclosure and use of the Confidential Information of TWG. It is the responsibility of each employee, consultant and independent contractor to comply with all aspects of this Policy. Unauthorized use or disclosure of Confidential Information (as defined below) or violation of this Policy is unacceptable and may lead to the Company taking disciplinary actions, including termination. This Confidential Information Policy is in addition to the obligations set forth under any confidentiality provisions signed by an employee upon employment with Company.

## 1. CONFIDENTIAL INFORMATION

### 1.1. DEFINITION

“**Confidential Information**” of the Company is any non-public technical and non-technical information related to Company’s past, present or future business, products or services. Examples of this sort of information include but are not limited to product ingredients and proportions, blends, suppliers, producers, growers, patent and trademark applications, trade secrets, designs, drawings, inventions, know-how, processes, source documents, research, development, specifications, business plans, roadmaps, possible mergers or acquisitions, human resources activities, financial information, marketing, pricing, customer lists, forecasts and projections. The Company is concerned about protecting all of its Confidential Information, but in particular, we vigorously protect information related to the intellectual property and future business plans of the Company such as inventions and ideas, blends, product ingredients and proportions, suppliers, producers, growers, sales and marketing documentation, future product names, plans and offerings, strategies, patent and trademark applications and possible partners and customer opportunities (“**Sensitive Confidential Information**”).

### 1.2. EXCLUSIONS

Confidential Information does not include any information that is already lawfully known to the public like information on the website, point-of sale materials that are already in the market, products already in the market, published information contained on our bottle and case packaging and generally available product documentation shipped to customers (such as tasting notes).

### 1.3. USE AND DISCLOSURE OF CONFIDENTIAL INFORMATION

Your interactions with the Company create a relationship of confidence and trust with respect to any Confidential Information of the Company and any other third parties (like a customer or business partner) with whom the Company agrees to hold information of such party in confidence (“**Partner Confidential Information**”). All employees are required to keep and hold all Confidential Information and Partner Confidential Information in strict confidence and trust and may not disclose either except as provided under this Policy. Further, all employees may only use Confidential Information for Company business to Company’s benefit and Partner Confidential Information for the purposes agreed to between the partner and Company. No other disclosure or use of Confidential Information or Partner Confidential Information is permitted.



## **2. NON-DISCLOSURE AGREEMENTS**

### **2.1. SHARING CONFIDENTIAL INFORMATION**

From product specifications to partner requirements to candidates for employment, the Company needs to share Confidential Information with persons and entities who are not employees of the Company (“**Third Parties**”) on occasion. There is only one approved method for sharing Confidential Information with Third Parties which is under an executed Non-Disclosure Agreement as set forth in this Policy. Disclosure of Confidential Information without an approved Non-Disclosure Agreement or prior to the execution of a Non-Disclosure Agreement is unacceptable and may lead to the Company taking disciplinary actions, including termination.

### **2.2. NON-DISCLOSURE AGREEMENT OVERVIEW**

A Non-Disclosure Agreement (“**NDA**”) is a written agreement between two parties that outlines how each party is going to use and protect from disclosure the Confidential Information of the other party. There are basically two kinds of Non-Disclosure Agreements: a mutual Non-Disclosure Agreement, which covers disclosures made by both parties and a unilateral Non-Disclosure Agreement, which only covers disclosures made by one party.

### **2.3. STANDARD COMPANY NON-DISCLOSURE AGREEMENTS**

The standard Company Non-Disclosure Agreements are located in the Compliance Department section of TWG’s Intranet. Currently, there are two Non-Disclosure Agreements, one Mutual NDA and one Unilateral NDA. Whenever possible, if we are going to be disclosing Confidential Information, we should try to use the Unilateral NDA. If the party that we are asking to sign the NDA is also disclosing its confidential information to us, and if it requests a mutual NDA, you may use the Mutual NDA available on our Intranet, but please do so only when requested. The Legal Department does not need to review any use of either unmodified standard Company Non-Disclosure Agreement (Unilateral or Mutual).

### **2.4. THIRD PARTY NON-DISCLOSURE AGREEMENTS**

Some Third Parties may request that Company use the Third Party’s standard non-disclosure agreement. Company policy is to always use TWG’s standard Company Non-Disclosure Agreement under any circumstances in which Company is disclosing Confidential Information. If a Third Party Non-Disclosure Agreement is required under the circumstances, then Legal Department review and approval is required prior to execution.

### **2.5. TYPE OF CONFIDENTIAL INFORMATION THAT MAY BE DISCLOSED**

Not all Confidential Information may be disclosed under a Non-Disclosure Agreement. Most Non-Disclosure Agreements have a time limit on the requirements to protect Confidential Information and often such time limits are shorter than Company’s standard policy. Further, even if a Non-Disclosure Agreement is signed, Company has certain kinds of Confidential Information that it will never disclose to a Third Party. If you are unsure whether you may disclose certain Confidential Information, do not disclose it until after checking with the appropriate person.

## **2.6. EXECUTION OF NON-DISCLOSURE AGREEMENTS**

Any full-time employee of TWG may sign unmodified standard Company Non-Disclosure Agreements on TWG's behalf. Any changes to the standard Company Non-Disclosure Agreement or any Third Party Non-Disclosure Agreements must be approved by the Legal Department prior to execution by Company and in such cases, those modified NDAs must be reviewed, approved and signed by a member of TWG's Executive Committee (ExCom). Unless otherwise granted express approval by the Company, no other Company employees, consultants or independent contractors have authority to sign any Non-Disclosure Agreements on behalf of Company.

## **2.7. RETENTION OF EXECUTED OF NON-DISCLOSURE AGREEMENTS**

Please e-mail all fully signed NDAs to: [NDA@team.thewinegroup.com](mailto:NDA@team.thewinegroup.com). All executed Non-Disclosure Agreements are to be retained by the Legal Department. All other departments may keep copies on file; however, the centralized retention of Non-Disclosure Agreements for all Company entities is to be maintained by the Legal Department. All signed Non-Disclosure Agreements must be sent to the Legal Department within 2 business days of execution. It is not acceptable for the only copy of such Non-Disclosure Agreements to be in "your" files.

## **3. MARKING CONFIDENTIAL INFORMATION**

The best practice is to mark "confidential" on all Confidential Information. In some jurisdictions, the Confidential Information must be marked "confidential" for protection under the law such as in circumstances such as theft and inadvertent disclosures. Further, many Non-Disclosure Agreements require "confidential" markings for protection and further require that any Confidential Information disclosed orally be documented in writing after the disclosure and submitted to the Recipient. Following any meeting where you disclose Company Confidential Information to a Third Party, it is best practice for you to e-mail your contact at that Third Party and remind them that all information discussed at your recent meeting is "Confidential Information" and must be treated as such in accordance with the NDA.

### **3.1. CONFIDENTIAL DOCUMENTS**

At a minimum, all documents and files containing Confidential Information should be marked on every page and at all times, even if the Confidential Information is never intended to be disclosed to a Third Party, with one of the following markings:

**CONFIDENTIAL**

**CONFIDENTIAL INFORMATION OF THE WINE GROUP.**

**CONFIDENTIAL INFORMATION OF THE WINE GROUP. ALL  
UNAUTHORIZED USE, DISCLOSURE OR DISTRIBUTION IS PROHIBITED.**

### **3.2. SENSITIVE CONFIDENTIAL INFORMATION AND ORAL DISCLOSURES**

Sensitive Confidential Information should always be marked as set forth in Section 3.1 above, including in any software program file headers related to Company products or services. For

any presentations that contain written or oral disclosure of Sensitive Confidential Information, the following type of footer or statement on each page is recommended: **THIS PRESENTATION AND ANY ORAL DISCLOSURES MADE IN CONNECTION WITH IT ARE PROTECTED AS CONFIDENTIAL INFORMATION OF THE WINE GROUP. ALL UNAUTHORIZED USE, DISCLOSURE OR DISTRIBUTION IS PROHIBITED.** For any oral disclosures of Confidential Information, notify the recipient that the information is Confidential Information prior to and during the oral disclosure, as well as with a follow up e-mail after the meeting as described at the end of the first paragraph of Section 3 above.

#### 4. MAINTAINING CONFIDENTIAL INFORMATION

Maintaining Confidential Information from inadvertent disclosure is the responsibility of all Company employees, consultants and independent contractors. Listed below are some best practices and common pitfalls to assist employees in understanding how they can protect Confidential Information on a daily basis.

##### 4.1. BEST PRACTICES

- Mark every page of every document or communication containing Confidential Information with “**Confidential**” as set forth in this Policy.
- Never disclose any Confidential Information to any Third Party without (i) checking with someone listed as an authorized signatory under Section 2.6 above regarding the substance of the conversation and (ii) checking with the Legal Department to make sure there is a signed NDA that adequately protects Company.
- Do not leave any Confidential Information in a space in which a Third Party may access it. Examples:
  - Do not leave plans or drawings on whiteboards, in conference rooms or offices if those spaces are accessed or viewed by Third Parties.
  - Do not leave documents with Confidential Information unattended in conference rooms, printers, kitchens, lobbies or any common areas including on top of desks. Put all such documents in locked spaces.
  - Do not discard Confidential Information documents in the trash. Shred the documents.
- Be discreet in your conversations related to Confidential Information even if such conversations are occurring on Company property (there may be Third Party visitors on site). Use closed door conference rooms or offices.
- Do not disclose Confidential Information to family or friends (unless they are employees of Company and have a need to know that Confidential Information). This rule protects them as much as it does you and the Company.
- Secure your computer. For example, keep your computer in a locked docking station, locked office or locked desk drawer. If you travel with your computer, do not leave it unattended. Keep it on your person or in a secure space like a locked trunk of a car.
- When you step away from your computer, always hit Ctrl + Alt + Delete and choose “Lock This Computer” to prevent unauthorized access of Confidential Information by others.
- Keep your computer password protected. Also, password protect any documents on your hard drive that contain Sensitive Confidential Information.
- Store Confidential Information only on Company issued computers or devices unless otherwise approved by IT.
- Immediately notify IT if your computer/device or any Confidential Information is stolen or

lost.

## **4.2. COMMON PITFALLS**

Be aware of the following inadvertent ways in which Confidential Information can be unintentionally disclosed:

- Disclosing a new product name, patent or trademark application to a Third Party.
- Offering solutions or Confidential Information at an industry or trade conference/meeting without approval. You could cause Company to lose valuable intellectual property rights.
- Sending a confidential document via email to the wrong recipient without a confidential footer on the email or without following up and stating the email was confidential and needs to be destroyed.
- Using non-Company email for Company business; if such use is required due to lack of access to Company email, then mark the email with the recommended confidentiality disclaimers in this Policy.
- Disclosing Confidential Information orally without using the recommended disclaimers in this Policy.
- Disclosing Confidential Information in a document that is not marked “confidential”.
- Disclosing Confidential Information in a public place like a retail store, customer site or trade show without following this Policy.
- Trusting the Third Party and disclosing Confidential Information without an approved, signed Non-Disclosure Agreement already in place prior to such disclosure.
- Assuming you can disclose a certain type of Confidential Information or Partner Confidential Information without proper approval, as outlined above.

**ANY QUESTIONS SHOULD BE DIRECTED TO THE LEGAL DEPARTMENT.**

John Sutton	<a href="mailto:John.Sutton@thewinegroup.com">John.Sutton@thewinegroup.com</a>	(209) 599-0376
Keith Bauman	<a href="mailto:Keith.Bauman@thewinegroup.com">Keith.Bauman@thewinegroup.com</a>	(925) 583-1553

1. **Policy Title:** Drug and Alcohol Policy
  2. **Policy Number:** HR-88
  3. **Last Revision Date:** 01/01/23
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#### 4. Scope

For purposes of this policy “TWG” is defined as The Wine Group, Inc. and its affiliates. In compliance with the Drug-Free Workplace Act of 1988, TWG is committed to maintaining a drug-free workplace to ensure a safe and productive work environment. The use of illegal drugs (based on federal laws) or the misuse of alcohol, prescription drugs, or over the counter drugs create safety risks that impact our ability to operate safely, effectively, and efficiently, and are inconsistent with TWG core values and will not be tolerated.

TWG reserves the right to conduct searches of any TWG property or employees and/or their personal property or automobile while on company property and to implement other measures necessary to deter and detect abuse of this policy.

This policy applies to all TWG employees. Union employees should also refer to their collective bargaining agreement. To the extent this policy directly conflicts with any express provisions of an applicable collective bargaining agreement, the express provisions of the applicable collective bargaining agreement will supersede this policy.

#### 5. Policy Statement

##### 5.1. Work Rules

Employees are expected to report to work fit for duty and free of any adverse effects of alcohol or drugs. Whenever employees are present on TWG premises, or are working, operating equipment or vehicles, or conducting TWG-related work offsite, they are prohibited from:

- 1) Using, possessing, buying, selling, manufacturing, or dispensing illegal drugs.
- 2) Being under the influence of alcohol or an illegal drug as defined in this Policy.
- 3) Performing duties while on prescribed drugs that adversely affect the ability to perform their job duties safely and effectively.

##### 5.2. Use of Prescription Drugs

This policy does not prohibit employees from the lawful use and possession of prescription medications legally prescribed to them by someone licensed to prescribe such medication. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely. Employees must disclose any work restrictions or expected side effects related to the employee's use of such prescription medication that could impact their ability to do their job to their direct manager. If an employee brings prescription medication on site, it must be in the original container the medication was received in and must contain the legible label applied to such container by a licensed pharmacist. If an employee is taking a prescribed medication on site, they must follow [Good Manufacturing Practices \(GMP\)](#) requirements. Medication must be taken in areas that adhere to GMP requirements because it needs to be treated like food.

If an employee believes that the use of a prescription medication may impair their job performance or safety, it is the employee's responsibility to immediately notify their direct manager of the concern. An employee must report the concern prior to starting work or as soon as the condition becomes known, whichever is earlier. The employee's direct manager will then determine whether the employee may continue to work, if modified work responsibilities are appropriate, or if another course of action is appropriate.

### **5.3. Employees between the ages of 18-20**

Employees must be at least 18 years of age to be employed at The Wine Group. Employees under the age of 21 may not pour, serve, taste, or sell alcoholic beverages at any site or event on behalf of TWG.

### **5.4. Responsible Alcohol Consumption**

As an employee of a producer of alcoholic beverages, some employees are authorized to consume alcohol while conducting company business or acting on the company's behalf. The consumption of alcohol is a personal decision; the company does not require or expect any employee to consume alcohol, nor is it a condition of employment.

Employees who, based on their job responsibilities, are allowed by TWG to consume alcohol at company locations or while conducting company business must use good judgment and must always consume alcohol in such circumstances only in a safe and responsible manner and in compliance with applicable policies and laws, while adhering to the following requirements:

1. Employees are prohibited from reporting to work or conducting company business while under the influence of alcohol, as defined in section 5.10.
2. Employees driving in the course of their employment and/or using company vehicles are required to comply with all applicable laws related to the consumption of alcohol while operating a motor vehicle.
3. Employees who choose to consume alcohol at company sponsored events, on company time or at the company's expense, are expected to always do so responsibly.
4. Employees participating in tastings during work hours for educational or training purposes need to do so in non-customer facing areas. Employees are required to taste responsibly, which includes sampling and expectorating. In the event that an employee believes they or another employee have become impaired, they must notify management as soon as possible.
5. Employees pouring for customers during work hours can sample and expectorate for quality assurance.
6. Employees are to use good judgment and if at any time are not fit to drive are required to coordinate alternate transportation. The reasonable cost of transportation from the company's work site or event, via services including but not limited to Uber, Lyft, taxi services, etc., can be reimbursed through the Concur expense report system in these situations.

### **5.5. Required Testing**

#### **5.5.1. Pre-employment**

Applicants receiving an offer of employment must pass a drug test as part of the pre-employment process (see [Pre-employment Screening Policy](#)). Refusal to submit to testing will result in disqualification of further employment consideration.

#### **5.5.2. Reasonable Suspicion**

Reasonable suspicion means suspicion based on specific personal observations concerning the appearance, behavior, speech, or odor of the employee. Employees are subject to testing based on (but not limited to) observations by at least one member of management of apparent workplace use, possession, or impairment suspected to be caused by drugs or alcohol. This reasonable suspicion definition shall not apply to employees who are involved in industrial accidents or injuries. Rather, the post-accident provision below will apply. Management must consult with human resources prior to sending an employee for drug/alcohol testing.

- 5.5.3.** Under no circumstances will the employee be allowed to drive themselves away from the property. A member of management will arrange for transportation. In emergency or urgent situations



management should call 911. Refusal by an employee to be tested will result in disciplinary action up to and including termination.

#### **5.5.4. Post-accident**

Employees are subject to testing for the presence of drugs and/or alcohol when they cause or contribute to accidents at work.

Testing should take place within two hours following the incident, or as soon as reasonably possible. Refusal by an employee to be tested timely will be treated as a positive drug test result and will result in termination. The employee will not be allowed to drive themselves away from the property. A member of management or the employee will arrange for transportation.

#### **5.6. Consequences**

Job applicants who refuse to cooperate in a drug test or who test positive will not be hired.

Employees who refuse to cooperate in post-accident or reasonable suspicion drug or alcohol testing, who test positive, or otherwise violate this policy, will be subject to disciplinary action, up to and including termination.

#### **5.7. Confidentiality**

Information and records relating to test results, drug and alcohol dependencies, and legitimate medical explanations provided to the Medical Review Officer (MRO) will be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

#### **5.8. Crimes Involving Alcohol or Illegal Drugs**

TWG prohibits all employees, including employees performing work on government contracts, from manufacturing, distributing, dispensing, possessing, or using an illegal drug in or on TWG premises or while conducting TWG business. TWG employees are also prohibited from misusing legally prescribed or over the counter (OTC) drugs. Law enforcement personnel may be notified, as appropriate, when criminal activity is suspected.

TWG does not desire to intrude into the private lives of its employees but recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, TWG reserves the right to take appropriate disciplinary action, up to and including termination, for drug use, sale, or distribution while off TWG premises. All employees who are convicted of, plead guilty to, or are sentenced for a crime involving alcohol or an illegal drug must report the conviction, plea, or sentence to human resources within five days. Failure to comply will result in termination of employment. Cooperation in complying may result in suspension without pay to allow management to review the nature of the charges and the employee's past record with TWG and may result in disciplinary action following such review, up to and including termination.

#### **5.9. Employee Assistance**

Recognition and treatment of drug and/or alcohol abuse is important for successful rehabilitation. TWG encourages the earliest possible diagnosis and treatment for substance abuse. Employees are urged to seek treatment for substance abuse problems. The following support is provided by TWG for its employees:

- All Union Medical Plans offer substance abuse support. For more information on coverage please contact:
  - California Union Medical Plans Contact UFCW at 209-952-6533
  - Westfield Union Medical Plan Contact Excellus Blue Cross Blue Shield at 877-223-2993

- All Non-Union Eligible Employees
  - Substance abuse support is available to eligible non-union employees through our healthcare plan. For more information on coverage, employees can contact a UMR plan advisor at 844-815-4119 or visit the UMR site at [www.UMR.com](http://www.UMR.com).
- For employees not covered under the above, TWG provides regular full-time non-union employees with an EAP program for counseling on substance abuse. For more information on the EAP program, employees can contact 1-800-834-3773 or on their website at <http://www.claremonteap.com>.

#### 5.10. Definitions

"Company premises" includes all buildings, offices, facilities, grounds, vineyards, properties, parking lots, lockers, places, and vehicles owned, leased, or managed by TWG and any site on which the company is conducting business.

"Illegal drug" means a substance whose use or possession is controlled by federal law but that is not being used or possessed under the supervision of a licensed health care professional. (Controlled substances are listed in Schedules I-V of 21 C.F.R. Part 1308.) For the sake of clarity, and not by way of exclusion, as of the "Last Revision Date" of this Policy, all forms of cannabis, including without limitation THC and CBD, are "illegal drugs" under applicable federal law and will be treated as "illegal drugs" under this Policy.

"Refuse to cooperate" means to obstruct the collection or testing process; to submit an altered, adulterated or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or to fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and will automatically be subject to discipline, up to and including termination.

"Under the influence of alcohol" means an alcohol concentration equal to or greater than .04, or actions, appearance, speech, or bodily odors that reasonably cause a direct manager to conclude that an employee may be impaired because of alcohol use.

"Under the influence of drugs" means a confirmed positive test result for illegal drug use per this policy. In addition, it means the misuse of legal drugs.

#### 6. Policy Accountability

All employees are expected to comply with this policy. Failure to comply with this policy will result in disciplinary action, up to and including termination.

If an employee is aware of any possible violation of this policy or unsure as to whether they may be in violation, they should discuss the subject with their direct manager or a human resources business partner. If an employee suspects that someone else is under the influence of alcohol or drugs while on the job, they are required to report to their direct manager, or human resource business partner immediately.

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|---------------------|-----------------------------------|
| 7. Content Author:  | Human Resources                   |
| 8. Policy Reviewer: | VP Total Rewards, Human Resources |
| 9. Policy Approver: | Chief Human Resources Officer     |
| 10. Review Cycle:   | Every Two Years                   |

1. **Policy Title:** Search & Inspection Policy
  2. **Policy Number:** HR-87
  3. **Last Revision Date:** 11/1/24
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#### 4. Scope

For purposes of this policy, “TWG” is defined as The Wine Group, Inc. and its affiliates. TWG aims to protect the safety and security of its employees, as well as TWG and its property, and strives to maintain a safe work environment. As such, the following items are prohibited from all TWG property: illegal drugs, drug paraphernalia, alcohol (other than that used by TWG for business purposes), controlled substances, weapons (unless otherwise provided by applicable law), and other improper items or materials (such as materials that violate TWG’s anti-harassment policy).

This policy applies to all TWG employees. Union employees should also refer to their collective bargaining agreement. To the extent this policy directly conflicts with any express provisions of an applicable collective bargaining agreement, the express provisions of the applicable collective bargaining agreement will supersede this policy.

#### 5. Policy Statement

TWG reserves the right to require employees on TWG property to search or inspection of their person, personal possessions, property, a personal vehicle parked on TWG property, work areas, as well as any articles found within such locations, at any time, either with or without prior notice, to the maximum extent permitted by applicable law. This includes, but is not limited to, lockers, vehicles, desks, cabinets, workstations, packages, backpacks, wallets, bags, handbags, purses, briefcases, clothing, lunchboxes, storage devices, and other personal possessions or places of concealment, as well as personal mail and packages sent to TWG. While TWG may provide desks, lockers, file cabinets, and other storage devices for the convenience of employees, these items remain the sole property of TWG and remain subject to search at any time with or without notice, to the maximum extent permitted by applicable law. Searches of TWG facilities and property, including TWG property in the possession of the employee, may be conducted at any time and do not have to be based upon reason to believe TWG policy is being violated. **Employees should not have any expectation of privacy with respect to company property, any personal property brought on company property, or in any TWG work area used by the employee, whether or not locked with an employee or TWG lock.**

To the maximum extent permitted by applicable law, TWG reserves the right to utilize trained detection dogs to assist in conducting any search or inspection under this policy. If the detection dog “hits” on (indicates) the presence of a prohibited item on any TWG property, TWG will open it if it is not already open. If the dog “hits” on any employee personal property on or at TWG property, the employee is expected to grant TWG access to the item for the purposes of conducting further inspection pursuant to this policy. If an employee has personal property, they prefer to keep private, the employee should not bring those items onto TWG property. TWG is not responsible for lost or missing items brought onto TWG property.

#### 6. Policy Accountability

Employees are expected to cooperate fully in administering this policy and in the conducting of any search or inspection, to the maximum extent permitted by applicable law. An employee’s refusal to cooperate in a search, inspection, or investigation may result in disciplinary action, up to and including termination, unless otherwise provided by applicable law.

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7. **Content Author:** Human Resources
  8. **Policy Reviewer:** VP Total Rewards, Human Resources
  9. **Policy Approver:** Chief Human Resources Officer
  10. **Review Cycle:** Every Two Years

1. **Policy Title:** Social Media Policy
2. **Policy Number:** HR-37
3. **Last Revision Date:** 09/01/2022

#### 4. Scope

For purposes of this policy “TWG” is defined as The Wine Group, Inc., and its affiliates. TWG recognizes that social media can be a fun and rewarding way to interact with family, friends, work colleagues, customers, and consumers. In the rapidly changing world of electronic and digital communications, "social media" can mean many things. For purposes of this policy, “social media” means all methods of communicating or posting information or content on the internet, whether to your own or someone else’s blog, personal web site, social networking site, web bulletin board or chat room, as well as any other electronic communication visible outside of TWG’s internal systems.

#### 5. Policy Statement

As a TWG Employee, (“you”), what you publish on social media reflects on TWG and you must comply with certain responsibilities and obligations when using social media in connection with our company, our brands, and our products. TWG’s same values that we encourage you to apply in our workplace also apply when you mention TWG, our brands or our products on social media. While you are ultimately responsible for what you communicate via social media, we encourage you to apply common sense, good judgment and TWG’s values to all of your communications.

##### 5.1. Comply with All TWG Policies and Advertising Laws

When a TWG Representative discusses TWG, our brands, products, plans or industry on social media, that communication is an “ad” and therefore must comply with a variety of laws as well as TWG policies on advertising and marketing. This includes: (a) our [Confidential Information Policy](#); (b) The Wine Institute Advertising Code; (c) the Federal Trade Commission’s Endorsement Guides; and (d) intellectual property and other third-party rights laws. To help guide you, we put together the chart below summarizing some of the key issues from those laws and policies affected by your use of social media as a TWG Representative.

REQUIRED WHEN POSTING	NOT PERMITTED
<p>✓ You are encouraged (but not required) to share official TWG content published on social media by our Marketing department with your social network.</p>	<p>✗ Make fun of or disparage a competitor, its products, or its employees in any way.</p> <p>✗ Make fun of or disparage TWG, our brands or our employees in any way.</p>
<p>✓ When posting about TWG or one of our brands, do not post pictures of anyone who is or looks younger than age 25. Refrain from posting pictures of anyone before clearly getting their permission first.</p>	<p>✗ Include people who appear intoxicated.</p> <p>✗ Post on social media forums where more than 28.4% of the audience are under the age 21 (for example, Snapchat).</p> <p>✗ Mention any retailer or on-premise account.</p> <p>✗ Mention the price of any TWG product.</p>
<p>✓ When posting about one of our brands, disclose that you are a TWG Employee by using the hashtag <b>#[BRAND]employee</b> (for example, #franziaemployee) in the first three lines of the post and as the first hashtag.</p> <p>✓ When posting about a TWG employee event or job opening, disclose that you are a TWG employee by using the hashtag <b>#TWGEmployee</b> in the first three lines of the post and as the first hashtag.</p>	<p>✗ Post, repost, or “share” on social media about TWG, our brands or products without properly disclosing that you are a TWG employee.</p> <p>✗ Insufficient employee disclosure, i.e., #employee, #ambassador, #partner, #iworkhere, #mycompany</p>

<p>✓ Ask Legal to help get permission before using any rights that TWG does not own, such as:</p> <ul style="list-style-type: none"> <li>• TRADEMARKS: like company names or logos.</li> <li>• COPYRIGHTS: like photos/videos you did not take, articles you did not write, or music you did not write and record.</li> <li>• RIGHTS OF PUBLICITY: any recognizable person's name, image, or likeness.</li> </ul>	<p>✗ Post/repost any image, name, or likeness of a celebrity without TWG having express, advanced, written permission.</p> <p>✗ Post/repost any image that you or TWG do not have rights to use for marketing/advertising purposes.</p> <p>✗ Use other people's/company's "stuff" (logos, names, etc.) without their permission.</p>
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## 5.2. Follow All TWG Policies

Carefully read this policy, TWG's [IT User Account Policy](#), [Confidential Information Policy](#), [Code of Conduct and Ethics Policy](#), [Anti-Harassment and Non-Discrimination Policy](#), and [Equal Employment Opportunity Policy](#), and ensure your posts are consistent with these policies (as updated from time to time.)

TWG employees can use their own personal devices to engage in social media during non-working times, such as breaks and meal periods; however, all other TWG policies against inappropriate usage apply.

Nothing in this policy intends to interfere with, restrain or prevent employee communications regarding wages, hours, terms and conditions of employment or employee's rights under federal and state law, including the National Labor Relations Act, and TWG will not construe this policy in a way that limits such rights. TWG prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

## 5.3. Be Responsible

The same principles and guidelines found in TWG policies apply to your activities online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the job performance of fellow TWG employees or otherwise adversely affects TWG, its brands, its products, its reputation, its employees, customers, or people who work on behalf of TWG, may result in disciplinary action up to and including termination. Inappropriate postings, including any that include discriminatory remarks, harassment, or threats of violence or similar inappropriate or unlawful conduct is not tolerated and may subject you to disciplinary action, up to and including termination.

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

## 5.4. Post Your Own Opinions Appropriately

Do not create a link from your blog, website, or other social networking site to a TWG website without identifying yourself as a TWG employee. Express only your personal opinions and make clear that they are your own personal opinions. Never represent yourself as a spokesperson for TWG unless you have first been expressly authorized and trained by TWG to do so. If TWG, our brands or our products are a subject of the content you are creating, be clear and open about the fact that you are a TWG employee and make it clear that your views do not represent those of TWG, fellow TWG employees, customers or people working on behalf of TWG. If you do publish a blog or post online related to the work you do or



subjects associated with TWG, make clear that you are not speaking on behalf of TWG. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of TWG.”

#### 5.5. Ask Questions

If you have any questions about what may be appropriate to post online, please contact your TWG human resources business partner or someone from the TWG legal team.

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|----------------------------|-----------------------------------|
| 6. <b>Content Author:</b>  | Human Resources                   |
| 7. <b>Policy Reviewer:</b> | VP Total Rewards, Human Resources |
| 8. <b>Policy Approver:</b> | Chief Human Resources Officer     |
| 9. <b>Review Cycle:</b>    | Every Two Years                   |

1. **Policy Title:** Time and Attendance Policy
  2. **Policy Number:** HR-81
  3. **Last Revision Date:** 12/01/2024
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#### 4. Scope

For purposes of this policy “TWG” is defined as The Wine Group, Inc. and its affiliates. TWG has set forth the following Time and Attendance policy that will support a healthy and productive work environment. TWG recognizes that employees may occasionally need time off from work and/or may have circumstances which occasionally prevent them from reporting to work for scheduled/shift start times. The purpose of this policy is to outline TWG’s timekeeping requirements in order to support the integrity of timekeeping systems, payroll, and record management, as well as ensure full compliance with all applicable state and federal laws. Certain terms used in this policy are defined in Appendix A. The employment details set out in this Time and Attendance Policy work in conjunction with, and do not replace, amend, or supplement any terms or conditions of employment stated in any collective bargaining agreement that a union has with TWG. Any employee whose terms and conditions of employment are governed by a collective bargaining agreement should refer to the relevant collective bargaining agreement for a discussion of the time and attendance policies applicable to them. Accordingly, wherever employment details in this Time and Attendance Policy differ from the terms expressed in a collective bargaining agreement with the TWG, the specific terms of the collective bargaining agreement shall control. Where a collective bargaining agreement is silent on details set forth in this policy, the policy controls. This policy applies to all full-time and part-time non-exempt hourly and exempt salaried TWG employees, as defined below:

- a) Regular Employee
- b) Seasonal Employee
- c) Agricultural Employee
- d) Intern Employee
- e) Temporary Employee

*Refer to Appendix B for description of employee types listed above.*

In evaluating employee attendance and otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

#### 5. Policy Statement

Accurately reporting time worked and time off as stipulated in this policy is the responsibility of every employee. Employees are required to accurately report their time and attendance by the end of the pay period using the TWG designated timekeeping system. Weekly review and approval of employee time reporting and time-off requests are the responsibility of each manager. TWG must keep an accurate record of all time worked to 1) ensure effective and fair administration of employee paid and unpaid work time, 2) comply with applicable laws, and 3) properly calculate employee pay and benefits and related taxes due to government authorities.

The principles set forth in this policy are intended to:

- a) Provide clarity to the employees on company expectations on time and attendance.
- b) Improve productivity through better attendance.

- c) Minimize costs associated with employee absences.
- d) Standardize time and attendance procedures and ensure that they are consistent with the provisions of TWG guidelines in conjunction with collective bargaining agreements.

## **6. NON-EXEMPT / HOURLY EMPLOYEES**

### **6.1. Attendance Policy for Non-Exempt / Hourly Employees**

This policy explains attendance expectations and specifies notification requirements when a non-exempt hourly employee cannot report to work. In evaluating employee attendance and otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

**Reporting to Work:** All employees are expected to be on time, ready to work, and maintain a satisfactory record of attendance. All non-exempt hourly employees are paid for time worked from the time they clock-in to the time they clock-out, excluding meal periods. Employees are expected to clock-in at the beginning of their scheduled workday or assigned shift, and to stop work and clock-out at the end of their scheduled workday or assigned shift. Employees are expected to clock-out at the beginning of their meal period and clock-in at the end of their meal period. Non-exempt employees also should record the beginning and ending time of any split shift or departure from work for personal reasons. Non-exempt hourly employees may never work off the clock. "Off-the-clock" work is time spent by an employee performing work that is not reported to TWG as time worked.

Since employee time records are vital for payroll purposes, employees must inform management if they fail or otherwise forget to record their time in or out before or after any working time. Failure to properly record time may result in discipline, up to and including termination.

Keeping in mind the scheduling and deliverables of the team, employees are expected to provide as much advance notice as possible when discussing shift adjustments with their direct manager.

The Wine Group defines two (2) punch policies for non-exempt hourly employees. The punch policy assigned is based on both site and role within the organization. Employees can ask their manager which punch policy applies to their role and site.

**Punch Policy 1:** Employees are expected to begin work at their scheduled start time unless other arrangements are agreed upon in advance with their direct manager. Employee requests for a schedule change (time off, early/late departure/arrival) must be submitted in advance and approved by the employee's direct manager in order for the schedule change to be effective. Managers are not required to approve such requests. Unless otherwise approved by an employee's direct manager, the start time for Punch Policy 1 employees coincides with the employee's department's business operating hours as defined by their manager. Employees are required to notify and get approval from their direct manager in advance if they cannot work the assigned schedule in order to avoid performance management discussions and discipline related to this topic. An employee's failure to obtain approval for an early or late start or end time may result in performance management discussions as described below and discipline, up to and including termination. In evaluating employee attendance and otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

**Punch Policy 2:** Due to the nature of the job duties and the impact it can have on TWG production or hospitality schedules, employees on Punch Policy 2 must begin work at the start of their assigned shifts. Employees who are on Punch Policy 2 have a five (5) minute grace period for punching which is defined as two (2) minutes before the scheduled shift start time and two (2) minutes after. The total grace period of five (5) minutes is made up of the two (2) minutes before shift start, the two (2) minutes after shift start, and the one (1) minute at the scheduled shift start. An employee's failure to obtain advanced approval from their direct manager for an early or late, clock-in or

clock-out, may result in an attendance violation as described below and discipline, up to and including termination. In evaluating employee attendance and otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

**Shift Definition:** TWG defines the following scheduled shifts for employees: Grave Shift, Day Shift, and Swing Shift. Time worked on a Graveyard Shift is recorded on the day the shift ends. Workday begins at 6:30 PM and ends at 6:29 PM the following day for all sites outside of New York. Workday for New York begins at 4:30 PM and ends at 4:29 PM the following day.

**Scheduled Absence:** In order to best support the TWG's and fellow employee's needs, TWG requests that employees request time off with one week's advance notice, or in the case of an emergency no less than one (1) day advanced notice, via the appropriate timekeeping system. Requests for time off must be approved or rejected in advance by the employee's direct manager. If an employee requests time off in advance and does not receive approval for such time off from their direct manager in advance of the employee taking all or any portion of such time off, that time taken is not a Scheduled Absence and the employee may receive an attendance violation as described below and discipline, up to and including termination. In evaluating employee attendance and otherwise administering this policy, the TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

**Make-Up Time:** The Wine Group allows the use of make-up time when non-exempt non-union employees need time off to tend to personal obligations. Employees may take time off and then make up the time later in the same work week or may work extra hours earlier in the workweek to make up for time that will be taken off later in the same workweek. [Make-Up Time Form](#)

You may not work more than eleven (11) hours in a day or forty (40) hours in a workweek as a result of making up time that was or would be lost due to a personal obligation. All make-up time must be worked in the same work week as the time taken off. TWG's seven (7) day work week is Monday to Sunday.

Make-up time requests must be submitted in writing to the employee's direct manager, with employee's signature, on the "Make-Up Time Request" form provided by TWG. Requests will be considered for approval based on the business needs of TWG at the time the request is submitted. A separate written request is required for each occasion the employee requests make-up time. However, if the employee knows in advance that they will be requesting make-up time for a personal obligation that will recur at a fixed time over a succession of weeks, the employee may request to make up work time for up to four (4) weeks in advance. However, the make-up work must be performed in the same workweek that the work time was lost.

If an employee requests time off that they will make up later in the workweek, they must submit the request as early as possible, but not less than one week before the desired time off. If the employee asks to work make-up time first to take time off later in the week, they must submit their request as early as possible, but not less than one week before working the make-up time. The make-up time request must be approved in writing by the employee's direct manager before the employee takes the requested time off or work make-up time, whichever is first.

If the employee takes time off and is unable to work the scheduled make-up time for any reason, the hours missed normally will be unpaid. However, your direct manager may arrange with another day to make up the time, if possible, based on scheduling needs. If the employee does not have sick or vacation time, missing the scheduled make up time would be considered an attendance violation subject to the table in section 6.3 Attendance Violations below.

If the employee works make-up time before they plan to take off, they must take that time off, even if they no longer need the time off for any reason.

If any of the following occurs, then employee is **entitled to overtime pay** for their makeup time:

- the make-up time causes employee to work more than 40 hours in a work week,
- it causes employee to work more than 11 hours in a day, or
- the make-up time is worked in a different work week.

If any of these exceptions are the case, employee is entitled to overtime pay for the number of hours spent at work in make-up time.

An employee's use of make-up time is completely voluntary. The Wine Group does not encourage, discourage, or solicit the use of make-up time.

## 6.2. Performance Management Process for Non-Exempt Hourly Employees on Punch Policy 1

**Unscheduled Absence:** An employee is deemed to have an unscheduled absence when the employee does not work any of the entire scheduled shift, and such time off was not requested by the employee and approved by the employee's direct manager in advance of the date of the absence. If an employee is unable to report to work, the employee is required to report their unscheduled absence to their direct manager via phone call, or email. In evaluating employee attendance and otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

**Late to work:** An employee is deemed late when the employee:

- Fails to report for work, ready to work at the scheduled work time and place and has not pre-arranged an alternative time or place for such work with their direct manager, or fails to report to work at the time that was pre-arranged with their manager (if different than the scheduled work time);
- Returns late from a scheduled meal period. A late return means that the employee did not punch back in between thirty (30) and thirty-five (35) minutes from the beginning of their meal break; or
- Returns late from a scheduled rest period. A late return means that the employee is not back at work within ten to fifteen (10-15) minutes from the beginning of their rest period.

**Leaving Early:** An employee on Punch Policy 1 is deemed to have left work early when the employee leaves work more than two (2) minutes prior to the end of their assigned/scheduled work time without prior direct manager approval.

**Job Abandonment:** An employee who has three (3) consecutive scheduled workdays when they do not show up to work and do not call in as required by this policy will be deemed to have abandoned their position and will be terminated for cause. The employee's direct manager should consult with their Human Resources Business Partner any time this situation occurs, prior to taking action with respect to the employee.

Unpredictable attendance, habitual tardiness, and absenteeism are particularly detrimental to planning, organizational efficiency and employee morale. Each of the above Attendance Violations are considerations when evaluating performance and may be cause for disciplinary action up to and including termination.

In evaluating employee attendance and otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

Direct managers should monitor their employees' attendance on a regular basis and address unsatisfactory attendance in a timely and consistent manner. If direct managers notice a pattern of unscheduled usage of time off, they should discuss this concern with the employee. For situations involving an employee's unsatisfactory performance, where the direct manager believes that disciplinary action, suspension, or termination of an employee

is appropriate, the direct manager should consult with their Human Resources Business Partner prior to taking any such action.

### 6.3. Performance Management Process for Non-Exempt Hourly Employees on Punch Policy 2

Unpredictable attendance, habitual tardiness, and absenteeism are particularly detrimental to planning, organizational efficiency and employee morale. Each of the below attendance violations are considerations when evaluating performance and may be cause for corrective action up to and including termination. In evaluating employee attendance and otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

Employees on Punch Policy 2 are subject to the following violation definitions and resulting disciplinary actions:

#### 6.3.1. Violations – there are four (4) types of violations, as noted below:

##### 6.3.1.1. Call-In Violations

Production sites have a defined call-in center number. Use of the call-in center is defined by site and group and details regarding the use of the call-in center are available from an employee's direct manager. If required for that group and site, both production and administrative employees are required to call the call-in center number as soon as they know, but no later than one (1) hour prior to their scheduled shift start time if they will have an unscheduled absence. Unless an emergency dictates otherwise, messages may not be left by third parties (i.e. friends, relatives, etc.) with the call-in center or left with administrative staff or co-workers, unless instructed otherwise by the employee's direct manager.

When speaking with the call-in center, the employee must state the expected duration of the absence and date the employee expects to return to work. In the case of illness or an emergency causing an employee to miss work, be late or have to leave early, employees are required to notify their direct manager of the unscheduled absence as early as possible, as noted above

#### CALL CENTER NUMBERS BY WORK LOCATION

Work Location	Call Center	Work Location	Call Center
Benziger/Imagery	(866) 387-6423	McFarland, CA	(866) 514-4552
Cutler, CA	(877) 889-6437	Ripon, CA	(209) 265-3511
Fresno, CA	(800) 894-2278	Sanger, CA	(877) 299-4097
Livermore, CA	(877) 256-2035	Soledad, CA	(877) 376-7390
Madera, CA	(888) 400-8973	Westfield, NY	(866) 748-1429

Any employee who fails to call-in to report an unscheduled absence more than one (1) hour prior to the start of their scheduled shift will receive a Call-In Violation with resulting actions as described in the table below. In evaluating employee attendance and otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

The table below is measured on a twelve-month rolling time period with <b>resulting discipline action</b> .	
Failing to call-in more than one (1) hour prior to shift start time	1 <sup>st</sup> Occurrence - Written Reprimand



Failing to call-in more than one (1) hour prior to shift start time	2nd Occurrence - Written Reprimand
Failing to call-in more than one (1) hour prior to shift start time	3 <sup>rd</sup> Occurrence - Written Suspension Three (3) Days Unpaid
Failing to call-in more than one (1) hour prior to shift start time	4 <sup>th</sup> Occurrence - Termination

Each failure to call-in as described above is considered one (1) occurrence.

#### 6.3.1.2. Attendance Violations

**Unscheduled Absence Violation:** An employee on Punch Policy 2 is deemed absent when the employee does not work any portion of their entire scheduled shift, and such time off was not requested by the employee and approved by the employee's direct manager in advance of the date of the absence. If an employee is unable to report to work, the employee is required to report the unscheduled absence via the call-in center as required by group and site, so that the employee's direct manager is made aware. If the site/group does not use the call-in center, then the employee is required to report the absence via phone call, or email to their direct manager.

All unscheduled absences are considered an unscheduled absence violation except for the following cases:

- Employee calls in within two (2) hours of the start of their assigned shift time and has sufficient sick time hours available and has applied the sick time on the date of the absence to cover the absence.
- Employee leaves early with the approval of their direct manager and has sufficient sick time hours and applies sick time available on the date of the absence to cover the absence.
- Employee is directed to leave early by their manager.
- Employee has applied and been approved for a protected Leave of Absence.
- Absence is due to a workers compensation incident.

Each occurrence of an unexcused unscheduled absence equals one (1) violation (see table below for attendance violation disciplinary actions). In evaluating employee attendance and otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

**Late Violation:** Employees on Punch Policy 2 who's site/group uses the call-in center is required to call in to the center to report that they will be late to work. They are deemed to be late when they:

- Do not punch in within the five (5) minute grace period for a scheduled shift.
- Returns late from a scheduled meal period. A late return means that the employee did not punch back in between thirty and thirty-five (30 and 35) minutes from the beginning of their meal break; or
- Returns late from a scheduled rest period. A late return means that the employee is not back at work within ten to fifteen (10-15) minutes from the beginning of their rest period.

Each occurrence of an employee punching in late or returning late from a scheduled meal or rest period as described above equals a half (½) a violation. In evaluating employee attendance and

otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

**Leaving Early Violation:** An employee is deemed to have left work early when the employee leaves work more than two (2) minutes prior to the end of their scheduled work time without prior direct manager approval.

Each occurrence of a Leaving Early equals one (1) violation. In evaluating employee attendance and otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

Total Attendance Violations within a 12-month rolling period and resulting discipline action:	
1 <sup>st</sup> violation (occurrence of violation)	1 <sup>st</sup> Reprimand - Written Warning
2 <sup>nd</sup> violation (occurrences of violation)	2 <sup>nd</sup> Reprimand - Written Warning
3 <sup>rd</sup> violation (occurrences of violation)	3 <sup>rd</sup> Reprimand - Final Written Warning
4 <sup>th</sup> violation (occurrences of violation)	4 <sup>th</sup> Reprimand - Termination

Employees who have multiple day absences may qualify for Federal or State protected leaves. Each unscheduled, unapproved, or unpaid sick day counts as one occurrence if unprotected. Protected leaves are not subject to attendance violations.

In evaluating employee attendance and otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

#### 6.3.1.3. 6.3.1.4 No Call / No Show Violation:

A no call / no show is when an employee does not call-in in accordance with this policy or show up for their assigned shift within two (2) hours of their scheduled shift start time. In an emergency, where an employee is physically incapable of calling in, the employee's direct manager can determine the appropriate application, if any, of a no call / no show violation. If an employee does not call in and start work within two (2) hours of their scheduled shift start time, the direct manager may choose to send that employee home. The employee who came in late will only be paid for actual time worked.

Total Violations within a 12-month rolling period and resulting discipline action:	
No call / no show – 1 <sup>st</sup> violation	1 <sup>st</sup> Occurrence - Written Warning
No call / no show – 2 <sup>nd</sup> violation	2 <sup>nd</sup> Occurrence - Final Warning
No call / no show – 3 <sup>rd</sup> violation	3 <sup>rd</sup> Occurrence - Termination

Occurrence definition as it applies to No Call / No Show Violations is each event. In evaluating employee attendance and otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law.

#### 6.3.1.4. 6.3.1.4 Job Abandonment:

An employee who has three (3) consecutive scheduled workdays when the employee does not show up to work and does not call-in as required by this policy will be deemed to have abandoned their position and will be terminated for cause.

### 6.4. Timekeeping Requirements for Non-Exempt Hourly Employees

TWG requires that all non-exempt hourly employees accurately record their work time for manager approval and submission to Payroll by the end of the pay period. If an employee records inaccurate time worked for themselves, or records time for another employee, it is considered theft of company time and will result in disciplinary action, up to and including termination.

**Reporting Time:** All non-exempt hourly employees are required to record their time worked by either punching into a time clock, swiping their badge on a time clock, or clocking in and out through their computer or company-approved mobile device, in each case as requested by the non-exempt hourly employee's direct manager. Using a mobile device to clock-in remotely is defined and permitted for specific roles in the organization that the company has determined require remote location work with no physical time clock or computer made available to the employee.

**Clocking IN and OUT:** Non-exempt hourly employees must clock-in and clock-out using the company approved timekeeping system as follows:

- Clocking in when they begin work. The expectation is that work begins at the beginning of each scheduled shift start time.
- Clocking out when they complete work. The expectation is that work ends at the end of each scheduled shift or scheduled end time; and
- At the beginning and end of meal periods.

Non-exempt hourly employees do not need to clock-in or clock-out when taking rest periods, all of which will be paid at the non-exempt hourly employees' base hourly rate of compensation, including shift differential, and overtime if applicable.

**Time Reporting Adjustments:** In the event that a non-exempt hourly employee inadvertently fails to clock-in and/or clock-out when they begin/end working (which is expected to be at the beginning/end of a scheduled work shift or meal period), the employee must report the "missed punch" to their direct manager in writing, ideally by the end of the work day when the punch was missed or as soon as possible. Direct managers are required to update timesheets to correct "missed punches" and ensure timesheets accurately reflect appropriate hours worked by each of the manager's employees prior to the end of the pay period. The missed punch request should be captured in writing either in the comments on the timecard or via a punch correction form available from your direct manager, signed by the employee, and retained by the direct manager. Each employee's direct manager is accountable for the timely review, approval, and submission of accurate timecards to TWG's Payroll department.

Use of the call-in center is defined by site and group and details regarding the use of the call-in center are available from an employee's direct manager. If the employee works at a site with a Call-In Center and is required to use the Call-In Center, the employee will need to call-in to the center to report the sick time and submit the sick time request in the TWG's approved timekeeping system. If the employee is at a site where they are not required to use a Call-In Center, the employee will only need to submit the sick time request in TWG's approved timekeeping system.

All direct managers are required to ensure sick time is accurately recorded on the timesheet for each of their employees. HR will enter all Leave of Absence time for all employees. No manager should code any time as Leave of Absence time.

**Reporting Inaccurate Time Prohibited:** Every employee time record is a legal document. Employees may not tamper with, alter, or falsify time records, may not record time on another employee's time record, or request another employee to do so. Direct managers are authorized to adjust an employee's recorded time as described above. Falsifying any time record is prohibited under this policy and those actions will be subject to disciplinary action, up to and including termination.

**Approving Personal Time Records Prohibited:** All employees, including without limitation, direct managers, are prohibited from approving their own time records.

**Off-the-clock Work:** Working off-the-clock is strictly prohibited. Non-exempt hourly employees who work off-the-clock and managers who request or allow off-the-clock work will be subject to disciplinary action, up to and including termination. If for any reason an employee is requested or allowed to work off-the-clock, they must promptly report the off-the-clock work to Human Resources so that proper corrective action can be taken, and any required compensation can be included in the employee's paycheck.

Employees are encouraged to raise any concerns regarding this policy or any violations of this policy by a colleague or a direct manager to their HR Business Partner or to the TWG Ethics Hotline at 855-477-4504 (or by visiting the website for the Ethics Hotline at [twg.Ethicspoint.com](http://twg.Ethicspoint.com)). TWG has a no-retaliation policy, as per our Code of Conduct and Ethics Policy. Retaliation for reporting off-the-clock work or any other violation of this policy is strictly prohibited.

**Stopping work for personal reasons:** Employees who stop working for any personal reason during working hours (except while on designated, pre-approved paid rest periods) are required to clock OUT and clock back IN when resuming work.

**Reporting Time for Other Employees:** Employees are prohibited from clocking IN or OUT on behalf of other employees for any reason. An employee who clocks IN or OUT for another employee or permits another employee to clock-in or clock-out on their behalf is subject to discipline, up to and including termination.

**Timekeeping Systems and Equipment:** Any attempt to tamper with timekeeping equipment or systems is prohibited and is a violation of this policy. An employee found to be tampering with timekeeping equipment or systems will be subject to discipline, up to and including termination.

**Manual Time Reporting:** In rare circumstances where an employee is unable to utilize the TWG's approved timekeeping system to record their time worked, a paper timesheet may be completed by the employee and submitted to the employee's direct manager for approval. All timely reporting and approval requirements outlined in this policy will continue to apply when paper timesheets are utilized. [Manual Paper Timesheet](#)

**Official Record:** Manual (paper) timesheets are official time records and must be retained by the direct manager or authorized designee for seven (7) years and in accordance with applicable business record retention requirements. Time reported on manual (paper) timesheets must be entered by the employee's direct manager into the company approved timekeeping system on the employee's timesheet before the end of the applicable pay period in order for the employee to be paid for time recorded manually on a paper timesheet.

## 6.5. Meal and Rest Periods for Non-Exempt Hourly Employees

TWG believes that meal and rest periods are essential to ensure a safe and healthy workplace for the benefit of our employees. Accordingly, TWG provides meal and rest periods to all employees in accordance with state and federal law.

Meal and rest periods are intended to provide an opportunity for rest and relaxation. Accordingly, they should be enjoyed away from an employee's workstation or work area. Authorized meal and rest periods cannot be used to shorten the workday or be accumulated for any other purpose. During meal and rest periods, non-exempt hourly

employees will be relieved of all work-related duties and TWG will relinquish all control over their activities. Employees are expected to not perform any work during their meal and rest periods. Employees are free to leave the premises during their meal and rest periods.

TWG also provides cool-down rest and recovery periods as needed to prevent heat illness for employees that perform work outdoors as required under applicable state law.

**Meal Periods:** An employee who works more than five (5) hours in a workday is provided and expected to take one (1) unpaid, off-duty, uninterrupted meal period of thirty (30) consecutive minutes during which the employee is relieved of all work duties. Meal periods must begin no later than the end of an employee's fifth hour of work. For example, an employee who begins working at 8:00am and ends the workday at 4:30pm must begin their meal period no later than 12:59pm. If no more than six (6) hours of work will complete the day's work, employees may voluntarily waive their meal period in writing. Employees should see their direct manager to obtain the first meal waiver form.

An employee who works more than ten (10) hours in a workday is entitled to take a second unpaid, off-duty, uninterrupted meal period of thirty (30) consecutive minutes during which they are relieved of all work duties. Employees entitled to a second meal period must begin their second meal period no later than the end of the employee's tenth hour of work. For example, if an employee begins working at 8:00am, takes an initial thirty (30) minute meal period between 12:30pm and 1:00pm, then that employee should begin the second meal period no later than 5:59pm. If an employee works no more than twelve (12) hours, the employee can voluntarily waive the second meal period, but only if the first meal period was received. Any waiver of the second meal period must be in writing and submitted before the second meal period. Employees who work more than twelve (12) hours may not waive and must take their second unpaid, off-duty thirty (30) consecutive minute meal period. Employees should see their direct manager to obtain a second meal period waiver form.

Both types of waiver forms are signed by employee and TWG representative one time only. In order to rescind a waiver, employee needs to communicate to their manager in writing. [Meal Waiver Forms](#)

Any exception to this policy which increases the thirty (30) minute meal period must be approved in advance by the employee's direct manager. Manager should add timecard comments for any meal period greater than thirty (30) minutes which was not approved in advance and provide appropriate coaching to the employee.

Employees are to immediately notify Human Resources and/or their direct manager if they believe that they are prevented by the nature of their work from taking a timely and/or complete meal period.

**Rest Periods:** TWG authorizes and permits all non-exempt hourly employees to take one (1) ten (10) minute paid, off-duty, uninterrupted rest period during each four (4) hour period of work or major fraction thereof. For example, if an employee works more than six (6) hours, but no more than ten (10) hours in a workday, TWG provides, and the employee should take, two (2) ten (10) minute rest periods: the first rest period during the first half of the shift and the second rest period during the second half of the shift, subject to production/work needs and prior agreement with the employee's direct manager regarding the timing of the rest breaks. If an employee works more than ten (10) hours but no more than twelve (12) hours in a day, the employee is provided, and should take, three (3) ten (10) minute rest periods, and so on.

Notwithstanding the foregoing, or anything else in this policy to the contrary, if an employee's total daily hours worked is less than three and a half (3½) hours, no rest period is provided to the employee.

**Rest Period Guidelines:** Rest periods should be taken as close to the middle of each work period as is practical, subject to production/work needs and prior agreement with the employee's direct manager regarding the timing of the rest breaks. Rest period time is counted and paid as hours worked. Accordingly, non-exempt hourly employees should not clock-in or clock-out when taking the rest periods described in this policy, all of which will be paid at the employee's base hourly rate of compensation for the shift in which the rest period falls. Rest periods are not

permitted to be taken at either the beginning or end of the shift to offset arrival or departure times. Rest periods may not be combined with meal periods. Rest periods may not be carried over from one shift to another shift.

**Meal and Rest Period Violations:** In the event that TWG does not provide a non-exempt hourly employee with the opportunity to take the meal or rest periods as described above (i.e. the employee is directed by a direct manager to miss a meal, take a late meal period, skip a rest period, or return to work before the end of their meal or rest period) TWG will pay the employee one (1) hour of wages at the employee's base rate of pay plus shift differential, if applicable, at the time of the violation for each rest or meal break violation. However, no employee will be entitled to more than two (2), rest or meal break premium payments in a single workday, one (1) for each violation type.

#### 6.6. Overtime for Non-Exempt Hourly Employees

Based on business demand, employees may periodically be asked to work more than their normally scheduled work hours. Whenever possible, employees will be given advance notice when overtime is required of them, however, there may be circumstances when this is not practical. All overtime will be paid in accordance with the Fair Labor Standards Act (FLSA) and applicable state and federal laws. All non-worked paid hours (such as vacation time, sick time, jury duty, bereavement leave, etc.) do not count toward overtime pay. If an employee takes a partial sick or vacation day, the sick or vacation time would not count towards any hours worked for overtime pay.

Notwithstanding anything to the contrary set forth elsewhere in this policy, employees on a four-ten (4x10) alternative work schedule will be paid in accordance with California Labor Code 511(b).

**Overtime Payment:** Non-exempt hourly employees will be paid overtime compensation at one and a half (1½) the employee's base rate of pay plus shift differential, if applicable, of pay for time worked beyond eight (8) hours in a day or forty (40) hours in a workweek. The first eight (8) hours worked on the seventh consecutive workday in a workweek will also be compensated at 1 and a half (1½) the employee's base rate of pay plus shift differential, if applicable. Employees will be compensated at double their regular base rate of pay plus shift differential, if applicable, for time worked beyond twelve (12) hours in a single workday and/or beyond eight (8) hours on any seventh consecutive workday within a workweek. A non-exempt hourly employee may not work overtime without the prior authorization of the employee's direct manager. Non-exempt hourly employees who work unauthorized overtime will be paid for all time worked and will be subject to disciplinary action, up to and including termination.

#### 6.7. Business Travel for Non-Exempt Hourly Employees

Non-exempt hourly employees are responsible for accurately tracking, calculating, and reporting worked time while on business travel. Under this policy worked time for business travel for non-exempt hourly employees should be recorded in the company's timekeeping system. TWG will pay for worked time while on business travel based on the following guidelines:

- Travel time more than average commute time to and from primary work location is paid time.
- Wait time at the airport, air travel, and commute to hotel or site is paid time.
- Any time worked while at the site/hotel is paid time.
- Commute from hotel to site and from site back to hotel is to be reported as compensable time.
- From the hotel or work site, the return travel back to airport, reasonable wait time, and flight time is paid time.
- All meal and rest period rules apply as normal.
- All reported time worked will count toward normal overtime rules.

#### 6.8. Call-in and Reporting Time Policy



Occasionally, employees may be called in to work a second time in a workday or on a day where they have not been scheduled. If an employee is a non-exempt employee and asked to report to work under these circumstances, they will receive no fewer than two (2) hours pay at their base rate of pay plus shift differential, if applicable.

It may happen that an employee reports to work and finds work is not available or the employee is given less than one-half (½) of their usual day's schedule of work.

If an employee reports to work and they have not previously been notified work is not available or a full day's work is not available, they will receive one-half (½) of their usual or scheduled day's pay at their base rate of pay plus shift differential, if applicable, at least two (2) hours and no more than four (4) hours.

However, employees will not be paid for reporting to work when they are forced to cease operations due to threats to TWG's employees or property, recommendations by civil authorities, a failure of public utility service, or other causes beyond the TWG's control.

These provisions do not apply to employees on paid stand-by status who are called to perform assigned work at a time other than their scheduled reporting time.

## **7. EXEMPT / SALARIED EMPLOYEES**

### **7.1. Attendance Policy for Exempt / Salaried Employees**

Each exempt salaried employee is responsible for fulfilling the requirements of their job. Attendance at work must be reliable and predictable to ensure adequate staffing, positive employee morale, and to meet the expected goals and business objectives of the organization.

**Scheduled Absence:** In order to best support the company's needs and fellow employees, TWG requests that employees request time off with as much advanced notice as possible, via the appropriate timekeeping system. Requests for time off must be approved in advance by the employee's direct manager.

**Unscheduled Absence:** In the event an employee is late, needs to leave early, or is unable to come to work, they must notify their direct manager as early as possible prior to the absence. Production and hospitality sites have a defined call-in center number. Use of the call-in center is defined by site and group and details regarding the use of the call-in center are available from an employee's direct manager. If required for that group and site, both production and administrative employees are required to call the call-in center number as soon as they know they will have an unscheduled absence. Unless an emergency dictates otherwise, messages may not be left by third parties (i.e. friends, relatives, etc.) or left with administrative staff or co-workers unless instructed otherwise by the direct manager.

**Approval Guidelines:** All requests for time-off must be approved or rejected in advance by the employee's direct manager. In the case of illness or an emergency, employees are required to notify their director manager as early as possible.

**Job Abandonment:** An employee who has three (3) consecutive workdays when the employee does not work, has not received prior approval from their direct manager for such absence and does not call in as required by this policy will be deemed to have abandoned their position and will be subject to discipline up to and including termination. The employee's direct manager should consult with Human Resources any time this situation occurs, prior to taking action with respect to the employee.

**Performance Management:** Unpredictable attendance, habitual tardiness, and absenteeism are particularly detrimental to planning, organizational efficiency and employee morale. They are considerations when evaluating performance of an employee and may be cause for corrective and/or disciplinary action, up to and including

termination. In evaluating employee attendance and otherwise administering this policy, TWG does not consider absences/tardiness/early departures protected by applicable federal, state, or local law. Direct managers should monitor their employees' attendance on a regular basis and address unsatisfactory attendance in a timely, consistent and non-discriminatory manner. If direct managers notice a pattern of unscheduled usage of time off without prior approval, they should discuss this concern with the employee. For situations involving unsatisfactory performance, disciplinary action, suspension, or termination of an employee, the direct manager should consult with their Human Resources Business Partner before taking action.

## 7.2. Plant Shutdown for Exempt Salaried Employees

**7.2.1.** In the event the company or specific plant management decide to shut down a site for one (1) or more days, exempt employees will continue to be paid during the closure. As mentioned above in 7.1, exempt salaried employees are responsible for fulfilling the requirements of their job and therefore, can choose to work at another TWG office, or remotely with the approval of their direct manager based on their ability to meet their job requirements.

## 7.3. Timekeeping Requirements for Exempt Salaried Employees

Exempt salaried employees have their regular work schedule entered into the timekeeping system but are not required to input their actual hours worked.

**Requesting Time Off:** Except in the case of emergency, exempt salaried employees are responsible for requesting both sick and vacation time off in advance by submitting an electronic request for such time off using the company's timekeeping system. When requested by an employee, paid time off may be entered by the employee's direct manager in the company's timekeeping system in the event the employee is unable to report the time off in advance. Leaves of absence are required to be entered into the timekeeping system by the Human Resources department.

**Meal and Rest Periods:** Exempt salaried employees are responsible for managing their own time in compliance with company/departmental policies applicable to them and are expected to take meal and rest periods as needed.

**Reporting Inaccurate Time Prohibited:** An employee time record is a legal document. Employees may not tamper with, alter, or falsify time records, or allow another person to tamper with, alter, or falsify time records. Such actions will be subject to disciplinary action, up to and including termination.

**Approving Personal Time Records Prohibited:** All employees, including supervisors and managers, are prohibited from approving their own time records.

## 7.4. Safe Harbor Policy for Exempt Employees

It is TWG's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure employees are paid properly and no improper deductions are made, employees must review their pay stubs promptly to identify and report all errors.

If an employee believes a mistake has occurred or if they have any questions, employees should use the reporting procedure outlined below.

Exempt salaried employees receive a salary which is intended to compensate them for all hours work for TWG. This salary will be established at the time of hire or when the employee becomes classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under state law, an employee's salary is subject to certain deductions. For example, an employee's salary can be reduced for the following reasons:

- Full-day absences for personal reasons.
- Full-day absences for sickness or disability if an employee has exhausted the paid sick leave available.
- Full or half day absences for vacation usage.
- Intermittent absences, including partial-day absences, are covered by the federal Family Medical Leave Act if an employee has exhausted other paid leave available.
- To offset amounts received as payment for jury and witness fees or military pay.
- During the first or last week of employment in the event, an employee works less than a full week.
- Any workweek in which an employee performs no work for the TWG.

An employee's salary also may be reduced for certain types of deductions, such as the employee's portion of health, dental, or life insurance premiums; state, federal or local taxes, social security; or voluntary contributions to a 401(k) or pension plan.

In any workweek in which an employee performed any work, their salary will not be reduced for any of the following reasons:

- Partial-day absences for personal reasons, sickness, or disability.
- An employee's absence on a holiday when the facility is closed, or because the facility is otherwise closed on a scheduled workday.
- Absences for jury duty, attendance as a witness, or military leave in any week in which the employee has performed any work (subject to the offsets as set forth above).
- Any other deductions prohibited by state or federal law.

If an employee believes they have been subject to any improper deductions, they should immediately report the matter to their direct manager. If the manager is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact their manager's manager. If an employee is unsure of whom to contact or has not received a satisfactory response within five (5) business days after reporting the incident, they should immediately contact their Human Resources Business Partner. Every report will be fully investigated, and when necessary, a paycheck discrepancy form should be submitted to payroll to correct the improper deduction.

## **8. Direct Manager Time Approval Requirements for Non-Exempt Hourly and Exempt Salaried Employees**

For this policy, direct manager refers to any employee with direct reports, regardless of their level/title. Each pay period, direct managers and/or proxy time approvers, defined below, must review, confirm the accuracy of, make appropriate revisions to and approve time records before the end of the pay period. By approving a timecard, direct managers confirm that all reported information complies with all company policies, Federal and State regulations. Electronic and manual approval of an employee's time record by a direct manager or proxy time approver is a permanent record of approval to pay the time reported at the rate/classification on the timecard and is subject to periodic audit. A direct manager's approval of inaccurate time, incorrectly coded time or incorrect rates of pay/classifications is cause for the direct manager to be subject to discipline, up to and including termination. Direct managers are also required to promptly address and provide coaching to employees who are not reporting time in accordance with this policy.

**Additional Duties:** Time approver duties include, but are not limited to:

- Ensuring that all worked time is correctly reflected in the timekeeping system.
- Ensuring that all scheduled but non-worked hours have been entered correctly by the employee into the timekeeping system for sick and vacation time. As noted above, leave of absence time reporting is the responsibility of the human resources team.

- Assisting employees with resolving payroll inquiries, timekeeping questions, and software difficulties.
- Reviewing both paid and unpaid time and editing time records for employees who request time reporting adjustments (e.g., “missed punches”). The missed punch request should be captured in writing either in the comments on the timecard or via other electronic means by the employee and retained by the direct manager in accordance with this policy.
- Submitting a paycheck discrepancy form when changes are requested for a closed pay-period.

**Delegation Authority:** A direct manager, while off work due to sick, vacation, or leave of absence, may temporarily delegate timekeeping approval authority to another manager as a delegate role in the timekeeping system. The person designated as a delegate role is required to possess the requisite knowledge to perform the function.

**Timecard Approval Proxy Role:** Production facilities may have employees, who are not direct managers, whose primary job function is scheduling, timecard coding, timecard review, timecard approval, and time away from work approval authority for a specific department. People with this primary job function are referred to as “proxies” in this Policy. This proxy role is ongoing, and therefore requires a specific designation to access the company’s timekeeping system. The VP of Total Rewards has authority to approve or deny any request for a Timecard Approval Proxy role in the company’s timekeeping system as if the proxy is the direct manager. Managers who have an employee who requires proxy access can send an email request to [HRSupport@thewinegroup.com](mailto:HRSupport@thewinegroup.com).

**Time Approver Training:** All employees with direct reports, Delegates roles, and Timecard Approval Proxy roles are required to complete training and sign the appropriate training acknowledgement form before access is granted.

**Performance Management:** To ensure that our employees are paid accurately, it is important that direct managers adhere to this policy in all respects. A direct manager who is found to have failed to comply with this policy on one or more occasions will be subject to performance management discussions and will be subject to discipline, up to and including termination.

## 9. Holiday Pay

The Wine Group defines and communicates its paid holidays on an annual basis.

The following conditions apply to TWG’s holiday pay policy:

- Holiday hours paid but not worked will not be considered as time worked for purposes of overtime calculations.
- Holiday hours worked will be considered as time worked for purposes of overtime calculations – employee has worked on the holiday.
- Holiday pay is computed at employee’s base rate of pay including shift differential, if applicable, for the employee’s regular scheduled shift on the day of the holiday. If an employee is scheduled to work and works on a holiday, the employee will be paid the employee’s overtime rate of one and a half (1½) times their base rate of pay including shift differential, if applicable) and eight (8) hours of holiday pay.
- Holidays which occur during a leave of absence will not be paid.
- Holidays falling within an approved scheduled vacation will be recorded as holiday pay, as opposed to being recorded as vacation.
- If a part-time employee is scheduled to work in the pay-period of a holiday, but does not work the holiday, then the employee will get paid for four (4) hours of base rate of pay plus shift differential, if applicable, for that holiday.
- If a part-time employee works on the holiday, they are paid their overtime rate of 1 and a half (1½) times their base rate of pay plus shift differential, if applicable.

Employees working an authorized four-ten (4x10) schedule are also eligible for TWG paid holidays. If the holiday falls during their normal schedule, then the employee is paid for ten (10) hours of holiday pay. If the holiday falls on a day outside their normal schedule, then the employee is paid for eight (8) hours of holiday pay.

## 10. Deductions

TWG is required by law to make certain deductions from employee's paychecks. An employee's pay stub itemizes the deductions made from their gross earnings. Federal or state laws require TWG to make deductions for social security, federal income tax, state income tax (where applicable), state disability insurance (where applicable), and any other legally mandated taxes or deductions. In addition, employees may authorize deductions for additional items, such as the employee's contribution for medical insurance, 401K savings plans, etc.

If an exempt employee's salary is reduced for any reason other than full-day absences, the employee should report the error to the employee's direct manager.

Any questions employees may have about their paycheck, or the deductions made should be addressed to their direct manager.

## 11. Direct Deposit

If an employee wishes to have their paycheck deposited directly into their bank account, they must submit the appropriate form to payroll through the human capital system timekeeping system. Employees who have their paycheck deposited directly will still receive a pay stub itemizing the amount deposited and the deductions from their pay. It generally takes two (2) pay periods for direct deposit to take effect.

## 12. Accountability

When necessary, corrective action will be taken where appropriate, up to and including termination for any employee(s) who violate this policy. In addition, TWG will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in TWG's investigation of such reports. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.

## 13. Appendices and References

Appendix A – Glossary of Terms

Appendix B – Employee Type Definitions

[Leaves of Absence Policy](#)

### [Appendix A](#)

#### Glossary of Terms

**Non-Exempt Hourly Employee:** An employee that is eligible for overtime under federal and applicable state wage and hour laws.

**Exempt Salaried Employee:** An employee whose work duties exempt them from the overtime of federal and applicable state wage and hour laws.

**Pay Periods:** Pay Periods are bi-weekly except for NY State where they are weekly. Pay Periods begin on a Monday and close on the Sunday after the Pay Period begins. All Timesheets must be completed and approved on a weekly basis according to the payroll processing schedule.

**Timekeeping Systems:** Timekeeping systems track, and record hours worked for payroll processing. Data recorded in timekeeping systems is the official record of time worked.

**Work Schedule:** Includes the days of the week and times of the day a non-exempt hourly employee is scheduled to work at a job. The work schedule may also be referred to as a “shift.” All non-exempt hourly employees are required to report to work on the days included in the work schedule and must arrive on time and ready to work at the shift start time and must depart no earlier than the shift end time. Exceptions to this policy must be requested and approved or rejected by the employee’s direct manager in advance.

**Workday:** The workday is a twenty-four (24) consecutive hour period beginning 6:30 PM through 6:29 PM the next day.

**Work Week:** The work week is a consecutive seven (7) day period beginning Monday and ending Sunday.

**Non-Worked Paid Hours:** Include, but are not limited to sick, vacation, holiday, paid leaves of absence, jury duty, bereavement, or early release hours.

## [Appendix B](#)

### TWG Employee Type Definition

Regular	Full-Time	All employees who perform work for TWG who has a regularly scheduled forty (40) hour or more work week - days and hours are 5x8 or 4x10 or 6x10 or 7x10
	Part-Time 30-39 hrs.	Employees who perform work for TWG who have a regularly scheduled thirty to thirty-nine (30-39) hour work week
	Part-Time Less than 30 hours	Employees who perform work for TWG who have a regularly scheduled work week less than thirty (30) hours
Seasonal	Full-Time	Employees who perform work for TWG on a seasonal basis usually involving fewer than one hundred and eighty (180) days who have a regularly scheduled forty (40) hour (or more) work week
	Part-Time	Employees who perform work for TWG on a seasonal basis usually involving fewer than one hundred and eighty (180) days who has a scheduled work week less than forty (40) hours
Intern	Full-Time	A student currently enrolled in a university who is hired for an hourly wage to perform work for TWG in order to gain work experience has a regularly scheduled forty (40) hour or more work week. Interns are hired for no longer than twelve (12) weeks except in the case of winemaking interns, who may be hired for no more than twenty-four (24) weeks.
	Part-Time	A student currently enrolled in a university who is hired for an hourly wage to perform work for TWG in order to gain work experience who has a regularly scheduled less than forty (40) hour work week. Interns are hired for no longer than twelve (12) weeks except in the case of winemaking interns. who may be hired for no more than twenty-four (24) weeks.



Temporary	Full-Time	Employees who perform work for TWG for a limited period of time and are regularly scheduled to work forty (40) hours or more per week. A temporary employee is one who typically covers for long term absences or vacancies. If the type of work is not replacing existing employee work, an independent contractor, consultant, or agency temp should be used.
	Part-Time	Employees who perform work for TWG for a limited period of time and are regularly scheduled to work less than forty (40) hours per week. A temporary employee is one who typically covers for long term absences or vacancies. If the type of work is not replacing existing employee work, an independent contractor, consultant, or agency temp should be used.
Ag Worker	Full-Time or Part-Time	A person who is hired for an hourly wage to perform agricultural work for TWG as defined by the State of California, which as of the date of this policy, includes any one or more of the following: 1.) The preparation, care, and treatment of farmland, pipeline, or ditches, including leveling for agricultural purposes, plowing, discing, and fertilizing the soil; 2.) The sowing and planting of any agricultural or horticultural commodity; 3.) The care of any agricultural or horticultural commodity; as used in this subdivision, —care includes but is not limited to cultivation, irrigation, weed control, thinning, heating, pruning, or tying, fumigating, spraying, and dusting; 4.) The harvesting of any agricultural or horticultural commodity, including but not limited to picking, cutting, threshing, mowing, knocking off, field chopping, bunching, baling, balling, field packing, and placing in field containers or in the vehicle in which the commodity will be hauled, and transportation on the farm or to a place of first processing or distribution; 5.) The assembly and storage of any agricultural or horticultural commodity, including but not limited to, loading, road siding, banking, stacking, binding, and piling; 6.) The raising, feeding and management of livestock, fur bearing animals, poultry, fish mollusks, and insects, including but not limited to herding, housing, hatching, milking, shearing, handling eggs, and extracting honey; 7.) The conservation, improvement or maintenance of such farm and its tools and equipment.

[Appendix C](#)



TWG • Human Resources • 17000 E. Hwy 120 • Ripon, CA 95366 • (209) 599-4111 • Fax (209) 599-5116

**TWG MEAL PERIOD WAIVER AGREEMENT - First Meal Period  
(no more than 6 hours worked)**

The undersigned agrees as follows:

1. Employee understands that when they work more than five but no more than six hours in a workday, then they may voluntarily waive their right to be provided an unpaid thirty-minute meal period during which time they are relieved of all duty.
2. Employee voluntarily agrees to waive their thirty-minute meal period whenever they work no more than six hours in a workday.
3. The Employee may revoke this agreement. Any revocation must be in writing, signed by the Employee and delivered to a manager in the Employee's department.
4. In order for this waiver to be valid, a TWG Representative must also authorize the waiver in writing below.
5. Employee further understands that they are encouraged and expected to timely take one ten-minute rest period during any shift when they work a shift of at least three and one-half hours but no more than six hours.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (print)

\_\_\_\_\_  
Employee ID #

\_\_\_\_\_  
TWG Representative Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
TWG Representative Name (print)

\_\_\_\_\_  
Employee ID #

Meal Period Waiver Agreement - First Meal Period 11.25.2024

### **MEAL PERIOD WAIVER AGREEMENT – Second Meal Period**

The undersigned agrees as follows:

1. Employee understands that when they work more than ten but no more than twelve hours in a workday and their first meal period was not waived, then the Employee may voluntarily waive their right to be provided an unpaid second thirty-minute meal period before the end of the tenth hour worked during which time they are relieved of all duty.
2. Employee voluntarily agrees to waive their second thirty-minute meal period whenever they work more than ten but no more than twelve hours in a workday and their first meal period was not waived.
3. The Employee may revoke this agreement. Any revocation must be in writing, signed by the Employee and delivered to a manager in the Employee's department.
4. In order for this waiver to be valid, a TWG Representative must also authorize the waiver in writing by signing below.
5. The Employee acknowledges that they are encouraged and expected to timely take three ten-minute paid rest breaks whenever they work more than ten but no more than twelve hours in a workday.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (print)

\_\_\_\_\_  
Employee ID #

\_\_\_\_\_  
TWG Representative Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
TWG Representative Name (print)

\_\_\_\_\_  
Employee ID #

Meal Period Waiver Agreement - Second Meal Period 11.25.2024



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- 12. Content Author:** Human Resources Department
- 13. Policy Reviewer:** Vice President Total Rewards, HR
- 14. Policy Approver:** Chief Human Resources Officer
- 15. Review Cycle:** Annual

1. **Policy Title:** Lactation Accommodation Policy
  2. **Policy Number:** HR-54
  3. **Last Revision Date:** 12-02-2024
- 

#### 4. Scope

For purposes of this policy “TWG” is defined as The Wine Group, Inc., and its affiliates. The Lactation Accommodation Policy establishes guidelines for promoting a work environment that supports team member’s right to request lactation accommodation.

#### 5. Policy statement

Team members have a right to request lactation accommodation. TWG provides the following accommodations for lactating team members, which include allocating appropriate time and space during the workday to express milk.

##### 5.1. Breaks

TWG will provide flexible break times each time a team member needs to use the lactation room to express milk. If possible, the break times will run concurrently with any break times already provided to the team member. Break time for use of the lactation room for the purpose of expressing milk will be considered paid time.

##### 5.2. Lactation Space

TWG will provide lactating team members with space reasonably close to the team member’s work area that is shielded from view and free from intrusion from co-workers and the public. It will be safe, clean, and free of toxic or hazardous materials. The room will contain a place to sit and a surface to place a breast pump and personal items and have access to electricity.

The room or location may include the place where the team member normally works if it otherwise meets the above standards of the lactation space. Multi-purpose rooms may be used as lactation space if they satisfy the standards for space; however, use of the room for lactation takes priority over other uses. Restrooms are prohibited from being utilized for lactation purposes.

Additionally, TWG will provide access to a sink with running water and a refrigerator or cooler suitable for storing milk, reasonably close to the team member’s work area.

In compliance with federal and state statutes, agricultural team members will only be provided with a private, enclosed, and shaded space, including, but not limited to, an air-conditioned cab of a truck or tractor.

Agricultural team members will be provided with a private, enclosed, and shaded space, including, but not limited to, an air-conditioned cab of a truck or tractor. Due to the constraints associated with the work environment, and consistent with applicable regulations, team members will be responsible for their own sanitation and refrigeration of expressed milk.

#### 6. Lactation Accommodation Request

Team members can request and will be provided lactation accommodation through their direct manager.

#### **7. Retaliation Related to Expressing Milk is Prohibited**

TWG expressly prohibits discrimination and retaliation against lactating team members for exercising, or attempting to exercise, their rights to request lactation accommodation under this policy, the PWFA, Sections 1030-1034 of the California Labor Code, New York Labor Code 206-C, or and state specific statutes regarding lactation accommodation. This protection includes those team members who request lactation accommodation and/or who lodge a complaint related to the right to lactation accommodations.

If a team member believes they have been retaliated against (including threatened or harassed), they should report it to their direct manager, or human resources representative. If a team member feels uncomfortable reporting such retaliation, they may report anonymously through the TWG Ethics Hotline at 855-477-4504, available 24 hours/day, 7 days/week, or through the Ethics Hotline website [TWG.Ethicspoint.com](https://TWG.Ethicspoint.com).

Team members have the right to file a complaint with the Equal Employment Opportunity Commission, California Labor Commissioner, or the labor commissioner for their specific state, for any violation of their right to lactation accommodation under this policy and the referenced Labor Code sections.

#### **8. Accountability**

Team members and representatives of TWG must comply with this policy. Failure to comply with this policy may result in disciplinary action, up to and including termination.

If a team member is aware of any possible violation of this policy or is unsure as to whether they may be in violation, they should discuss the subject with their direct manager or with a representative from TWG's human resources department.

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|-----------------------------|-------------------------------|
| <b>9. Content Author:</b>   | Human Resources               |
| <b>10. Policy Reviewer:</b> | VP Total Rewards, HR          |
| <b>11. Policy Approver:</b> | Chief Human Resources Officer |
| <b>12. Review Cycle:</b>    | Every Two Years               |



# State Specific Notifications



## **CALIFORNIA**

### **Family Medical Leave Act (FMLA)**

The Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA) provide eligible employees up to 12 weeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined on a “rolling” 12-month period measured backwards from when an employee first uses FMLA leave.

TWG is committed to providing reasonable accommodations for qualified disabilities including those related pregnancy, childbirth or related medical conditions, including lactation, unless the accommodation would impose an undue hardship. Pregnancy disability leave and/or accommodations are available, if an employee is disabled by pregnancy, childbirth, or related medical conditions. TWG will not, in response to a request for a reasonable accommodation for pregnancy take adverse actions against an employee, deny employment or promotions, or require an employee to take leave if another reasonable accommodation can be provided.

Additional information about these and other leaves of absence can be found in the TWG Leaves of Absence Policy.

### **Wage Theft Ordinance**

Employers in various states such as California and New York and municipalities such as Philadelphia must give notice that employees are entitled to file complaints for unpaid wages under the wage theft ordinance; that retaliation against employees who file complaints under the ordinance is prohibited; and that each employee has the right to file a complaint or bring a civil action if the employer fails to pay all wages earned by the employee.

## **MINNESOTA (DULUTH & ST. PAUL)**

### **Wage Disclosure Protection Law**

Under various state wage disclosure protection laws and ordinances (e.g., California, Minnesota), you have the right to discuss the amount of your own wages with a co-worker. Your employer cannot retaliate against you for disclosing your own wages. Your remedies under wage disclosure protection laws

and ordinances generally include the ability to bring a civil action against your employer and/or file a complaint with the appropriate state agency or department of labor.

### **Sick & Safe Time Ordinance - Duluth and St. Paul**

TWG recognizes that employees may occasionally need time off from work and/or may have circumstances which occasionally prevent them from reporting to work for scheduled/shift start times. Under various state’s laws, you have a right to take time off for various reasons including for yourself or a family member’s mental or physical illness, including preventative medical care and you cannot be retaliated against for doing so. You have the right to file a complaint with the appropriate state agency. More information can be found in the TWG Sick and Vacation Time Policy.

## **NEW YORK**

### **Wage Theft Ordinance**

Employers in various states such as California and New York and municipalities such as Philadelphia must give notice that employees are entitled to file complaints for unpaid wages under the wage theft ordinance; that retaliation against employees who file complaints under the ordinance is prohibited; and that each employee has the right to file a complaint or bring a civil action if the employer fails to pay all wages earned by the employee.

## **PENNSYLVANIA (PHILADELPHIA)**

### **Wage Theft Ordinance**

Employers in various states such as California and New York and municipalities such as Philadelphia must give notice that employees are entitled to file complaints for unpaid wages under the wage theft ordinance; that retaliation against employees who file complaints under the ordinance is prohibited; and that each employee has the right to file a complaint or bring a civil action if the employer fails to pay all wages earned by the employee.