



NOTICE TO EMPLOYEES



POSTED PURSUANT TO A SETTLEMENT AGREEMENT APPROVED BY A REGIONAL DIRECTOR OF THE NATIONAL LABOR RELATIONS BOARD AN AGENCY OF THE UNITED STATES GOVERNMENT

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights guaranteed to you under Section 7 of the National Labor Relations Act.

WE WILL NOT maintain the general work rule "Use of Cell Phone Cameras & Video" under Section 5 of our Cell Phone Use Policy that prohibits you from using a cell phone camera, video camera, or other recording device on our property or client locations unless approved by management without explaining that you can use these devices in order to lawfully exercise your rights as described above.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the lawful exercise of your rights under Section 7 of the Act.

WE WILL amend the general work rule "Use of Cell Phone Cameras & Video" of our Cell Phone Use Policy to (a) rescind the unlawful language or (b) provide lawful language, and we will post this amended work rule in all prominent places at all facilities in the United States where notices to employees are customarily posted and online on the Team Member Center and we will furnish a printed copy of this amended work rule to all newly hired employees.

AVI FOOD SYSTEMS, INC.

(Employer)

Dated:

08/25/17

By:

Heather M. Quinlan Director of Human Resources

(Representative)

(Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board.

Cell Phone Use Policy

Introduction:

Cell phones are everywhere - in pockets, purses or hanging from belts - and provide many options for continuous and immediate connectivity to both our personal and professional lives. Through texting, constant Internet access and countless applications, cellular technology offers immense business value as well as the opportunity for costly business distractions. It is each team member's responsibility to appropriately manage the use of this technology during work hours in accordance with the following policy.

Section 1: General Use at Work

AVI's policy is that personal cell phone use is to be kept to a minimum during the work day to avoid disruption of focus to our team members' job duties and performance. Personal cell phone use during work hours should be reserved primarily for emergencies and audible ringers on cell phones should be turned off during the work day when on site at AVI or client locations.

Examples of **acceptable** personal use of cell phones include:

- Family emergency calls (ex. sick child)
- Personal email, phone call or text during the team member's break
- Text, email or phone call to let your family know that you are staying late
- Use of AVI email, calendar, etc. via cell phone

Examples of **unacceptable** personal use of cell phones include (but are not limited to):

- Non-emergency, personal phone calls, texts or emails during business hours
- Social media (Facebook, Instagram, Twitter, Snapchat), blog, IM or similar communications for non-AVI purposes
- Playing games

If you have any questions about whether or not your cellular use is acceptable, ask your manager *prior* to use.

Section 2: Unsafe Work Situations

Some team members work with or near dangerous equipment that poses mechanical, heat and other health risks. Under all conditions, cell phone usage is strictly prohibited within the operating range of such equipment.

Section 3: Cellular Use While Driving

Some team members are required to drive as a part of their job duties. It is against AVI policy to initiate and conduct calls, text/IM, email, check Facebook, etc. while operating a vehicle. Team members should always safely park their cars prior to using their cell phones in any way, without exception. Calls may be continued while driving provided the team member is using a hands-free device. The team member is responsible to ensure that these conversations do not distract in any way from safely operating the vehicle. The team member is solely responsible for any fines or damages as a direct or indirect result of cell phone use while driving. Truck drivers are not permitted on their cell phones at all while driving. Finally, the majority of states have laws prohibiting texting while driving and several states prohibit use of a cell phone unless it is hands-free. It is the team member's responsibility to follow all applicable laws.

Section 4: Cellular Use at Client Locations

It is critical that AVI maintains a professional service image to our clients. AVI team members may not use their cell phones in areas visible to clients or customers, unless the use of the phone is to provide information assistance to the client or customer.

Section 5: Use of Cell Phone Cameras & Video

Cell phone camera and video usage puts AVI proprietary data, client data and team member privacy at risk. Therefore, it is a violation of AVI policy to record or videotape conversations, phone calls, images, or company meeting with any recording device (including, but not limited to, a cellular telephone, PDA, digital recording device, digital camera, etc.) while working or conducting company business. It is likewise a violation of company policy to record or videotape conversations, phone calls, images, or company meetings regarding our customers, vendors, suppliers, or trade secrets, or in violation of state or federal law. It, however, is not a violation of AVI policy to otherwise use a recording device to lawfully exercise rights guaranteed to you under Section 7 of the National Labor Relations Act.

I have read and received a copy of AVI's Cell Phone Use Policy. I understand that any deviation from this policy may result in disciplinary action up to and including termination.

Team Member Name – Please Print

Team Member Signature

Date

AVI Manager Name – Please Print

AVI Manager Signature

Date