

THE JAMES BEARD FOUNDATION

EMPLOYEE HANDBOOK

THE FOUNDATION'S MISSION IS TO:

The James Beard Foundation's mission is to celebrate, nurture, and honor chefs and other leaders making America's food culture more delicious, diverse, and sustainable for everyone.

WITH THE HELP OF THE EMPLOYEES FOR WHOM THIS HANDBOOK
HAS BEEN CREATED, WE WILL ACCOMPLISH THIS MISSION.

Effective: DECEMBER 2005

THE JAMES BEARD FOUNDATION, 167 WEST 12TH STREET, NEW YORK, NY 10011 / 212.675.4984
A NATIONAL NOT-FOR-PROFIT 501(C)(3) ORGANIZATION BASED IN NEW YORK CITY

Welcome to the James Beard Foundation

The Foundation welcomes you to its team! We believe every employee is an important part of The Foundation: from those in the dining room, the kitchen, the office, or wherever your assignments take you. You were hired because you've demonstrated specific skills, competence, passion, and integrity. We look forward to a mutually beneficial employment relationship.

Our Foundation is built on some very simple and basic values and beliefs, paramount of which is RESPECT FOR EACH INDIVIDUAL. One of the main ingredients of our employee philosophy is that people are our greatest asset, and our people make the difference. It shows in everything we do.

This Handbook sets forth our people policies. Please familiarize yourself with these practices as they describe what is expected of you, as well as what you can expect. You should understand that these guidelines are advisory in nature, create no contractual obligations on the part of The

Foundation or you, and do not alter your at-will employment relationship.

"At Will" employment means you are free to resign at any time, for any reason. Similarly, The James Beard Foundation may terminate your employment at any time, for any reason not prohibited by the law, without prior notice or warning. No statement by any employee, officer, or agent contrary to the foregoing shall have any force and effect unless it is in writing and signed by the President. Additionally, no Foundation guidelines or verbal statements shall be construed in any way so as to create a contract or to limit or waive the rights of this disclaimer in any way.

This Handbook is designed to be a working guide for all Foundation employees. From time to time, you may receive updates to insert in this Handbook. It is your responsibility to keep your Handbook current, please.

More About James Beard...and Us

The James Beard Foundation, a not-for-profit organization, was founded in 1986 to keep alive the culinary philosophy, ideals, and practices that earned James Beard his reputation as "the dean of American cooking," Teacher, television personality, food writer, and author of more than 20 cookbooks (many still in print), James Beard championed good food and great chefs. He believed in the cuisine of America as much as he loved the cuisine of France. By the time he passed away in 1985, he had taught thousands of people not only how to cook, but also how to appreciate good food, fine wine, and pleasures of the table.

Located in Beard's town house in the heart of New York's Greenwich Village, The James Beard Foundation offers chefs from around the world a place to perform. Serious food lovers refer to it as New York's best-kept gastronomic secret. We are known affectionately as The House to so many. In

that same spirit, the feeling we convey to our guests and to our fellow employees needs to be exactly as if we were welcoming people into our own home. Since James Beard stood for gracious and exciting hospitality, his own personal home is where we now continue his legacy.

The Foundation accomplishes its mission—"TO CELEBRATE, PRESERVE AND NURTURE AMERICA'S CULINARY HERITAGE AND DIVERSITY IN ORDER TO ELEVATE THE APPRECIATION OF OUR CULINARY EXCELLENCE"—through a full calendar of events at the Beard House, the annual celebration of James Beard's birthday, awarding of scholarships for culinary studies, an extensive library and archives, publications including Beard House magazine and the monthly James Beard Foundation Calendar, and a host of educational and celebratory events.

As is stated in the Code of Conduct and Ethics (available in total in the Policies and Procedures section of this Handbook and in our website, the James Beard Foundation's policy is to operate within the letter and spirit of all applicable laws and regulations. Our continued success is dependent on all parties knowing they can count on us to be honest, fair and good stewards of all assets of the Foundation.

Every employee of the Foundation is expected to exercise the highest levels of integrity, ethics and objectivity in actions and relationships that may affect the Foundation.

Fun Facts

James Beard wrote his first cookbook in 1940, and his last in 1983. All of his 20+ cookbooks are in The Foundation's library. In collaboration with Gale Greene, he also started City Meals on Wheels in New York City to supplement Meals on Wheels on weekends and holidays.

This is a unique, private home, owned by James Beard himself. Every day, we get to soak up the spirit of the man who was known as the "Father of American Gastronomy."

When James Beard died in 1985, he was hailed as "The Father of American Gastronomy".

After Beard's death, a group of friends decided to raise money to purchase James Beard's "House." Wolfgang Puck cooked the first "Visiting Chefs" dinner here, which led to the 300-plus events held annually at the House.

Musicians have Carnegie Hall. Painters have the National Gallery. For chefs, there's the Beard House. It is the preeminent performance space for chefs.

Cooking-school-founder Peter Kump had the desire and resources to bring this Foundation into reality, to honor his dear friend, James Beard. Peter led the Foundation's growth until 1995, when he died. Peter's portrait is in the Board Room on the top floor, which is named for him.

Julia Child expressed the sentiment that she wanted parents to be as proud of their sons and daughters who became chefs as they'd be if they were business people, attorneys or physicians.

"The Beard House is like having Beethoven's house as a center for musicians, because Beard is as important to food people as Beethoven is to the music world." —Julia Child

The Greenhouse Gallery fosters up-and-coming artists whose work reflects culinary influence. We can visit the gallery anytime.

We "expanded" in 1994 and leased additional space on 18th Street.

We made CNN International for the first time in May 1995 because Alain Ducasse had served ortolans at a press party before a Beard event at the old Le Cirque and the press got wind of it. Alain Ducasse had somehow gotten the birds into the US and there was a big to-do about that (you are not allowed to sell ortolans in France). We didn't "sell them." It was a press lunch. Funny thing was that nobody talked about how Alain Ducasse got the birds into the country, only how you shouldn't eat ortolans.

The James Beard Awards are to the food industry as Oscars are to the movie industry. This would have tickled Jim immensely, since he originally aspired to be an actor.

We are delighted that Clay Triplette, a longtime friend and associate of James Beard, remains our House Steward, greeting all daytime visitors to the House, and providing authentic history and hospitality.

Our focus is FOOD as an ART, which has to be experienced, unlike other art.

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How We Plan to Work Together: General Policies and Procedures

HOSPITALITY FOCUS

There is a reason why this is the first policy. We want our guests to feel like they have been personally invited to James Beard's home for a wonderful dining and service experience.

This is a unique, private home, maintained to honor James Beard. For our guests who dine with us, we want them to have an experience unlike any other they can get in this fabulous city.

Further, we want to convey to our volunteers, service people, and all our "drop by" people this same feeling of welcome, importance, and respect.

Think about those times when you personally felt most welcome as a guest in someone's home. You are such an important part of creating this feeling and experience for our guests, and for each other.

Capture and convey this warmth and service attitude, not just with our guests, but with co-workers as well.

Also, please be aware that all James Beard Foundation property and grounds is a smoke-free, drug-free, weapon-free environment. This helps create our hospitable environment.

Recently, our neighbors stopped by, and they made a few reasonable requests, which we intend to honor. In our discussions, they used the term "city ears" to convey the notion that certain sounds are expected. The sounds we will not tolerate are those of bad language, insubordination, rudeness, harassment, or anything that will create an uncomfortable work environment, not just for our guests and visitors, but with our co-workers, vendors, and neighbors as well.

Equal Opportunity & Policy Against Harassment

The James Beard Foundation prohibits discrimination against any employee or applicant for employment because of the individual's race, color, sex, religion, national origin, age, sexual orientation, disability, gender identity or expression, marital status, genetic predisposition or carrier status, military status or any other characteristic protected by law. This policy applies to all Foundation activities, including but not limited to, recruitment, hiring, compensation, assignment, training, education, social and recreational programs, promotion, discipline and discharge. As detailed below, this policy also bans discriminatory harassment.

The Foundation will provide reasonable accommodation consistent with the law to otherwise qualified employees and prospective employees with a disability and to employees and prospective employees with needs related to their religious observance or practices. What constitutes a reasonable accommodation depends on the circumstances and thus will be addressed by The Foundation on a case-by-case basis. Additional information can be obtained from the President.

POLICY AGAINST HARASSMENT

The Foundation prohibits conduct that constitutes or could lead or contribute to harassment based on race, color, sex (whether or not of a sexual nature), religion, national origin, age, sexual orientation, disability, gender identity or expression, marital status, genetic predisposition or carrier status, military status or any other characteristic protected by law. Examples of such conduct are:

- Ethnic slurs;
- Use of computers (including via the Internet) or the e-mail system to view or distribute racially offensive communications;
- Threatening, intimidating, or hostile acts directed at a particular sex or religious group

or directed at an individual because of his or her sexual orientation, color or ethnicity.

Harassment does not require an intent to offend. Thus, inappropriate conduct meant as a joke, a prank, or even a compliment can lead or contribute to harassment.

SEXUAL HARASSMENT

Sexual harassment is a specific type of discriminatory harassment. According to the EEOC's guidelines, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when: (1) submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The Foundation prohibits conduct that constitutes or could lead or contribute to sexual harassment. Examples of such conduct are:

- Unwelcome sexual flirtations, advances or propositions;
- Inappropriate touching of an individual's body;
- Graphic verbal comments about an individual's body or appearance;
- Sexually degrading words used to describe an individual;
- The use of computers (including via the Internet) or the e-mail system to display or distribute sexually explicit images, message, or cartoons.

Additional rules apply to individuals with supervisory authority at The Foundation. No one with a

supervisory role may at any time: (1) threaten or imply that an individual's submission to or rejection of a sexual advance will in any way influence any decision regarding that individual's employment, performance evaluation, advancement, compensation, assignments, discipline, discharge, or any other term or condition of employment; or (2) make any employment decision concerning an individual on such a basis.

REPORTING VIOLATIONS OF EQUAL EMPLOYMENT OPPORTUNITY AND HARASSMENT POLICIES

If an employee believes that he/she or another individual has been subjected to any conduct of the type described in the above policies, he/she is expected to report the relevant facts promptly. Employees should direct such reports to the President, Chief Financial Officer, or, if the complaint involves the President, the Chairperson of the Audit Committee of the Board of Trustees. Employees should choose from this list whomever they feel most comfortable contacting under the circumstances. Employees should report the conduct regardless of the offender's position at The Foundation and should also report the conduct even if the offender is not employed at The Foundation (for example, a vendor, service provider, volunteer, or guest). Employee's prompt reporting is very important so that The Foundation can take action to stop the conduct before it is repeated. All reports will be followed up promptly, with further investigation conducted where needed to confirm facts or resolve disputed facts. In conducting its investigations, The Foundation will strive to keep the identity of individuals making reports as confidential as possible.

If after investigating any complaint of harassment or unlawful discrimination, The Foundation determines that the claimant has provided false information regarding a complaint, disciplinary action may be taken against the individual who gave the false information.

Disciplinary action (up to and including unpaid suspension and/or termination of employment) will be taken against Foundation personnel found to have violated the above policies. Individuals who violate these policies may also be subject to personal legal and financial liability under applicable law.

NO RETALIATION

Employees may raise concerns and make reports without fear of reprisal. No individual shall be intimidated, threatened, coerced, or discriminated against for reporting a claim of harassment, furnishing information with regard to a complaint, or for participating in any manner in an investigation or compliance review.

Threats or acts of retaliation against individuals who report inappropriate conduct pursuant to these policies or provide information in connection with a report by another individual will not be tolerated. In the event an employee believes that he or she has been retaliated against for such action, he or she should use the above procedures to report the pertinent facts promptly. The Foundation will investigate and take appropriate action in the manner described above. However, anyone who makes a false allegation knowingly and maliciously will be subject to disciplinary action up to and including unpaid suspension and/or termination.

Immigration Law Compliance

The James Beard Foundation does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and

present proper documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with The Foundation within the past three years or if their previous I-9 is no longer retained or valid.

Code of Conduct and Ethics

The James Beard Foundation's policy is to operate within the letter and spirit of all applicable laws and regulations.

The Foundation's mission is "TO CELEBRATE, PRESERVE AND NURTURE AMERICA'S CULINARY HERITAGE AND DIVERSITY IN ORDER TO ELEVATE THE APPRECIATION OF OUR CULINARY EXCELLENCE."

The Foundation expects each employee to work to further the mission and to exercise the highest levels of integrity, ethics and objectivity in actions and relationships which may affect the Foundation, including representing or negotiating on behalf of the Foundation.

Our continued success is dependent on all parties knowing they can count on us to be honest, fair and good stewards of all assets of the Foundation. Our members, sponsors, suppliers, volunteers and fellow staff members expect and demand relationships based on integrity and trust. We must not misuse the authority or influence of our positions in these relationships. Whenever there is doubt as to whether an action is appropriate, or whether it will cause embarrassment to the Foundation or its reputation, it should be avoided.

Some questions we can use to guide our actions when making decisions are:

- Is it legal?
- Does my decision align with the Foundation's mission?
- Is it the right thing to do?
- Is it the appropriate thing to do given all the circumstances?
- Would I want everyone to know about this?
- How will I feel about myself?
- Did I talk to all the right people when making this decision?

The Foundation provides this Code of Conduct and Ethics for guidance in recognizing and resolving

properly the ethical and business issues that may be encountered in conducting the Foundation's work and carrying out the Foundation's mission.

Employees who violate this Code of Conduct and Ethics may be subject to disciplinary action, up to and including unpaid suspension and/or termination of employment. Employees who know of violations must immediately report them to the Chief Financial Officer, the President of the Foundation or, if the complaint involves the President, the Chairperson of the Audit Committee of the Board of Trustees; if they do not report known violations, they are subject to disciplinary action. An employee who reports a violation or a potential violation may, to the extent possible, remain anonymous. There will be no "retaliation" against individuals who report violations. Any employee with a question about a potential violation of law or the interpretation of this policy should contact the President of the Foundation, the Chief Financial Officer or, if the question involves the President, the Chairperson of the Audit Committee of the Board of Trustees.

The Foundation will have this policy publicly available on its website to assist in this communication.

CONFLICT OF INTEREST

Whenever we are engaged in the Foundation's work, we are expected to act in the Foundation's best interests. We must avoid conflicts of interest, or the perception of conflicts of interest.

A "conflict of interest" occurs when an individual's private interest interferes in any way - or even appears to interfere - with the best interests of the Foundation. A conflict of interest can arise when an employee takes actions or has interests that may make it difficult to perform the Foundation's work objectively and effectively. Conflicts of interest also arise when an employee, or member of her/his family, receives improper personal benefits as a result of the employee's position in the Foundation. Improper benefits include anything of value offered

to us in an attempt to inappropriately influence our business judgment. We also recognize that the perception of a conflict of interest may be just as damaging to the James Beard Foundation's reputation as is the actual existence of such a conflict. Therefore, we are committed to avoiding actual or perceived conflicts of interest. When faced with a real or potential conflict of interest, employees will make a full and prompt written disclosure to the President. This Code does not attempt to describe all possible conflicts that could develop but here are some examples:

RELATIONSHIPS WITH SUPPLIERS

Suppliers must be selected on the basis of the best interests of the Foundation. We must never make supplier selections based upon our personal interests. In most situations involving business greater than \$1,000 annually, bids from at least 3 qualified companies should be sought, with decisions made on the basis of quality, price, availability, integrity and service. The President, in consultation with the employee, will determine when the bidding process will be used. We seek out suppliers who share our commitment to the highest ethical business standards and have proven records of supplying high quality products and services that are safe and conform to the law. If the employee responsible for participating in the selection of a supplier has a personal interest in any supplier that submits a bid or is otherwise under consideration, the employee must disclose his or her interest to the President. Examples of personal interests include, but are not limited to, a family member or friend of the employee has an ownership interest in, serves on the Board of, or works for a supplier under consideration.

GIFTS AND BENEFITS

Decisions regarding the hiring of suppliers and chefs and the selection of sponsors must be made on the basis of factors such as quality, performance, delivery, price, services and financial responsibility. We believe that offering, providing,

soliciting or accepting anything for the purpose of improperly obtaining or rewarding favorable treatment from a supplier or sponsor is always unacceptable. We believe that ordinary and reasonable business courtesies may be appropriate in certain circumstances. However, we must insure that any business courtesy offered or received is modest in value and does not influence, or appear to influence, the business decision of the recipient.

- Meetings with suppliers or sponsors may include an aspect of entertainment, provided the entertainment is of reasonable value, occasional in frequency and customary in the work of the Foundation. The nature of meetings and entertainment should always be in good taste and not in conflict with the Foundation's mission or reputation. The employee should maintain records of these meetings and the business nature of the discussions on the appropriate expense reporting forms. Employees are also expected to submit to the Foundation a brief written account describing the purpose of the meeting and any benefits received by the employee if the employee is entertained by a supplier or sponsor, but incurs no expenses.
- No cash gift or gratuity or any kickback, free services or special favors from any supplier or sponsor may be solicited, requested or accepted except that gifts of a nominal value (defined as less than \$50) may be accepted no more than two times during a calendar year provided they have not been solicited and are not being made in return for a special consideration in a competitive bidding process or other hiring decision, or in the course of negotiations with a supplier or sponsor.
- Any gift whose value is over \$100 and any gifts received from a single supplier within a two-month period of which the aggregate value is over \$100 must be reported in writing to the President.

RELATIONSHIPS WITH SPONSORS, DONORS, CHEFS AND MEMBERS

Philanthropy is based on voluntary action for the common good. It is a tradition of giving and sharing that is primary to the quality of life. To ensure that James Beard Foundation merits the respect and trust of the general public, and that sponsors, donors, prospective sponsors and donors, chefs and members can have full confidence in the Foundation and its work, we operate in accordance with the following Donor Bill of Rights (created by the American Association of Fund Raising Counsel, Association for Healthcare Philanthropy, Association of Fundraising Professionals and the Council for Advancement and Support of Education), and expect employees to provide assistance that will enable sponsors, donors, chefs, members and the general public:

- To be informed of the organization's mission, of the way the organization intends to use donated resources, and of its capacity to use donations effectively for their intended purposes.
- To be informed of the identity of those serving on the organization's governing Board, and to expect the Board to exercise prudent judgment in its stewardship responsibilities.
- To have access to the organization's most recent financial statements.
- To be assured their gifts will be used for the purposes for which they were given.
- To receive appropriate acknowledgment and recognition.
- To be assured that information about their donation is handled with respect and with confidentiality to the extent provided by law.
- To expect that all relationships with individuals representing organizations of interest to the donor will be professional in nature.
- To be informed whether those seeking donations are employees of the organization,

volunteers, or hired solicitors. (It is the responsibility of the employee, volunteer or hired solicitor to make a positive and accurate description of their relationship with the Foundation).

- To have the opportunity for their names to be deleted from mailing lists that an organization may intend to share.
- To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

CONDUCT IN THE WORKPLACE

We recognize that one of our Foundation's most important resources is the staff—the women and men whose commitment, passion, creativity, talent and energy help us fulfill our mission. The Foundation is committed to providing an open, safe, inclusive, respectful work environment, free of discrimination and harassment. We hold each other and ourselves to high standards and are expected to grant others the same respect, cooperation and trust we wish for ourselves. We encourage a teamwork approach, which affords our employees an opportunity to grow professionally, have job satisfaction and be productive contributors.

JOB EXPECTATIONS

We all need to come to work each day ready to perform our jobs ethically and in a way that serves our customers and adds value for our shareholders. We should protect the Foundation's assets and its good name.

EQUAL EMPLOYMENT OPPORTUNITY

Discriminating against any Foundation staff or member with whom we have Foundation business on the basis of race, sex, pregnancy, age, disability, citizenship, national origin, color, sexual orientation, religion, gender identity or expression, marital

status, genetic predisposition or carrier status, military status or any other legally protected status is not permitted. This applies to all areas of employment including hiring, training, advancement, compensation, benefits, counseling and termination.

Note: The Foundation's EEO Policy is discussed in the Policies and Procedures section of this Handbook in greater detail.

WORKPLACE HARASSMENT

Harassment in the workplace on the basis of any legally protected status is strictly prohibited and will not be tolerated. Unwelcome advances, such as requests for sexual favors and other verbal or physical conduct of a sexual nature, may be forms of sexual harassment. In addition, conduct that may create an uncomfortable situation, such as inappropriate comments, jokes, intimidation or physical contact, may be forms of workplace harassment. We should avoid any actions or works that might be interpreted by another as harassment.

Note: The Foundation's Harassment Policy is discussed in the Policies and Procedures section of this Handbook in greater detail.

COOPERATION

The Foundation is committed to quickly and effectively resolving issues that are brought to our attention. From time to time it becomes necessary to conduct investigations into these alleged issues. All staff must cooperate fully in these investigations and maintain the utmost confidentiality. Failure to do so could result in disciplinary action.

PROTECTION AND PROPER USE OF FOUNDATION ASSETS

All employees should protect the Foundation's assets and ensure their efficient use. Theft, carelessness and waste have a direct impact on the Foundation's continued success. All Foundation assets should be used for legitimate Foundation business purposes.

CONFIDENTIALITY

Foundation employees may learn highly personal and confidential information about the Foundation's sponsors, donors, chefs, members and projects. Examples of such information include, but are not limited to financial information, contact information (address, telephone number), business plans, trade secrets, or other proprietary information. Such information must be treated as confidential and cannot be disclosed to any person who is not affiliated with the Foundation and authorized by the Foundation to receive such information without specific consent from the person to whom the information pertains.

Foundation employees may learn confidential information about the Foundation. All such information, as well as proprietary materials, may not be disclosed or distributed to any other individual or entity not affiliated with the Foundation without the prior written consent of the President or the Chairman of the Board.

OUTSIDE POLITICAL ACTIVITIES

As a non-governmental organization, The Foundation neither supports nor opposes any candidate for public office. No facilities or resources including an employee's work time, The Foundation's office equipment or work products may be used for electoral activities. Any outside activities by an employee that may involve public identification with any candidate for public office, or any cause or activity related or pertinent to The Foundation's work, policies, or public image shall be disclosed in advance to the President, in writing. Employees will not be permitted to engage in activities that may injure The Foundation's legal status or public image.

WHISTLEBLOWER POLICY

Should any employee know, or have a reasonable belief that persons associated with the Foundation plan to engage, or have engaged, in illegal or unethical conduct in connection with the finances or other

aspects of the Foundation's operations, that person immediately should file a written complaint with the President. Employees of the Foundation may submit complaints on a confidential, anonymous basis. If the complaint concerns the President, or the complainant is not comfortable reporting it to the President, they should notify the Chairman of the Board or the Chairperson of the Audit Committee. The President, or the Chairman as the case may be, will promptly forward a copy of any complaint to the Chairperson of the Audit Committee together with a written evaluation of the complaint's credibility, or if the Chairperson is the subject of the complaint, to another member of the Audit Committee. The Audit Committee will be responsible for determining the validity of the complaint and, if valid, for the treatment and resolution of the complaint. The Audit Committee will promptly inform the Board of Trustees of any confirmed complaint and the actions taken to resolve the situation.

The Foundation will not knowingly, with the intent to retaliate, take any action harmful to any employee, including interference with lawful employment or livelihood, for reporting a complaint in good faith pursuant to this policy or to law enforcement officers, governmental agencies or bodies, or persons with supervisory authority over the complainant. Likewise, there will be no punishment or other retaliation for providing information regarding a complaint in good faith to, or otherwise assisting in any investigation regarding a complaint conducted by, the Foundation, law enforcement officers, governmental agencies or bodies, or persons with supervisory authority over the complainant. Finally, there will be no punishment or other retaliation for filing a complaint in good faith, or otherwise participating or assisting in a proceeding filed or about to be filed (with any knowledge of the Foundation) regarding any complaint. An employee who deliberately or maliciously provides false information may be subject to disciplinary action (up to and including unpaid suspension and/or termination).

FOUNDATION COMMUNICATIONS AND WORKS

Any publication or speaking engagement by an employee must be approved in advance and in writing by the President if it bears The Foundation's name, pertains to the subject matter of The Foundation's work, results from a communication to or by the employee at The Foundation or in her/his capacity as an employee, and/or utilizes any of The Foundation's facilities, equipment, or work products.

All proprietary materials, including but not limited to, proposals, contracts, reports, brochures, documents, articles, cookbooks, other books, computer programs and any written material developed by The Foundation's employees during the course of their employment may not be disclosed or distributed to any other individual or entity not affiliated with The Foundation without the prior written consent of the President. Employees may not accept offers of any royalties, payment for published articles, or honoraria from speeches or publications that are produced as part of his or her job. Such payments, if made, are to be made directly to the Foundation in consideration of the time and materials used in preparation of the speech or publication.

SOLICITATION AND LITERATURE DISTRIBUTION

Employees may not use The Foundation's property or work time to sell products or services or solicit funds. Employees may not distribute non-business printed materials of any kind on The Foundation's premises. Employees may not store non-business materials on The Foundation's premises.

Non-employees are prohibited from soliciting or distributing printed materials on The Foundation's premises. This includes solicitations for charitable or religious purposes as well as commercial vendors. If you see non-employees engaging in this prohibited behavior on The Foundation's premises,

you should immediately advise the President so that proper action can be taken.

CLEAN AIR POLICY

Smoking is not permitted in any space occupied by The James Beard Foundation at any location. All Foundation employees, applicants, contractors, volunteers, and visitors are expected to comply with these smoking regulations.

As required by New York City law, employees exercising their rights to a smoke-free work environment will not be retaliated against or subjected to any adverse employment action.

This policy is posted on The Foundation's bulletin boards and a copy of this policy is given to employees upon being hired or if a request therefore is made. Any employee who has any questions or concerns about The Foundation's smoke-free policy, or who believes that he or she may have been subjected to adverse action for exercising his or her right to a smoke-free environment, is advised to consult with the President. New York City's Smoke Free Air Act guarantees these rights for employees.

Employees found to have violated this policy will be subject to disciplinary action, up to and including unpaid suspension and/or termination.

ANTI-VIOLENCE POLICY

The James Beard Foundation has a zero-tolerance policy toward violence in the workplace. An act of violence includes but is not limited to actual, threatened or attempted violence toward an individual or to property.

We expect all employees to report on the work site without possessing weapons and to perform their job without violence toward any other individual.

All employees are responsible for maintaining a violence-free workplace. The Foundation prohibits conduct that constitutes or could lead or con-

tribute to workplace violence. Examples of such conduct are:

Possession of guns, knives (other than the ones our chefs and others need to use in the kitchen!), or other weapons on The Foundation's premises or while performing work for The Foundation off-premises;

Striking, attempting to strike, or threatening to strike a fellow employee, guest, or any other person affiliated with The Foundation;

Threatening or intimidating a fellow employee, guest, or any other person affiliated with The Foundation.

Employees must report violations of this policy to the President immediately. All acts of violence will be investigated and appropriate action will be taken. Employees found to have violated this policy will be subject to disciplinary action, up to and including unpaid suspension and/or termination.

DRUG-FREE WORKPLACE

The James Beard Foundation intends to comply with all state and federal laws relating to the use/abuse of narcotics and other illegal drugs. Accordingly, employees are expected to adhere to these laws.

We will not tolerate the purchase, sale, use, transfer, or possession of illegal drugs, narcotics, contraband, or other related paraphernalia on The Foundation's premises.

Any employee found using or possessing the same, or otherwise engaging in illegal activity, shall be subject to immediate termination.

Legally prescribed medications are excluded from this rule and permitted only to the extent that the use of such medications does not adversely affect the employee's work ability, job performance, or the safety of that individual or others.

Employees who The Foundation reasonably believes to be under the influence of illegal drugs on The Foundation premises or while conducting Foundation business may be suspended and subjected to further disciplinary action, up to and including unpaid suspension and/or termination.

AND, WHILE WE'RE ON THE SUBJECT:

Certain state laws prohibit the dispensing of aspirin or other medications to guests. Do not dispense any medical treatment beyond a band-aid. We do have a first-aid kit, the contents of which can be made available to employees.

FINALLY,

Chocolate is not considered an illegal substance at The Foundation, and its continued presence is, of course, encouraged!

ALCOHOL POLICY

Employees are prohibited from the use of alcohol at any time in the workplace or during hours of employment (whether or not on Foundation property). Employees are expected to report to work free from the influence of alcohol and to remain free from such influence while on The Foundation's premises or while performing any work for The Foundation off-premises. The only exception is when moderate consumption of alcoholic beverages occurs on Foundation premises at business-related functions and the employee is of legal minimum drinking age under applicable state law. However, under no circumstances may consumption of alcoholic beverages interfere with an employee's ability to perform business activities effectively regardless of the time or place of consumption.

Employees are also prohibited from possessing alcohol at any time in the workplace or during hours of employment (whether or not on Foundation property), except to the extent reasonably required by the employee's job responsibilities. To the extent that alcoholic beverages in bot-

tles or other containers (wine, for example) are not consumed in their entirety during business functions, employees are expected to return the bottles to the President for direction as to disposition.

GAMBLING

All forms of gambling are prohibited on The Foundation's premises and while working for The James Beard Foundation off-premises. No Foundation property, including computers, fax machines or any on-line access services may be used for such purposes. Employees who violate this policy will be subject to disciplinary action, up to and including unpaid suspension and/or termination.

PROTECTION AND PROPER USE OF FOUNDATION ASSETS

All employees should protect the Foundation's assets and ensure their efficient use.

Employees are expected to exercise care in the use of Foundation property and to use such property only for legitimate Foundation business purposes. This includes keeping workspaces organized, safe and orderly. Theft, recklessness and waste have a direct impact on the Foundation's continued success and may result in discipline, up to and including unpaid suspension and/or termination. Employees may also be responsible for the cost of repair or replacement of Foundation property that is damaged or lost due to violation of this policy.

The Foundation reserves the right to search any and all property used by employees or brought onto Foundation premises, including but not limited to: desks, file cabinets, computers, or files. Any confidential or personal correspondence should not be brought to work.

All Foundation equipment, fixtures, inventory or materials, and supplies including, without limitation, merchandise, stock and inventory, is the exclusive property of The Foundation. Any unauthorized use, misuse or misappropriation of

Foundation property, including intentional damage or theft, is grounds for immediate termination.

The Foundation reserves the right to inspect all packages carried off premises by any employee. Such inspections may be conducted whenever the

President has a reason to believe that Foundation property may be involved. The Foundation reserves the right to bring appropriate legal charges against any employee found to be taking Foundation property without authorization.

Guest Concerns

Any time there is a disturbance involving a guest in The House, it should be brought to the attention of the President or the maitre d'. The intent is to resolve or prevent situations from becoming serious problems.

All guest accidents and/or damage to guest's property or apparel, no matter how small, should be brought to the immediate attention of the President

so that the President can appropriately address the concerns of the guest and so that the appropriate insurance carrier can be notified immediately. The first and most obvious consideration is to the guests, and every effort should be made to regenerate his/her positive feelings about The Foundation. However, make no commitment regarding The Foundation's responsibility or liability.

Safety and Health

The Foundation is committed to providing a safe and healthful environment. In connection with this, we are dedicated to complying with relevant federal and state Occupational Health and Safety laws and to developing the best feasible operations and procedures.

The Foundation's policy is aimed at minimizing the exposure of our employees, guests and visitors to health and safety risks. To accomplish this, our employees are expected to work diligently to main-

tain safe and healthful working conditions and to adhere to proper operating procedures and practices designed to prevent injuries and illness.

These procedures and practices include: care and good judgment at all times to prevent accidents and injuries; reporting and seeking first aid for all injuries, regardless of how minor; reporting unsafe conditions, equipment, and practices to the President; and using in a safe manner the equipment provided by The Foundation.

Outside Employment

The decision to permit outside employment to a member of The Foundation's staff shall be within the sole discretion of the President and shall be based on factors including but not limited to the employee's current job performance, the potential effect of outside employment on the employee's job at The Foundation, and the potential for a conflict of interest or appearance of impropriety. Requests must be made in advance in writing to the President. The Foundation reserves the right to rescind consent for outside employment at any time.

The Foundation will not approve any outside employment that prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work period, when such availability is a regular part of the employee's job. The Foundation will not approve outside employment that creates or appears to create a conflict of interest.

Any employee engaged in outside employment which conflicts with the requirements of this policy may be required to resign from such outside employment. If the employee refuses to resign, he/she may be terminated from employment with The Foundation.

Pay and Benefits

TOP TEN BENEFITS OF WORKING AT THE FOUNDATION

10. We work in the only private home in the country dedicated to preserving the owner's legacy.
9. We get discounts on James Beard logo apparel.
8. We enjoy the personal contacts and the feeling that we are making a difference in something worthwhile.
7. We get the Beard Foundation calendar and magazine for free after we've worked here a year or more.
6. We get to come to a dinner or two...or more! This helps us understand what all the fuss is about.
5. We work in an organization that encourages people to pursue culinary educations by awarding scholarships.
4. We get to work with others who share a passion for food.
3. We work with some of the world's leading chefs who keep it fresh, and we get to welcome them into this home every day.
2. Aromas waft all around us while we work. In fact, from time to time, chefs prepare meals just for us!
1. As employees, we are paid to do what our volunteers are willingly lining up to have a chance to do for free!

EMPLOYMENT GROUPS AND CLASSIFICATIONS

At The Foundation, our employee team is made up of several key groups, and all contribute to our success:

Dining Staff: This is the team that insures our guests at the House have a memorable, elegant, gracious dining experience. It includes maitre d's and wait staff.

Kitchen and House Staff: This is the team that makes sure everything, from top to bottom, from the 1st floor to 4th, is sparkling clean, organized, orderly and ready for chefs, visitors and all the events we host.

Office Staff: These are the people who carry on the programs and business of The Foundation, arranging for our visiting chefs, planning and executing events, insuring the proper financial controls, running our Scholarship program, and creating wonderful publications.

Each job is also classified according to certain legal requirements:

Full Time or Part Time: Employees may be full time (regularly scheduled to work 35 or more hours per week) or part time (regularly scheduled to work less than 35 hours per week). We define full time as 35 hours per week (averaged over 12 months).

Exempt or Non Exempt: Jobs are either exempt or non exempt, based on the responsibilities of the job. Exempt jobs are exempt from receiving overtime pay (per the Fair Labor Standards Act).

Non-exempt jobs are eligible for overtime pay. Only those hours actually worked are included when calculating overtime pay. All authorized work by non-exempt employees between 35 and 40 hours is compensated at the employee's regular hourly rate of pay. Work in excess of 40 hours in any given workweek is compensated at the rate of one and one half times the regular hourly rate of pay.

Salaried or Hourly: Jobs are either salaried (you are paid on a salary basis) or hourly (you are paid for hours worked).

PAYROLL

For hourly employees, pay is distributed every Friday, unless a holiday falls on Friday. For salaried employees, pay is distributed every other Friday,

unless a holiday falls on Friday. When a regularly scheduled payday is also a holiday observed by The Foundation, pay is distributed the last working day prior to the holiday.

Employees may have their pay directly deposited into their bank accounts. Employees wishing to elect direct deposit must provide Payroll with written authorization. Employees with direct deposit are responsible for notifying The Foundation of any bank changes.

Social Security and Federal Income Taxes ("Federal Insurance Contribution Act – FICA) are deducted based on schedules provided by the IRS and are based on the number of exemptions claimed on your W-4 Form. Should you wish to change the number of exemptions, you must complete a new W-4 Form available in The Foundation office. Contributions will be withheld from the employee's paychecks for the employee's share, and The Foundation will pay the employer's share. These will be forwarded to the IRS, as prescribed by law.

Federal and state laws require the following deductions from every paycheck:

1. Federal withholding tax;
2. State withholding tax;
3. Social Security taxes up to the required annual amount; and
4. State disability insurance (SDI).

Other deductions may be made from an employee's paycheck as required by law or with the employee's written permission.

OVERTIME

Non-Exempt employees who are authorized to work overtime receive overtime pay. Only those hours actually worked are included in calculating overtime pay. All authorized work by non-exempt employees between 35 and 40 hours is compensated at the employee's regular hourly rate of pay. Work in excess of 40 hours in any given workweek

is compensated at the rate of one and one-half times the employee's regular hourly rate of pay.

Non-Exempt employees who work on any holidays observed by The Foundation will be paid at two times their hourly rate for hours worked on that holiday.

POLICY CONCERNING SALARY DEDUCTIONS FOR EXEMPT EMPLOYEES

The Foundation may deduct pay from an exempt employee's salary in the following circumstances:

- Absence from work for one or more full days for personal reasons, other than accrued Paid Time Off days;
- As an offset for any amounts received as payment for jury fees or military pay;
- As a penalty imposed for violating safety rules of major significance;
- Unpaid disciplinary suspension of one or more full days for violations of workplace rules, including the Employee Code of Conduct;
- For time not actually worked in the employee's first and last week of employment with The Foundation;

The Foundation will not deduct pay from an exempt employee's salary for any other reason. Employees who believe that deductions have been improperly taken from their paycheck should report the relevant facts promptly to President.

GARNISHMENTS/ INCOME EXECUTIONS

At times, The Foundation may receive a wage garnishment order from a judicial or governmental agency requiring The Foundation to withhold a specific amount of wages from an employee's wage for payment of a debt. In New York, garnishments are called income executions.

Upon receipt of any income execution, the employee will be notified and income execution will be processed in order of priority as set by the governing laws.

An employee will not be terminated, disciplined, or denied employment opportunities for hiring, promotions, or training based on the existence of a garnishment or income execution.

WORKWEEK

The normal workweek for hourly employees is Wednesday through Tuesday, beginning and ending at midnight on Tuesday. For non-exempt employees, the scheduled workweek is 35 hours. For salaried employees, the normal workweek is Monday through Sunday, beginning and ending at midnight on Sunday. The Foundation's office hours are officially 9 a.m. to 5 p.m. Due to the nature of our business, the office is frequently open later.

All full-time employees are expected to work the 35 hours established by The Foundation, arriving and leaving at designated times, with one hour for lunch. Work time may vary based on your job responsibilities. Any exceptions or changes to the time schedule such as flextime or time-sharing are to be authorized by the President.

Regular and reliable attendance is an essential job function. Whatever your position with The Foundation, employees are required to be reliable and punctual in reporting for scheduled work. Punctuality and regular attendance are basic and essential requirements for satisfactory performance. Excessive absences and tardiness may result in corrective or disciplinary action, up to and including termination.

When possible, an employee is expected to give advance notice of an absence to the person who schedules his or her work at The Foundation. If advance notice is not possible, you should notify your supervisor not later than 9:30 a.m. each morning of the absence. Out of consideration for co-workers, an employee who will report to work more than 15 minutes after his or her scheduled

time should also call any affected co-workers.

If an employee fails to notify his or her supervisor of an absence, the absence will be considered unexcused and the employee may not be paid for the absent day.

An employee who fails to report to work for two consecutive days without notifying The Foundation, unless there are extenuating circumstances satisfactory to the President, shall be considered to have abandoned his/her position and will be discharged.

Office staff is expected to plan their work such that they complete duties as assigned fully, in the appropriate timeframe. As professionals with decision-making responsibilities, employees in these categories may realize their work schedule can be unpredictable, based on the demands of the position.

No compensatory time program is in effect at The Foundation.

TIME RECORDING AND REPORTING

Dining, Kitchen and House staff clock in and out via time clock to record hours worked. Non-exempt office staff completes a bi-weekly timesheet, which must be submitted to the Accounting Department.

EMPLOYEE BENEFIT PLANS

The Foundation currently offers health insurance and 403(b) retirement plan benefits to eligible employees, the details of which are provided in separate informational brochures. Be sure to obtain them from the Chief Financial Officer.

Employees should refer to the Benefit Plan Documents for the terms and conditions of individual benefit policies, where applicable. The Summary Plan Description may be obtained from the Foundation's Chief Financial Officer. In the event of a conflict between this Handbook and the terms of the plan, the plan documents will control.

Unless otherwise required by the law, all employee benefits plans, policies and arrangements are subject to change and may be terminated without written notice at the sole discretion of The Foundation.

THE JAMES BEARD FOUNDATION MEMBERSHIP & DINNERS

After employment with The James Beard Foundation for one year or longer, you will receive a complimentary Foundation Membership, at the Associate or an equivalent level. In addition to members' price for one person to all Foundation events, you will receive the other benefits consistent with that level of membership.

Additionally, employees who have been part of The Foundation for at least one year may enjoy complimentary attendance for yourself and your guest at a certain number of House events each year. Why? We believe this will enable all employees to better understand how each and every job has impact on our guests and their enjoyment. We want all of us to experience this very important part of The Foundation's work, see how every job impacts Beard events, and share it with your friends and family. See the President for details.

TUITION REIMBURSEMENT

Full-time employees who have provided at least one year of service to The Foundation are eligible to apply for tuition reimbursement with respect to classes that they take at an accredited institution as part of a degree program, that are related to the employee's job at The Foundation, or that will help prepare the employee for additional responsibility at The Foundation. The applicant must submit a request in writing to his/her supervisor who shall forward it to the President with a recommendation for final approval. For any employee to receive tuition reimbursement, the class which the employee proposes to take must be approved by his or her supervisor and the President. The President's decision on all applications will be

final. The Foundation will reimburse the cost of tuition for approved courses up to a maximum of \$1,000 per year. Tuition reimbursement is at the sole discretion of The Foundation and will be evaluated on a case-by-case basis.

Once a class is approved by the supervisor and the President, the cost of the tuition, up to a maximum of \$1,000 per year, shall be paid upon written submission of proof of payment, evidence that the employee has completed the class and has received a "satisfactory grade." For these purposes, a "satisfactory grade" will be a "B" (or 3.0 on a 4.0 scale) or higher, or "pass" in a pass/fail course.

While all courses must be approved by the immediate supervisor and the President, employees will not be reimbursed for tuition for courses that involve sports, games or hobbies. An employee also will not be reimbursed for the costs of tools or supplies (other than textbooks) needed for a course which may be retained by an employee after the completion of the course, or for meals, lodging or transportation expenses related to taking a course.

While it is intended that tuition reimbursements will be treated as non-taxable income to the employee under the Internal Revenue Code, to the extent that such reimbursements do not qualify for such favorable tax treatment, the Foundation will withhold applicable local, state and federal taxes from the tuition reimbursement.

TRAINING AND DEVELOPMENT

Upon written application by the employee, and with the approval of his or her supervisor, The Foundation may pay for certain training and development seminars that are designed to enhance the employee's performance. The President's decision on all applications will be final.

Time Off and Leaves

HOLIDAYS

A schedule of holidays to be observed during each calendar year will be published during December for the succeeding year.

Non-exempt employees must work their scheduled work day before and after the holiday in order to be paid for the holiday, unless they are absent with prior permission from their supervisor.

PAID TIME OFF (PTO DAYS)

PTO for Salaried Employees:

Paid time off is granted to salaried employees in lieu of vacation, sick days and personal days.

PTO days are accrued on a monthly basis starting in January of each year. A total of up to 25 unused days may be carried over, but the total amount of carry over "banked" may not exceed 25 days.

Salaried employees' annual PTO is based on the following schedule:

Years of Service	Monthly Accrual Annual	PTO Days
1-3 Years	1.67 Days	20 Days
4-10 Years	2.08 Days	25 Days
10 Years & Beyond	2.50 Days	30 Days

PTO for Hourly Employees:

Paid time off is granted to full-time hourly employees in lieu of vacation, sick days and personal days.

PTO days are accrued on a monthly basis, at a rate of 1 day per month, starting in January of each year. A total of up to 12 unused days may be carried

over, but the total amount of carry over "banked" may not exceed 12 days.

PTO Requests

We ask that you submit in writing to Payroll a PTO request form, as far as possible in advance. You should consult with your supervisor and co-workers in scheduling PTO so as to avoid scheduling time off at times when the Foundation is particularly busy with events that place extra demands on staff, as well as to ensure adequate coverage in your absence. Your supervisor must approve PTO requests.

No payments will be made in lieu of taking PTO because the purpose of PTO is for rest and relaxation.

PTO may be taken as weekly periods, or as individual days, as long as periods chosen do not conflict with the overall operations of The Foundation's activities to which you are assigned, and that you have made and received approval of your request in advance, as stated above.

Upon separation from employment with The Foundation, eligible employees shall receive payment for any earned but unused PTO for the year of separation, but shall not receive payment for any unused PTO carried over from previous years.

WORK-RELATED DISABILITY

The Foundation carries Workers' Compensation insurance coverage as required by law to protect employees who are injured on the job. This insurance provides medical, surgical, and hospital treatment in addition to payment for loss of earnings that result from work-related injuries. The Foundation pays the entire premium for this coverage.

If you are injured while working, you must report it immediately to your immediate supervisor, regardless of how minor the injury may be. The Foundation will send you to obtain medical

assistance where appropriate. As soon as medical treatment has been obtained, an accident report must be completed; the accident report can be obtained from the Chief Financial Officer. The completed report should then be given to your immediate supervisor. Failure to report an accident can jeopardize an employee's right to receive workers' compensation benefits.

An authorized leave of absence shall be granted to any employee who sustains a work-related disability in accordance with the requirements of the state's workers' compensation laws. The Foundation will reinstate an employee returning to work from a work-related disability to his or her former position, unless precluded from doing so due to business conditions. In that case, The Foundation will reinstate the employee in accordance with applicable laws. The Foundation reserves the right to deny reinstatement in any circumstances allowed under any applicable laws.

Paid Time Off (PTO) will not accrue during any period of work-related disability leave.

SHORT-TERM DISABILITY

Short-term disability benefits are provided for eligible employees who are unable to work because of an illness or non-work-related accident. This benefit pays an amount equal to the weekly benefit payable by the New York State disability plan.

- (a) Eligibility—An employee is eligible for short-term disability benefits after four consecutive weeks of full-time employment or following 25 days of regular part-time employment.
- (b) Coverage—General Provisions: To be eligible for disability insurance benefits the law provides that:
 - (1) The employee must be unable to perform regular or customary work because of illness, injury or pregnancy.
 - (2) Short-term disability leave begins on the eighth calendar day of disability as certified by a physician.

- (3) Successive periods of disability separated by less than one week of active work shall be considered as one period of disability, unless the subsequent disability is due to an injury or illness entirely unrelated to the cause of the previous disability and commences after return to work.

Short-term disability benefits are equal to one-half of the average weekly salary with a maximum weekly benefit as legislated by New York State and are payable for a maximum of 26 weeks during any 52 consecutive weeks. The State determines eligibility.

Limitations and exceptions include the following:

- (a) Short-term disability benefits are effective after the employee has exhausted all accrued Paid Time Off.
- (b) Paid Time Off (PTO) will not accrue during any period of disability leave.

Documentation – A Notice and Proof of Claim for Disability Benefits form supplied by Payroll must be completed by the employee and his or her physician and returned to The Foundation before disability benefits can commence.

A physician's note authorizing the employee's return to work, and indicating either the employee's ability to return to full job duties or delineating any restrictions, must be submitted to the Chief Financial Officer on the employee's first day back. An employee may not return to work until he or she provides proper medical documentation.

PREGNANCY AND/OR CHILDBIRTH RELATED DISABILITY LEAVE

An employee who is disabled due to pregnancy, childbirth or a related medical condition is entitled to up to 4 months of an unpaid leave of absence. Accrued PTO days must be substituted for unpaid leave, or any portion thereof, under this policy. To obtain a Pregnancy and/or Childbirth Related

Disability Leave, the employee must submit to Payroll a written request and a doctor's statement verifying the existence and anticipated duration of the disability. Employees who are able to do so should request the leave and obtain the doctor's certification of disability in advance of the leave.

Paid Time Off (PTO) will not accrue during any period of Pregnancy and/or Childbirth-Related Disability Leave. Employees will continue to be eligible for all other benefits on the same basis they would have been provided if the leave had not been taken.

The Foundation will reinstate an employee returning to work from a Pregnancy and/or Childbirth-Related Disability Leave to his or her former position, unless precluded from doing so due to business conditions. In that case, The Foundation will reinstate the employee in accordance with all applicable laws. The Foundation reserves the right to deny reinstatement in any circumstance allowed under any applicable laws.

Employees may be eligible to receive compensation during the period of a pregnancy and/or childbirth-related disability under the applicable state's short-term disability insurance program.

The employee is responsible for timely notification of The Foundation in cases where the duration of a leave changes and for providing Doctor's note/explanation of the change.

BEREAVEMENT ABSENCE

In the event of the death of an immediate family member, all full time employees (Nonexempt and Exempt, Salaried and Hourly) will receive up to 3 days leave, with pay and any applicable benefits, immediately following the death to arrange for and/or attend the funeral. Immediate family member is a spouse, domestic partner, child, parent, sibling, current parent-in-law, parent of a domestic partner, stepchild, stepparent, stepsibling, grandparent, and grandchild.

Employees must notify The Foundation as soon as possible of their intention to take bereavement

leave. Employees must attach appropriate documentation to the appropriate absence form.

MILITARY LEAVE OF ABSENCE

Leaves of absence without pay for military or reserve duty are granted to regular full-time and part-time employees. If you are called to active military duty or to Reserve or National Guard training, or if you volunteer for the same, you should submit copies of your military orders to The Foundation as soon as practicable. You will be granted military leave of absence without pay for the period of military service, in accordance with applicable Federal and state laws. If you are a member of the National Guard, you are granted time off without pay for required military training. Your eligibility for reinstatement after your military training is completed is determined in accordance with applicable Federal and state laws.

TIME OFF TO VOTE

Employees who do not have sufficient time outside of their regular working hours to vote in an election may request time off to vote. If possible, employees should make their request at least two working days in advance of the election. At the discretion of the President, up to two hours of time off to vote will be paid.

JURY AND WITNESS LEAVE

Full-time employees summoned to jury duty will continue to receive salary during the active period of jury duty for up to a maximum of fifteen workdays. Employees are also permitted to retain the allowance received from the court for such service. Regular part-time salaried employees are given time off without pay while serving jury duty.

All employees are allowed unpaid time off if summoned to appear in court as a witness.

To qualify for jury or witness duty leave, employees must submit a copy of the summons to serve to The Foundation as soon as it is received, and must provide The Foundation with a certificate of completion once jury duty has ended.

OTHER LEAVES OF ABSENCE

The Foundation does not have an official policy regarding personal leaves of absence. However, individual requests for such leaves will be considered on a case-by-case basis, depending on the needs of The Foundation. A personal leave is normally granted only in extraordinary circumstances,

and is without pay and benefits. Such leave, if granted, must be of limited and specified duration.

An employee returning from a personal leave of three months or less is placed in the same job or an equivalent job in the same area, unless in the interim there have been organizational changes that would have resulted in the individual's termination of employment or reassignment, had the employee not been on leave or the Foundation is otherwise precluded from doing so for business reasons.

Approved leaves shall not create precedents for the granting of similar leaves of absence in the future.

Job Performance

JOB DESCRIPTIONS

Although we are all expected to do whatever it takes to further our Mission, all employees will be provided a specific job description detailing their unique duties and responsibilities. There must be a clear understanding and agreement regarding the scope of your position. These job descriptions help form the basis for your performance evaluation, and will be reviewed and revised periodically. Further, the job description will state whether this is an Exempt or Non-Exempt job.

PERFORMANCE REVIEWS

The James Beard Foundation will strive to give all employees an annual performance review. Employees with less than one year of service will generally receive feedback about their job performance prior to reaching their first anniversary, so they can make adjustments accordingly.

Failure to give an annual performance review does not constitute a violation of any agreement and/or statement of intent on the part of The Foundation. The Foundation retains the right to make a determination when evaluations are appropriate, and to what extent they may be utilized in The Foundation's decisions regarding employment status.

The purpose of these Performance Reviews is to periodically provide the opportunity to assess performance and progress against the goals mutually agreed upon for the review period, to celebrate accomplishments, to identify areas of concern and plans of action, establish goals for the coming performance review period, and develop strategies for their accomplishment. The performance review becomes a permanent part of the employee's personnel file.

A favorable review does not guarantee continued employment, nor does failure to conduct a formal review preclude termination.

Miscellaneous Policies

TRAVEL-RELATED EXPENSE REIMBURSEMENT

Travel-related expenses for pre-approved travel shall be reimbursed in accordance with IRS reimbursement regulations and the procedures of The Foundation. Expenses are to be submitted in a timely and accurate manner, with proper receipts and documentation.

It is Foundation policy for employees to fly coach/economy class, and, whenever possible, to plan ahead to secure the lowest airfare for The Foundation. Car rental is permitted if it is the most practical means of ground business travel. Reimbursement for out-of-pocket automobile operating costs relating to a rented car shall include fuel, tolls, and parking. When traveling on Foundation business, employees must reserve standard rooms. Suites, executive or concierge level room expenses are non-reimbursable unless a clear business purpose is served and approved by the appropriate authority. When making room reservations, the negotiated corporate rate or the lowest available rate should be requested. When checking in, it is the responsibility of the employee to reconfirm the rate shown on the reservation form. If business travel plans change and a reserved room will not be used, the reservation must be canceled in accordance with the hotel's cancellation policy. It is the responsibility of the employee to ensure this cancellation is made.

The President will determine any exceptions.

EMPLOYEE RELATIONSHIPS

The James Beard Foundation does not prohibit consensual relationships between employees. However, employees who are in a consensual relationship may not work in positions where one employee can determine terms, conditions and privileges of employment (including, but not limited to, salary, work assignments, promotions, terminations and access to job benefits) of the other employee.

EMPLOYMENT OF RELATIVES

The James Beard Foundation does not generally prohibit the hiring of relatives of current employees. The Foundation may employ a close family member of an employee provided the individual possesses the required qualifications for employment. A close family member is defined for purposes of this policy as a spouse, domestic partner, sibling, stepsibling, parent, child, stepchild, grandparent, grandchild, in-law, niece, nephew, uncle, aunt, cousin, or any other individual residing in the employee's household.

However, The Foundation does not allow employees who are closely related to one another to work in positions where one employee can determine the terms, conditions and privileges of employment of a close family member (including, but not limited to, salary, work assignments, promotions and access to job benefits).

The prohibition also applies to circumstances in which employees subsequently become related by virtue of a marriage. In order to ensure this policy is followed, The Foundation requires all employees who have a close family relationship (as defined above) with an applicant or another employee to report the relationship to the President. The President will keep this information confidential and will not disclose this information to any individual except where there is a business necessity for doing so.

PERSONNEL RECORDS

Falsification of any record, including but not limited to, employment applications, payroll records, financial records, participant records, and employee time records, shall constitute misconduct and shall be grounds for disciplinary action, up to and including termination.

Falsification of any expense report shall constitute misconduct and shall be grounds for disciplinary action, up to and including termination.

Use of false credentials or records to obtain employment with The Foundation is grounds for disciplinary action, up to and including termination.

All employees must, as soon as practicable, notify The Foundation of any changes in personal information, such as name, address, telephone number, number of tax withholding exemptions claimed, beneficiaries, and individuals to contact in case of emergency.

The Foundation maintains a personnel file on each employee. The personnel file may include such information as the employee's job application, resume, records of training, documentation of performance appraisals, and salary increases, disciplinary action, and other employment records.

Personnel files are the property of The Foundation and are considered confidential; access to the information they contain is restricted.

ATTIRE AND PERSONAL GROOMING STANDARDS

The Foundation expects all of its employees to dress professionally and appropriately when at work or representing The James Beard Foundation off-premises. Professional dress is, in part, dependent upon an employee's particular assignment and may sometimes be affected by Federal Occupational Safety and Health Administration ("OSHA") guidelines.

Employees are also requested to comply with common sense grooming standards at all times when at work or representing The Foundation. Our day-to-day contacts with co-workers and guests in this House guide us to consider highest-possible levels of cleanliness, particularly with fingernails and hair. Jewelry and make up should be appropriate.

The Foundation asks employees to exercise good judgment and taste in matters pertaining to personal grooming and dress. As such, we do not need to have the specifics of what constitutes appropriate attire, hygiene and grooming spelled out. However, if guidance is needed, employees are encouraged to consult the President if they have any questions about these personal standards.

How We'll Communicate with Each Other

At The Foundation, everyone has a role to play in helping maintain good public relations. Our public consists of anyone with whom we deal in business. Whether we are talking to them face to face, on the telephone or by letter, courtesy and friendliness are of first importance. This is true, too, in our relations with co-workers.

The best organizations use information gathered from concerns and suggestions and the discussions they trigger to root out problems and improve working conditions.

Continue to help us create:

1. Effective communications that draws attention to areas that need improvement, and provides possible solutions.
2. Ways for you to voice constructive comments.
3. Effective communications that promotes satisfaction.
4. An open system that will prevent complaints from escalating and multiplying, swallowing time and resources.

The President has an open door policy and employees are encouraged to speak up.

Remember, resolution of the problem may not mean things happen exactly as you may want. But, if you don't speak up, you'll never know!

PERSONAL PHONE CALLS, E-MAILS

Employees should limit use of Foundation telephones, computers and fax machines for personal reasons. We recognize that you must make personal calls, receive and/or send e-mails, and faxes from time to time. Nevertheless, such use should be kept to a minimum. Abuse of this policy will result in disciplinary action, up to and including termination of employment.

ELECTRONIC COMMUNICATIONS SYSTEMS

Electronic communication systems include computer networks, electronic mail and access to the Internet, voice mail, facsimile machines, and photocopiers. Electronic communication systems are Foundation property and their purpose is to facilitate Foundation business. Employees should assume electronic communications are not private or confidential. Communications transmitted or stored in these systems are the property of The Foundation and The Foundation, in its sole discretion, reserves the right to monitor, access, retrieve, read, disclose, and/or delete any material on its electronic communications systems to make sure that the systems are not being misused and that business is being conducted properly. The Foundation may exercise this right despite the use of passwords or other security measures and without any future notice to the employee.

APPROPRIATE USAGE

Electronic communications—including access to the Internet—shall only be used for job-related purposes. Electronic communications should never be used for inappropriate purposes (for example to send or receive sexually explicit or racially insensitive messages or to visit websites with sexually explicit content). Since electronic communications can be copied, forwarded, saved, intercepted and archived, employees should be careful about the words they use and the documents they transmit, as well as the Internet sites they access. Electronic communications are subject to The Foundation's Policy Against Harassment. Anything that would be inappropriate to send in a non-electronic communication (e.g., by memo or letter) is similarly inappropriate if sent electronically (e.g., by E-mail or telephone).

The Foundation's electronic communications systems may not be used to send (upload) copyrighted materials, proprietary information, or other materials that are the property of The Foundation without prior written approval of the President.

USER ACCOUNTABILITY

To prevent unauthorized parties from obtaining access to electronic communications, employees should choose passwords that are difficult to guess (not a personal detail or reflection of work activities) and these should be changed regularly. Passwords must be disclosed to an employee's immediate supervisor upon request. Employees should not reveal their individual passwords to anyone outside The Foundation. In the event any

unsolicited electronic material (such as spam or pop-up advertisements) appears on an employee's computer, the employee should contact the Chief Financial Officer/Chief Information Officer in order to have the material removed.

The Foundation reserves the right to change these guidelines, limit E-mail/Internet access to certain areas or to certain users, or discontinue desktop E-mail/Internet access altogether as conditions warrant.

Leaving the Foundation

The James Beard Foundation hopes your employment is rewarding. All employment at The Foundation is at will, and as such either The Foundation or the employee may sever the employment relationship for any reason, at any time, with or without notice, with or without cause.

laptops and cellular phones, I.D. cards, Foundation credit cards, building access cards, keys, Foundation manuals, all Foundation files, and any other Foundation documents or other material in the possession of the employee, including but not limited to, material that may be stored in electronic format on a disc.

VOLUNTARY TERMINATIONS

Should you decide to resign from The Foundation, at least two weeks' notice is requested. This gives Payroll a chance to prepare final pay, and to have ready for eligible employees documents regarding any benefits, for your consideration of continuation. Without notice, you may have to wait to the end of the next pay period to receive any monies due you.

In the sole discretion of The Foundation, The Foundation may require certain employees in the process of separating from The Foundation to be paid in full for time remaining in the two-week notice period, without requiring their presence in the workplace during that period.

An exit interview is normally scheduled to discuss job-related experiences, to ensure forms are properly completed for review of benefit continuation or conversion information for eligible employees, and to collect all Foundation property in employee's possession.

ALL TERMINATIONS

Terminating employees, whether they leave voluntarily or at the initiative of The Foundation, will receive payment for any earned but unused Paid Time Off (PTO) for the year of separation, but shall not receive payment for any unused Paid Time Off (PTO) carried over from previous years.

Upon separation of employment from The Foundation, employees will be asked to return any and all Foundation property, including, Foundation

INVOLUNTARY TERMINATIONS

The Foundation retains the right to discipline and terminate with or without notice, at its sole discretion. The authority to discipline and terminate employees, regardless of classification, lies in the President.

The Foundation addresses performance deficiencies, such as unsatisfactory job performance or misconduct, on a case-by-case basis. Therefore, no uniform rules apply. Disciplinary action can be taken against an employee, up to and including termination of employment, in the absence of a formal review. Examples of offenses which may result in disciplinary action against an employee, up to and including unpaid suspension and/or termination of employment, include (but are not limited to) the following:

- belligerence;
- use of obscenity or abusive language;
- threats or acts of violence;
- misuse of Foundation property;
- dishonesty;
- intoxication;
- drugs or illegal substance use or possession;
- misconduct, including violations of the Equal Employment Opportunity and Harassment policies and violations of The Foundation's Code of Conduct and Ethics;
- insubordination;

- falsification of a Foundation record;
- gambling.

While there are some behaviors (such as theft, embezzlement, insubordination, other serious misconduct, such as ethical violations, and violence in the workplace) that are likely to result in immediate termination of employment, in other

cases The Foundation may elect to initiate progressive discipline measures. Where progressive discipline is used, decisions regarding which particular type or types of discipline will be used, how many steps of discipline there will be and how much time an employee should be given to correct the performance deficiency will be determined on a case-by-case basis.

DISCLAIMER/ACKNOWLEDGEMENT

This Handbook describes the policies, procedures, practices and benefits of The James Beard Foundation ("The Foundation"). This Handbook is designed to be a working guide for all Foundation employees. This Handbook supersedes all previous Foundation employee handbooks. Please read it and retain it for future reference.

The contents of this Handbook are only guidelines and cannot be viewed as creating a promise or contract by The Foundation. The Foundation has the right to decide that they may not be applied in some cases. The Foundation also reserves the right to amend or discontinue any of the policies, procedures, practices or employee benefits set forth in this Handbook. Amendments or modifications to this Handbook must be in writing and signed by The Foundation's President. No other person has authority to modify or contradict by word or action the policies, practices and procedures of The Foundation or the employee benefits as described in this Handbook. In the event that any question arises regarding the meaning of any provision of this Handbook, The Foundation's interpretation will govern.

Employment at The Foundation is at will. The Foundation employees have the absolute right to resign at any time with or without cause or notice. Similarly, The Foundation may terminate the employment relationship at any time, with or without cause or notice. Nothing contained in this Handbook should be interpreted as in any way limiting this at-will relationship.

I acknowledge that I have read and understand the preceding paragraphs. I also acknowledge that I have received a copy of this Employee Handbook, and that it is my responsibility to read it and become familiar with its contents.

Employee's Signature _____

Employee's Name _____

Date _____

ELECTRONIC COMMUNICATIONS SYSTEMS ACKNOWLEDGEMENT

As an employee of The James Beard Foundation (“The Foundation”), I understand that all information stored in, transmitted or received through The Foundation’s electronic communications systems is the property of The Foundation, and that The Foundation’s electronic communications systems are to be used for job-related purposes. I further understand that authorized representatives of The Foundation may monitor any use of its electronic communications systems and may access, retrieve, read, disclose, and/or delete any material on those systems to ensure that such use is consistent with The Foundation’s policies and interests. Further, I am aware that use of a password or code does not in any way restrict The Foundation’s right or ability to access, retrieve, read, disclose, and/or delete any material on its electronic communications systems.

Employee’s Signature _____
Employee’s Name _____
Date _____

EEO/HARASSMENT POLICY ACKNOWLEDGEMENT

As an employee of The James Beard Foundation (“The Foundation”), I understand that The Foundation is an equal opportunity employer and is firmly committed to complying with all federal, state and local equal employment opportunity (“EEO”) laws. I further understand that The Foundation strictly prohibits discrimination against any employee or applicant for employment because of the individual’s race, color, sex, religion, national origin, age, sexual orientation, disability, gender identity or expression, marital status, genetic predisposition or carrier status, military status or any other characteristic protected by law, and that this policy applies to all Foundation activities, including but not limited to, recruitment, hiring, compensation, assignment, training, educational programs, social and recreational programs, promotion, discipline and discharge.

As an employee of The Foundation, I also understand that The Foundation prohibits conduct that constitutes or could lead or contribute to harassment based on race, color, sex (whether or not of a sexual nature), religion, national origin, age, sexual orientation, disability, gender identity or expression, marital status, genetic predisposition or carrier status, military status or any other characteristic protected by law.

As an employee of The Foundation, I also understand that appropriate disciplinary action (up to and including unpaid suspension and/or termination) may be taken against me if I am found to have violated these policies, and that I may also be subject to personal legal and financial liability under applicable law.

I confirm that I have received, read and will comply with The Foundation’s EEO policy and policy against harassment.

Employee’s Signature: _____

Employee’s Name: _____

Date: _____

CODE OF CONDUCT AND ETHICS ACKNOWLEDGEMENT

As an employee of The James Beard Foundation (“The Foundation”), I understand that The Foundation maintains a Code of Conduct and Ethics for use by its employees as guidance in recognizing and resolving properly the ethical and business issues that we may encounter in conducting the Foundation’s work and carrying out The Foundation’s mission. I understand that The Foundation’s policy is to operate at all times within the letter and spirit of all applicable laws and regulations.

As an employee of The Foundation, I also understand that our continued success is dependent on all parties knowing they can count on us to be honest, fair and good stewards of all assets of The Foundation. I understand that our members, sponsors, suppliers, volunteers and fellow staff members expect and demand relationships based on integrity and trust and that we must not misuse the authority or influence of our positions in these relationships. I understand that whenever there is doubt as to whether an action is appropriate, or whether it will cause embarrassment to the Foundation or its reputation, it should be avoided.

As an employee of The Foundation, I understand that appropriate disciplinary action (up to and including unpaid suspension and/or termination) may be taken against me if I am found to have violated these policies, and that I may also be subject to personal legal and financial liability under applicable law.

I confirm that I have received, read and will comply with The Foundation’s Code of Conduct and Ethics.

Employee’s Signature: _____

Employee’s Name: _____

Date: _____

NO SMOKING POLICY ACKNOWLEDGEMENT

As an employee of The James Beard Foundation (“The Foundation”), I understand that The Foundation does not allow smoking in any space occupied by The Foundation at any location, and that I am required to comply with this regulation.

I further understand that, as required by New York City law, The Foundation may not take any adverse personnel action against me for reporting a violation of this smoking policy or otherwise exercising, or attempting to exercise, any right granted under the Act or this policy. Prohibited retaliatory personnel actions include, but are not limited to: dismissal; demotion; suspension; disciplinary action; negative performance evaluations; any action resulting in loss of staff, compensation or other benefit; failure to hire; failure to appoint; failure to promote; or transfer or assignment, or failure to transfer or assign, against the wishes of the affected employee.

I confirm that I have received, read and will comply with The Foundation’s no smoking policy.

Employee’s Signature: _____

Employee’s Name: _____

Date: _____