

EMPLOYEE WARNING NOTICE FORM

Employee Name: Albino Mancilla Date: 5/24/2021

Supervisor Name: Sam Chea Hire Date: 9/9/2019

- Verbal Warning Written Warning Final Warning
 Coaching/Counseling Session Assignment End Termination

1. Your behavior/actions have been found unsatisfactory for the following reasons:

- Tardiness Insubordination
 Damaged Equipment Failure to Follow Procedure
 Absenteeism Failure to Meet Performance Standards
 Policy Violation Poor Work Quality
 Falsifying Company Documents Other

2. Details of Unsatisfactory Behavior/Actions:

Now he has a similar incident that happened Sunday 5/23/21 with inappropriate behavior and attempting unwanted touching and following a female employee around and approaching them closely.

(This isn't the first time we hear from a female employee not being comfortable around him)

The incident that happened Saturday 5/22/21, he was spoken to about kicking the Barrel into the garbage bag and causing a mess and told Jamie and Isabel C when he was questioned about it, that he said he never did it when the video shows otherwise.

The point we are trying make,

It is a daily occurrence with him and his behavior, and he has to be told multiple times just to do his window transfer position and not wander off on his own to other areas of production when he is only needed to do his sole responsibility of providing MV2 with Produce.

3. Prior Warnings:

Verbal warning on 4/29/21 while displaying inappropriate behavior towards another employee. Verbal warning on 9/15/20 removing facemask and spitting in garbage in production area, Written warning on 10/2/20 for drinking his drink in the production area, 2/3/21 verbal for not sanitizing, 1/2/21 verbal for not sanitizing and moving between two different areas, 2/2/21 walking around with no face mask, 2/4/21 verbal for walking around with no mask, 2/9/21 reaching through double doors to unload apples with open cart, 2/16/21 propping doors open in production area, 2/24/21, walking around with no face mask on.

4. The following immediate corrective action must be taken by the employee.

Any further infractions including or up to harassing co-workers or displaying inappropriate behavior will result in termination from Reichel Foods.

Employee Signature: _____

Date: _____

5/25/2021

Note: Your signature on this form means that we have discussed the situation(s).

Manager's Signature: _____

Date: _____

Lily Adell

5/25/21

Kelsey Sikkink

From: Samarth Chea <samarth@reichelfoods.com>
Sent: Monday, May 24, 2021 8:32 AM
To: Kelsey Sikkink
Cc: Isabel Garcia; Jamie Laber; Lisa Campbell; Mike Schumacher; James Littlefield; Samarth Chea
Subject: RE: Albino Mancilla

The last known incident with him involving inappropriate behavior around female employee was on April 23, 2021
We are not sure what the end result of that was.

Now he has a similar incident that happened Sunday 6/23/21 with inappropriate behavior and attempting unwanted touching and following a female employee around and approaching them closely.
(This isn't the first time we hear from a female employee not being comfortable around him)

The incident that happened Saturday 6/22/21, he was spoken to about kicking the Barrel into the garbage bag and causing a mess and told Jamie and Isabel C when he was questioned about it, that he said he never did it when the video shows otherwise.
(Please Write him up for this)

The point we are trying make,
It is a daily occurrence with him and his behavior, and he has to be told multiple times just to do his window transfer position and not wander off on his own to other areas of production when he is only needed to do his sole responsibility of providing MV2 with Produce.

Sam Chea

Production Supervisor
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Reichel Foods, Inc. | 3706 Enterprise Drive SW | Rochester MN, 55902 | Phone: 507.289.7264 | Fax: 507.289.6552 |
www.reichelfoods.com

From: Kelsey Sikkink <Kelsey@corpmgmtgroup.com>
Sent: Sunday, May 23, 2021 2:59 PM
To: Samarth Chea <samarth@reichelfoods.com>
Cc: Samarth Chea <samarth@reichelfoods.com>; Isabel Garcia <IsabelG@reichelfoods.com>; Jamie Laber <JLaber@reichelfoods.com>; Lisa Campbell <Lisa@reichelfoods.com>; Mike Schumacher <mikes@reichelfoods.com>
Subject: Re: Albino Mancilla

Has he been issued Written warning for his behavior?

Kelsey Sikkink
CMG Client Services Manager
507-923-0366

From: Samarth Chea <samarth@reichelfoods.com>
Sent: Sunday, May 23, 2021 2:01:20 PM
To: Kelsey Sikkink <Kelsey@corpmgmtgroup.com>
Cc: Samarth Chea <samarth@reichelfoods.com>; Isabel Garcia <IsabelG@reichelfoods.com>; Jamie Laber <JLaber@reichelfoods.com>; Lisa Campbell <Lisa@reichelfoods.com>; Mike Schumacher <mikes@reichelfoods.com>
Subject: Albino Mancilla

Please review the following 2 videos attached

Yesterday at 7:55am in the warehouse area near the double doors, albino was seen kicking an empty dip barrel into a bag full of garbage causing the contents to spill to the ground creating more work for the warehouse sanitor. He also notified before not to do this because he has already done this multiple times before also yesterday he told Jamie and Isabel G that he wasn't the one who knocked the garbage down.

Around 10:15am today 5/23/21 during breaktime, Raha Bulow was finishing up her break before heading to the room. Albino Mancilla walked up to her and try to give her a hug in the break room area.

She did not feel comfortable with the situation and reported it Jamie and I, She mentioned that this isn't the first time Albino has been doing this, she also stated that he would follow her into the area she would be working and bump into her.

We were able to look in the cameras to see the incident, Shukri Mahamud was a witness to the incident in the breakroom. She is seen telling albino after the incident that that his behavior toward Raha was not good and he should not be doing that.

These sort of behaviors happen on a consistent basis, albino has been spoken to about and coached by all 3 1st shift Supervisors about his behavior towards other employees and doing other things other than his core responsibilities causing disruptions with other departments and employees.

There has not been any improvements on his end and we can't have employees concerned about their safety and his behavior towards them every day.

I think it would be best to let him go, he is too much of a liability to allow him to continue to work unchecked without being considerate of others and people not feeling comfortable with him being around them.

Sam Chea

Production Supervisor
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Receipt of Employee Handbook and Employee-At-Will Statement

This is to acknowledge that I have read and have access to a copy of the Employer Solutions Staffing Group LLC (ESSG) Assigned Employee Handbook and understand that it sets forth the terms and conditions of my employment as well as the duties, responsibilities and obligations of my employment with the company. I understand and agree that it is my responsibility to abide by the rules, policies and standards set forth in the Handbook.

I also acknowledge that my employment with ESSG is not for a specified period of time and can be terminated at any time for any reason, with or without cause or notice, by me or by the company. I acknowledge that no oral or written statements or representations regarding my employment can alter the foregoing. I also acknowledge that no manager or employee has the authority to enter into an employment agreement, express or implied, providing for employment other than at-will.

I also acknowledge that, except for the policy of at-will employment, ESSG reserves the right to revise, delete and add to the provisions of this Employee Handbook. All such revisions, deletions or additions must be in writing and must be signed by the CEO of the company. No oral statements or representations can change the provisions of this Handbook. I also acknowledge that, except for the policy of at-will employment, terms and conditions of employment with the company may be modified at the sole discretion of the company, with or without cause or notice, at any time. No implied contract concerning any employment-related decision, term of employment or condition of employment can be established by any other statement, conduct, policy or practice.

I understand the foregoing agreement concerning my at-will employment status and the company's right to determine and modify the terms and conditions of employment is the sole and entire agreement between me and ESSG concerning the duration of my employment, the circumstances under which my employment may be terminated and the circumstances under which the terms and conditions of my employment may change. I further understand that this agreement supersedes all prior agreements, understandings and representations concerning my employment with the company.

If I have questions regarding the content or interpretation of this Handbook, I will bring them to the attention of ESSG or Corporate Management Group

DATE: 9/4/2019

EMPLOYEE NAME: ALBINO MANCILLA

PLEASE PRINT
EMPLOYEE SIGNATURE: Electronic signature accepted

Break rooms:

- ✓ The refrigerators are for storage of your food.
- ✓ Do not put **open containers** in the fridge.
- ✓ Do not eat other people's food.
- ✓ Please clean tables after using.

Respect your coworkers and work areas.
Every area should be left the way you would like to find it!



BEHAVIOR and STANDARDS OF CONDUCT

ESSG and Reichel Foods, Inc. conducts its business ethically. We will not willfully subscribe to illegal transactions with our customers, suppliers or our employees. Similarly, we believe those who find employment with us would subscribe to those same values – namely, that we treat each other with mutual respect, honesty and trust.



GENERAL BEHAVIOR

All Employees are asked to behave in a manner that fosters the feeling of quality and confidence on the part of our fellow employee, customers and the public.

There is a need in every business for a set of rules and regulations adequate to insure efficient production and to safeguard the jobs, health, safety and welfare of all persons working in the plant. The following rules, which we have adopted, are examples of normal common sense rules of conduct necessary to protect each of our jobs from the abuses of a few. Although not intended to be all-inclusive, this list will alert employees to specific violations that could result in disciplinary action, including termination of employment. They apply equally to all company employees.

1. Falsifying production or other records.
2. Excessive tardiness or absenteeism.
3. Failure to call the absent/tardy phone line prior to an absence or when one expects to be tardy.
4. Sleeping, resting or using cellular telephones or other personal electronic devices during work hours.
5. Reading unauthorized material while on duty.
6. Violation of established safety or hygiene rules.
7. Negligence, carelessness or inattentiveness when operating equipment or recording required operational data.
8. Failure to follow supervisor's instructions.
9. Leaving a workstation without being properly relieved or without permission.
10. Punching another employee's time card or signing in or out for another employee.
11. Taking excessive work breaks.

12. Leaving the plant without permission or without punching out while on duty.
13. Posting unauthorized material anywhere on Company property.
14. Misuse of the pager system.
15. Deliberately restriction production.
16. Unauthorized use or theft of property belonging to the Company or anyone else on Company property (including attempted thefts).
17. Unauthorized removal, possession, destruction or abuse of employee or Company property or equipment (this includes taking product, garbage, boxes, coolers, office supplies, etc.) is prohibited.
18. Photographs, tape recording, video recording or any other recording during working time (i.e., non-break time) and in work areas without management approval is prohibited.
- 19. Damaging or misusing the property of the Company or another employee
20. Reporting for work in a condition unfit to perform duties.
21. Drinking intoxicants while on duty.
22. Fighting or attempting to injure another employee.
23. Failure to carry out required job duties.
24. Altering, defacing or removing governmental or Company notices and bulletins that are posted.
- 25. Disorderly or immoral conduct on Company property.
26. Illegal use of drugs or narcotics.
27. Use of threatening, abusive, profane language or other provocation that might reasonably be expected to result in disturbance.
28. Possession of weapons on Company property.
29. Distribution of non-Reichel Foods, Inc. literature or solicitation during work time or in work areas.
30. Horseplay
31. Sexual or other forms of prohibited harassment.
32. Failure to meet established performance standards.
33. Any other act which may jeopardize health, safety or well-being of other employees, or the Company, which is recognized by common understanding as being a subject of disciplinary action.
34. Criticism of the Company, its personal or policies to current or prospective customers, other contractors, suppliers, or other employees.
35. Providing false or inaccurate information to the Company, including, but not limited to, information on application forms, expense reports, leave requests, absence records or in response to requests for information.
36. Making false, malicious or derogatory statements, frivolous claims or charges to the Company or to a third party about the Company or its personnel.
37. Entering or remaining on the Company premises (including parking lots) before or after the completion of one's shift, or during non-work periods, without prior permission.
38. Committing a gross misdemeanor, felony or serious regulatory offense, or any similar act or omission, whether on or off duty, which adversely affects the Company by bringing the Company into disrepute, exposing the Company to the risk of liability of expense, undermining the employee's ability to effectively perform his or her duties or reducing customer or co-employee confidence in the employee.
39. Making false fire alarms, causing false fire alarms to be made or tampering with protection equipment.

40. Opening, removing or tampering with locks or seals on Company property without proper authorization.
41. Willful or negligent failure to report employee's communicable or infectious disease or illness, including, but not limited to, Salmonella, Hepatitis, acquired Immune Deficiency Syndrome, Tuberculosis, STD's and Airborne Influenza viruses.
42. Failure to adhere to the Company's dress code at all times.

Please remember that these are only examples and it would be impractical for Reichel Foods, Inc. to attempt to list every action that would result in discipline/termination. Violations of any of the Rules of Conduct may result in disciplinary action, up to and including termination upon the first offense, depending on the circumstances of the misconduct. There may be other circumstances such as lack of work, changes in business conditions, personality conflicts and other circumstances, which may result in the termination of employees based on Reichel Foods, Inc.'s determination of what is in its best interest. Just as you may terminate your employment at any time, with or without notice, and with or without cause, Reichel Foods, Inc. retains the same right. Further, Reichel Foods, Inc. continually updates and revises its policies and its disciplinary policies and procedures and are subject to change without notice.

ENFORCEMENT

Threats, threatening conduct, or any other acts of aggression or violence in the workplace are taken very seriously and will not be tolerated, and action will be taken as appropriate. In certain circumstances, such behavior may also be reported to the appropriate law enforcement authorities.

SEARCHES

If Company management reasonably suspects that an employee possesses a weapon or another prohibited or unlawful item, it may search the employee's property such as his or her vehicle, lunchbox, cooler, purse, and similar items as allowed by law.

PERSONNEL FILES

ESSG maintains personnel files related to all employees. An employee's personnel file contains information such as the employee's completed employment application, performance reviews, discipline, wage and salary history and other employment records that the Company deems important. Current employees may review their personnel file by making an appointment with Human Resources. Such review shall take place in Company offices, in the presence of Human Resources. Employees may not remove or change any information in the personnel file. ESSG will provide copies of documents within the personnel files to a current or former employee to the extent required by law.

CODE OF CONDUCT

ESSG and Reichel Foods, Inc. conducts its business ethically. We will not willfully subscribe to illegal transactions with our customers, suppliers or our employees. Similarly, we believe those who find employment with us would subscribe to those same values-namely, that we treat each

other with mutual respect, honesty, and trust.

GOOD MANUFACTURING PRACTICES

It is the goal of Reichel Foods, Inc. to produce products that are wholesome, nutritious, pure and safe to eat. To accomplish this, Reichel Foods, Inc. operates under various Federal pure food laws, especially the rules required by the US Department of Agriculture and the US Food and Drug Administration. These rules are known as Good Manufacturing Practices (GMPs). Reichel Foods, Inc. follows all Good Manufacturing Practices which are referenced in Document Control Numbers QA0183WI and QA0402WI.

Disciplinary action, up to and including termination, may result if GMP rules and policies are not followed.

VISITOR POLICY

No visitors are permitted onto any Reichel Foods, Inc. property without previous authorization from management. A visitor is considered anyone who does not work at Reichel Foods, Inc., or is not contracted by Reichel Foods, Inc. for services. This control is necessary to prevent unauthorized strangers from entering the facilities; for safety, productivity, loss prevention and insurance liability reasons; and to facilitate meetings with visitors while minimizing disruption of normal office activity.

SOLICITATIONS

In order to prevent disruption of Reichel Foods, Inc.'s operations and provision of products and services, violations of safety, insurance and customer requirements, harassment of employees, and litter, the following rules apply to verbal solicitation and distribution of materials (written, electronic, graphic, audio, or video):

No distribution of non-work-related materials of any kind will be permitted in any work areas at any time. No verbal solicitation is permitted in any work areas during working time, which does not include scheduled break periods, meal times, or the time before starting or after quitting.

In non-work areas, any solicitation or distribution of any kind is prohibited by or to employees who are scheduled for working time. Solicitation or distribution of materials in non-work areas, by and to employees who are not scheduled for working time, is permitted.

Nonemployees are subject to the same rules stated above and, in addition, are prohibited from entering and from soliciting or distributing materials at any time on any Reichel Foods Inc.'s property or Reichel Foods Inc.'s customer, vendor or business partner sites which are not open to public use, unless they have a legitimate business purpose to visit such locations and they provide prior notice of their intention to do so to the property manager or site superintendent.

financial rewards we all seek. Performance reviews are performed after any employee completes 90 days of service, then annually. Any recommendation for promotion, change of duties, or an increase in pay must be approved before any change takes effect. Performance reviews, however, do not automatically result in such changes or pay increases. Your supervisor will have more information on how the performance planning and appraisal process works. You may be asked to acknowledge the receipt of your review. If requested to do so, you are required to comply with the request, but your acknowledgement of receipt does not constitute your acceptance of the statements in the review.

CORRECTIVE ACTION

The purpose of any corrective action is to identify, correct and prevent recurrence of a performance problem or incident of misconduct and to plan for the employee's success in their position. Although employment with ESSG on assignment at Reichel Foods, Inc. is at-will, the Company may use the corrective action under this policy at its discretion. In addition, supervisors may provide coaching and counseling in the normal course of business. Formal corrective action may include any of the following steps: verbal warnings, written warning, final warning, suspension (with or without pay) or termination of employment. There are certain types of performance problems or misconduct that are serious enough to justify accelerating these corrective action steps, including immediate termination, without going through the progressive corrective actions process. Depending on the severity of the offense and the employee's performance and corrective action history, there may be circumstances in which one or more type of behavior that may be deemed a serious offense, employees can expect to be subject to corrective action, up to and including termination of employment, for violating any of the policies or general behavior set forth in this Handbook. In addition any behavior or act that would violate standards or common courtesy, decency, workplace conduct, or common sense, that is not specifically addressed in the Handbook, also may lead to corrective action, up to and including termination.

COMPLAINT PROCEDURE

From time to time a complaint may arise surrounding your employment with Reichel Foods, Inc. which needs immediate attention. We recommend that following procedure be used:

1. Contact your immediate Supervisor. Your Supervisor may be the best person to help resolve your situation.
2. If you are not satisfied with your Supervisor's response, or if your complaint relates to your supervisor's conduct, you may contact Human Resources.

OPPORTUNITIES WITH REICHEL FOODS, INC.

Reichel Foods, Inc. encourages employees to reach their full potential and to progress within the company. ESSG Associates currently on assignment at **REICHEL FOODS, INC.** are eligible to apply for ***all posted job openings.***

The Company's "No Fault" policy allows an employee with one year seniority to be absent (7) days in a twelve (12) month period in excess of the Employee's properly utilized vacation days for that period. In addition, this policy allows an employee seven (7) tardies in a twelve (12) month period. Tardies include late arrivals, unexcused late arrivals, and/or missed punches. Employees who have one year or more of service, but who are eligible for vacation, will be allowed up to seven (7) days of absence in a twelve (12) month period. Missing more than seven (7) days, apart from vacation days, is considered "Excessive Absenteeism."

For the purpose of determining "Excessive Absenteeism" for employees with less than one year of service, the Company will prorate the number of absences allowed per year on a monthly basis (for example: missing more than two (2) days in a three (3) month period would be considered excessive absenteeism).

Any employee who fails to maintain an acceptable attendance record by falling into the "Excessive Absenteeism" categories described above, or who engages in excessive tardiness, will be subject to disciplinary action, up to and including termination. Excessive absenteeism or tardiness may also affect future promotions, job transfers, compensation, and eligibility for vacation time.

If an employee is absent from work for one (1) day without calling the absent/tardy phone line, the employee may be subject to disciplinary action, up to and including termination or voluntary quit, effective the last day worked by the employee.



SAFETY RULES AND RESPONSIBILITIES

Safety is everyone's job while on assignment at Reichel Foods, Inc. It is important for you to learn and follow all safety procedures for your job. Any injury, regardless of its severity, must be reported to your supervisor.

As an employee, you must accept responsibility for safety. These responsibilities include:

1. Follow department and plant safety practices.
2. Be familiar with all safety rules that directly pertain to your job and comply with them.
3. Report accidents and injuries to your Supervisor or Lead immediately no matter how minor.
4. First Aid must be obtained for any injury, no matter how slight.
5. Employees are required to provide cooperation and information for accurate accident investigations. Our goal is to prevent a recurrence of a similar incident.
6. Notify your Supervisor, Operations Manager or Safety Supervisor of any close calls, unsafe acts or conditions immediately.
7. Horseplay or unsafe acts are strictly forbidden. Example: Throwing product is considered an unsafe act. Willful horseplay or unsafe acts will be grounds for dismissal.
8. No running in any plant area anytime. Running is considered an unsafe act.
9. Each employee is accountable for him/herself and his/her coworkers for their

- safety and subject to disciplinary action for safety violations.
10. Safety ideas are always needed. Employees should discuss their safety ideas with their Supervisor or Safety Supervisor, or submit a written safety concern or suggestion.
 11. Attendance is required at all safety meetings. Employees are encouraged to speak out as safety ideas are greatly appreciated.
 12. Use all required safety devices and protective equipment.
 13. Safety goggles must be worn while performing certain jobs as designated by Reichel Foods, Inc.
 14. Earplugs are to be used in designated areas. Earmuffs or other approved devices may be used for hearing protection.
 15. Personal headphones with iPod, MP3 players or other devices are strictly prohibited. Concentrated music of that type makes it impossible for any employee to hear a warning or other instructions.
 16. Lockout-Tag out all machinery when making repairs or adjustments, to prevent accidental startup. Make it safe to protect you.
 17. Only authorized and trained staff are allowed to make adjustments or repairs to equipment or machinery.
 18. Keep all machine guards in place; do not tamper with any safety switch or device designed for your safety.
 19. Tampering with any emergency equipment is prohibited.
 20. Only authorized operators should operate or use any machinery powered Company equipment.
 21. Only authorized operators shall operate lift trucks. No riders are allowed on any unit.
 22. Fire extinguishers are not to be tampered or played with.
 23. Electrical cords are not to be tied in knots or rolled up and hanging on metal equipment or metal pipes.
 24. Only authorized employees are permitted to enter electrical panels.
 - 25. Good housekeeping is a top safety concern. Everyone must help keep the plant neat and clean. Proper disposal of all trash and rubbish is required.
 26. Follow all chemical safety rules when using chemicals, in with the chemical safety training rules, and Employee Right to Know/Hazard Communication Standard.
 27. Utilize proper storage containers for Flammable or Hazardous Materials.
 28. Maintain proper stacking and storage; keep material clear of Fire Extinguishers, Eye Wash Stations, Exits and any safety Equipment.
 29. Common sense and the safety of others must be of prime importance.
 30. Always work together as a TEAM. Help fellow employees and especially those who are new to Reichel Foods, Inc.

More on Reichel Foods, Inc. safety program can be obtained by contacting your Supervisor.

SAFETY TRAINING

Reichel Foods, Inc. is committed to the safety of its employees, to the preservation and safe operation of its business and its equipment, and to the other observance of all applicable safety regulations. To accomplish this, we have adopted a safety program for the protection of all our