



**MOODY GARDENS**  
GALVESTON ISLAND

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**HOTEL, SPA & CONVENTION CENTER  
ATTRACTIIONS, GOLF COURSE**

**MOODY GARDENS, INC.**

**EMPLOYEE  
POLICY GUIDE**

**Revised June 2025**



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## **Moody Gardens, Inc. Mission Statement**

*Moody Gardens, Inc. is a Public, Non-profit Educational Destination, Utilizing Nature in the advancement of rehabilitation, conservation, recreation, and research.*

## **Our Core Values**

- ❖ *Genuine care and comfort of our guests, while staying true to our roots & giving back to our community is our highest mission.*
- ❖ *Passionate attention to quality, detail, and consistency*
- ❖ *Continuous improvement in our people, products, and services*
- ❖ *Commitment to innovation and creativity*
- ❖ *Excellence in our reputation to providing the best customer satisfaction & learning experience.*

## HOW WE BEGAN

### OUR ROOTS and our continued growth

Moody Gardens began in the mid 80's with only a horse barn and riding arena. The purpose was to begin a hippotherapy riding program for people with head injuries. Today Moody Gardens is one of the premier educational/recreational facilities in the Southwest.

### HOW WE HAVE GROWN

**1986 - HOPE THERAPY** – Site secured by The Moody Foundation to establish a hippotherapy program. Later expanded to include animal and horticultural therapy, therapeutic recreation, and education and employment for persons with physical and emotional disabilities.

**1986 – CONVENTION CENTER** – Originally opened as Hope Arena. Expanded to 60,000 square feet to accommodate trade shows, conventions and events.

**1988 – PALM BEACH** – Tons of white Florida sand were barged in across the Gulf of Mexico to create this exotic family beach with a handicap accessible yellow submarine for kids.

**1989 - THE LEARNING PLACE** – The home of our educational programs including pyramid kids camps, outreach programs, overnight adventures, scout programs, birthdays, star parties, field trip programs, and educator programs.

**1990 - PRODUCTION AREA** – Includes two greenhouses used to propagate most of the plants seen on our grounds and for our Medicinal Plant Program.

**1993 - RAINFOREST PYRAMID and 3D THEATER** – More than 1,700 exotic plant and animal species from the rainforests of Asia, the Americas and Africa are featured in the Rainforest. The Visitors Center houses the Garden Restaurant. America's first 3D Theater showcases films by some of the world's top filmmakers.

**1997 – DISCOVERY PYRAMID** – Moody Gardens second grand pyramid debuted with the discovery Museum exhibit "Living in the Stars" inspired by NASA. Also home to the Ridefilm Theater, offering a thrilling motion simulation experience.

**1998 – MOODY GARDENS HOTEL AND SPA** – Nestled among acres of tropical gardens and magnificent pyramids, sits the luxurious Moody Gardens Hotel, an architectural masterpiece, originally built with 303 beautifully decorated rooms, over 22,000 square feet of flexible meeting space, dining and a full service salon and spa..

**1999 – AQUARIUM PYRAMID** – Dive into the oceans of the world in a 1.5 million gallon aquarium teeming with creatures from tuxedo-clad penguins of the Antarctic, to seahorses and stingrays, to sharks of the Caribbean.

**2002- FESTIVAL OF LIGHTS-** (WINTER ATTRACTION) Enjoy more than **one million lights** within 100 sound-enhanced animated light displays and nightly live entertainment. You can also skate around on the area's only outdoor ice skating rink (bring your own skates or rentals available for \$7), try out our Arctic Slide or take pictures with Santa.

**2005 – 4D Special FX Theater®:** The 4D Theater features 3D images and extra special effects such as leg ticklers, seat buzzers, scent, mist, snow and more to enable you to see, feel, hear and smell the action!

**2005- MOODY GARDENS HOTEL AND SPA** North Tower expansion project added 122 rooms to total 425

**2005 – CONVENTION CENTER** North Tower and Convention Center Expansion-103,000 Sq feet of event space.**2008 – Moody Gardens Golf Course:** Galveston's premier public course opened in June after two years and \$16 million-comprehensive renovations to the former Galveston Municipal Golf Course. Lush paspalum fairways are lined with 500 palms and shorebird habitat.

**2011 – Rainforest Pyramid and Palm Beach Enhancements:** The Rainforest Pyramid and Palm Beach both reopened May 28 after extensive enhancement projects. The Rainforest Pyramid sustained substantial damage from Hurricane Ike in 2008 and through the generosity of the Moody Foundation received a \$25 million enhancement project that provided a canopy walkway that gives access to the treetop level for a whole new perspective of the rainforest, as well as new exhibits, plants and animals. Palm Beach added several new features, including a wave pool, lazy river and tower slides.

**2014- ROPES COURSE / ZIP LINE:** Sky Trail Ropes Course, the tallest Steel Ropes Course on the Gulf Coast! Ranging from Criss-Cross Tight Ropes to Burma Buckets, the 81-foot Ropes Course is filled with 48 fascinating obstacles suitable for the whole family to enjoy. Each participant is outfitted with a full body harness and a safety lanyard or sling line...ZIP LINE. Snap into your harness and step to the edge of the zip line platform and glide over Palm Beach and the Lazy River 60ft. in the air for a birds eye view of the Moody Gardens pyramids and tropical gardens.

**2014- ICELAND:** (WINTER EXHIBIT) A skilled team of master ice carvers from China create a breathtaking exhibit made of two million pounds of ice.

**2014- MOODY GARDENS HOTEL** all rooms remodeled AND added 7 more rooms for current total of 432

**2015 – AUDIENCE RECOGNITION THEATER :**(ART) IN THE DISCOVERY MUSEUM a 3D digital show that features live narration; a unique interactive option that allows guests to choose which locations to visit on their underwater journey; and exciting 4D sensory elements, such as wind, seat sensors, bubbles, leg ticklers and scents that make the aquatic town come to life.

**2017 - AQUARIUM PYRAMID** total remodel. Added Gulf of Mexico Oil Rig exhibit, Jellyfish Gallery and Mangrove touch tanks.

# WELCOME!

We are happy to have you as a member of the Moody Gardens, Inc. team. We are delighted that you are joining us. Please review the policies contained within this Handbook and feel free to ask your supervisor or contact the Human Resources office with any questions.

This Employee Policy and Handbook (the “Policy”) contains important information about your employment with Moody Gardens, Inc. (the “Company”), your presence on properties owned, controlled or managed by the Company, including buildings, offices, facilities, grounds, parking lots, places and vehicles (collectively, the “Premises”) and essential information for you. It is important that you have a complete understanding of the Policy’s contents. Reread the Policy and periodically review the Policy.

Employees are required to complete the enclosed Affirmation which will be retained in each employee’s Personnel File. This Affirmation constitutes your acknowledgement that you have received a copy of the Policy, have read and understood the Policy, have been afforded the opportunity to ask any questions about Policy, and agree to abide by all of the rules, provisions, procedures and terms contained in the Policy.

While the information contained herein is important, this Policy is primarily designed to serve as an overview of specific requirements, policies and procedures. Accordingly, this Policy is not an all-inclusive or exhaustive list of rules, policies and procedures. There may be times when the Company finds it necessary to change or modify all or part of this Policy, in which case such changes will be communicated to employees. Unless otherwise noted, such changes will take effect immediately. At At-will employment means that either the employee or the company may terminate the employment relationship at any time, for any reason, with or without notice. Nothing in this Policy shall be construed as creating an employment contract or otherwise altering your status as an at-will employee. Accordingly, an employee can terminate his/her employment at any time, for any or no reason, and the Company reserves the same right to terminate any employee at any time and for any non-discriminatory reason.

The policies and procedures, as explained in this Policy, supersede any and all previous versions of these policies and procedures, regardless of how they have been communicated. One exception is the *Drug-free Workplace Policy*. The actual terms and provisions of the program document will govern and control the interpretation and administration of the *Drug-free Workplace Policy*, which may be found on the employee web portal. [www.mghrinfo.com](http://www.mghrinfo.com)

This Policy does not supersede or modify the terms and provisions of existing employee benefit plans and programs. The actual terms and provisions of the respective benefit plan or program documents will govern and control the interpretation and administration of such plans.

This Policy has been developed for the sole benefit of and use by Company employees, and should be maintained in a confidential manner and should not be communicated or distributed outside the Company or its employees.

**Violations of this Policy can result in disciplinary action, including without limitation, termination of your employment with the Company.**

## **Equal Employment and Accommodations**

The Company adheres to a policy of equal opportunity in all personnel actions and in every phase of its business activity. The Company has adopted a Diversity, Equity, Access and Inclusion (DEAI) Initiative that may be viewed on the Employee Web portal at [www.mghrinfo.com/resources-forms](http://www.mghrinfo.com/resources-forms).

Accordingly, equal opportunity is afforded to all Company employees and applicants for employment regardless of race, color, religion, sex, pregnancy, sexual orientation, age, national origin, disability status, genetic information, service in the armed forces, or any other status protected by law. The Company will accept applications from all who apply. The Company hires and promotes based on the most qualified applicant who best fits the company mission and core values.

The Company and all employees are to ensure our working environment is free from discriminatory comments or insults, intimidation, or harassment due to any of these factors. Any violation of this policy should be promptly reported to management (see Open Door Policy) for investigation and corrective action as appropriate.

The Company will not retaliate or discriminate against any employee or applicant because he/she has opposed an employment practice made unlawful, filed a charge of employment discrimination, or testified, assisted or participated in any way in an investigative proceeding or hearing relating to employment practices.

The Company will make reasonable accommodation for qualified individuals with known disabilities, unless doing so would result in an undue hardship to the Company and/or its employees. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination and access to benefits and training. The Company also accommodates individuals' sincerely-held religious beliefs, provided it does not create an undue hardship to the Company.

If you need accommodation at work, please alert your immediate supervisor AND the Human Resources Department. The Company may request that you complete an ADA Interactive Process Questionnaire. More information on request for workplace accommodations, the Pregnant Workers Fairness Act (PWFA) or the Pregnancy Discrimination Act (PDA) may be found on the employee web portal.

[www.mghrinfo.com](http://www.mghrinfo.com)

For more accommodation information, visit [www.dol.gov](http://www.dol.gov) or [www.eeoc.gov](http://www.eeoc.gov)

## **Open Door Policy and Assurance of Fair Treatment**

The Company desires that every employee, regardless of position, be treated with respect and in a fair and just manner at all times. Company department managers and immediate supervisors have an "open door" policy and are always willing to listen to suggestions or concerns of employees. Employees who want to discuss a matter that needs attention should follow the Workplace conflict resolution process.

## Workplace Conflict Resolution Process

Here at Moody Gardens, our commitment to fostering a positive work environment is deeply rooted in our core values. We believe in genuine care for our guests, community, and employees, and we strive for excellence in everything we do. This commitment extends to how we handle conflicts in the workplace, ensuring that every individual feels valued, respected, and supported.

### Core Values

- ▲ **Genuine Care and Comfort:** We prioritize the well-being of our guests, community, and employees, fostering an environment of empathy and support.
- ▲ **Passionate Attention to Quality:** We are dedicated to maintaining high standards of quality, detail, and consistency in all aspects of our work.
- ▲ **Continuous Improvement:** We embrace opportunities for growth and learning, constantly seeking to improve our people, products, and services.
- ▲ **Commitment to innovation and creativity:** We encourage innovation and creativity, recognizing that diverse perspectives lead to greater innovation and success.
- ▲ **Excellence in Customer Satisfaction:** We are committed to providing the best customer satisfaction and learning experience, consistently exceeding expectations.

### Principles of Conflict Resolution

- ▲ **Open Communication:** We encourage open and honest communication, where employees feel empowered to express their concerns and perspectives.
- ▲ **Active Listening:** We listen attentively to understand the underlying issues and emotions involved in conflicts. Demonstrating empathy and respect.
- ▲ **Collaborative Problem-solving:** We collaborate to find mutually beneficial solutions to conflicts, focusing on resolution rather than blame.
- ▲ **Respect and Dignity:** We treat all individuals involved in a conflict with dignity and respect, valuing their unique perspectives and contributions.

## Conflict Resolution Process

### ▲ 1. Informal Resolution

- Employees are encouraged to address conflicts directly with the individual(s) involved in a calm and respectful manner, focusing on finding common ground and understanding.

*If informal resolution is not possible, employees can seek assistance from their immediate supervisor or HR representative.*

### ▲ 2. Mediation

- Mediation may be facilitated by a neutral facilitator to help parties explore solutions and reach a mutually acceptable agreement.
- Mediation sessions will be conducted in a neutral environment, with the goal of fostering understanding and reconciliation.

### ▲ 3. Escalation

- If conflicts persist they may be escalated to HR for further intervention and resolution.
- HR will conduct a thorough investigation and implement appropriate measures to address the conflict, ensuring fairness and respect for all parties involved.

If any issue involves an employee's immediate supervisor or department manager, the employee may directly notify the Human Resource Department, General Manager, or the President of the issue.

The Company's commitment to fair treatment provides employees with an opportunity to voice concerns or issues. It does not guarantee that such concern or issue will be resolved in the manner desired by the employee.

## Harassment

The Company desires to provide employees a work environment free from all forms of discrimination and harassment of any kind, including sexual harassment or harassment on the basis of race, color, religion, sex, pregnancy, sexual orientation, age, national origin, disability status, genetic information, or service in the armed forces or any other status protected by law.

### What is harassment?

Harassment refers to behavior that is unwelcome, personally offensive, debilitating to employee morale, and/or interfering with work effectiveness. The types of harassment prohibited by this Policy may differ from that prohibited by applicable law.

The following is a non-exhaustive list of conduct that the Company deems harassment and, thus, is prohibited by this Policy, whether directed toward another employee, guest or visitor:

- ▲ Unwelcome, deliberate, or unsolicited verbal comments, gestures, or physical actions of a sexual nature.
- ▲ An outright demand or subtle pressure for sexual favors or sexual activity.
- ▲ An explicit or implicit promise to give preferential treatment to someone in return for sexual favors or sexual activity (“*quid pro quo*” sexual harassment).
- ▲ Taking, recommending, or refusing to take or recommend, any personnel action because of the person’s rejection or refusal of sexual favors or sexual activity, or in retaliation for reporting sexual advances or demands for sexual activity.
- ▲ Exercising or attempting to exercise the power of authority of one’s position to control, influence, or affect the career, salary, job, or other employment conditions in exchange for sexual favors.
- ▲ The display of objects, pictures, or photographs in the workplace that are demeaning or insulting to a person’s race, color, religion, sex, pregnancy, sexual orientation, age, national origin, disability status, genetic information, or service in the armed forces or any other status protected by law.
- ▲ Making comments (including jokes) that are sexually demeaning, insulting, or suggestive, or insult or demean a person on the basis of race, color, religion, sex, pregnancy, sexual orientation, age, national origin, disability status, genetic information, or service in the armed forces or any other status protected by law.
- ▲ Creating or passing on written, recorded, or electronically transmitted messages or posts which are sexually suggestive, or in any manner demeaning, intimidating, or insulting on the basis of a person’s race, color, religion, sex, pregnancy, sexual orientation, age, national origin, disability status, genetic information, or service in the armed forces or any other status protected by law.
- ▲ Retaliating, directly or indirectly, against someone who makes a report or participates in an investigation under this Policy.

### How can Employees help prevent harassment?

It is the responsibility of each member of management and all employees to help provide the necessary environment and support to ensure that discrimination in employment does not occur and that employees are assured of a workplace free from harassment. All employees and members of management are accountable for its effective administration and enforcement of this Policy throughout their respective departments, as well as Company-wide.

## **The Company will not tolerate discrimination or harassment.**

All employees are encouraged to report suspected acts of discrimination or harassment set forth in this Policy to your Department Manager and/or the Human Resources Department as soon as possible. If you do not feel comfortable making a report to either one, then report the behavior to any member of management. Do not delay in reporting!

## **Drug-Free Workplace**

The use of alcohol, illegal drugs and other controlled substances on the Premises or during work hours subjects fellow employees, visitors and guests to increased safety risks and undermines the Company's ability to operate the Premises effectively and efficiently. The Company strives to create a drug-free workplace.

Consequently, the manufacture, distribution, possession, sale or use of alcohol, illegal drugs or controlled substances on the Premises or while engaged in Company business, is strictly prohibited. Such conduct is also prohibited during non-work time to the extent that, in the opinion of the Company, it impairs an employee's ability to perform on the job, places other employees at risk, or threatens the reputation or integrity of the Company.

The Company has established the *Moody Gardens Drug-free Workplace Policy* which is provided to prospective employees during the onboarding process and access is available online at the employee web portal [www.mghrinfo.com](http://www.mghrinfo.com) prior to pre-employment drug-screening. Accordingly, the actual terms and provisions of the *Drug-free Workplace Policy* will govern and control situations involving the manufacture, distribution, possession, sale or use of alcohol, illegal drugs or controlled substances by employees.

## **Smoke Free Workplace**

Smoking, dipping, and vaping are prohibited by employees anywhere on Moody Gardens Property. This includes all offices, conference rooms, lobbies, hallways, restrooms, and elevators, employee break areas, kitchens, parking lot, parking garages, company vehicles or buildings of the Premises. Employees are not permitted to smoke, dip, vape or chew tobacco while walking from work-site to break.

## **Violence Free Workplace**

The Company prohibits any acts or threats of violence by any employee, former employee, contract worker, or visitor against any person on the Premises. In addition, the Company does not permit any person to use or possess openly carried and/or concealed firearms or other weapons on the Premises, while in company vehicles, or while acting as a company representative at any work-related activities, meetings, or functions. This prohibition against the possession or carrying of firearms or other weapons applies even if the employee is licensed to carry a concealed handgun or to openly carry a handgun.

It is the intent of the Company

- ▲ to provide a safe work environment.
- ▲ to take prompt remedial action (up to and including immediate termination) against any employee who engages in threatening, violent, or abusive behavior.

- ▲ to take appropriate action when dealing with customers, guests, former employees, contract workers, or visitors to the Premises who engage in threatening, violent, or abusive behavior; and
- ▲ to take appropriate action against persons who use or possess firearms or other weapons on the Premises in violation of this policy.

Employees may not:

- ▲ Carry, keep or store weapons and ammunition in any company vehicle at any time,
- ▲ Carry weapons or ammunition onto any property where the possession of a firearm or ammunition is otherwise prohibited by state or federal law.

**Employees have a duty to notify their supervisors or security personnel of any suspicious or prohibited conduct.** This includes, for example,

- ▲ threats or acts of violence,
- ▲ aggressive behavior,
- ▲ threatening or offensive comments or remarks, offensive acts,
- ▲ the use or possession of openly carried and/or concealed firearms or other weapons on the Premises, unless otherwise allowed by law or this policy.

Employee reports made pursuant to this policy will be kept confidential to the extent possible. The Company will not condone any form of retaliation against any employee for making a good faith report under this policy.

## **Job Openings**

Job vacancies are posted on the Moody Gardens web site [www.moodygardens.com/employment](http://www.moodygardens.com/employment) and in the Paycom app for all current employees to view. You may also scan the QR code on the bulletin board in the Human Resources Department. This listing is updated as new personnel requisition forms are submitted and approved. An employee who wishes to apply for an open position is encouraged to do so, provided that they have successfully completed their Introductory Period. Each employee who desires to apply for an open position must complete an employment application and follow the same procedures as any outside applicant. Department managers, the Human Resources Department, and the General Manager must approve transfers before the employee is permitted to begin working in the new department. Transferred employees may be subject to an evaluation period in their new department.

## **Introductory Period**

Newly hired and rehired full-time and part-time employees (including all temporary employees converted to full-time or part-time status) are considered to be in an introductory period of sixty (60) days from the date of employment or conversion to full-time or part-time status. The Company may, however, in its sole and absolute discretion, decide to extend this introductory period for one or more employees for up to an additional sixty (60) days. The employee will be informed in writing if such employee's introductory period is to be extended beyond the initial sixty (60) days. Whenever the term "Introductory Period" is used in this Policy, such term refers to the initial sixty (60) days plus extensions, if any, applicable to any employee.

During the Introductory Period, the employee will not be eligible for any of Company's employee benefits for which the employee would otherwise be eligible. Accordingly, the employee will not be paid for any leave that occurs during such Introductory Period.

The Introductory Period does not provide a guaranteed period of employment. Employment with Company is always at-will and, accordingly, terminable by either Company or the employee at any time, both during and after the Introductory Period.

Please note: Neither this section nor the Employee Privileges and Benefits section are applicable to temporary or seasonal employees.

## **Employment of Relatives**

Employment of relatives is permitted as long as such employment does not, in the opinion of Company management, create an actual, perceived, or potential conflict of interest. The term "Relative" is defined as a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, niece, nephew, cousin, or corresponding in-law, "step" relation, foster relation, or someone affiliated by legal guardianship status.

Relatives who are permitted to work under the direct or indirect supervision of each other, Will have decisions concerning promotion, or transfer of any relative into positions where a relative may have influence over the employment, promotion, salary administration, or other employment-related decisions affecting a related employee will be made by Human Resources and the General Manager. These situations will be considered when assigning, transferring or promoting an employee, or when employees marry or become members of the same household.

If two employees become married or share the same residence while employed by the Company and, in the opinion of Company management, a conflict of interest exists, every reasonable effort will be made to reassign one of the employees, with their acceptance. If a suitable, mutually agreed upon reassignment cannot be made, the employees involved will be asked to determine which one should resign employment. If they are not able to do this on their own, the Company will determine which employee will be discharged.

The President or a General Manager may make an exception, based on business needs and the specific situation. Such an exception does not waive the right of the President or General Manager to subsequently reconsider this decision with regard to the employee(s) at issue, and does not waive the enforcement of this section with regard to any other situations involving other employees.

## **Outside Employment**

Employees securing outside employment are required to notify their immediate supervisors of such employment. Company employees may avail themselves of outside employment providing it:

- ▲ does not interfere with assigned duties or Working Time, including special projects or assignments;
- ▲ does not represent a conflict of interest.
- ▲ is not deemed to be contrary to the best interests of Company.

Please note that Full-Time employees must give priority to Company job duties and scheduled hours over any outside employment duties and hours.

## **Voluntary Separation of Employment**

In all cases of voluntary resignation (one initiated by the employee), Employee are requested to give immediate supervisors (14) days notice before resigning. Such notice should be in writing or on a *Letter of Resignation* form. Paid time off (PTO) will not be counted or included toward the 14-day notice. In some cases, Human Resources will conduct an exit meeting on or before the last day of employment to collect all company property, uniforms, ID badges, keys, radio, etc. and to discuss final pay. There may be situations when, at Company's sole and absolute discretion, employees may be asked to leave prior to the end of the 14-day notice period. Employees will be paid through the last day physically worked. PTO MAY NOT BE used in conjunction with a resignation. Upon notice of resignation, PTO will be frozen. Employees need to remember that PTO is a privilege, not an entitlement.

## **Rehiring Former Employees**

The Company invites former employees with good work records at the Company to apply for re-employment. However, preference will not be given to former employees over current employees or other candidates. Proper resignation steps must be followed in order for a former employee to be eligible for re-employment.

## Dress Code

***The appearance of Company employees is an important part of the Company's business reputation. The Company is proud of its high standards that its guests have come to expect.***

Employee wardrobes are not the only thing that guests will notice, but an employee's overall appearance is a critical part of the Company's atmosphere. Therefore, it is imperative for employees to have a clean, polished image at all times. The Company has adopted basic grooming standards for all employees as set forth below. Such standards are not all inclusive and the Company reserves the right to determine, in its sole and absolute discretion, that an employee's appearance or wardrobe is inappropriate.

If an employee has religious, medical or other reasons that prohibit them from adhering to the grooming standards, such employee should contact the Human Resources Director to address the issue.

### All Employees Regardless of Job

- ▲ Tattoos or other artificial coloring on the skin are not permitted on the **face, neck or hands**.  
Any visible tattoos or other artificial coloring cannot be displayed if they are perceived as violent, gang related, sexually explicit, vile, or inappropriate in a family-friendly environment. Tattoos or other artificial coloring deemed inappropriate must be covered while working.
- ▲ Any employee working with any electrical energy source will not be permitted to wear any metal jewelry, including, but not limited to, rings, necklaces, bracelets, earrings, or metal-rimmed eyeglasses.
- ▲ Clothing, hair, and jewelry must comply with all health department and safety codes.  
Clothing, hair and jewelry must not increase the risk of injury and/or accidents as defined by an immediate supervisor or management.
- ▲ Personal Affectations, badges, pins, sashes, etc., not authorized or in the best interest or taste of the Company, will NOT be allowed.

### Office Personnel and Managers

- ▲ All employees are expected to appear neatly groomed and in properly pressed business-like attire.
- ▲ Your department manager will have the final decision of appropriate work apparel.

### Production and Front Line Employees

All employees must wear a clean uniform or business attire at all times. This must include properly pressed or ironed clothing. Appropriate belts should be worn at all times and they must be inside The belt loops. Only COMPANY-assigned hats may be worn.

***Issued Uniforms shall remain, at all times, the sole and exclusive property of the Company and must be returned to the Human Resources Department upon termination or discharge***

- ▲ Each department uniform is significant to their area and only Company-approved apparel may be worn.

- ▲ All employees are expected to consider safety as the primary guideline in dressing for work. Loose clothing and jewelry may be prohibited due to the nature of work that is to be performed, unless they are for emergency or documented medical reasons.
- ▲ Each department may have specific personal protective gear that must be worn.
- ▲ Certain departments will be assigned dates for which winter uniforms and summer uniforms are deemed appropriate. Department managers will advise employees of the appropriate uniform. Your supervisor may advise employees when it is appropriate to wear Company-issued t-shirts and shorts. At no other time will t-shirts and shorts be permitted.
- ▲ Uniforms are Company property and anytime you are in uniform you are a representative of the Company. Uniforms should not be worn outside of work in your leisure time.

#### SHIRTS:

- ALL shirts MUST be tucked in. This includes behind the scenes. (Curatorial when coming out in the public eye and Contractors at all times).
- Uniform shirt sleeves shall NOT be rolled up.
- Buttons must be fastened to the appropriate level.
- SOLID white or black undershirt ONLY. May be long sleeved or short sleeved.

#### BELTS:

SOLID black or brown, conservative. No designs, big belt buckles, chains or studs.

#### SHOES:

- SOLID Black or White TENNIS shoes. No boots (riding, ankle, uggs, etc...), flip-flops, or sandals unless authorized.
- SOLID brown for *Maintenance and Painters*
- F&B – The solid black slip resistant shoes purchased in HR during processing.
- SOCKS SOLID – White shoes: white ankle socks. Black shoes –black/white ankle socks. No colored, designed, fringes, etc.

#### PANTS/SHORTS:

- SOLID black or khaki. Navy for authorized departments.
- NO jeans, corduroy, leggings/tights, sweatpants, yoga pants, skorts or skirts
- PROPER LENGTH of Shorts must be longer than mid-thigh.

#### JACKETS / HATS/ CAPS/ OUTERWEAR

- Moody Gardens issues outerwear to the specific assigned departments
- No personal hoodies, sweatshirts, scarves, coats, windbreakers, vests, suspenders, etc., are allowed
- Only Company assigned Hats/caps will be allowed.

# Employees Grooming and Appearance

Personal appearance of employees is critical to the Company's success. Employees should take pride in their appearance. The Company's guests, as well as fellow employees, will notice.

## ▲ Hair

- **Appearance** should be clean, neat, and well groomed
- **Head coverings** may be required when working in food or drink areas, per the city health code.
- **Long Hair** is permitted as long as it is pulled away from the face. It may be required to be tied back behind the shoulders for safety reasons, when working in certain areas.
- **Rollers** are not permitted at work.
- **Braids** must be neat and professional in appearance.
- **Extreme Hairstyles** are not permitted (examples include tails, partially shaved heads, or unnaturally colored hair).
- **Hair accessories** must be discreet and match the outfit

## ▲ Facial Hair

- Mustaches must be kept trimmed neatly, no longer than half an inch and not to extend past the corner of the mouth (either to the side or down).
- Handlebars are not permitted.
- Sideburns must be neatly trimmed and may not extend to more than three-quarters of the ear length. Flared and Mutton Chop styles are not permitted.
- Goatees must not be longer than a quarter of an inch and must be kept neatly shaped.
- Beards are permitted to be worn at a length not to exceed half an inch and neat in appearance. Beards must be cut uniform in length and thickness. No bare patches or extreme styles.

## ▲ Make-Up

- **Make-up and Perfume** should be used moderately.
- **Light Nail Polish** is permitted, but extreme styles or colors, mixed colors, glitter, gems or patterns are not. An immediate supervisor will make the final decision as to what is acceptable. Hands are to be clean and nails are to be of a moderate length. **For health code reasons, food service personnel are not allowed to wear nail polish or artificial fingernails.**

## ▲ Jewelry

- **Necklaces** are permitted provided that only one gold or silver necklace is worn, and that it is worn on the inside of the clothing. Costume jewelry is permitted provided that it is appropriate with the outfit.
- **Bracelets** are permitted provided that only 1-3 small gold or silver bracelets are worn. Appropriate costume jewelry is also permitted.
- **Pins** ~~may be worn if discreet, limited to one, and appropriate with the outfit.~~
- **Rings** are limited to a total of three (3) with no more than two (2) on one hand.
- **Earrings**. Employees are allowed to wear up to two earrings per earlobe. Earrings should be matching pairs. Oversized earrings, plugs, gauges, rods, bars and other cartilage piercings are prohibited

- ▲ **Lifeguards** may not wear bracelets or necklaces unless they are for documented emergency medical reasons only. Earrings are not permitted unless they are studs.
- ▲ **Body Piercing Jewelry** may be worn only if it is not visible to our guests, and does not interfere with or distract from job performance.
- ▲ **Facial or tongue rings are not permitted.**
  - IN CERTAIN AREAS (SUCH AS FOOD SERVICE, TICKET BOOTH, OPERATIONS, SECURITY, ETC.), STRICTER RULES REGARDING HAIR, JEWELRY, ETC. MAY BE APPLIED. THE DEPARTMENT MANAGER WILL INFORM EMPLOYEES ACCORDINGLY.

## Hygiene

- ▲ Due to close contact with fellow employees and guests, it is important that employees maintain good personal hygiene practices.
- ▲ Anything that could be considered offensive, distracting or not in the best interest of the Company will not be permitted.

\*\*\* The Company recognizes that these regulations, as to dress and personal presentation, are largely matters of opinion. Immediate supervisors, department managers, General Managers, and/or the President will make final decisions regarding the dress and personal presentation of employees. Employees agree to conform to these judgments and requirements accordingly.

## Employee ID Badge

Employee ID Badges (“ID Badge”) are issued to all Company employees. ID Badges are used as employee identification and govern access to the Premises. Employees must have their own ID Badge with them at all times while on the Premises.

The following are general guidelines about the use of ID Badges.

ID Badges are part of an employee’s daily attire, and should be worn on the front of an employee’s clothing or uniform at shirt pocket level, or on the whistle lanyard for lifeguards. ID Badges should not have any unauthorized stickers or drawings.

ID Badges should be worn only while working or otherwise on Company business and should not be worn while not on duty or acting as an agent or representative of Company.

Lost or damaged badges must be replaced through the Human Resource office at a cost of \$5.00 per Badge, paid for by the affected employee. Payment may be made at Human Resources. Old, broken or faded ID Badges will be replaced at no charge upon the surrender of the old, broken or faded ID Badge to the Human Resources Department.

▲ Employees must comply with any request by Company management or security to show his or her ID Badge. Failure to comply with such request or an inability to produce an ID Badge may result in being escorted from the Premises.

**ID Badges remain, at all times, the sole and exclusive property of the Company and must be returned to the Human Resources Department upon termination or discharge.**

Any misuse of ID Badges shall be a violation of this Policy.

## Pay Practices

### CLASSIFICATION OF PERSONNEL

For the purposes of salary administration, eligibility for overtime payments and employee benefits, the Company uses these following employment classifications:

**FULL-TIME EMPLOYEE:** Employees hired to work from thirty (30) to forty (40) hours or more per week on a regular basis and to fill an authorized full-time position. These employees may be "exempt" or "non-exempt" as defined below. Full-time employees may be paid on a salary basis or, on an hourly basis.

**PART-TIME EMPLOYEE:** Employees hired to work less than thirty (30) hours per week on a regular basis and to fill an authorized part-time position. These employees may work up to and on occasion over forty (40) hours in one week with prior management approval. These employees may be "exempt" or "non-exempt" as defined below. Part-time employees generally are paid on an hourly basis.

**TEMPORARY EMPLOYEES:** Employees hired to work full-time or part-time hours with the understanding that this employment will be terminated no later than upon completion of a specific assignment. These employees may be "exempt" or "non-exempt" as defined below. A temporary employee may be offered, and may accept, a new temporary assignment with the Company and retain temporary employment status. The assignment may be terminated at any time.

**SEASONAL EMPLOYEES:** *Palm Beach* Employees hired to work full-time or part-time hours with the understanding that this employment will be terminated at the end of the specific season. These employees generally are "exempt" as defined below.

Definitions of exempt and non-exempt status are based on provisions of the Fair Labor Standards Act (FLSA).

**EXEMPT STATUS:** Employees who are management, professional, administrative and employees whose positions meet specific tests established by the FLSA and who are exempt from overtime pay requirements EXEMPT EMPLOYEES GENERALLY ARE EXPECTED TO WORK A 48 HOUR WEEK

**NON-EXEMPT EMPLOYEE:** Employees whose positions do not meet FLSA exemption tests, are paid on an hourly basis, and who are paid one-and-one half (1 1/2) times the regular rate of pay for hours worked in excess of forty (40) in one week.

### Employee Payroll Procedures

The Company has adopted the following employee payroll procedures:

- ▲ Hourly employees are issued paychecks every other Friday. Also known as Bi-Weekly

- ▲ For hourly employees, pay periods end every other Friday; the paychecks are distributed the following Friday, thus covering the preceding two-week period. Should a payday fall on a holiday, employees will be notified in advance of the distribution date.
- ▲ Salaried employees are paid on the 15<sup>th</sup> and the end of the month. Salaried employees are paid up to the exact day on payday. Should a payday fall on the weekend, salaried employees will be paid on the Friday before normal pay date. Should a payday fall on a holiday, employees will be notified in advance of the distribution date.
- ▲ Hourly employees' pay is based on the approved hours shown in the time keeping system. It is the responsibility of the employee to see that his or her time is recorded correctly each day. Any errors should be reported to the employee's department manager immediately. Questions regarding pay should be discussed only with the department manager, Human Resources or Payroll
- ▲ Any errors or questions regarding pay should be discussed with your department manager.

## **Direct Deposit**

ALL employees are expected to Enroll in direct deposit to receive their compensation. New employees must complete their enrollment before attending orientation and receiving their ID Badge. Employees should contact the Payroll Department for assistance.

## **Kiosk and Timekeeping Rules**

Hourly employees must have their hours of work recorded on a time KIOSK. A record of time is required by law and assures employees of proper payment for the amount of time worked. Since this is the only record of an employee's time, **it must be accurate**. The immediate supervisor will show employee their designated kiosk to punch in and out at and how the kiosk is operated. Employee must use their designated Kiosk for all punches.

- ▲ ALL Employees (including management) must clock in before starting work, and clock out after completing work for the day. This allows the Company an accurate headcount of all employees on property for Safety and Security reasons.
- ▲ If lunch is scheduled, hourly employees are required to clock out before lunch and clock in after lunch. All meal breaks should last a minimum of 30 minutes.
- ▲ With a supervisor's permission, employees may also take short breaks, usually scheduled for 15 minutes. Employees do not have to clock in and out for such breaks
- ▲ **No employee should leave property for personal business while on the clock**

No employee should clock in more than five to seven minutes before his or her scheduled time to begin work unless directed otherwise by an immediate supervisor.

Employees must not begin work before clocking in.

**Working “off the clock” or failure to report all time worked is strictly prohibited**, and a violation of FLSA Labor Laws.

During each pay period, the immediate supervisor will check the punch detail in the time keeping system, make punch corrections, and approve for payroll processing. All Vacation and PTO requests must be submitted thru the Paycom app prior to payroll Monday. Other absences forms (both approved and non-approved), such as jury duty, and Bereavement should be turned into the Payroll Department.

Forms need to be received prior to payroll processing to allow verification of eligible paid leave and forwarding to payroll. Forms are due by Monday following the end of each pay week.

## **Overtime**

Non-exempt employees who work more than forty (40) hours during a regular work week will be paid overtime at the overtime rate of one and one half (1 1/2) times the regular hourly rate for each hour worked more than forty (40). **Only hours actually worked count in the overtime calculation.** Therefore, vacation days, PTO days, etc. are not counted. The fact that an employee receives PTO or Vacation pay is of no consequence for overtime purposes. The test is hours worked, rather than hours paid.

Employees must receive prior permission from an immediate supervisor, department manager, or Company management to work past forty (40) hours within one work week. Whenever possible, the immediate supervisor will give employees advance notice if working overtime is required. However, there may be times when the need to work overtime cannot be determined in advance. In such cases, employees are required to work as needed.

## **Compensatory time**

Private employers are not authorized under federal law to give compensatory time and must give monetary overtime compensation. Any non-exempt employee who works over forty (40) hours in one work week will be compensated according to the law. No department manager has the authority to operate compensatory time programs.

## **Personnel or Payroll data change**

Deductions from pay checks are based on the information the employee completes in their W-4 withholding form, it is important that the employee make any changes to their W-4 withholding in the Paycom Employee Self Serve (ESS) as soon as possible.

Any name changes must be reported to the Human Resources Department.

Employees must keep their demographic information such as home address, telephone number or any other pertinent information or changes in the ESS Paycom portal. Emergencies may arise when such information is of the utmost importance to employees and their family, as well as the Company.

For any changes in designation of beneficiaries for retirement plans, insurance or other benefits should contact the Human Resources Department.

## **Tipped Employees**

Certain tipped employees may be paid a base wage rate that is below the applicable minimum wage rate, because they receive tips directly from customers. The portion of tipped employees' compensation that they earn directly via tips from customers is credited toward meeting the minimum wage rate, and is commonly known as the "tip credit."

The Company uses the federal minimum wage as the base wage rate. The amount between the base wage rate and the applicable minimum wage is the tip credit. Employees should retain all tips received. Should the amount of tips be insufficient to meet the minimum wage, the employee shall have the amount earned increased to meet the Federal minimum wage.

- ▲ The tips an employee earns are required by law to be reported.
- ▲ All tips recorded in the Micros system are reported and paid via payroll.

Employees falsifying Company records or forms or not reporting tips, such as Tip Declarations and Guest Checks, will be subject to discipline up to and including termination. Further, any employee who adds a tip or gratuity to a guest check without guest authorization may be subject to immediate termination.

## **Deductions from Wages and Salaries**

There are two (2) types of deductions made from paychecks:

- ▲ those required by law,
- ▲ those authorized specifically by the employee

By law, an employer must deduct from an employee's check any payments for Social Security and Medicare tax and for federal income tax (FIT)

The FIT amounts deducted depend on the salary and, in the case of income taxes, on the information reported on the W-4 withholding form filed by the employee with the Company.

The information may be changed/updated by filing out a new W-4 in the Paycom ESS

By law, the Company must make deductions from an employee's check in accordance with any attachment or garnishment order it receives relating to the employee.

By Employee, Additional salary deductions are made, when authorized by an eligible employee, for those optional benefit programs offered by the Company.

## **Deductions for Exempt Employees**

Because exempt employees are paid the same amount each week, regardless of whether they work more or less than forty hours, there are special rules for deductions from the salary of exempt employees.

Exempt employees will not be subject to deductions from salary for:

- ▲ Partial day absences whether for personal reasons or lack of work;
- ▲ Absences of less than one full workweek for jury duty, service as a witness, or temporary military service; or
- ▲ Disciplinary reasons (except as provided below).

Deductions from the salary of exempt employees may be made for:

- ▲ One or more full days of absence for personal reasons, other than sickness or disability.
- ▲ One or more full days of absence occasioned by sickness or disability when the employee has used all available paid time off benefits that would otherwise continue pay during the absence.
- ▲ As penalties imposed in good faith for infractions of safety rules of major significance.
- ▲ For unpaid disciplinary suspensions of one or more full days imposed in good faith for infractions of written company discipline policy.
- ▲ Days missed in the first and last workweek of employment.

Any exempt employee who believes that an improper deduction has been made should immediately contact the Human Resources Representative. If there is an improper deduction, the Company will reimburse the employee the amount of the improper deduction at the earliest opportunity.

## **Attendance**

### **Work Schedule and Hours**

Department managers or immediate supervisors will explain to each employee his or her daily schedule and will set future schedules as far in advance as practicable. However, by the very nature of the operation, staffing needs will vary widely. Such factors as weather, special events, projected attendance levels, frequency and numbers of educational groups, holidays, etc. will influence the work schedule.

### **Reporting Absences and/or Tardiness**

When an employee is late or absent without a replacement, it places a burden on the remaining employees. It can also cause an attraction or department to open late or run poorly. Therefore, it is very important that employees come to work for their scheduled shift on time.

Communication of absences or tardiness is mandatory in order to allow the immediate supervisor or department manager ample time to make the necessary changes or arrangements in scheduling. If an employee is unavoidably detained, he or she should immediately contact the immediate supervisor or department manager to advise of the employee's estimated time of arrival.

Employees who are going to be late for work, or are ill and unable to come in, must notify their immediate supervisor or department manager directly at least one (1) hour prior to the start of the employee's scheduled shift.

Employees should not leave a message on the voice mail or with a fellow employee to relay this information. Employees must give their immediate supervisor or department manager as much advance notice as possible so that other staffing arrangements may be made.

Any employee that is absent three (3) or more consecutive days due to any major illness or injury, whether personal or work-related, will be required to present a physician's statement for clearance to return to work. Such physician's statement must be provided to the Human Resources Department. Clearance can be for either full or restricted duty. This requirement is to protect the ill or injured employee as well as other employees and guests from further illness or injury.

**ANY EMPLOYEE ON LEAVE FOR MEDICAL REASONS, SUCH AS FMLA OR WORKERS COMP IS REQUIRED TO PRESENT A FITNESS FOR DUTY RELEASE TO RETURN TO WORK.**

If an employee is absent from work without notifying his or her immediate supervisor That is a No Call NO Show. The employee generally will be subject to disciplinary actions.

Absences and excessive late arrivals of employees may lead to a reduction of scheduled work hours, suspension or termination of employment.

### **Tardiness and leaving early**

The Company, its employees and guests depend on their co-workers to report to work on time and work as scheduled. Tardiness includes reporting to work after the scheduled starting time, returning late from lunch or break without prior approval, or taking too many breaks or unreasonably long breaks.

Employees are not permitted to leave work prior to the end of the scheduled work day without the immediate supervisor's approval. Tardiness and/or unscheduled early departures are strictly prohibited.

## **Illness at work**

If an employee becomes ill while at work, he or she should report to the person in charge of the work area. Ill employees may be sent home or given a chance to take a break if one is needed. If it is determined that an employee should go home or to a doctor, the immediate supervisor should be notified of these facts. After the immediate supervisor has been notified, the employee must clock out. Employees should also keep their immediate supervisor well informed as to the status of his or her condition and expected return date.

## **Inclement Weather**

Although Texas is known for its thunderstorms and flash floods, it is also a well-known fact that these storms can disappear quickly and do not always affect all parts of our region. The Company will not close the Premises for inclement weather unless the forecast is for severe weather over an extended period of time. In addition, closing information about the Premises will be broadcast, as long as they remain on the air, on radio stations FM 100.3 - KILT, and AM 740 - KTRH. Broadcast email or phone text will go out over the Companys communication network In addition the information wll be posted on the employee web site. [www.mghrinfo.com](http://www.mghrinfo.com). This will save employees from driving to work unnecessarily. If employees have any questions about the Company's operation status, they should contact their department manager.

## **Meetings**

Regular meetings are designed to inform all employees as to the status of Company business. Meetings will include such topics as safety, performance, upcoming events and changes that everyone will need to know concerning day-to-day work life. Department managers will inform employees of the time and place for these **mandatory meetings**. All employees will be compensated for their time for attending these meetings.

## **Lactation policy**

The Company has provided a private room for an employee's use in expressing milk. Employees are responsible for keeping the private room clean and sanitary for the next user. Employees who wish to express milk during work hours should keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the Company. The Company provides two paid breaks of up to twenty minutes each for these purposes. Please consult with Human Resources if you need additional time. Contact Human Resources for more information.

## **Employee Privileges and benefits**

REGULAR FULL-TIME AND PART-TIME EMPLOYEES ARE ELIGIBLE FOR DIFFERENT PRIVILEGES AND BENEFITS AT THE COMPANY.

The Company values its employees and their families. Accordingly, the Company offers a range of privileges and benefits for both regular full-time and part-time employees. The plans have been designed for the employees, so it is important that they know what privileges and benefits they are eligible to receive, how to obtain them and how they work.

The following are outlines of each plan, **not summary plan descriptions. Summary plan descriptions will control in the event of any conflict with any other description.** A summary sheet handout for each privilege and benefit is available through the Human Resources Department.

### **Privileges and Benefits available for:**

Full-time and Part-time Employees -

- Free Admission to Attractions
- Discounted Family Memberships
- Worker's Compensation Insurance
- Direct Deposit of earnings
- Pension Plan

Full-time Employees Only -

In addition to the above:

- Group Health Insurance (optional for FTE)
- Paid Personal Leave
- Paid Vacation
- Paid Bereavement Leave
- Paid Court Leave

Moody Gardens may at times find it necessary to make changes or modifications to any benefit or privilege, as business requires.

If an employee has questions regarding any privileges and benefits, please contact the Human Resources Department.

## **Privileges and benefits for regular Part-Time and Full-Time employees**

### **Admission to Attractions**

An ID Badge allows current, active, employees to enjoy the Premises at no cost. Employees are also entitled to discounted rates on certain services or merchandise purchased. For a current list of discounts, employees can obtain a summary sheet from the Membership Services Representative.

### **Discounted Family Memberships**

For discounted family memberships, employees should complete the Membership pass form and have it signed by their manager and the General Manager. The Employee should take the form to the Membership counter in ticketing and pay for the passes and have their photos taken.

### **Workers' Compensation**

Workers' Compensation insurance coverage is available if an employee is injured while performing job-related tasks while at work. Workers' Compensation insurance is designed to cover the expense of the employee who is injured or has developed an illness as a result of the job. If an employee is injured on the job or witnesses a fellow employee's injury, such employee must notify their immediate supervisor as soon as the injury is known, usually immediately (notification more than thirty (30) days after injury/illness may result in forfeiture of Workers' Compensation benefits for that injury/illness). The immediate supervisor or employee must contact security to have an incident report made and forwarded to the Human Resources Department within twenty-four (24) hours of notification. If an injury requires medical treatment, the employee should contact the Human Resources Department immediately to obtain claim information for hospitals/clinics. A work status report from the physician must be returned to the Human Resources Department for all medical visits regarding work-related injuries. For more information about Workers' Compensation, employees should contact the Human Resources Department.

### **401(k) Retirement Plan**

The Company offers a 401(k) retirement plan to both regular full-time and part-time employees. Eligible employees may enroll during one of the two annual enrollment periods (December and June) and deductions will begin on the first pay date the month after enrollment (January and July). Eligibility requirements are;

- ▲ One year of employment at the Company
- ▲ Must be 21 years of age
- ▲ Must have worked at least 1000 hours or more in the prior 12 months.
- ▲ Long-term part-time employees (LTPT), may be offered enrollment and make elective deferral contributions once the Secure Act 2.0 requirements are met.

For more information about the 401(k) retirement plan, employees should contact the Human Resources Department or review the information on [www.mghrinfo.com](http://www.mghrinfo.com)

### **Group Medical Insurance Variable Hour Premium Share (FTE)**

In compliance with the **Affordable Care Act** 2010 (ACA) Regular Part Time Variable Hour Employees (Full Time Equivalent FTE) may become eligible and offered premium share medical

insurance. The ACA regulations require Moody Gardens to provide a Look Back measurement period to determine eligibility. The Eligibility look back period will be during the 11 months after the hire date. Employees who have worked a minimum of 130 hours a month, during all months in the eligibility look back period may be offered enrollment. If eligibility is found the 30 day administrative period is then entered and the employee may enroll at this time to take effect during the stability period. The ACA regulations determine that to be considered affordable the premium share for the FTE medical insurance be no more than the Annual *set rate percentage* of the employee's salary. Moody Gardens, Inc. will calculate this rate based on the Annual Federal Poverty Level and the annual set percentage rate.

## **Privileges and benefits for regular FULL-TIME EMPLOYEES**

The Company is open for business 365 days a year. Our facility operates on all holidays, and employees may be scheduled to work on any of these days. Employees will receive normal compensation for the hours worked on holidays.

- ▲ Requests for unpaid time off will not be considered for approval unless all PTO and Vacation time has been exhausted.

### **Paid Time Off (PTO) Personnel Leave**

Regular full-time employees are provided Eighty (80) personal Hours per calendar year. Leave is a privilege afforded to employees, not a right. New full-time employees will be provided the prorated portion of the eighty (80) hours according to days remaining between the date of full-time status and the end of the calendar year. Leave days may not be used until the Introductory Period (60 days-from the date full-time status begins) has been completed.

- ▲ PTO leave will start over Annually with eighty (80) hours on January 1<sup>st</sup>
- ▲ PTO will be used in 4 hour increments
- ▲ Unused PTO leave will not carry over into the next year
- ▲ PTO leave is not paid when terminating employment.

### **Vacation**

The Company provides paid vacation time to regular full-time employees one year (365 days) after their full-time date. This time is available and may be used after an employee's one-year full-time date anniversary. Any portion of vacation time may be requested in 4 hour increments (with supervisor's approval) during the next employment year. Any unused portion is forfeited at the end of the employee's next year award date. This time does not accumulate and cannot be used prior to the employee's anniversary date unless written permission is received from the President or General Manager.

- ▲ 0-1 years, no paid vacation time
- ▲ 1-9 years, 80 hours per year
- ▲ 10-19 years, 120 hours per year
- ▲ 20 or more years, 160 hours per year

If an employee resigns in writing with full notice of Fourteen (14) days, and works out those days, the employee will be compensated for any unused vacation time. Employees who are terminated by the Company may be paid accrued vacation time if approved by the General Manager, or his designee. Generally, terminations for violations of policy will disqualify employees from payment of accrued vacation.

### **Bereavement Leave**

Regular full-time employees will be allowed three (3) days leave with pay in case of death in their immediate family (must have completed Introductory Period). Members of the immediate family include a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, niece, nephew, cousin, or corresponding in-law, "step" relation, "foster" relation, or someone affiliated by legal guardianship status.

Consideration for additional time off is given based on extenuating circumstances, such as required travel time. With the appropriate approvals, an employee may extend the paid leave by using earned and unused vacation days. Verification of an employee's relationship to the deceased may be requested at Company management's discretion.

Funeral leave required for family or non-family members not included above may be taken as PTO or vacation with the approval of an immediate supervisor.

### **Paid Court Leave**

When a regular full-time employee is summoned for jury duty or subpoenaed to appear as a witness, the Company will normally continue the employee's regular base pay while the employee serves as a juror or subpoenaed witness (paid leave is only allowed if the date of court duty service is on the employee's normally scheduled work day). The employee must have completed their Introductory Period to be eligible. The Company has the discretion not to provide such pay continuation benefits if, in Company's sole and absolute opinion, the actual or possible length of time that the employee will be required to serve as a juror or witness makes it impractical or inadvisable to do so. Any employee summoned to serve as a juror or subpoenaed to appear as a witness must notify his or her immediate supervisor upon receipt of such summons or subpoena and, to the extent possible, keep in touch with his or her immediate supervisor during the time the employee is serving as a juror or appearing as a witness. If, on any given day, an employee is released from jury or witness duty and two or more hours remain in the workday, the employee must return to work.

An employee who serves as a juror or appears as a witness pursuant to a subpoena will be permitted to return to the same employment he or she held when summoned or subpoenaed, unless circumstances have changed while the employee was serving so that reemployment is unreasonable or impossible. An employee intending to return to the Company following jury service or appearance as a subpoenaed witness must, as soon as practical after release from jury or witness duty, give the Company actual notice that the employee intends to return to work and must provide the Company with documentation from the court or other tribunal concerning the actual dates and times of such employee's jury or witness duty.

Deductions will not be made from salaries of exempt employees for jury or witness service lasting less than one full workweek. If pay continuation benefits are provided, or in the event an exempt employee is called to serve as a witness or juror for less than one full workweek, the employee will

receive his or her regular paycheck. Regardless of whether pay continuation benefits are provided, time spent by a non-exempt employee in service as a juror or subpoenaed witness will not count toward hours worked for purposes of overtime compensation.

An employee wishing to take unpaid time off to appear voluntarily as a witness or party to litigation or other judicial, legislative, or administrative proceeding must obtain the approval of his/her immediate supervisor. In the event an employee appears as a witness or attends court proceedings at the request of the Company, such time will be considered hours worked for all purposes and this section of this Policy will not apply.

### **Group Health Insurance**

Regular full-time employees are eligible to enroll after the sixty (60) day waiting period established by the Company's current insurance carrier. Insurance coverage always starts on the first day of the month after the waiting period, (TXHB51) or for late enrollees the open enrollment period is in November.

For a current schedule of benefits to choose from, employees should go to the Paycom app, Under Company Resources, my documents. You may also go to the employee web portal [www.mghrinfo.com](http://www.mghrinfo.com) or contact the Human Resources Department. You will enroll thru the Paycom portal. *If you have other insurance, in most cases, this employer policy becomes PRIMARY.*

## Rules of Conduct

When people work together, there must be Rules of Conduct. These rules have been implemented to protect the rights and interests of everyone – employees and guests.

These rules are applicable any time the employee is on the Premises (whether on-duty or off-duty) or engaged in Company business (whether on the Premises or off-Premises). For employee information, the Company provides the following non-exhaustive list of actions that must be avoided and will not be tolerated.

1. **Misuse of Identification or Timekeeping Devices:** Allowing another person to use an employee's ID badge or using another employee's timecard for any purpose, including clocking in or out or gaining access to attractions.
2. **Timekeeping Infractions:** Failing to clock in or out as required, or engaging in time fraud by clocking in or out for another employee.
3. **Unauthorized Departure or Absence:** Leaving an assigned position or the premises while on the clock, during working hours without prior approval from a supervisor, or refusing to report to an assigned position as directed.
4. **Safety Violations:** Committing violations or Failing to observe established safety and security rules, willfully creating hazardous conditions, or failing to report any workplace injury in a timely manner.
5. **Theft or knowledge of theft by others:** Theft includes, without limitation, taking money or property that belongs to Company or someone other than the employee. Selling unauthorized complimentary tickets or merchandise. Accepting or giving unauthorized discounts on food, merchandise, events, etc.
6. Using money that belongs to the Company or someone else for personal use - i.e. buying lunch, purchasing items from the gift shop, etc.
7. Participating in any verbal or physical altercation, regardless of who provoked it.
8. Destruction or misuse of Company property (including, without limitation, equipment, uniforms, etc.).
9. Lying to managers, supervisors, security, etc.
10. Insubordination, including the failure or refusal to perform work as instructed or to follow Company policies and procedures.
11. Engaging in Illegal activities or gambling on the Premises.
12. Use of abusive, impolite, or profane language or gestures.
13. Violation of the Smoke Free Policy, Vaping or smoking in any area and chewing or dipping tobacco.
14. Accepting or soliciting tips or gratuities (except for the wait staff, bussers, or bartenders).
15. Eating or drinking while on duty as a Front-Line Employee, including Chewing gum, unless on break or sitting down in the restaurant or designated employee break area.
16. Violation of the dress code.

17. Possession of illegal knives, weapons, firearms or explosives on the Premises or while engaging in Company business off-Premises.
18. Unauthorized entrance to or trespassing on the Premises.
19. Tampering with or falsification of time kiosks, personnel records, employment applications, or other Company records or reports.
20. Transporting unauthorized passengers in a Company-owned vehicle.
21. Having family or friends loiter around an employee's work area.
22. Displaying affection in public. Employees are not to hold hands, put their arms around each other, or in any way display affection towards any other employee, guest or visitor.
23. Failing to maintain acceptable standards of politeness and a personable attitude towards guests, fellow employees and supervisors.
24. Engaging in disorderly conduct including horseplay, physical or verbal harassment of another person or use of abusive language on the Premises.
25. Being tardy or absent without proper notification to an immediate supervisor or without satisfactory reason, or being unavailable for work.
26. Engaging in any conduct deemed by the Company to have a significant adverse effect upon the mission, operations, or reputation of Company.
27. Unauthorized handling or interference with Company animals, birds, fish, or water quality.
28. Unauthorized use of or tampering with the Company's digital electronic data computer equipment.
29. Unauthorized use of Company or personal communication equipment or information resources during Working Time on the Premises.
30. Failure to follow the seasonal parking restrictions or not parking in the designated employee parking locations
31. Any action which would violate this Policy or the Code of Business Conduct.

The foregoing list merely contains examples of the type of behavior that will not be permitted and is not intended to be an exhaustive or wholly inclusive list. Any questions in connection with this Policy and whether a particular behavior is prohibited by this Policy should be directed to the Human Resources Department. Violations of this Policy are subject to disciplinary actions, including termination.

## Code of Business Conduct

The Company seeks to conduct its business in accordance with the highest ethical standards. The Company expects all assets including, without limitation, cash, tickets, receivables, inventory, food and beverage inventory, fixtures, equipment, supplies and other assets to be protected, safeguarded and controlled to the highest practical degree possible. In order to promote such accountability, the Company requires all employees to follow the following Code of Business Conduct:

- ▲ **Unethical Business Practices are Not Tolerated.** Unethical business practices put the employee's interests above the Company's interests. Examples of such unethical practices include: (1) purchasing goods or services from related or non-independent parties at a cost other than the lowest possible cost; (b) providing Company business to a family member or friend of any employee without disclosing it; or (c) funneling Company business to a company owned by an employee, without disclosing it. As this Policy cannot list all examples of unethical business practices, it is the employees' responsibility to make appropriate inquiry and disclosure about any situation or transaction, which could be reasonably be construed as an unethical business practice.
  
- ▲ **Conflicts of Interest Must be Avoided.** All employees must avoid being placed in a position where, due to their relationship, influence, interest or activity, it could present the appearance that the best interests of Company have been or will be compromised. Employees are expected to perform their responsibilities without any personal gain or benefit other than compensation from Company. Questions about any potential conflicts of interest should be referred to the employee's immediate supervisor or department manager.

The following specific guidelines relate to Conflicts of Interest:

- ▲ No employee may accept or solicit any money, kickbacks, loans or anything else of value for themselves or another person's personal gain or benefit from a supplier, customer, vendor, contractor or any individual or company seeking a business relationship with Company.
  
- ▲ Nominal entertainment may be accepted only as required by protocol or as necessary to build a business relationship. The frequency and cost of such entertainment must not be excessive.
  
- ▲ No employee should be employed by or receive compensation from any other company under any circumstances where such employment is detrimental to Company's best interests.
  
- ▲ No employee should be indirectly involved i.e., through a spouse, friend or family member, in any activity, which would violate the Company's Code of Conduct if the employee had engaged in the conduct themselves.
  
- ▲ **Protection of Company Funds and Assets.** The Company will not tolerate any instances of theft or misappropriation of goods, services or any Company asset or property, regardless of amount. In general, employees can only purchase goods and services on the same terms available to the general public, with the exception of Company-authorized programs such as free

or discounted annual pass memberships for employees. The following specific guidelines relate to protection of Company funds and assets:

- ▲ No employee may use their relationship with Company to obtain from vendors, suppliers or contractors merchandise or services for personal purposes, which would otherwise be unavailable, or at a lower cost or better terms than would otherwise be available to the general public.
- ▲ No co-mingling of funds is ever tolerated between Company funds and those of employees. It is unacceptable to “borrow” Company funds, even for the shortest duration, under any circumstances, other than advances to employees authorized by the President for Company travel.

## **Solicitation, Distribution and Loitering Policy**

In the interest of maintaining a proper business environment and preventing interference with work, inconvenience to others, and disruption to our visitors and guests, the Company has adopted the following rules regarding solicitation, distribution and loitering on the Premises and/or during work hours:

- ▲ Solicitation (including selling merchandise and soliciting for financial contributions or any other cause) is not permitted by employees during Working Time (as defined below) or on the Premises. Solicitations are also prohibited in any area that is open to the public or where visitors or guests may be present. An employee may not engage in solicitation of any other employees who are on Working Time.
- ▲ Distribution of non-work related literature is not permitted for any purpose during Working Time or at any time in working areas.
- ▲ Distribution to, or solicitation of, guests, customers, visitors or clients is strictly prohibited at all times.
- ▲ Non-employees may not solicit for any purpose or engage in distribution of literature of any kind on the Premises. Employees should report any such persons making solicitations or distributions on the Premises.
- ▲ Loitering on the Premises, whether in the buildings or other Working Areas before a work shift begins or after it ends is not permitted.

As an employer and responsible corporate citizen, the Company may authorize certain solicitation and distribution to its employees as long as such activity is in furtherance of the Company’s business functions or charitable undertakings. Employees who wish to engage in solicitation or distribution other than as provided in this Policy must request permission to do so and may not until he or she has obtained the prior, written consent of a General Manager or President of the Company, which may be granted or withheld in the Company’s sole and absolute discretion.

The term “Working Time” means any time work is occurring on the Premises or an employee should be working.

The term “Working Areas” means any areas of the Premises where work normally occurs, which includes areas where guests may be present, such as hallways, lobbies, guest rooms, ballrooms, meeting rooms, offices, front desk, concierge or information stands, luggage stand, coat-check area, cubicles, exhibit area, restaurants, concessions, gift shops, and theatres.

## **Media Guests**

Members of the media (such as radio stations, television stations and newspapers) are often guests of the Company on the Premises. However, employees may not be able to distinguish members of the media from other guests or visitors. Members of the media are usually invited to the Premises for special events or occasions. On occasion, the media will come from outside of the Houston/Galveston area in order to develop a story on the Company. It is important for all employees to remember that the impression made on one member of the media can be multiplied thousands of times through articles or news spots. Employees can make the difference between a negative and a positive impression of how all Company guests are cared for at the Premises. All media questions should be directed to the Marketing Department, General Manager, or the President.

## **Packages and Searches**

All packages leaving the Premises are subject to inspection by Company security officers or a member of Company management.

Tote bags, backpacks, purses and other handbags are also subject to periodic, random inspection by Company security officers or a member of Company management or for reasonable cause. The Company may also search an employee’s personal area (including desks, lockers, and cubicles) at any time.

## **Lost and Found**

All lost items found on the Premises must be turned over to an immediate supervisor or to the information desk as soon as possible on the day they are found. The Security officer will complete an *Incident Report* or record it in the daily log. This process is necessary for guest convenience, record-keeping, and security purposes.

If a guest reports a lost item or has a question in regard to a lost item, employees should contact their immediate supervisor, Security, or information desk and have them assist the guest in order for them to resolve the problem. If the Company has possession of the guest’s lost item and it has been properly identified, it will be returned to the guest. **However, the Company is not responsible for any lost items.**

## **Telephone calls, Visitors and Mail**

Company telephones in an employee’s work area are intended for Company business purposes only. Personal phone calls should not be made from Company telephones in work areas. Employees may make personal phone calls only upon prior permission from an immediate supervisor and only during a

break period; provided, however, no long distance phone calls are permitted. Long distance phone calls are reserved only for Company business purposes. If someone needs to contact an employee in an emergency, they may call any department office directly and the message will be relayed to the appropriate employee if at all possible. Personal phone calls will not be transferred to an employee's work area.

Employees are encouraged to keep visits of friends and family to a minimum and limited to non-Working Time. Employees are responsible for the conduct of their visitors on the Premises.

The Company mail system is intended for Company business purposes only. Personal mail should not be sent to the Premises. All mail will be opened prior to being forwarded to the appropriate party. The mail room and the postal meter are to be used for Company business only. Since personal mail is not to be sent to the office, all mail is presumed to be for the Company and is subject to inspection by the Company. Employees should not have any expectation of privacy with respect to mail sent to their attention at the Premises.

### **Radios, Cellular Phones, earpieces, and Personal digital devices.**

Certain employees are assigned a radio, and/or cellular phone. When an employee has physical possession of any of these items, such employee also signs for and become responsible for replacing them at a pre-established monetary amount. Employees must return these items to the Company in good condition upon termination of employment. If these items are lost, stolen, or destroyed while in an Employee's possession, such employee may be held financially responsible for reimbursing the Company at the pre-established rate for the lost, stolen or destroyed item.

**Use of personal cellular phones is not permitted during Working Times or in working areas (except as authorized by management). This includes all forms of personal communications devices and services; i.e. phone calls, text messaging, streaming music or visiting social media sites.**

### **Facsimile and Voice Mail**

The facsimile, voice mail, and electronic mail systems are Company property and, in general, are to be used for Company business purposes only. The following rules shall govern the use of each of these systems:

#### **Facsimile**

The Company's facsimile equipment, including fax/modem boards, is to be used for Company business only, unless otherwise authorized by a department manager. Personal facsimile messages are not to be received or sent. All facsimile transmissions are subject to review by the Company. Accordingly, an employee should not have any expectation of privacy with respect to any facsimiles.

#### **Voice Mail**

The Company's voice mail system is to be used only for Company business purposes. Employees are not to make unauthorized or personal use of the voice mail system. Use of the voice mail system by any employee grants consent to the Company to monitor any voice mail messages. All messages are subject to review by the Company and random monitoring to determine whether any non-

employees have gained unauthorized access to the voice mail system or whether any violations of Company policy have occurred. Employees should not have any expectations of privacy with respect to voice mail messages.

## **Electronic Mail (E-Mail) and Internet Policy**

The Company's e-mail system and Internet access are to be used primarily for Company business purposes. Company e-mail and Internet access may be used sparingly for incidental, personal reasons, but employees should not abuse this privilege. When using e-mail or accessing the Internet, the Company prohibits:

- ▲ Unauthorized dissemination of Confidential Information;
- ▲ Sending, receiving, storing or printing of any materials or any information in violation of any applicable law;
- ▲ Forwarding e-mail messages under circumstances likely to embarrass, injure or harass any person or that violate a clearly expressed desire of the sender to restrict additional dissemination;
- ▲ Any use that may be disruptive, offensive, harmful or otherwise violates this Policy, including without limitation:
- ▲ Transmissions containing ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, color, religion, sex, pregnancy, sexual orientation, age, national origin, disability status, genetic information, service in the armed forces, or any other status protected by law;
- ▲ Sending or soliciting sexually-oriented messages or images;
- ▲ Operating a business or conducting activities for personal gain;
- ▲ Sending chain letters;
- ▲ Posting information known to be false about the Company, its employees, customers, or vendors.

## **Monitoring of Electronic Messaging Systems and Privacy of Information**

While incidental, personal use of the Company's electronic messaging systems is permitted, all employees should be aware that information passing through such system is not private and **THERE SHOULD BE NO EXPECTATION OF PRIVACY** in the use of the Company's information technology systems, including email and Internet browsers.

All information on Company-owned, leased or controlled computer systems and equipment, including electronic mail, is the sole and exclusive property of the Company. To ensure compliance with this Policy, the Company's management may inspect and disclose the contents of such computer systems and equipment, including any electronic messages.

**IT SHOULD ALSO BE NOTED THAT ELECTRONIC MESSAGING SYSTEMS, AS WELL AS OTHER COMPUTER SYSTEMS, ARE SUBJECT TO THE RIGHT OF DISCOVERY IN LEGAL ACTIONS INVOLVING THE COMPANY. THIS MEANS THAT OUTSIDE PARTIES MAY GAIN ACCESS TO THE INFORMATION STORED ON COMPANY SYSTEMS AND, AS A RESULT OF THE DISCOVERY PROCESS, SUCH INFORMATION MAY BECOME PUBLIC.**

## **Social Media**

The Company expects that its employees will adhere to this Policy when accessing Social Media for personal use. For example, the Company prohibits the disclosure of Confidential Information, as defined in this guide or posting or displaying comments that would violate the company's Discrimination or Harrassment initiative or posting unapproved Photos in the Company's Uniform; Or taking any actions that would otherwise violate this Policy.

## **Rules for Internet Access, Social Media, and E-mail**

The Company provides access to the public Internet for the basic functions of e-mail, file transfer, and interactive terminal access, where the use of those services is necessary to accomplish the business goals of the Company. The Company has no control over the content of the Internet that the viewer may find offensive or that may cause emotional distress.

The following rules should be observed when using the Company's electronic resources:

- ▲ Do not leave an Internet connection open when not actively using it. There are resource costs associated with Internet access and also a limited number of Internet access points from the Company's system. Employee Internet access limits the access of someone else, so employees should disconnect when finished with their immediate work.
- ▲ Outgoing transmissions are not automatically encrypted by the messaging systems. Therefore, employees must encrypt any transmission containing Confidential Information, proprietary or sensitive information.
- ▲ Employees are prohibited from connecting cellphones to computers or any other unauthorized hardware to the Company's network infrastructure without prior authorization from the IT department.
- ▲ Users must not engage in any activity that could disrupt or compromise the security and integrity of the Company's network infrastructure, including but not limited to hacking, phishing, or distributing malware.
- ▲ E-mail attachments or files obtained through the Internet are not scanned for known software viruses. Employees importing files are responsible for ensuring that files are free of viruses. Virus scanning software is provided on desktop computers and should always be used to scan for viruses when downloading files from the Internet.
- ▲ Exploration of the Internet to discover useful resources is encouraged, but the Company does not sanction connection to websites that contain any material that may offend others, including without limitation, websites containing sexually-explicit material. The Company has the right and the ability to block access to any website, and may exercise that right at any time.
- ▲ E-mail names are considered public information and can be advertised in any form, including on Company employees' business cards. The name must adhere to the Company's e-mail standards.
- ▲ The use of Internet style signatures at the end of messages sent over the Internet is encouraged, but these signatures must be limited to the sender's name, the Company's name, an Internet style e-mail address, phone number, and fax number. Employees may not add messages or quotes at the end of such signature without prior written authorization from an immediate supervisor.
- ▲ When posting on social media, employees must add the following disclaimer at the end of any message:  
*"My comments are provided for information only and they do not constitute an opinion of Moody Gardens".*
- ▲ Employees should assume that every Internet website visited will capture the electronic address, which can then lead them back to the Company. Employees should keep this in mind when visiting websites because the Internet tracks the sites visited.

- ▲ **Employees may not speak for the Company online without prior written authorization from the President.**
- ▲ Accessing Social Media during Working Time is prohibited other than to conduct Company-related business or activities.
- ▲ It may be a violation of federal truth-in-advertising (FTC) law to make false or potentially misleading endorsements about the Company's services when posting online. For that reason, if an employee's job responsibilities include endorsing the Company's services online, such employee must identify himself or herself as an employee of Company.
- ▲ Employees may only access the Internet from within Company offices. Access to the Internet from a remote computer through the Company's systems, by accessing the Company's host computer, is strictly prohibited. This prohibition is necessary to preserve system resources for other, non-Internet, remote connections to Company systems.

## **Safety, Health and Accident Prevention**

The Company is committed to providing the safest and best possible working environment. Training programs have been developed and implemented to provide employees with an understanding of the advantages of conducting work in a safe environment. The Company strongly believes that the success of these programs and training is dependent on the employee. This Policy requires employees to conduct their work in a safe manner. All concerns and issues involving safety and health are a top priority; therefore, it is everyone's responsibility to immediately report all unsafe or hazardous conditions. Immediate action will be taken to correct all matters of safety.

The Company's objectives will be achieved by following established safety guidelines, developing a commitment to safety, and by employees assuming responsibility for their own safety, the safety of their co-workers, and the prevention of loss to the Company.

### **Safety Guidelines:**

- ▲ Employees must report all injuries, no matter how slight, to their direct supervisor immediately.
- ▲ The Company prohibits retaliation against any employees who makes a good faith report of an injury. Retaliation does not include any discipline for violating safety rules.
- ▲ If an accident investigation occurs, all employees involved in the incident, or witnesses to the incident, must cooperate in the investigation performed by Company security, management or safety officer.
- ▲ Employees must be thoughtful and orderly in work conduct. Many injuries are the result of horseplay or other conduct outside the scope of employment.
- ▲ ONLY authorized personnel shall operate, modify, adjust or repair Company equipment.
- ▲ Employees must use all safety equipment provided for a particular job as instructed. Employees must wear or use safety devices provided for employee protection AT ALL TIMES.
- ▲ Employees must report any unsafe conditions or practices to an immediate supervisor and/or safety officer IMMEDIATELY.
- ▲ Employees must follow any and all safe work instructions provided by an immediate supervisor. In addition, specific safety and emergency regulations are available in each department. Employees are responsible for learning and following applicable fire, safety and health regulations.
- ▲ Employees must practice good housekeeping around work areas. **EMPLOYEES MUST CLEAN AS THEY GO.**
- ▲ **WET FLOORS** are dangerous. If an employee sees a spill, he or she should either wipe it up at once, or report it to a supervisor and either place appropriate caution sign or wait until someone

arrives to clean the area. Employees must use caution when walking in areas such as kitchens, pools, and stairways.

- ▲ Employees must SWEEP broken items, like glass: never pick it up with hands.
- ▲ AISLES, halls and walkways must always be clear of debris, electrical cords, or anything that can be tripped over.
- ▲ Employees must TALK to others when entering work areas which have blind corners, or when carrying a load which obstructs vision. A little conversation goes a long way.
- ▲ Employees must LOOK before turning corners, and never push or pull a cart blindly. Employees must always look where he or she is going.
- ▲ SHOES must be appropriate for work conditions or areas. No open toed, open heel, or sandal-type shoes (except for lifeguards).
- ▲ REACHING for objects on high shelves can be dangerous. Employees must use a stepladder and never use boxes or a chair for reaching high projects.
- ▲ LIFTING requires a certain technique. When lifting objects, Employees should never lift more than one-third of his or her own weight, or anything that an employee is unsure of. Employees should use their legs, not their back, and avoid twisting movements as lifting. When turning, Employees should make use of foot movement rather than twisting the body and then shifting the feet. When the object is too heavy or bulky to be moved by one person, check with an immediate supervisor for assistance or call a co-worker for help. Employees should never lift an object when stretching across a counter, shelf, table or other surface. Employees should slide or pull it toward them, then lift. Employees should always be sure that they have a firm grip on the object and wear protective gloves if the object is rough-edged which could cut or bruise the hands. When moving an object from above (such as on a high shelf), an employee should be sure that it is not too heavy. Ladders should be positioned so that the object may be removed with the arms and legs bearing the weight of the item.
- ▲ **WEAPONS/ FIREARMS are expressly prohibited to be carried, either openly or concealed, by any employee on the premises. Violations of this weapons possession policy will result in immediate termination. This policy is for the safety and welfare of both our employees and our guests.**

Employees will learn other safety measures while on the job, but it is imperative that employees be aware of the need for safety requirements for the welfare of all employees.

### **Fire Prevention:**

Department managers are responsible for informing employees about the fire procedure in their department. All employees are required to become familiar with the procedures and regulations to be followed in the event of fire or disaster and should fully understand the role each employee is to play in an emergency. Employees must know how and what to do.

There are fire extinguishers located in every area of every building on the Premises. Employees should always be on the alert for fire or smoke. Employees must observe all "No Smoking" rules and areas. In those designated areas where smoking is allowed, ashtrays must be used. Employees are not permitted to tamper with the fire alarm systems. Employees should remain calm in the event of fire or smoke and follow the fire procedures provided by their department manager. Employees must report all unsafe conditions that may result in a fire **IMMEDIATELY**.

All accidents or incidents of safety or security concerns must be reported immediately to the immediate supervisor, management, safety officer or security. The Company may set up surveillance to protect the

Company, the Premises, and Company guests and employees by using video cameras, security staff or other security service.

If an employee has any questions regarding safety or accident prevention, they should contact the Human Resources Department for assistance. Additional handouts and other information will be made available through safety meetings and at other times during employment.

## **Parking and Traffic Safety**

Sufficient parking area is provided in order to maintain a proper flow of traffic and to allow parking spots for both Company employees and guests. It is mandatory that these regulations be followed. **SPECIFIC PARKING RESTRICTIONS ARE ANNOUNCED EACH SEASON.**

- ▲ Employees working in or visiting the Premises must park in the designated employee parking lot unless otherwise notified.
- ▲ Employees must observe all Handicap parking spaces. Only those vehicles with the proper permits are allowed. The police department will be called to ticket and tow any vehicle illegally parked in a handicap space.
- ▲ All posted speed limits must be observed at all times.
  - All parking garages have a speed limit of 5 M.P.H. for all vehicles, including carts
  - The speed limit is 15 M.P.H. in the parking areas, the boulevards and driveways through the Premises.
  - Hope Boulevard and Lockheed are posted at 25 M.P.H. .
- ▲ All employees are to observe and follow all traffic safety procedures including stop signs, speed limits, Yield, pedestrian walkways, and handicap parking.

Violations of the Parking and Traffic Safety section of this Policy are subject to disciplinary actions:

Employees must lock their car when parked on the Premises. The Company is not responsible for anything that may happen to an employee's car or belongings while parked on the Premises.

## **Use of Vehicles on Company Business**

The Company has established the following guidelines regarding the use of vehicles while engaging in Company business: Any Employee driving or operating a company owned vehicle is required to have a copy of their Texas drivers license on file in Human Resources and be approved by the current Auto insurance carrier. Any driver will complete training or instructions on the operation of said vehicle. Any driver must be over twenty-one (21) with a valid TEXAS driver license to operate a street legal vehicle and over 18 to operate a cart. Your TEXAS Drivers license should be kept updated with Human Resources

- ▲ All employees must drive a Company vehicle (when available) while conducting Company business away from the Premises.
- ▲ If there appears to be no vehicle available, Contact the Attractions GM for alternate options

The Company's insurance protects Company from liability to third parties arising out of accidents which occur while an employee is driving his or her personal vehicle on Company business. However, such

insurance protects the Company only and neither Company nor Company's insurance provider will protect the employee from his or her liability or pay for damages to his or her personal vehicle arising out of his or her use of a personal vehicle on Company business.

- ▲ Use of cell phones or other personal electronic devices while driving a Company vehicle is strictly prohibited.
- ▲ Use of company issued cell phones or other company issued electronic devices (excludes push to talk 2 way radios) while driving any vehicle is strictly prohibited.

If a Company vehicle is unavailable, an employee may request permission from a General ~~department~~ manager to use his or her personal vehicle to conduct Company business away from the Premises.

If an employee is granted permission to use his or her personal vehicle to conduct Company business, such employee will be reimbursed for any Company business mileage at a rate equal to the current IRS rate of reimbursement per mile. This rate changes annually based on the current IRS tax laws.

In order to be reimbursed for any Company business mileage, employees must submit a monthly *Mileage Reimbursement for Personal Vehicle Use* report to their department manager.

## **Reporting Violations of this Policy**

It is the responsibility of all employees to ensure compliance with every part this Policy. All members of management are accountable for the effective administration and enforcement of this Policy throughout their respective departments, as well as Company-wide.

### **Violations of this Policy can result in disciplinary action, including without limitation, termination of employment with the Company.**

All employees are encouraged to bring suspected violations of this Policy to the attention of their immediate supervisor or department manager promptly. If the suspected violation involves an employee's immediate supervisor or department manager, the employee may notify the Human Resource Director, General Manager, or the President of the suspected violation.

## **Investigations and Corrective Action**

All reported violations of this Policy will be promptly and thoroughly investigated. This Policy prohibits retaliation against any person who reports or assists in the investigation of a suspected violation of this Policy.

The Company believes this Policy is necessary for the safe and efficient operation of the Company, and that corrective action will occasionally be required to protect the interests of the Company and its employees and guests, or to assist employees in improving their own job performance. Therefore, situations requiring corrective action will be acted upon promptly, though not in haste, and the action taken will be consistent, impartial, and based on sound and prudent judgment. The Company may provide a verbal counseling, a written warning, a suspension, or termination, depending on the offense

The exact steps for corrective action will be determined on a case-by-case basis and will be left up to the discretion of the Company's management. While it is **NOT** possible to specify the appropriate corrective action for every situation, it is the responsibility of management to determine the appropriate action considering the particular facts and circumstances involved. For any questions or assistance regarding such corrective action, all employees should contact the Human Resources Department.

## Family and Medical Leave Act

Moody Gardens has adopted this Family and Medical Leave Policy in accordance with the Family and Medical Leave Act of 1993, as amended (“FMLA”).

### Eligibility

To be eligible for leave under the FMLA, an employee must have been employed by Moody Gardens for at least one year, and must have worked at least 1,250 hours during the 12-month period preceding the commencement of the requested leave. In addition, employees must work at a worksite that has at least 50 employees employed within 75 miles of their worksite.

### Reasons for Leave

Eligible employees may take up to twelve weeks of unpaid leave under FMLA for the following reasons:

- ▲ for prenatal care, and for incapacity due to pregnancy or the birth of a child, and to care for the newborn child;
- ▲ to care for a newborn or adopted or foster care child for 12 months after the birth of placement;
- ▲ when the employee is needed to care for an immediate family member (*i.e.*, spouse, son or daughter who is either under 18 or disabled and incapable of self-care, or parent) with a serious health condition;
- ▲ when the employee is unable to perform the functions of his or her position because of the employee’s own serious health condition; or
- ▲ for a “qualifying exigency” of a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation.

**Covered Servicemember Leave:** Eligible employees may take up to twenty-six weeks of unpaid leave under the FMLA to care for a covered servicemember, but only during a single twelve-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. or a veteran not dishonorably discharged at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

### Terms used in this policy have the following meanings:

- ▲ “Spouse” means husband or wife as recognized under State law including common law marriage.
- ▲ “Parent” means a biological parent or an individual who acted as a parent to the employee when the employee was a child. To “act as a parent” means having day-to-day responsibilities to care for and financially support a child. “Parent” does not include parents “in-law.”
- ▲ “Son or daughter” means biological, adopted, or foster child, a stepchild, a legal ward, or a child for whom the employee acts as a parent if the child is under 18 years of age, or a child over 18 years of age for whom the employee acts as a parent if the child is incapable of self-care because of a mental or physical disability.

- ▲ “Serious health condition” means any illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities. The term “serious health condition” generally does not include:
  - “Continuing treatment” such as routine physical examinations, eye examinations, or dental examinations.
  - “Continuing treatment” involving only a regimen of taking over-the-counter medications, bed-rest, drinking fluids, or other similar activities that can be initiated without a visit to a health care provider.
  - Conditions for which cosmetic treatments are administered (*e.g.*, acne or plastic surgery) unless inpatient care is required or complications develop.
  - Conditions such as the common cold, the flu, earaches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, *etc.*, unless complications develop.
- ▲ “Qualifying exigency” may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

#### How Leave Is Calculated and Maximum Amount of Leave Allowed

For all leaves other than the Covered Servicemember Leave, an eligible employee may take a maximum of 12 weeks leave within a 12-month period of time. The 12-month period is a “rolling” period, measured backward from the date an employee uses FMLA leave. Each time an employee takes FMLA leave, the employee’s remaining leave allotment would be any balance of the 12 weeks that has not been used during the immediately preceding 12 months. For example, if an employee has taken eight weeks of leave during the past 12 months, the employee would be able to take an additional four weeks’ leave.

Leave taken for the birth or placement of a child must be completed within the 12-month period beginning on the date of the birth or placement.

Employees taking a Covered Servicemember Leave are entitled to take 26 weeks of leave during a single 12-month period. The single 12-month period begins on the first day of FMLA leave and ends 12 months after that date, regardless of the amount of leave actually taken. All leave not taken at the end of the single 12-month period is forfeited.

Spouses who are both working for Moody Gardens are limited to a combined total of 12 (or in the case of Covered Servicemember Leave, 26) weeks’ leave during any 12-month period, when the leave is due to the birth or placement of a child, or to care for a parent with a serious health condition.

For employees who take a Covered Servicemember Leave and FMLA leave for any other reason, the total amount of time which the employee may take is 26 weeks in a single 12-month period.

#### Intermittent or Reduced Schedule Leave

An employee does not need to use the FMLA leave entitlement in one block. When certified to be medically necessary, an employee requesting leave for the serious health condition of the employee or a member of the employee’s immediately family may take FMLA leave on an intermittent or

reduced schedule basis. Employees may also take leave for a qualifying exigency on an intermittent basis.

Intermittent leave is leave taken in separate blocks of time due to a single illness or injury, rather than for one continuous period of time and may include leave taken in periods from an hour or more to several weeks. Intermittent leave may not be taken in increments of less than 1 hour.

#### **Notice of Leave**

If the need for the FMLA leave is foreseeable, the employee must give Moody Gardens at least 30 days advance notice of the need for leave. This notice should be provided by completing Moody Gardens' Request for Leave form, which is available from the Human Resources Representative.

If it is not possible to give 30 days' notice of foreseeable leave, or if the need for the leave was not foreseeable, employees must notify Moody Gardens of the need for leave as soon as practicable under the circumstances. Ordinarily this would mean at least verbal notice to the employee's supervisor or Human Resources Representative on the same or next day of when the need for the leave becomes known to the employee. This verbal notice should, at a minimum, state the reason for the leave and its anticipated timing and duration. The employee should complete a Request for Leave form as soon as practicable.

Employees must provide sufficient information to determine if the leave may qualify for FMLA protection and the anticipated duration and timing of the leave

When planning medical treatment, the employee should consult with the employee's supervisor and make a reasonable effort to schedule the leave so as not to disrupt unduly Moody Gardens's operations, subject to the approval of the health care provider.

**Employees must follow Moody Gardens' call-in procedures for any absences under the FMLA, and are subject to discipline for their failure to do so. If an employee fails to give 30 days notice for foreseeable leave with no reasonable excuse for the delay, Moody Gardens may delay the start of the leave until at least 30 days after the date the employee provided notice of the need for the leave.**

#### Medical Certification

If an employee requires leave due to the serious health condition of the employee or a member of the employee's immediate family, then Moody Gardens may ask the employee and the attending health care provider to provide medical certification of the need for the leave. Moody Gardens may later require recertification under certain circumstances.

Failure to provide requested medical certification in a timely manner may result in delay of the requested leave, a denial of leave and/or disciplinary action under the attendance policy.

#### Employer Responsibilities

It is Moody Gardens's responsibility to inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, Moody Gardens must provide a reason for the ineligibility.

Moody Gardens must inform employees if leave will be designated and the amount of leave counted against the employee's leave entitlement. If Moody Gardens determines that the leave is not FMLA-protected, Moody Gardens must notify the employee.

### Status Reports

An employee on FMLA leave must contact Moody Gardens on the 1st and 15th day of each month (or on the first workday following the 1st and 15th, if those days fall on a weekend or holiday) to report on the status of the reason for the leave, the employee's intent to return to work, and the expected date of return.

### Use of Paid Leave, Health Insurance and Other Benefits

Paid leave (i.e. PTO, vacation leave, Short Term Disability, Workers Compensation, or other paid leave) runs concurrently with FMLA. Moody Gardens requires employees to use all accrued paid leave while taking FMLA leave unless receiving other benefits. During the period of paid leave, if any, the employee will continue to actively participate in all applicable benefit plans, including health insurance, for so long as the FMLA leave is paid. This means that the employee's portion of health insurance premiums and other benefits contributions will continue to be deducted from the employee's regular payroll check.

When FMLA leave is unpaid, Moody Gardens will maintain the employee's group health insurance benefits under the same terms as if the employee had continued to be actively employed. The employee must pay the employee's portion of the premium during the leave. Payment of the employee's portion of the premium should be submitted to the office and is due on the 1st day of each month. If the employee's portion of the premium is more than 30 days late, the employee's health insurance coverage may cease.

The employee will be required to reimburse Moody Gardens for any amounts that may be paid to cover the employee's portion of the premium during leave. If the employee returns from the leave, this reimbursement will be accomplished through payroll deduction unless Moody Gardens approves of another arrangement. Moody Gardens will work with the employee to establish a reasonable repayment schedule.

If an employee does not return to work following completion of FMLA leave, the employee will be required to reimburse Moody Gardens for the amount of the premiums paid (whether designated the employer's or the employee's portion) to maintain the employee's health insurance coverage during unpaid FMLA leave, unless the employee is unable to return to work because of the continuation, recurrence or onset of a serious health condition or some other reason beyond the employee's control. Such amount will be deducted from any moneys owed by Moody Gardens to the employee unless Moody Gardens approves of another arrangement. If no moneys are owed by Moody Gardens to the employee, such amount will be a debt owed by the employee to Moody Gardens which may be collected by any legal means. If the employee is unable to return because of a serious health condition, Moody Gardens may require the employee to submit medical certification using the Certification of Health Care Provider form in order to forgive premium amounts due. If the employee fails to submit the required certification within 30 days of Moody Gardens's request, the employee will be required to reimburse Moody Gardens for premiums paid during the unpaid FMLA leave in the manner described above.

While an employee is on unpaid FMLA leave, Moody Gardens may maintain other employer-provided insurance coverage (such as life, accident and long term disability insurance) for the employee under the same terms as if the employee had continued to be actively employed. If such other insurance coverage is maintained, the provisions of this policy regarding payment and reimbursement of health insurance premiums will apply to the payment and reimbursement of premiums for such coverage.

### Returning from Leave

Following the completion of FMLA leave, the employee will be reinstated to his or her former position, or to an equivalent position in accordance with the law. If the leave is for an employee's own serious health condition, then Moody Gardens may require a return to work release before reinstating the employee. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### FMLA Violations and Enforcement

FMLA makes it unlawful for any employer to (1) interfere with, restrain, or deny the exercise of any right provided under the FMLA; or (2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA. An employee may file a complaint with the U.S. Department of Labor Wage and Hour Division, or pursue private action against an employer. The FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

### Other leave rights Not subject to FMLA

Classification for benefits eligibility is by Job, not by hours, as our hours may vary depending on season and business demands, which is outside of the employee's control. Employees classified as Full-Time are offered Benefits.

The exception is for the purposes of the employer shared responsibility provisions, of the ACA, those employees that we are required by law to offer medical coverage to. ACA Full Time Equivalent (part time employees) that consistently average 30 hours a week or 130 hours a month over a period of 11 months.

Active benefit eligible employees are Employees designated by the Employer as eligible for benefits based on job classification, even if their actual hours worked fall below 30 hours per week. This would include Full-Time Equivalents (FTEs) as defined by the Employer.

If the Participant does not return to Active Employment or no longer qualifies as an eligible employee at the end of the continuation period, coverage will terminate and then may be eligible for COBRA continuation.

## **EMPLOYER CONTINUATION OF MEDICAL INSURANCE COVERAGE WHILE ON LEAVE**

Eligible Participants may seek to continue coverage Medical Insurance upon the occurrence of any of the following:

1. Layoff: coverage will continue for sixty (60) days following the date of layoff.
2. Short-Term Disability Leave; coverage will continue for sixty (60) days following termination of Active Employment.
3. Long-Term Disability Leave; coverage will not continue following termination of Active Employment.

4. ADA Leave: A non-FMLA leave granted by the Employer in accordance with the Americans with Disabilities Act (ADA); coverage will continue for a period not to exceed sixty (60) days.

5. Leave of Absence (not meeting the definition of a FMLA Leave); coverage will continue for sixty (60) days.

The Participant will be required to pay the employee premium cost of coverage during leave.

If the above noted leave(s) run concurrently with FMLA, USERRA or any State-mandated family or medical leave, and/or any other applicable leaves of absence.

Continuation of coverage under this policy is limited to one leave category per qualifying event. If a Participant qualifies for multiple leave types arising from the same or related condition, the continuation period will be based on the category providing the longest applicable duration. Continuation periods may not be combined or extended beyond the maximum period stated, unless required by law.

If the Participant does not return to Active Employment or no longer qualifies as an eligible employee at the end of the continuation period, coverage will terminate the first (1st) of the month following continuation period.

No extensions beyond the stated continuation periods will be granted, except as required by law (e.g., ADA or FMLA). At the end of the period(s) listed above, the Participant's coverage will end and, if eligible, may be offered COBRA.

MOODY GARDENS, INC.

**EMPLOYEE POLICY GUIDE ACKNOWLEDGMENT AS AMMENDED 2025**

This Policy supersedes all previous employee statements, including any previous guides, manuals, memorandums, and oral or written statements pertaining to Moody Gardens, Inc.'s policies described here. It is effective immediately and is applicable to all employees regardless of their date of employment.

I understand that this Policy is a general guide and that the provisions described do not constitute an employment agreement contract or a guarantee to continued employment. It is, properly, a compilation of useful information about Moody Gardens, as well as policies and procedures concerning employee's obligations, responsibilities, benefits, and privileges.

I further understand that Moody Gardens reserves the right to change the provisions of this Policy at anytime. When appropriate, Moody Gardens may of its own volition deviate from or make exceptions to particular provisions stated here. Moody Gardens reserves the right, on a case-by-case basis, to interpret its stated or usual policies, practices, and procedures when Moody Gardens deems it necessary or appropriate.

I further agree that employment at Moody Gardens is "at-will," meaning that either the employee or Moody Gardens may terminate the employment relationship for any reason at any time. This Policy is not a contract of employment and Moody Gardens disclaims any implied contractual obligation for continuing employment.

I am aware that the Policy guide is available to me at all times at [www.mghrinfo.com](http://www.mghrinfo.com) and that if I am not able to access the site I can contact Human Resources for a copy. I am aware of the policies outlined in this Policy. I am also aware that I will be held accountable for understanding and following this Policy and violations of this Policy may result in disciplinary action up to and including termination of my employment. **Please sign your acknowledgement below.**

I have received and am aware of Moody Gardens **Harassment Policy**. I am also aware that I will be held accountable for understanding and following these policies. **Please sign your acknowledgement below.**

*I have received training in what constitutes harassment. If I am a victim or suspect someone else is a victim of harassment, I agree to immediately bring it to the attention of my supervisor, manager, Human Resources Director, General Manager or the President of Moody Gardens*

I furthermore acknowledge that I have been given access (@ [www.mghrinfo.com](http://www.mghrinfo.com)) to a copy of Moody Gardens **Drug Free Workplace Policy**. I was assigned and read this policy prior to my pre-employment drug screening. I acknowledge understanding of this policy with receipt of this Employee Guide. **Please sign your acknowledgement below.**

I have read and understand the **Code of Business Conduct** contained in this Policy. I understand that my compliance with the provisions of the code is a condition of my employment and that violations of the code may result in disciplinary action up to and including immediate termination of employment and other legal action. **Please sign your acknowledgement below.**

I also affirm that I am not currently involved in any violations of the code and I have set forth below any disclosures or requests for approvals or exceptions.

Below are areas of potential conflict or disclosures that either already exists or that Moody Gardens Inc. should be aware of:

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By signing this acknowledgement, I have accepted and understand all of the policies mentioned in this Policy and I agree to abide by the provisions of this Policy.

EMPLOYEE SIGNATURE

EMPLOYEE ID#

\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
DATE

PRINT EMPLOYEE NAME

POSITION / LOCATION