

TREEPEOPLE WHISTLEBLOWER POLICY

It is the public policy of the State of California to encourage employees to notify an appropriate government or law enforcement agency when they have reason to believe their employer is violating a state or federal statute, or violating or not complying with a state or federal rule or regulation. This policy outlines procedures for handling employee complaints, as well as a confidential way for employees to report any financial mismanagement.

Who is protected? Employees are the protected class of individuals. "Employee" means any person employed by an employer, private or public.

What is a whistleblower? A "whistleblower" is an employee who discloses information to a government or law enforcement agency where the employee has reasonable cause to believe that the information discloses: 1. A violation of a state or federal statute, 2. A violation or noncompliance with a state or federal rule or regulation, or 3. With reference to employee safety or health, unsafe working conditions or work practices in the employee's employment or place of employment.

What protections are afforded to whistleblowers? 1. An employer may not make, adopt, or enforce any rule, regulation, or policy preventing an employee from being a whistleblower. 2. An employer may not retaliate against an employee who is a whistleblower. 3. An employer may not retaliate against an employee for refusing to participate in an activity that would result in a violation of state or federal statute, or a violation or noncompliance with a state or federal rule or regulation. 4. An employer may not retaliate against an employee for having exercised his or her rights as a whistleblower in any former employment.

How do you report improper acts? If you have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees, call the California State Attorney General's Whistleblower Hotline at 1-800-952-5225.

TREEPEOPLE RECORD RETENTION POLICY

Numerous federal and state laws have specific records retention periods for specific records made in, or collected in connection with employment. Often the same records have different retention periods under different laws. Therefore, TreePeople keeps all records for the longest period of time required by any applicable law, as specified in the following chart. Not all of the records mentioned below are ones that pertain to the business of running TreePeople and its employees. The Senior Manager of Human Resources is responsible for handling, backing up and archiving employment documents.

Personnel Data Category	Retention Period	Laws Requiring Retention
<u>Recruitment, Hiring and Job Placement Records</u> Job applications Resumes	2 years (or the duration of any claim or litigation)	Title VII FEHA ADA

<p>Other job inquiries sent to employer Employment referral records Help wanted ads Opportunities for training, promotion or overtime Job opening notices sent to employment agencies or labor unions Employment testing results</p>	<p>involving hiring practices)</p>	<p>ADEA</p>
<p><u>Payroll Records</u> Name, employee number, address, age, sex, occupation Individual wage records Time and day work week begins Regular hourly rate Hours worked (daily and weekly) Deductions from or additions to wages Wages paid each pay period Payment dates and periods Piece rates</p>	<p>4 years</p>	<p>FLSA California unemployment Insurance Code</p>
<p><u>California Wage Records</u> Time cards Cali wage records continued... Wage rate calculation tables for straight time and overtime Shift schedules Individual employees' hours and days Piece rates Records explaining wage differentials between sexes</p>	<p>3 years</p>	<p>FLSA Cal Labor Code</p>
<p><u>Employment Eligibility Forms Verification</u> I-9 Forms</p>	<p>The later of 3 years from hire date or 1 year after termination</p>	<p>Immigration Reform and Control Act</p>
<p><u>Child Labor Certificates and Notices</u></p>	<p>3 years</p>	<p>FSLA Cal Labor Code</p>
<p><u>Employee Personnel Files</u> Disciplinary notices Promotions and demotions Performance evaluations</p>	<p>2 years</p>	<p>Title VII ADEA FEHA ADA</p>

Discharge, layoff, transfer, and recall files Training and testing files Physical files		
<u>Affirmative Action Programs and Documents</u>	5 years (Discretionary, but recommended)	Title VII EO11246
<u>Employee Health Records</u> First aid records for job injuries causing loss of work time Drug and alcohol test records	5 years (Chemical safety and toxic exposure records must be kept for duration of employment, plus 30 years)	OSHA Cal-OSHA
<u>Unlawful Employment Practices Claims, Investigations and Legal Proceedings Records</u> Personnel and payroll records about complaining parties Personnel and payroll records about all others holding or applying for similar positions	Until disposition of case	Title VII FEHA ADEA ADA NLRA FLSA
Union and Employee Contracts	3 years	FLSA
Employee Benefits Data	6 years, and not less than 1 year following a plan termination.	

Note: Regarding record retention of “Employee Benefits Data...” documentation of benefits elections, beneficiary designations, eligibility determinations, COBRA notices and summary plan descriptions and earnings and records required to determine retirement benefits, including 401(k) and similar plans, must be kept indefinitely.

Note: TreePeople remains in compliance with all IRS bookkeeping and record keeping requirements. If you have any questions regarding this, please see Accounting for a record retention schedule.