



COMPLETION INSTRUCTIONS (MUST READ!!)

Welcome to **Miami Watersports**! We are excited to have you be part of our team!

We apologize in advance for this lengthy hiring form, however it is mandatory by our company. Please be sure to read and understand all of the content presented to you. You may contact us at anytime for assistance with completing any of the sections.

Table of Contents:

- Page 2: *HR/ Manager contact*
- Page 3-24: *Employee Handbook*
- Page 25-28: *How to handle an injury/ incident*

Things to watch out for while completing this Employee Hiring Form:

- Incomplete/ incorrect forms will result in staff member needing to re-complete the entire Hiring Form process from start.
- Read carefully each sections, be aware that some of the fields are optional however they may be required in your case.
- Some of your personal info will be already filled out, if you notice any incorrect info, please stop and contact a manager to receive a new updated form.



Have a question or concern? Need to talk to someone?

Contact Human Resources

Employees are encouraged to contact us to report and discuss any employment related issues or questions:

Please make sure to add your Full Name and Position when emailing.

| NAME | PHONE | EMAIL |
|---|--------------|---------------------------------|
| Yeimilyn (<i>pronounced Jamie-lynn</i>) Lorenzo HR | 786-351-7510 | ylorenzo@miamipayrollcenter.com |
| Annabelle Lebaz Management | 305-323-1898 | info@miamiwatersports.com |
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EMPLOYEE HANDBOOK

Effective March 2022

TABLE OF CONTENTS

| | |
|--|-----------|
| INTRODUCTION | 4 |
| Welcome to Miami Water Sports and its affiliated Companies! | 4 |
| Handbook Purpose | 4 |
| EMPLOYMENT | 5 |
| Equal Employment | 5 |
| Background Checks | 5 |
| At-Will Notice | 5 |
| Immigration Law Compliance..... | 5 |
| Introductory Period | 5 |
| Employment Classifications | 5 |
| Personnel Records..... | 6 |
| Verification of Employment & Reference Checks | 6 |
| Employment of Relatives | 6 |
| Romantic & Other Intimate Relationships between Employees & Clients..... | 6 |
| CONDUCT AND BEHAVIOR..... | 7 |
| General Conduct Guidelines..... | 7 |
| Sexual and Other Unlawful Harassment | 7 |
| Abusive Conduct..... | 8 |
| Corrective Action..... | 9 |
| COMPENSATION | 10 |
| Pay Periods | 10 |
| Timekeeping | 10 |
| Overtime..... | 10 |
| Payroll Deductions | 10 |
| Performance Evaluation | 11 |
| Work Assignments..... | 11 |
| Advances and Loans | 11 |
| BENEFITS | 12 |
| Holidays | 12 |
| Temporary Leave of Absence | 12 |
| Jury Duty..... | 12 |
| Witness Leave..... | 12 |
| Domestic Violence or Sexual Assault Leave | 12 |
| HEALTH, SAFETY, AND SECURITY | 14 |
| Non-Smoking | 14 |
| Drugs and Alcohol | 14 |
| Reasonable Accommodations | 14 |
| Lactation Accommodation | 14 |
| Injury and Accident Response and Reporting | 14 |
| Workers' Compensation..... | 15 |
| Workplace Violence and Security Protocols | 15 |
| Driving Safety | 15 |
| Inclement Weather and Outages..... | 15 |
| WORKPLACE GUIDELINES | 16 |
| Hours of Work | 16 |
| Off-the-Clock Work | 16 |
| Attendance and Tardiness..... | 16 |
| Dress Code, Uniforms, Personal Appearance and Hygiene | 16 |
| Confidentiality | 17 |
| Solicitation and Distribution..... | 17 |
| Conflict of Interest..... | 18 |

| | |
|---|-----------|
| Business Gifts | 18 |
| Outside Activities..... | 18 |
| Reporting Irregularities | 18 |
| Inspections and Searches | 18 |
| Video Surveillance | 18 |
| Hardware and Software Use | 18 |
| Social Media | 19 |
| Personal Cell Phone Use..... | 19 |
| Care of Organization Equipment..... | 20 |
| Personal Property..... | 20 |
| Parking..... | 20 |
| EMPLOYMENT SEPARATION | 21 |
| Resignation | 21 |
| Termination | 21 |
| Final Pay..... | 21 |
| Personal Possessions and Return of Company Property | 21 |
| EMPLOYEE HANDBOOK ACKNOWLEDGEMENT | 22 |

INTRODUCTION

WELCOME TO MIAMI WATER SPORTS AND ITS AFFILIATED COMPANIES!

We're very happy to welcome you to Miami Water Sports! Thank you for joining our team!

HANDBOOK PURPOSE

This employee handbook is presented as a matter of information and has been prepared to inform employees about the Company's philosophy, employment practices, policies, and the benefits provided to our valued employees, as well as the conduct expected from them. While this handbook is not intended to be a book of rules and regulations or a contract, it does include some important guidelines which employees should know. Except for the at-will employment provisions, the handbook can be amended at any time.

This employee handbook will not answer every question you may have, nor would the Company want to restrict the normal question and answer interchange among us. It is in our person-to-person conversations that we can better know each other, express our views, and work together in a harmonious relationship.

We hope this guide will help employees feel comfortable with us. The Company depends on its employees; their success is our success. Please don't hesitate to ask questions. Every manager will gladly answer them. We believe employees will enjoy their work and their fellow employees here. We also believe that employees will find the Company a good place to work.

No one other than authorized management may alter or modify any of the policies in this employee handbook. No statement or promise by a supervisor, manager, or designee is to be interpreted as a change in policy, nor will it constitute an agreement with an employee.

Should any provision in this employee handbook be found to be unenforceable and invalid, such a finding does not invalidate the entire employee handbook, but only the subject provision. Nothing in this handbook is intended to infringe upon employee rights under Section 7 of the National Labor Relations Act (NLRA) or be incompatible with the NLRA. We ask that employees read this guide carefully, become familiar with the Company and our policies, and refer to it whenever questions arise.

EMPLOYMENT

EQUAL EMPLOYMENT

The Company provides equal employment opportunities to all qualified individuals without regard to race, color, religion, sex, gender identity, sexual orientation, pregnancy, age, national origin, physical or mental disability, military or veteran status, genetic information, or any other protected classification. Equal employment opportunity includes, but is not limited to, hiring, training, promotion, demotion, transfer, leaves of absence, and termination. The Company takes allegations of discrimination, harassment, and retaliation seriously, and will promptly investigate when such behavior is reported. Employees can raise concerns and make reports without fear of reprisal by contacting a member of management or Human Resources Representative.

BACKGROUND CHECKS

The Company may conduct a background check on any applicant or employee with their signed consent. The background check may consist of prior employment verification, reference checks, education confirmation, drug and alcohol testing, criminal background, credit history, motor vehicle or other information, as permitted by law. Third-party services may be hired to perform these checks. All offers of employment and continued employment are contingent upon a satisfactory background check. Refusal to consent to a background check may result in discipline, up to or including termination.

AT-WILL NOTICE

The employment relationship between the Company and employees is at-will. This means that employees are not hired for any specified period and their employment may be terminated at any time, with or without cause, and with or without notice, by either the Company or the employee. Company policy requires that all employees are at-will; any implied, oral, or written agreements or promises to the contrary are void and unenforceable, unless approved by an officer with the power to create an employment contract. There is no implied employment contract created by this Handbook or any other Company document or written or verbal statement or policy.

IMMIGRATION LAW COMPLIANCE

All employees are required to complete Section 1 of Form I-9 on their first day of employment, and produce, within three business days, acceptable proof of their identity and eligibility to work in the United States. Failure to produce the proper identifying documents within three days will result in termination.

INTRODUCTORY PERIOD

The employee's first 90 days of employment with the Company are considered an introductory period. If, during this period, employee work habits, attitude, attendance, performance or other relevant factors do not measure up to our standards, the Company may terminate employment.

EMPLOYMENT CLASSIFICATIONS

The Company has established the following employee classifications for compensation and benefit purposes only. An employee's supervisor or manager will inform the employee of their classification, status, and responsibilities at the time of hire, re-hire, promotion or at any time a change in status occurs. These classifications do not alter the employment at-will status.

Regular Full-Time Employee

An employee who is scheduled to work no less than 100% of the scheduled work hours in a workweek on a fixed work schedule (not less than 35 hours). The employee may be exempt or non-exempt and is generally eligible for all employment benefits offered by the Company.

Regular Part-Time Employee

An employee who is scheduled to work less than 35 hours in a workweek and may be eligible for some benefits.

Temporary Employee

An employee who is scheduled to work on a specific need of the Company. The employee will not receive any benefits unless specifically authorized in writing.

Exempt

Employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and applicable state law and who are exempt from overtime pay requirements. The basic premise of exempt status is that the exempt employee is to work the hours required to meet their work responsibilities.

Non-Exempt

Employees whose positions do not meet FLSA and state exemption tests and who are paid a multiple of their regular rate of pay for overtime hours worked. Unless notified otherwise in writing by management, all employees of the Company are non-exempt.

PERSONNEL RECORDS

The Company maintains various employment files while an individual remains an employee of the Company. Such files may include employee personnel files, attendance files, I-9 files, and files for medical purposes. Employees are required to notify their manager should any of their personal information change (e.g., address, phone number, last name) so the appropriate updates can be made to the files. The Company will take reasonable precautions to protect employee files and employees' personally identifiable information in its records.

VERIFICATION OF EMPLOYMENT & REFERENCE CHECKS

All verifications of employment and/or income must be completed by the Manager and/or payroll company. Employees contacted to verify employment or income for a current or former employee must refer the inquirer to a Manager. Deviation from this policy is grounds for disciplinary action, up to and including termination.

EMPLOYMENT OF RELATIVES

The Company generally prohibits the hiring of relatives. The Company may transfer an employee or otherwise change their employment status at any time for any reason, including to avoid the appearance of favoritism or other conflict of interest.

ROMANTIC & OTHER INTIMATE RELATIONSHIPS BETWEEN EMPLOYEES & CLIENTS

While the organization does not encourage romantic, sexual or intimate relationships between employees and/or clients, to ensure a respectful and productive work environment, these relationships may be permissible when they do not affect employee job performance, do not create a conflict of interest. Depending on the nature and circumstances of the relationship, it may simply be not appropriate for the workplace, or may require reassignment of an employee, including termination of employment.

CONDUCT AND BEHAVIOR

GENERAL CONDUCT GUIDELINES

Employees are always expected to exercise common sense and courtesy. Professionalism is expected, as is respect for the safety and security of people and property. Failure to meet these expectations may be grounds for discipline, up to and including termination. **The following are some General Rules of Conduct employees are expected to observe during their employment with the Company:**

- Failure to follow the policies outlined in this handbook.
- Negligent, careless, or inconsiderate treatment of clients or their information.
- Theft, misappropriation, or unauthorized possession or use of Company or client property.
- Unauthorized removal of Company property from the premises.
- Sharing trade secrets or other confidential business information with anyone who does not have an official need to know.
- Accessing, without authorization, confidential information.
- Falsifying or changing any type of Company, client, or employee document or record without authorization.
- Willfully, negligently, or carelessly damaging, defacing, or mishandling property of the Company, a client, or an employee.
- Taking or giving bribes of any nature.
- Entering Company premises without authorization.
- Violating security, safety, or fire prevention regulations, or tampering with safety equipment.
- Unauthorized use of a personal vehicle for Company business.
- Conduct that is illegal under federal, state, or local law.
- Creating a disturbance on Company premises.
- Use of abusive language.
- Any rude, discourteous, or unprofessional behavior, on or off Company premises, which is not protected by Section 7 of the National Labor Relations Act and that adversely affects the Company services, operations, property, reputation, or goodwill in the community, or interferes with work.
- Insubordination or refusing to follow instructions from a supervisor or manager; refusal or unwillingness to accept a job assignment or to perform job requirements.
- Leaving during scheduled work hours without permission; unauthorized absence from assigned work area during regularly scheduled work hours.
- Sleeping during regular working hours.
- Recording time for another employee or having time recorded by another employee.
- Use or possession of illegal drugs on Company premises at any time.
- Use of alcohol or illegal drugs during working hours or working under the influence of intoxicants.
- Unauthorized possession of a weapon on Company premises.
- Illegal gambling on Company premises.
- Soliciting, collecting money, vending, and posting or distributing bills or pamphlets during working hours in work areas. Such activity by employees during non-working time, including meal and rest periods, is not restricted so long as such activity does not interfere with the regular operation of business, is orderly, lawful, in good taste, conducted in an orderly manner, and does not create a safety hazard or a mess. Non-employees are always prohibited from all forms of solicitation on Company property.

SEXUAL AND OTHER UNLAWFUL HARASSMENT

The Company is committed to providing a work environment free of harassment in any form, including inappropriate and disrespectful behavior, intimidation, and other unwelcome conduct directed at an individual because of their inclusion in a protected class. Applicable federal and state law defines harassment as unwelcome behavior based on someone's inclusion in a protected class. Sometimes

language or actions that were not expected to be offensive or unwelcome are, so employees should err on the side of being more sensitive to the feelings of their co-workers rather than less.

The following are examples of harassment; behaviors not in this list may also be considered harassment:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Retaliation or threats of retaliation for refusing advances or requests for favors;
- Leering, making sexual gestures or jokes, or commenting on an employee's body;
- Displaying sexually suggestive content;
- Displaying or sharing derogatory posters, photographs, or drawings;
- Making derogatory epithets, or slurs;
- Ongoing teasing about an employee's religious or cultural practices;
- Ongoing teasing about an employee's sex, sexual orientation, or gender identity;
- Physical conduct such as touching, assault, or impeding or blocking movements

Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a manager, or harassment by persons doing business with or for the Company, such as clients, customers or vendors. **Any employee issues must be reported to management in writing to info@miamiwatersports.com.**

Retaliation

Any form of retaliation against someone who has expressed concern about any form of harassment, refused to partake in harassing behavior, made a harassment complaint, or cooperated in a harassment investigation, is strictly prohibited. A complaint made in good faith will under no circumstances be grounds for disciplinary action. Individuals who make complaints that they know to be false may be subject to disciplinary action, up to and including termination.

Enforcement

All managers and supervisors are responsible for:

- Implementing the Company's harassment policy;
- Ensuring that all employees they supervise have knowledge of and understand the Company policy;
- Reporting any complaints of misconduct to the designated company representative, the HR Manager, so they may be investigated and resolved internally;
- Taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with the policy; and
- Conducting themselves in a manner consistent with the policy.

Harassment Complaint Procedure

Employees are **required** to report behavior they feel is harassing, whether or not that behavior is directed at them. Reporting behavior provides for immediate, thorough, and objective investigation of claims of harassment. Appropriate disciplinary action will be taken against those who are determined to have engaged in harassing behavior. **Any employee concerns must be reported to management in writing to info@miamiwatersports.com to ensure proper resolution.**

ABUSIVE CONDUCT

Abusive conduct means malicious conduct in the workplace that a reasonable person would find hostile or offensive and unrelated to an employer's legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the sabotage or undermining of a person's work performance. A single act will generally not constitute abusive conduct, unless especially severe. The Company considers abusive conduct in the workplace

unacceptable and will not tolerate it under any circumstances. **Any employee concerns must be reported to management in writing to info@miamiwatersports.com to ensure proper resolution.**

CORRECTIVE ACTION

A high level of job performance and professionalism is expected from each employee. In the event that an employee's job performance does not meet the standards established for the position, they violate company policies or procedures, or their behavior is otherwise unacceptable, corrective action may ensue at management's sole discretion, including unpaid suspension and termination of employment.

COMPENSATION

PAY PERIODS

The standard seven-day payroll workweek for the Company will begin at 12:00 a.m. Monday and end on Sunday. The designated pay period for all employees is bi-weekly. Paydays are bi-weekly every other Friday. Except as otherwise provided, if any date of paycheck distribution falls on a weekend or holiday, employees will be paid on the preceding scheduled workday or as soon as possible.

TIMEKEEPING

All non-exempt employees are required to use the timekeeping system to record their hours worked. For this policy, all forms of timekeeping will be referred to as clocking in or out. Employees should clock in no sooner than five minutes before their scheduled shift and clock out no later than five minutes after their scheduled shift.

Accurate timekeeping is a federal and state wage and hour requirement, and employees are required to comply. Failing to enter time into the timekeeping system in an accurate and timely manner is unacceptable job performance. Employees may not ask another employee to clock in or out for them. Should an employee miss an entry into the timekeeping system, they must notify their manager as soon possible for correction. Non-exempt employees are not permitted to work unscheduled time without prior authorization from their manager.

OVERTIME

The Company complies with all applicable federal and state laws regarding payment of overtime work. Non-exempt employees are paid overtime at the rate of one and one-half times the regular rate of pay for all hours worked over 40 in a workweek.

Employees are required to work overtime when assigned. Any overtime worked must be authorized by a supervisor or manager, in advance. Working unauthorized overtime or the refusal or unavailability to work overtime is not acceptable work performance, and is subject to discipline, including but not limited to termination.

PAYROLL DEDUCTIONS

The Company complies with the salary basis requirements of the Fair Labor Standards Act (FLSA) and does not make improper deductions from the salaries of exempt employees. There are, however, certain circumstances where deductions from the salaries of exempt employees are permissible. Such circumstances include:

- When an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability
- When an exempt employee is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide sick leave plan that provides compensation for salary lost due to illness
- To offset amounts received as witness or jury fees, or for military pay
- For disciplinary suspensions of one or more full days imposed in good faith for serious workplace policy violations
- For penalties imposed in good faith for serious safety infractions
- When an employee is on unpaid leave under the Family Medical Leave Act
- During an employee's first and last week of employment, if they work less than a full week

If an employee believes that an improper deduction has been made, they should immediately report this to their manager or the person responsible for payroll processing. Reports will be promptly investigated

and if it is determined that an improper deduction has occurred, the employee will be promptly reimbursed.

PERFORMANCE EVALUATION

Employees may receive an appraisal of their job performance annually. This evaluation may be either written or oral. Such evaluation may not occur at exactly the same time each year, but thereabout, at the discretion of the employee's manager. In addition to performance evaluations, informal counseling sessions may be conducted from time to time.

WORK ASSIGNMENTS

Employees may be required to perform duties that are not part of their job description or usual tasks. This may happen because a co-worker is absent, a position is temporarily vacant, the business or department is particularly busy, or for any number of other reasons. Employees are expected to perform these additional duties in a timely fashion and to the best of their ability. Should questions about process or procedure arise, employees should speak with their manager. Unless informed otherwise, employees will be paid at their regular rate of pay.

ADVANCES AND LOANS

The Company does not generally give advances or loans to employees.

BENEFITS

HOLIDAYS & WEEKENDS

Given the nature of our business, holidays and weekends are a **critical** time for our business, as we experience a high volume of clients during this time. Attendance during holidays and on weekends is **critical** and scheduling availability during holidays and weekends is a basic requirement and an extremely important aspect of employment with our Company. The Company is very limited in its availability to approve time off during weekends or holidays. **Employees who are absent on a holiday or weekend without prior approval, are subject to disciplinary action, up to and including termination.**

TEMPORARY LEAVE OF ABSENCE

The Company recognizes that a temporary illness or disability may prevent employees from coming to work for a period of time. In such cases, the Company may grant a temporary leave of absence. This leave does not have a minimum or maximum time frame. The Company will attempt to reasonably accommodate the needs of the employee as well as the needs of the Company. Prior to returning to employment with the Company, employees may be required to submit written medical certification of their ability to work, including any restrictions.

JURY DUTY

Per Miami-Dade County, the Company pays employees for jury service if:

- The employee is regularly scheduled for work at least 35 hours a week.
- The Company employs at least 10 full-time employees.
- The employee serves as a juror in Miami-Dade County.
- The Company has offices or does business in Miami-Dade County.
- The employee gives the Company a copy of the summons and notice of jury service at least five working days prior to absence from work.

Payment under this ordinance does not include commissions. If a juror receives payment for jury service from the State, the Company may deduct the amount received from the State from the employee's pay.

Employees are to report to work on any day, or portion thereof that is not actually spent in the performance of jury service. For each week of jury duty, a certificate of jury service shall be certified by the Court and filed with the Company no later than Wednesday of the following week.

Any fees received for jury duty, including travel fees, are to be retained by the employee.

WITNESS LEAVE

Employees who need to attend court as a witness, to appear with a minor, or because they are the victim in a criminal case, will be granted leave to appear in court. The Company may require proof of the need for leave. This leave is unpaid, though employees will be allowed to use accrued paid time off, if any is available. Exempt employees will be paid in accordance with the Fair Labor Standards Act.

DOMESTIC VIOLENCE OR SEXUAL ASSAULT LEAVE

Florida requires that employers with at least 50 employees provide their employees with leave when the employee or their family or household member is a victim of domestic or sexual violence. Employees are entitled to up to three days' leave in any 12-month period to allow them to deal with domestic or sexual violence, such as seeking a protective injunction or obtaining medical or mental health counseling.

To be eligible for the leave, an employee must have worked for the Company for at least three months.

The Company must keep the information regarding the employee's leave confidential. The employee may use accrued PTO time, otherwise the leave will be unpaid. The Company may not interfere with an

employee's attempt to take domestic or sexual violence leave or discharge or discriminate against them for exercising any of their rights related to the leave.

HEALTH, SAFETY, AND SECURITY

NON-SMOKING

Smoking, vaping, and use of chewing tobacco are not permitted around Company property, work sites, or vehicles/ vessels. Employees wishing to engage in these activities may do so during their designated break times, outside of Company premises and away from customers, off the property, and in accordance with local ordinances.

DRUGS AND ALCOHOL

While on Company premises, whether during work time or non-work time, **employees are prohibited from being under the influence of drugs or alcohol**. There are limited exceptions for the use of prescription drugs (not including marijuana), as long as they do not create safety issues or impair an employee's ability to do their job, and for the moderate use of alcohol at company-sanctioned events. Employees taking medication should consult a medical professional to determine whether the drug may affect their personal safety or ability to perform their job and must advise their manager of any resulting job limitations. Once notified, the Company will make reasonable efforts to accommodate the limitation.

The Company reserves the right to test any employee for the use of illegal drugs, marijuana, or alcohol, in accordance with applicable law. Employees in safety-sensitive positions may be subject to regular or random drug testing. Drug or alcohol tests may also be conducted after an accident in which drugs or alcohol could reasonably be involved, or when behavior or impairment on the job creates reasonable suspicion of use. Under those circumstances, the employee may be driven to a certified lab for testing at the Company's expense. Refusal to be tested for drugs or alcohol will be treated the same as a positive test result. Violation of this policy may result in discipline, up to and including termination.

To the extent that any federal, state, or local law or regulation limits or prohibits the application of any provision of this policy, then that particular provision will be ineffective in that jurisdiction only, while the remainder of the policy remains in effect.

REASONABLE ACCOMMODATIONS

If the Company is made aware of an employee's disability and resulting need for accommodation, Human Resources or the employee's manager will engage with them in the interactive process. All employees are required to comply with safety standards. Employees who pose a direct threat to the health or safety of themselves or others in the workplace may be temporarily moved into another position or placed on leave until it is determined if a reasonable accommodation will effectively mitigate the risk.

LACTATION ACCOMMODATION

The Company provides a supportive environment to enable breastfeeding employees to express breast milk during work hours for up to one year following the birth of a child. Accommodations under this policy include a place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public which may be used by an employee to express breast milk. Discrimination and harassment of breastfeeding mothers in any form is unacceptable and will not be tolerated.

INJURY AND ACCIDENT RESPONSE AND REPORTING

If an employee is injured or witnesses an injury at work, they must report it immediately in writing to the nearest available manager. No more than 24 hours should pass before an employee reports a workplace injury. When any accident, injury, or illness occurs while an employee is at work, regardless of the nature or severity, the employee must complete an injury reporting form and **must be reported to management in writing to info@miamiwatersports.com to ensure proper resolution.** Reporting should not be allowed to delay necessary medical attention. Once the accident is reported, follow-up will be handled by Human Resources or the designated Safety Officer, including a determination as to whether the injured employee may return to work.

In addition to compliance with safety measures imposed by federal Occupational Safety and Health Act (OSHA) and state law, the Company has an independent interest in making its facilities a safe and healthy place to work. The Company recognizes that employees may notice dangerous conditions and practices and therefore encourages employees to report such conditions, as well as non-functioning or hazardous equipment, to a manager immediately. Appropriate remedial measures will be taken when possible and appropriate. Employees will not be retaliated or discriminated against for reporting of accidents, injuries, or illnesses, filing of safety-related complaints, or requesting to see injury and illness logs.

WORKERS' COMPENSATION

The Company carries insurance that covers work-related injuries and illnesses. The workers' compensation insurance carrier governs the benefits provided. These benefits will not be limited, expanded, or modified by any statements of Company personnel or Company documents. In the case of any discrepancy, the insurance carrier's documents will control.

WORKPLACE VIOLENCE AND SECURITY PROTOCOLS

The Company expects all employees to conduct themselves in a non-threatening, non-abusive manner at all times. No direct, conditional, or veiled threat of harm to any employee, customer, business partner, or Company property will be acceptable. Acts of violence or intimidation of others will not be tolerated. Any employee who commits, or threatens to commit, a violent act against any person while on Company premises, will be subject to discipline, up to immediate termination. **The Company will contact law enforcement as may be needed to manage unsafe situations.**

DRIVING SAFETY

Employees who drive on Company business are expected to drive safely and responsibly and to use common sense and courtesy, along with following all driving rules and laws. A valid driver's license must be maintained as a condition of continued employment for positions that require driving. The company may request to see an employee's license at any time. Employees must follow all driving laws and safety rules, such as adherence to posted speed limits and directional signs, use of turn signals, and avoidance of confrontational or offensive behavior while driving.

INCLEMENT WEATHER AND OUTAGES

Given the critical nature of our business, unless an emergency closing is announced, all employees are expected to report to work. However, the Company does not advise employees to take unwarranted risks when traveling to work in the event of inclement weather or other emergencies. Only by the authorization of designated managers will the Company cease operations due to emergency circumstances. If severe weather conditions develop during working hours, it is at the discretion of Management to release employees. Employees will generally be expected to remain at work until the appointed closing time.

WORKPLACE GUIDELINES

HOURS OF WORK

Business hours are seven days a week and may vary with a general schedule of 9:00am until sunset. Employees are expected to be at their work area and ready to work at their scheduled time as outlined in the company schedule. Schedules are drafted every Sunday. Employees who need time off from being scheduled must request the time off **two weeks in advance**. Employees are given a 30-60-minute lunch break as the daily schedule allows. Employees who want to leave the premises for their lunch break must ensure there is coverage at the location and for their position. All locations and positions must always be covered by Company staff. **EVERY SUNDAY, LAST MINUTE CHANGES MAY BE POSTED ON THE GROUP CHAT UP TO ONE-DAY PRIOR.**

OFF-THE-CLOCK WORK

Non-exempt employees must accurately record all time worked, regardless of when and where the work is performed. Off-the-clock work (doing work that is not reported in the timekeeping system) is prohibited. No member of management may request, require, or authorize non-exempt employees to perform work without compensation. Any possible violations should be reported promptly to a member of management.

ATTENDANCE AND TARDINESS

Employees are expected to be at work and ready to go when their scheduled shift begins or resumes. If an employee is unable to be at work on time, or at all, **they must notify their manager as soon as possible**, before the start of their scheduled workday. If an employee is physically unable to contact the Company, they should ask another person to make contact on their behalf. Leaving a message with a co-worker or answering service is not considered proper notification. Excessive tardiness or absences are unacceptable job performance. **Every Sunday, last minute scheduling changes may be posted on the Group Chat. Employees should check the group chat to ensure they are aware of their schedule for the week.**

If an employee is absent for three consecutive days and has not provided proper notification, the Company will assume that the employee has voluntarily quit their position and will proceed with the termination process.

If an employee becomes ill during their scheduled workday and feels they may need to leave before the end of their shift, they should notify their manager immediately. If an employee is unable to perform their job at an acceptable level, they may be sent home until they are well enough to work.

DRESS CODE, UNIFORMS, PERSONAL APPEARANCE AND HYGIENE

Employees are expected to present a professional image, both through behavior and appearance. Employees are required to wear a company-provided shirt with black shorts. Additional shirts may be purchased for an additional fee. **Shirts may be replaced by the Company if they are naturally worn out or faded from the sun. If shirts are damaged due to an employee's carelessness, new shirts will need to be purchased. Three shirts will be provided at the start of employment and must be returned upon termination, or the employee will be held financially responsible for the company property.**

Employees on approved equipment, may be barefoot as needed. All employees are expected to maintain appropriate oral and bodily hygiene. Any employee whose appearance does not meet these standards may be sent home to change into something more appropriate. Reasonable accommodation will be made for employees sincerely held religious beliefs and disabilities when such accommodations do not cause an undue burden.

CASH HANDLING

Every employee entrusted with “working cash” is responsible for the integrity of their cash. Large sums of cash should be counted and handled out of sight of the general public. Employees should keep “working cash” funds to a minimum at all times and all company cash should remain in the company fanny pack. **Under no circumstances should an individual keep company cash with their own personal funds, deposit company funds in a personal bank account.** Employees are always responsible for the company cash they are given to when they are hired, and will be held financially responsible if the cash is missing upon termination.

The Company recognizes the possibility of differences occurring from time to time. However, these occurrences should be minimal. One or more of the following will happen to repeat offenders:

- **Verbal Warning:** A verbal warning will be given if an employee has cumulative cash overages and/or shortages of \$5 or more in one month.
- **Written Warning:** If an employee receives two verbal warnings, the third warning will be a written warning. A written warning will be issued if an employee exceeds a total of \$25 or more cash overages and/or shortages in any month.
- **Possible Termination:** An employee MAY be terminated if:
 1. They receive three verbal or written warnings for exceeding \$25 or more in a single month.
 2. They exceed a cumulative total of \$100 in overages and/or shortages
 3. They have a single overage and/or shortage of \$100 or more.
 4. There is reasonable certainty that a deliberate act of theft has occurred.Warning or exceptions involving cash overages and/or shortages shall be retained in the employees’ permanent personnel file.

CONFIDENTIALITY

The protection of confidential business information and trade secrets is vital to the interests and success of the Company. Therefore, all employees may be required to sign a confidentiality and non-disclosure agreement as a condition of employment.

Employees who improperly use or disclose trade secrets or confidential business information are subject to disciplinary action, up to and including termination of employment and legal action. Conversation of a confidential nature should not be held within earshot of the public or client. When any inquiry is made regarding an employee, former employee, client, or customer, the inquiry should be forwarded to a manager or Human Resources without comment from the employee.

This policy is intended to alert employees to the need for discretion and is not intended to inhibit normal business communications. In addition, nothing in this policy is intended to infringe upon employee rights under Section 7 of the National Labor Relations Act.

SOLICITATION AND DISTRIBUTION

Solicitation during work time and in work areas is prohibited. Solicitation is defined as the act of asking for something, selling something, urging someone to do something, petitioning, or distributing persuasive materials. This could include, but is not limited to, asking for donations for a child's school (including through sales of a product), attempting to convert someone to or from a religion, distributing political materials, or collecting signatures. Work time includes time when either the person soliciting, or being solicited to, is scheduled to be performing their work duties. Work areas include areas where employees generally do work. This policy does not prevent employees from using their approved breaks and rest periods to solicit outside of working areas and is not intended to infringe an employee's Section 7 rights. Those not employed by the company are prohibited from solicitation on company property.

CONFLICT OF INTEREST

A conflict of interest arises when an employee is engaged in activity that could be detrimental to the company. This includes when an employee improperly uses their position with the company for personal gain or the gain of someone with whom they have a relationship. *Improper use* includes behavior that is illegal, as well as behavior that is unethical or questionable to a reasonable person.

BUSINESS GIFTS

If an employee is offered or given anything of value from any client, prospective client, vendor, or business partner in connection with company business that makes them feel uncomfortable or creates a conflict of interest, they should alert their manager immediately.

OUTSIDE ACTIVITIES

We hope that you will not find it necessary to seek additional outside employment. However, if you are planning to accept an outside position, you must notify the Manager in writing. The notice must include the name of the Company, the title and nature of the position, the number of working hours per week, and the time of scheduled work hours. Employees may engage in outside employment during non-working hours, provided doing so does not interfere with their job performance or constitute a conflict of interest. If the position constitutes a conflict of interest or interferes with the employee's job at any time, they may be required to limit or end their outside employment. Employees may not work for competitors nor may you take an ownership position with a competitor. Employees may not conduct outside work or use company property, equipment or facilities in connection with outside work while on company time.

REPORTING IRREGULARITIES

Employees should immediately report any actual or suspected theft, fraud, embezzlement, or misuse of Company funds or property, as well as suspicious behavior. An employee who is aware of such activity but does not report it will be considered part of the problem and disciplined accordingly.

INSPECTIONS AND SEARCHES

Any items brought to or taken off of Company premises, whether property of the employee, the Company, or a third party, are subject to inspection or search unless prohibited by state law. Work areas, equipment, USB drives, files, e-mails, voice mails, etc. are also subject to inspection or search, as are all other assets owned or controlled by the Company. **Any inspection or search conducted by the Company may occur at any time, with or without notice. Failure to submit to a search will be grounds for discipline, including termination.**

VIDEO SURVEILLANCE

The Company may determine that the use of surveillance cameras is necessary to ensure the safety of our employees, to provide added supervision, and to monitor the behavior of staff/visitors to the Company's physical premises. In the event of a reported or observed incident, recorded footage may be used to assist in the investigation of the incident and may be turned over to law enforcement personnel, if appropriate. Any employee disciplined because of the video footage can view the tape which is the basis for any disciplinary action. At no time, will persons other than in a management position with the Company have access to the footage recorded in the course of surveillance. Personal information contained on the footage will not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law.

HARDWARE AND SOFTWARE USE

Company Internet and email may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing, or obscene nature. Telephones should only be used for company business. Employees should be professional and conscientious when using Company phones or when using a personal phone for company business. Use of personal cell phones or other devices should be held to a reasonable limit. Reasonableness will be determined by management. Disparaging, abusive,

profane, and offensive language are forbidden. **No headphones are to be used while assisting or in the presence of clients. Music should not be played in the presence of customers.**

Any employee provided with a laptop, iPad, iPhone, smartphone, tablet or similar device is responsible for the physical security of that device and will be held financially responsible. All devices acquired for or on behalf of the company are company property. The device must be locked up and stored in a secure location when it is not in the immediate possession of the authorized user. In addition, the user must return the device immediately upon request of the company. **Employees must email info@miamiwatersports.com immediately if the device is lost, stolen, misplaced or damaged. All work created or performed on the device is company property. The device is subject to inspection by the company at any time without further advance notice.**

Violations of this policy may be grounds for disciplinary action up to and including termination.

SOCIAL MEDIA

Avoiding Harassment

Employees must not use statements, photographs, video, or audio that could reasonably be viewed as malicious, obscene, threatening, or intimidating toward customers, employees, or other people or organizations affiliated with the Company. This includes, but is not limited to, posts that could contribute to a hostile work environment based on race, sex, sexual orientation, disability, religion, national origin, or any other status protected by state or federal law.

Avoiding Defamation

Employees must not post anything they know or suspect to be false about the Company or anyone associated with it, including fellow employees and clients. Writing something that is untrue and ultimately harmful to any person or organization is defamation and can lead to significant financial liability for the person who makes the statement.

Confidentiality

Employees must maintain the confidentiality of Company trade secrets and confidential information. Trade secrets include, but are not limited to, information regarding the development of systems, products, and technology. Private and confidential information includes, but is not limited to, customer lists, financial data, and private personal information about other employees or clients that they have not given the employee permission to share.

Representation

Employees must not represent themselves as a spokesperson for the Company unless requested to do so by management. If the Company is a subject of the content being created—whether by an employee or third party—employees should be clear and open about the fact that they are employed with the Company but that their views do not necessarily represent those of the Company.

Accounts

Employees must not use Company email addresses to register for social media accounts unless doing so at the request of management. Employees who manage social media accounts on behalf of the Company should ensure that at least one member of management has all the login information needed to access the account in their absence.

PERSONAL CELL PHONE USE

The use of personal cell phones, or work cell phones for personal matters, should be held to a reasonable limit during work hours and not interfere with an employee's productivity or the productivity of their coworkers. Reasonableness will be determined by management.

CARE OF ORGANIZATION EQUIPMENT

Employees are expected to take proper precautions to care for all facility equipment, and are required to report any malfunctions or required repaired immediately to a member of management to ensure employee and client safety. Employees are financially responsible for any damages to the equipment due to misuse. Failure to return company equipment after termination may be considered by the organization to be theft and may lead to criminal prosecution.

PERSONAL PROPERTY

The Company is not liable for lost, misplaced, or stolen property. Employees should take all precautions necessary to safeguard their personal possessions. Personal possessions in the workplace should be kept to a minimum and only what is necessary to complete your job. **No headphones are to be used while assisting or in the presence of clients. Music should not be played in the presence of customers.**

PARKING

All parking is at an employee's own risk. Employees and visitors should lock their vehicles and take appropriate safeguards to protect their valuables, including removing them from the vehicle if appropriate under the circumstances. Employees are not to park in areas reserved for visitors. **Employees are responsible for obtaining parking passes from park offices as may be required.** The Company is not responsible for any employee parking issues or fines.

EMPLOYMENT SEPARATION

RESIGNATION

As a professional courtesy, the Company expects employees to give at least two (2) weeks' notice of the intention to leave the organization. Dependent upon the circumstances, an employee may be asked to not work any or all of their notice period. Prior to an employee's departure, an exit interview may be requested.

TERMINATION

All employment with the Company is "at-will." This means that either the Company or the employee can terminate the employment relationship at any time, with or without notice, and for any reason allowed by law or for no reason at all. An employee's at-will status can only be changed by written contract, signed by both the employee and the President or CEO.

FINAL PAY

Employees will receive their final paycheck in accordance with applicable state law. Any outstanding financial obligations owed to the Company will be deducted from employees' final paycheck, to the maximum extent permitted by law. If an employee's final paycheck does not sufficiently cover the money owed to the Company, the employee will remain liable for that amount, and the Company reserves the right to take all lawful measures to recoup those amounts.

Upon separation, you will be paid for all hours worked through your last day of employment. You are not entitled to any other pay, including severance pay, except at the sole discretion of management. Employees need to coordinate with management a date to pick up their last pay check, within three days of their final pay date.

PERSONAL POSSESSIONS AND RETURN OF COMPANY PROPERTY

All Company property, such as iPads, uniforms, and cash deposits, keys, tools, or parking passes, must be returned immediately at the time of termination. Employees may be responsible for any lost or damaged items. Upon separation of your employment you are to remove your personal possessions from the location, or we will make arrangements for your personal possessions to be transferred to you.

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

I acknowledge receipt of the Company's Employee Handbook and agree to follow the guidelines within it.
I also acknowledge the following:

1. Receipt of this handbook does not create a contract of employment or in any way alter my at-will employment status; the Company or I can end the employment relationship at any time, with or without notice, and with or without cause.
2. I am not entitled to any particular sequence of disciplinary measures prior to termination.
3. With the exception of the at-will employment policy, this handbook may be modified at any time.
4. Violation of any policy in this handbook, or any policy included as an addendum, may be grounds for discipline, up to and including termination.
5. This handbook does not include every process, policy, and expectation applicable to employees, or my position specifically; I may be counseled, disciplined, or terminated for poor behavior or performance even if the behavior or performance issue is not addressed in the handbook.
6. Should any provision in this handbook be in conflict with federal, state, or local law, that provision only will be considered ineffective, while the rest of the handbook remains effective.
7. If I have questions regarding any policy in this handbook, or other expectations related to my behavior or performance, it is my responsibility to speak with my manager or Human Resources.

Employee Name: _____

Employee Signature: _____ Date: _____

HOW TO HANDLE AN INJURY/ INCIDENT

Incident handling is the logistics, communications, and coordination needed in order to resolve an incident in a calm and efficient manner. Injured parties often initiate lawsuits when they feel that a person or business has not demonstrated respect, consideration, and empathy for the situation. Perception of fault is a major factor in an individual deciding to pursue a claim. Some simple ways to show respect and consideration are learning people's names, responding to them as an individual rather than simply a "claimant," and showing genuine care and concern for the situation they are in. Through treating people with respect in all aspects of your business, you can achieve success and strong relationships before and after an accident has occurred.

Employees Should:

- Ensure that the established Emergency Plan is being followed. Not make guarantees of a speedy evacuation. You can say that you are doing everything you can, and that you have sent for help.
- Not make admission of guilt or wrongdoing, such as "We've had problems here before." Comments of this nature will be very damaging in litigation and may not represent the truth. Do not make value judgments or statements concerning what happened.
- Say you're sorry that they are hurt and feel compassion for the situation. In addition, let the involved party know that you are doing everything you can to get help as fast as you can. Show empathy and sympathy for what they are experiencing.
- Be sure to manage the situation in a composed and professional manner. Do not argue or debate. Doing so will usually inflame the situation, and can put you at risk.
- As soon as possible begin to make notes concerning the accident. Of particular concern, answer the basic questions of: what, where, when, and who was involved in the accident. As early as possible, take notes on the time of an injury, the time of the evacuation, as well as notes concerning the details of what happened. Also, take notes of things that were said, witness statements, injured party statements, and family member statements, all concerning how the accident occurred.
- Do not mention/offer insurance, but should let client ask about insurance first. Not make guarantees of insurance coverage. In general, participants accept the risk of the activity, and their own health insurance will be their primary coverage.
- Remember to assess and attend to the needs of any other participants who were involved, as well as to the needs of your staff. They may be used as witnesses later, and their impressions of how the situation was handled will be very important.

Communication with Public Authority: (Police, Fire, Medical, etc.)

When having to deal with public authority due to an incident, there very important guidelines to adhere to.

- Never lie or exaggerate
- Never guess, speculate or voice an assumption (if you don't know, simply say you don't know)
- Never sign anything, or give a statement without receiving a copy of what you signed and any statement you gave. Do not hesitate to request your attorney be present.

Communication with the News Media

If there has been a critical emergency, it is highly likely to receive some attention from the news media. Often this contact with the media leads to poorly documented facts of the accident, which can result in bad publicity and potential litigation problems. The company owner should designate a spokesperson to provide information to the News Media. In general, only management must handle all communication with the media. The spokesperson should do the following:

- Prepare an articulated statement to be reviewed by legal counsel if necessary
- Communicate the statement to the News Agency
- Set up a system for handling inquiries

Often, the news media is alerted to the scene of an accident and proceeds to sensationalize and dramatize the story or happenings as much as possible. Remember, their goal in their investigation is to sell more media press. Frequently, they will ask leading questions, make accusatory statements, and pressure the injured party and others involved for statements. Unfortunately, these statements concerning the events of the accident may or may not be accurate. At the scene of the accident and/or evacuation, it is best to appoint a representative to speak to the press and to make very simple and few statements. Encourage them to contact the main office for a further statement. Your best defense is to say, "We do not have any comments or statements at this time," "We are handling the situation and will issue an official statement upon further investigation," or something of that nature. Also, try to keep the news media away from other members of the affected party, if at all possible.

The following comments are offered as a general guide in dealing with the news media. You will find the media cooperative if you deal with them straightforwardly and with facts (subject only to legal constraints. i.e. consideration for next-of-kin, protection of the injured and good taste), hesitantly or improperly dealing with the press in an emergency situation most likely will escalate media coverage and create negative consequences. The objective with the media should be to share the facts with proper people, at the proper time and respond professionally. This will increase the possibility of a quick resolution and decrease the number of headlines that the media seeks to create.

1. Most dealings with the news media will take place over the phone. Rather than reading a "canned story" to the caller, the spokesperson should have a written list of key points for reference, and tell the story in his or her own words. Again, stick to the facts and leave out assumptions. The press will want to know:
 - What happened?
 - Where did it happen?
 - When did it happen?
 - Who was involved—what were their names?
 - Background on recreation activity
2. Specifically, the spokesperson will provide an accurate and full disclosure of the facts and should cooperate to every extent possible with the news media. When information cannot be released, explain why: next-of-kin have not yet been notified, doctors' orders prohibit interview of survivor, etc.
NOTE: Withholding the names of victims pending notification of next-of-kin is appropriate and will be respected by the press. However, do not deny that the accident itself occurred.
3. Refrain from speculation, simply state that the information is unknown if you do not have the facts or have the authorization to answer.
4. Make certain all media and all reporters have equal access to information.
5. Upon discovering that erroneous information has been given to the media, provide correct information as soon as possible. When reporters print or broadcast erroneous information, inform the reporter, not his superior, and provide the correct information.

RESTRICTIONS: No one, including the spokesperson, will release any information that identifies the responsibility for the accident without first consulting legal counsel. Additional problems arise when assignment of fault, criticism of conduct, policy, or equipment is made public without a full explanation of the circumstances. Reports and other relevant information will be developed through a complete investigative process and results of the investigations will be released at the appropriate time. Specifically, problems also arise when information regarding the nature of an injury or illness is released prior to diagnosis by a licensed medical physician, or when names of victims are revealed prior to notification of next-of-kin.

Regarding equipment: Any and all equipment involved in the accident and could conceivably have contributed to the accident, should be pulled out of the regular equipment inventory. These pieces of equipment should be kept secured in a separate place for future examination. Photographs should also be taken.

Incident/Claims Reporting

Many claims could have been prevented from ever reaching that stage had companies invested a minimum of effort in training their employees to react to and properly report on accidents. All employees should be trained on how to appropriately handle an accident. Appoint one person in your organization to record and report all accidents or incidents. The designated person will be in charge of organizing the details of the incident. This will help retain all the information and clarify who is authorized to release the information. Include a written narrative statement by your supervisory

personnel and any statements made by the injured party. Along with making sure that the injured party is the first priority, the thorough incident report forms should be reported immediately to Claims Direct Access.

Follow Up

Again, it is essential that your representative makes visits or phone calls to the involved party concerning their welfare and well-being. In general, show personal attention, care and concern, and they will be less likely to bring suit against you and/or your company. Remember, everything you say or do before, during, and after the accident, will be scrutinized in detail, either by litigating attorneys and/or a court of law. Take caution in what you say and do in the event of an accident.

INCIDENT AND ACCIDENT REPORT FORMS

Utilize the Incident and Accident Report Form to collect necessary information for your report. Answer all questions as completely as possible, and make certain that all handwriting is readable. The form should be filled out in its entirety by you or an employee for each incident and report all incidents within 72 hours. The reporting of incidents does not affect your insurability or increase your premiums. Although all incidents may not lead to a claim, it is important that Claims Direct Access (CDA) has the information about the incident in order to document and prepare for a defense. Early and accurate reporting of all incidents benefits you in the case of a claim.

Pictures- Obtain as many pictures as possible of the accident site and the accident victim. Pay particular attention to the area encountered by the accident victim immediately before the accident occurred.

Diagrams- It may also be useful to create a diagram that includes the locations of people in relation to the area the incident occurred and any conditions that may have contributed/not contributed to the incident being reported.

Documentation- Attach a copy of your Sign-up Sheet for the activity and a copy of the Signed Waiver or Assumption of Risk Form for all parties involved.

The Full Written Report

It is essential that you avoid comments that could potentially be damaging in the future in all communications and written records. Encourage each staff member involved to develop their own written account of what happened, utilizing the basic guidelines of: "What happened," "Where did it happen," "When did it happen," and "Who did it happen to?" Let each person account the event as they wish; do not interfere with their statement.

NOTE: Everything that is recorded from the first moment the accident happens, until the insurance carrier's attorney begins to direct the investigation, is considered Discoverable. Discoverable means that the litigating attorney can request and obtain any and all records and use them in the litigation process. Comments that admit guilt, cast blame, or are judgmental or accusatory in nature are to be strictly avoided. Stick to the facts. Your report should be based on the facts gathered. The simplest and easiest guide to follow in writing an Accident Report is to answer the question "What happened." Do your best to eliminate any inconsistencies between reports, as well as avoiding opinions, assumptions, personal feelings, bias opinions, and evaluations that are made during the height of emotional turmoil that often follows an accident.

How and When to Obtain Witness Statements

Written witness statements are just as discoverable as everything else that is written concerning the accident. Witness statements that are hostile, accusatory, and unfriendly, especially concerning a catastrophic accident should be handled by your legal representation. Use discretion in determining whether or not you will take a written witness statement. Witnesses that are considered to be friendly and positive concerning the events of the accident can have a statement taken in writing. At the very least, records should be made of these individual's positions and their willingness to be contacted at a future date to give a statement of what they saw.

Time may not allow or permit you to take witness statements; therefore, sometimes the very best you can do is simply ask them what happened. Write down what they say. Comments such as, "The accident would not have occurred if they had been more careful," "The injured person refused First-Aid or treatment," or "The injured person contributed to their own accident through their own actions," are extremely important.

Given time, unfortunately, involved party and witnesses often change their version of what happened. The sooner you obtain a record of their impression of the events that led up to and immediately followed the accident, the more likely that an accurate picture of what actually happened is established. We have provided a form on a subsequent page for you to use.

NOTE: Because of the high potential for legal action; discovery, written witness statements, narrative reports, and detailed accident investigations should not be made in cases of severe accidents until the CDA has been contacted to direct the investigation. The accident should be reported immediately to:

REFUSAL OF CARE GUIDELINES

Documentation is required whenever care is refused if a participant is injured or when a medical condition presents itself while participating in an activity administered by your company. In this event, a qualified member of your staff (any guide or employee certified in CPR, First Aid, Wilderness First Responder (WFR), Outdoor Emergency Care (OEC) specialist, EMT, etc.) should take charge of the patient's care and should make sure that the information given to the patient is clearly understood. The refusal of care form can also be signed by a family member or friend that is present and who is willing to assume responsibility for the patient. In these delicate situations, it is vital that you are always acting in the best interest of the injured party.

A signed form is required once a patient authorizes emergency care, is determined to need further medical assistance, and then refuses care. Even after refusal of care, you should carefully observe them if they choose to continue the activity. You will need documentation and information just in case further problems develop or if they change their mind after signing the Refusal of Care Form. In addition to a Refusal of Care Form, incident report forms are still required to be completed. The signed refusal of care form should be attached to the incident report form and sent together to the claims department.

Although patients have the right to refuse medical evaluation and treatment, the guide/qualified member of staff must be sure that the patient:

- Is not a risk to themselves or others
- Understands the nature of the injury/condition
- Understands the potential consequences of refusing treatment and/or transportation
- Vital signs are normal
- Is aware of person, place, and time

To sign a Refusal of Care form the patient must:

- Have been given sufficient information about the injury/condition
- Be aware of person, place, and time
- Have no signs of significant impairment due to alcohol, drugs, or mental or organic illness
- Be 18 years or older
- Have a reasonable understanding of the injury/condition and the risks if they refuse treatment
- Understand what they are doing by signing the form
- Make the decision voluntarily (advice can be given, but you must not be coerced)

*If the patient has signs of impaired mental status or is under the age of 18, they do not have the legal ability to refuse emergency care.

Signature

Date