



Employee Policy Manual

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Receipt & Acknowledgment of SweatPT LLC Employee Manual

This employee manual is an important document intended to help you become acquainted with SweatPT LLC. This manual will serve as a guide; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the general business atmosphere of SweatPT LLC, and economic conditions are always changing, the contents of this manual may be changed at any time at the discretion of SweatPT LLC. No changes in any benefit, policy or rule will be made without due consideration of the mutual advantages, disadvantages, benefits and responsibilities such changes will have on you as an employee and on SweatPT LLC.

Please read the statements and sign below to indicate your receipt and acknowledgment of the SweatPT LLC employee manual.

I acknowledge that I have received and read a copy of the SweatPT LLC employee manual. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of SweatPT LLC at any time. I understand that this manual replaces all other previous manuals for SweatPT LLC as of the date printed.

I further understand that my employment is terminable at will, either by myself or SweatPT, LLC regardless of the length of my employment or the granting of benefits of any kind, including but not limited to, profit sharing benefits that provide for vesting based upon length of employment.

I understand that no contract of employment other than "at will" has been expressed or implied, and that no circumstances arising out of my employment will alter my "at will" employment relationship unless expressed in writing, with the understanding specifically set forth and signed by myself and the management of SweatPT LLC.

I am aware that during the course of my employment confidential information will be made available to me, e.g., member lists, pricing policies and other related information. I understand that this information is critical to the success of SweatPT LLC and must not be disseminated or used outside of SweatPT LLC premises. In the event of termination of employment, whether voluntary or involuntary, I hereby agree not to utilize or exploit this information with any other individual or company.



I understand that, should the content be changed in any way, SweatPT LLC may require an additional signature from me to indicate that I am aware of and understand any new policies.

I understand that my signature below indicates that I have read and understand the above statements and have received a copy of the SweatPT LLC employee manual.

Employee's Printed Name

Employee's Signature

Date

Manager's Signature

Date



NOTICE TO EMPLOYEE

The policies in this manual are to be considered as guidelines. SweatPT LLC at its option, may change, delete, suspend or discontinue any part or parts of the policies in this manual at any time without prior notice. Any such action shall apply to existing, as well as future employees with continued employment being the consideration between the employer and employee. Employees may not accrue eligibility for monetary benefits (provided for in writing) that they have not earned through actual time spent at work. Employees shall not accrue eligibility for any benefits, rights, or privileges beyond the last day worked. No one other than the Senior Management of SweatPT LLC may alter or modify any of the policies in this manual. No statement or promise by a supervisor, manager, or department head may be interpreted as a change in policy nor will it constitute an agreement with an employee. For purposes of this manual, Senior Management shall be defined as President and Vice Presidents.

Should any provision in this employee manual be found to be unenforceable and invalid, such finding does not invalidate the entire employee manual, but only the subject provision.



WELCOME TO SweatPT LLC

We are very happy to welcome you to SweatPT LLC. Thank you for joining us. We want you to feel that your association with SweatPT LLC will be mutually beneficial and pleasant.

You've joined an organization that has established an outstanding reputation for quality fitness. Credit for this goes to every one of our employees. We hope you too, will find satisfaction and take pride in your work here.

Whether you are a new hire or a former employee returning to SweatPT LLC, you may feel a little strange in your new surroundings. This is a normal feeling and is expected. Your fellow employees, especially your manager, want to help you get off to a good start. Feel free to ask for help concerning anything that you do not understand.

One of the first things you should do is carefully read this manual. It is designed to answer many of your questions about the practices and policies of what you can expect from SweatPT LLC and what SweatPT LLC expects from you. If anything is unclear, please discuss the matter with your manager. You are responsible for reading and understanding this employee manual and your performance evaluations will reflect your adherence to these policies. In addition to clarifying responsibilities, we hope this employee manual also gives you an indication of our interest in the welfare of all that work here.

From time to time, the information included in our employee manual may change. Every effort will be made to keep you informed through suitable lines of communication, including notices posted on company bulletin boards and or notices sent directly to you in-house or via company email.



Purpose of This Manual

This manual has been prepared to inform you about SweatPT LLC's history, philosophy, employment practices, and policies, as well as the benefits provided to you as a valued employee and the conduct expected from you.

No employee manual can answer every question, nor would we want to restrict the normal question and answer interchange among us. We hope this manual will help you feel comfortable with us. We depend on you; your success is our success. Please do not hesitate to ask questions. Your manager will gladly answer them. We believe you will enjoy your work and your fellow employees here. We also believe you will find SweatPT LLC to be a great place to work.

We ask that you read this manual carefully, and refer to it whenever questions arise. SweatPT LLC policies, benefits and rules, as explained in this manual, may be changed from time to time as business, employment legislation, and economic conditions dictate. If and when provisions are changed, replacement pages will be made available to you for those that have become outdated.



What SweatPT LLC. Expects from You

Your first responsibility is to know your own duties and how to do them promptly, correctly and pleasantly. Secondly, you are expected to cooperate with management and your fellow employees and maintain a good team attitude. How you interact with fellow employees and those whom SweatPT LLC serves and how you accept direction can affect the success of our organization. Consequently, whatever your position, you have an important assignment to perform every task to the very best of your ability. The result will be better performance for the company overall and personal satisfaction for you.

You are encouraged to grasp opportunities for personal development that are offered to you. This manual offers insight on how you can positively perform to the best of your ability to meet and exceed SweatPT LLC's expectations.

We strongly believe you should have the right to make your own choices in matters that concern and control your life. We believe in direct access to management. We are dedicated to making SweatPT LLC a company where you can approach your manager, or any member of management, to discuss any problem or question that you may have. We expect you to voice your opinions and contribute your suggestions to improve the quality of our company.

Remember that you help create the healthful pleasant and safe working conditions that SweatPT, LLC intends for you. Your dignity and that of fellow employees, as well as that of our members are important. SweatPT LLC needs your help in making each working day enjoyable and rewarding.



You're Part of Our Team...

As a member of our team, you will be expected to contribute your talents and energies to improve the environment and quality of the company, as well as the quality of services the company provides. In return, you will be given opportunities to grow and advance in your career.

Our Goals are:

- To provide our members with the highest quality of training, equipped with the highest quality equipment, serviced by the highest quality staff, providing the highest quality service at the best value in our industry.
- To provide our employees with the opportunity to grow and to contribute their unique talents while earning the most competitive wages and benefits in our industry.

At SweatPT LLC we always put safety first. We believe it is our duty to provide you with as safe a workplace as we possibly can. For your protection, we adhere to a substance abuse policy, because you have a right to know you can depend on your co-workers.

The only things we require for employment, compensation, advancement and benefits are performance and a good team attitude. However, all employment at SweatPT LLC is "at will." No one shall be denied opportunities or benefits on the basis of age, sex, color, race, creed, national origin, religious persuasion, marital status, political belief, or disability that does not prohibit performance of essential job functions; nor will anyone receive special treatment for those reasons.

"People do not build a business. People build an organization and the organization builds the business. It is done successfully in no other way."



Personnel Administration

Your Personnel File

Keeping your personnel file up-to-date can be important to you with regard to pay, deductions, benefits and other matters. If you have a change in any of the following items, please be sure to notify your manager and the Human Resources department as soon as possible:

- 1) Legal Name
- 2) Home Address
- 3) Home Telephone Number
- 4) Emergency Contact
- 5) Number of Dependents
- 6) Marital Status
- 7) Military or Draft Status
- 8) Exemptions on your W-4 tax form

SweatPT LLC refers to your personnel file when we need to make decisions with regard to promotions, transfers, layoffs and recalls. It is to your benefit to make sure your personnel file includes information about completion of educational or training courses, outside civic activities or areas of interest and skills that may not be part of your current position here. You may see information that is kept in your personnel file if you wish. You may schedule an appointment to receive copies of all documents that you have signed. Please channel any requests relative to your personnel file through your manager.



Employment Classifications

At the time you are hired, you are classified as a full-time, part-time or temporary employee and are also told whether you qualify for overtime pay. Unless otherwise specified, the benefits described in this manual apply only to full-time employees. If you are unsure of your employment classification, please ask your manager.

Full-Time Employees

An employee who has successfully completed the Introductory Period (see the Employment Policies section for definition) of employment and who works at least forty (40) hours per week is considered a full-time employee.

Part-Time Employees

An employee, who works less than a regular, forty (40) hour workweek, is considered a part-time employee. If you are a part-time employee, please understand that you are not eligible for benefits described in this manual except as granted on occasion, or to the extent required by provisions provided for by state and or federal laws.

Temporary Employees

From time to time, SweatPT LLC may hire employees for specific periods of time or for the completion of a specific project. An employee hired under these conditions will be considered a temporary employee. The job assignment, work schedule and duration of the position will be determined on an individual basis. Normally, a temporary position will not exceed six (6) months in duration, unless specifically extended by a written agreement. Seasonal employees are considered to be temporary employees.



Employment Considerations

How You Were Selected

We carefully select our employees through written applications, personal interviews and reference checks. After all available information was carefully considered and evaluated; you were selected to become a member of our team.

This careful selection process helps SweatPT LLC to find and employ people who are concerned with their own personal success and the success of our company. We desire people who want to do a job right the first time and people who perform their work with skill and ability. We look for people who are comfortable with SweatPT LLC and who will work well with our team.

At Will Employment

All employment and compensation with SweatPT LLC is “at will” in that they can be terminated with or without cause, and with or without notice, at any time, at the option of either SweatPT LLC or yourself, except as otherwise provided by law.

Background Checks

By submitting an application for employment, all employees acknowledge the right of SweatPT LLC to conduct background checks on all information relative to employment or job responsibilities and assignments. This includes but is not limited to criminal history, Department of Motor Vehicle records and personal references.



Introductory Period

Your first sixty (60) days of employment at SweatPT LLC are considered an Introductory Period. This Introductory Period will be a time for getting to know your fellow employees, your manager and the tasks involved in your position, as well as becoming familiar with SweatPT LLC's products and services. Your manager will work closely with you to help you understand the needs and processes of your job.

This Introductory Period is a tryout time for both you as an employee, and SweatPT LLC as an employer. During your Introductory Period, SweatPT LLC will evaluate your suitability for employment, and you can evaluate SweatPT LLC as well. At any time during your first sixty (60) days, you may resign without any detriment to your record. If during this period, your work habits, attitude, attendance or performance does not measure up to our standards, we may release you. If you take approved time off during the Introductory Period, the Introductory Period may be extended by the length of time off.

At the end of the Introductory Period, your manager will discuss your performance with you. This review will be much the same as the normal performance evaluation that is held for regular full-time or part-time employees on an annual basis. During the course of this discussion, you are encouraged to give your comments and ideas. Please understand that completion of the Introductory Period does not guarantee continued employment for any specified period of time, nor does it require that an employee be discharged only for "cause."

Rehire

A former employee, who has been rehired after a separation from SweatPT LLC is considered an introductory employee during their first sixty (60) days following rehire. Previous employment duration will not be considered for the accrual of vacation or sick time benefits.



Equal Employment Opportunity

SweatPT LLC provides equal employment opportunity for everyone regardless of age, sex, color, race, creed, national origin, religious persuasion, marital status, political belief, or disability that does not prohibit performance of essential job functions. In addition, laws regarding veterans' status are observed. This is reflected in all SweatPT LLC practices and policies regarding hiring, training, promotions, transfers, rates of pay, layoff and other forms of compensation. All matters relating to employment are based upon the ability to perform the job, as well as dependability and reliability once hired.

Note: Throughout this employee manual, masculine pronoun such as he, his, or him shall be construed so as to include both sexes.

Proof of US Citizenship and /or Right to Work

Federal regulations require that before becoming employed, all applicants must complete and sign 1) Federal Form 1-9, Employment Eligibility Verification Form; and 2) all applicants who are hired need to present documents of identity and eligibility to work in the United States. The state of Florida is a "right to work state" meaning that you are not required to join a labor union in order to work or be protected by labor laws governing the state. SweatPT LLC is a non- union company. We do not believe that an outside third party is needed to effectively communicate with our employees. SweatPT LLC is committed to rewarding employee performance and improving wages and benefits as we continue to grow our company together.

Aptitude & Ability Test

On occasion, job related tests are given to help determine your aptitude and or ability to perform a specific job. Such tests may be given to candidates for job changes, training and promotions, as



well as to new applicants. All test results are shared only with the individuals applicable and will be kept confidential.

Knowledge of SweatPT LLC

After having learned to competently perform your own duties, your next step is to familiarize yourself with the services, products and activities our company offers.

Knowledge of the services and products of SweatPT LLC will help you avoid the “I do not know” syndrome. Our members' confidence in you will increase, as you are able to answer their questions. However, please do not pretend you know the answer or try to guess the answer to any question when you are uncertain. If you are unsure of the correct information, refer the inquiry to your manager or to a person more qualified to respond.

We are continually improving our sources of information to you. We know that a well-trained, knowledgeable staff is the key to our continued success. Our facility management software is designed with an on screen help feature that will provide you with the latest information on the topic you are working on and the company procedures on the performance of common tasks. At our web site, www.sweatpt.com, you will find information beneficial to our employees and our customers. Class schedules, exercise routines, products for sale, product descriptions and nutritional information are available. We encourage the use of these resources on or off company time.



Customer Relations

The success of SweatPT LLC depends upon the quality of the relationships between our employees, our members, our suppliers and the general public. Our members' impression of SweatPT LLC and their interest and willingness to join with us, is greatly formed by the people who serve them. Regardless of your position, you are a company representative. The more goodwill you promote, the more our members will respect and appreciate you and our company.

Here are a few basic things that you can do to help give members a good impression of you and SweatPT LLC:

- ✓ **Act competently and deal with everyone in a courteous and respectful manner.**
- ✓ **Communicate pleasantly and respectfully with other employees at all times.**
- ✓ **Follow up on orders and questions promptly. Provide businesslike replies to inquiries and requests and perform all duties in an orderly manner.**
- ✓ **Take great pride in your work and enjoy doing your very best.**

These are the building blocks for you and SweatPT LLC continued success.

Remember - *“People do not build a business. People build an organization and the organization builds the business. It is done successfully in no other way.”*



We Need Your Ideas

Ask any of our employees who have worked with us for a long time and they will probably tell you of the many changes and improvements that have come about in their departments since they first joined us. We believe the person doing a job is in the best position to think of ways of doing it more easily, more efficiently and more effectively. We believe in empowering our people. If you think of a better way of doing your job or the job of a fellow employee, discuss it with your manager, who will welcome your suggestions and ideas.

Remember that there are always areas in SweatPT LLC, where operations can be improved. These could be in service, equipment, communications, safety, cost reduction and or waste, or other improvements you may see a need for. You were hired because of your unique experiences, abilities and knowledge. We expect you to express your thoughts based on this. Also, make sure to document your innovations and money-saving efforts and have them placed in your personnel file. These may favorably affect your wage, salary, performance reviews or promotional opportunities.



Employee Conduct Expectations

Standards of Conduct

Whenever people gather together to achieve goals, some rules of conduct are needed to help everyone work together efficiently, effectively, and harmoniously. Some people have problems with rules and authority figures and past experience may have justified these thoughts and feelings. However, at SweatPT LLC we hold ourselves to a high standard of quality where the rules and authority figures simply assure that quality is maintained.

By accepting employment with us, you have a responsibility to SweatPT LLC and to your fellow employees, to adhere to certain rules of behavior and conduct. The purpose of these rules is not to restrict your rights but rather to be certain that you understand the conduct that is expected and necessary. When each person is aware of what is expected of them and that he or she can fully depend upon fellow workers to follow the rules of conduct, then our organization will be a better place to work for everyone.



Dress Code / Personal Appearance

Please understand that you are expected to dress and groom yourself in accordance with accepted social and business standards, particularly if your job involves dealing with members or visitors in person. As business conditions and your position warrant, you may be given an allotment of staff shirts. If needed, they will be provided to you free of charge and must be worn at all times. You should keep these shirts neat and clean. See your manager if additional shirts are needed, but understand that you may be charged for them.

A neat, tasteful appearance contributes to the positive impression you make on our members. You are expected to be appropriately attired and groomed during working hours or when representing SweatPT LLC a good clean appearance bolsters your own poise and self-confidence and greatly enhances our company image. When working at a customer's site, please observe what the customer is wearing and dress appropriately.

Personal appearance should be a matter of pride and concern for each employee. If your manager feels your attire is out of place, you may be asked to leave your workplace until you are properly attired. You will not be paid for the time you are off the job for this purpose. Your manager has the sole authorization to determine an appropriate dress code and anyone who violates this standard will be subject to appropriate disciplinary action.

T-shirts, shorts, or other clothing items deemed to be in poor taste or that display logos or names of businesses and organizations that are a conflict of interest are "NOT ALLOWED".

Body piercing shall be limited as follows: Women may wear one ring per ear measuring no more than one inch in diameter or one stud per ear measuring no more than one-quarter inch in diameter. Men may wear one stud per ear measuring no more than one-quarter inch in diameter. No other body piercing jewelry shall be allowed without the consent of Senior Management.



Tattoo and Body Art Policy

No tattoos, body art or brands on the head, face, neck, or scalp will be allowed. Tattoos or body art elsewhere on the body that are prejudicial to good order, discipline and morale or are of a nature to bring discredit upon the company are prohibited. For example, tattoos, body art, or brands that are excessive, obscene, and sexually explicit or advocate or symbolize sex, gender, and racial, religious, ethnic or national origin discrimination are prohibited. In addition, tattoos, body art, or brands that advocate or symbolize gang affiliation, supremacist or extremist groups, or drug use are prohibited. Tattoos, body art, or brands will not be visible through uniform clothing. SweatPT LLC Senior Management shall be the deciding party in any questionable situation regarding this policy.



Housekeeping

Neatness and good housekeeping are signs of efficiency. You are expected to keep your work area neat and orderly at all times. Easily accessible trash receptacles and recycling containers are located throughout all of our facilities. Please put all litter and recyclable materials in the appropriate receptacles and containers. Always be aware of good health and safety standards, including fire and loss prevention.

Please report anything that needs repairing or replacing to your manager immediately.

Property & Equipment Care

It is your responsibility to understand the machines you need to use to perform your duties. Good care of any machine that you use during the course of your employment, as well as the conservative use of supplies, will benefit you and SweatPT LLC. If you find that a machine is not working properly or in any way appears unsafe, please notify your manager immediately so that repairs or adjustments can be made. Under no circumstances should you start or operate a machine you deem unsafe, nor should you adjust or modify the safeguards provided.



Harassment

SweatPT LLC intends to provide a work environment that is pleasant, healthful, comfortable, and free from intimidation, hostility or other offenses that might interfere with employee performance. Harassment of any sort, including but not limited to, verbal, physical or visual will not be tolerated.

What is Harassment?

Harassment can take many forms. It may be, but is not limited to: words, signs, jokes, pranks, intimidation, physical contact or violence. Harassment is not necessarily sexual in nature. Sexual harassment may include unwelcome sexual advances, requests for sexual favors, other verbal or physical contact of a sexual nature when such conduct creates an intimidating environment, prevents an individual from effectively performing the duties of their position, or when such conduct is made a condition of employment or compensation, either implicitly or explicitly.

Responsibility

As a SweatPT LLC employee, you are responsible for keeping our work environment free of harassment. Any employee, who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it, must report it to their manager or any officer of SweatPT LLC as soon as possible. When SweatPT LLC becomes aware that harassment of any form might exist, it is obligated by law to take prompt and appropriate action, whether or not the victim wants the company to do so.



Reporting Harassment

If you feel that you have experienced harassment, report the incident immediately to your manager or any officer of SweatPT LLC with whom you feel comfortable. Appropriate investigation and disciplinary action will be taken. All reports will be promptly investigated with regard for the privacy of those involved. Any employee found to have harassed a fellow employee or subordinate may be subject to disciplinary action up to and including discharge.

SweatPT LLC accepts no liability for harassment of one employee by another employee. The individual who makes unwelcome advances, threatens or in any way harasses another employee is personally liable for such actions and their consequences. SweatPT LLC will not provide legal, financial or any other assistance to an individual accused of harassment if a legal complaint is filed.



Unacceptable Activities

Generally speaking, we expect each person to act in a mature and responsible manner at all times. However, to avoid any possible confusion, some of the more obvious unacceptable activities are noted below. Your avoidance of these activities will be to your benefit as well as to the benefit of SweatPT LLC. If you have any questions concerning any work or safety rule or any of the unacceptable activities listed, please see your manager for an explanation.

Occurrences of any of the following violations, because of their seriousness, may result in immediate dismissal without warning:

- Willful violation of any company rule or any deliberate action that is extreme in nature and is obviously detrimental to SweatPT LLC efforts to operate profitably.
- Willful violation of security or safety rules or failure to observe safety rules or practices of SweatPT LLC; to include but not limited to, tampering with SweatPT LLC working equipment or safety equipment.
- Negligence or any careless action that endangers the life or safety of another person.
- Being intoxicated or under the influence of any controlled substance while at work. Use, possession or sale of controlled substances in any quantity while on company premises, with the exception of medications prescribed by a physician, which do not impair work performance.
- Immoral conduct or indecency on company property or while on company time.
- Anabolic Steroids are controlled substances and are to be prescribed by a physician only.



Use, possession or any discussion of these drugs, is not allowed on company property.



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- Unauthorized possession of dangerous or illegal firearms, weapons or explosives on company property or while on duty.
 - Engaging in criminal conduct or acts of violence on or off company property on or off company time.
 - Making threats of violence toward anyone on company property or when representing SweatPT LLC at any time.
 - Fighting, horseplay or provoking a fight on company property or while on company time.
 - Insubordination or refusing to obey instructions properly issued by your manager pertaining to your work. Including but not limited to, refusal to work on a special assignment or refusal to acknowledge receipt of this employee manual or any other company document.
 - Threatening, intimidating or coercing fellow employees on or off the premises at any time, for any purpose.
 - Engaging in any act of sabotage willfully or with gross negligence causing the destruction or damage of company property or the property of anyone else.
 - Theft of company property or the property of fellow employees; unauthorized possession or removal of any company property including but not limited to, documents and or reports, from the premises without prior permission from management; unauthorized use of company equipment or property for personal reasons; using company equipment for profit.
 - Conducting a lottery or gambling on company property or while on company time.



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- Dishonesty. Willful falsification or misrepresentation on your application for employment or work records; lying about sick or personal leave; falsifying reasons for a leave of absence or other data requested by the company; unauthorized alteration or falsification of company records or other company documents including but not limited to, expense reports.
 - Giving confidential or proprietary SweatPT LLC, information, including but not limited to, Member records, to individuals, businesses or organizations deemed to be a conflict of interest to SweatPT LLC Working for a competing business while a SweatPT LLC employee.
 - Malicious gossip and or the spreading of rumors including but not limited to, the discussion of individual pay rates. Engaging in behavior designed to create discord and lack of harmony. Interfering with another employee on the job.

Occurrences of any of the following activities, as well as violations of any SweatPT LLC, rules or policies, may be subject to disciplinary action, up to and including immediate dismissal. This list is not all-inclusive and may be amended at any time.

- Any act of harassment, sexual, racial or other. Telling sexist or racial-type jokes and or making a racial or ethnic slur.
- Leaving work before the end of a workday or not being ready to work at the start of a workday.
- Sleeping on the job. Loitering or loafing during working hours.
- Excessive use of the company telephone system for personal calls or unauthorized personal cell phone usage.





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- Use of the company computer system or any network resources for anything other than company business.
 - Leaving your workstation during your work hours without the permission of your manager, except to use the rest room.
 - Smoking on the premises.
 - Creating or contributing to unsanitary conditions.
 - Posting, removing or altering notices on any bulletin board on company property without permission of an officer of SweatPT LLC
 - Obscene or abusive language toward any manager, employee or member; indifference or rudeness towards a member or fellow employee; any disorderly, antagonistic conduct on company premises.
 - Failure to immediately report damage or an accident involving company employees, property and or equipment.
 - Soliciting during working hours and or in working areas; selling merchandise or collecting funds of any kind for charities or others without management authorization during business hours, or at a time or place which interferes with the work of another employee on company premises.
 - Eating food and beverages in undesignated areas.
 - Failure to properly record your working hours; alteration of your own or another employee's attendance records or documents; allowing an unapproved person to perform your job



responsibilities: causing someone to alter your attendance records.

Disciplinary Actions

Unacceptable behavior, which does not lead to immediate dismissal, may be dealt with in the following three-step manner:

- Verbal Warning
- Written Warning
- Dismissal

Written Warnings: Written Warnings will include the reasons for the manager's dissatisfaction and any supporting evidence. You will have an opportunity to defend your actions and rebut the opinion of your manager at the time the warning is issued. Disciplinary actions may also include fines, suspensions or other measures deemed appropriate to the circumstances.

Dismissal: All pertinent facts will be carefully reviewed and the employee will be given every opportunity to explain his or her conduct before any decision is reached. The Department Head will give a second opinion concerning the unacceptable behavior before dismissal occurs.

Employment and compensation with SweatPT LLC is at will in that they can be terminated with or without cause and with or without notice, at any time, at the option of either SweatPT LLC or yourself, except as otherwise provided by law. If your performance is unsatisfactory due to lack of ability, failure to abide by SweatPT LLC rules, or failure to fulfill the requirements of your job, you will be notified of the problem. If satisfactory change does not occur within a specified time frame, you may be dismissed. Some incidents may result in immediate dismissal. Any monetary expense incurred by the company, as a result of any action related to your termination of employment, including but not limited to, attorney's fees and court costs, may be garnished



from unpaid wages or expensed to you at a later date.

Compensation & Performance

Wage & Salary Policies

SweatPT LLC has developed policies to insure wages and salaries comparable to those of other employees in our industry. Our wage and salary policy is designed to attract and retain the best-qualified people available. Salary structure should be discussed prior to hiring and prior to the acceptance of any new position. See your manager for the pay scale applicable to your position.

It is the responsibility of each employee to keep all wage and salary information confidential. Discussion of your own salary or the salary of others is a violation of company policy and may lead to disciplinary action up to and including dismissal.

Exempt Employee Pay Practice Policy

It is our policy and practice to pay our exempt employees accurately and in accordance with all applicable state and federal laws. In the event that we make an error in the processing of the payroll of an exempt employee, we will promptly make corrections to improper deductions or incorrect amounts as soon as practicable after we become aware of it. Employees are encouraged to review pay stubs when receiving them to make sure they are correct. Any questions as to the amount or nature of any deductions, or if an employee believes an improper deduction was made from the paycheck, should be immediately brought to the attention of your immediate supervisor or the payroll administrator.



Exempt salaried employees are paid a salary each pay period regardless of hours worked and the pay is intended to be full compensation for the work completed during the covered week(s). A salary may be changed from time to time due to a salary review, promotion, incentive program, commission or other change(s) in job duties. However, the paychecks of exempt employees are not subject to deductions for variations in the quantity or quality of the work performed.

There are certain deductions allowed under federal and state law.

Salary deductions for exempt employees can be made for the following reasons:

1. Full day absences for personal reasons.
2. Full day absences for sickness or disability.
3. Full day disciplinary suspensions for serious infractions of written policies.
4. Absences covered by the Family and Medical Leave Act (FMLA);
5. To offset amounts received as payment for jury and witness fees or military pay.
6. The first or last week of employment in the event you work less than a full week.
7. Employee contributions to benefit plans.
8. Federal state or local taxes.
9. Garnishments directed via court order.

In a workweek in which you performed any work, we will not make deductions for any of the following reasons:

1. Partial day absences for personal reasons, sickness or disability.
2. Closure of the work facility or lack of work of less than one full week.
3. Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work.
4. Any other deductions prohibited by state or federal law.

Please note: We are entitled to charge absences for personal reasons, sickness or disability to an employee's sick time, vacation time or other paid time off eligibility.



Docking From Wages

The wages of any “non-exempt” employee who is tardy for work will be docked for the time not worked. Three incidents of lateness during a 90-day period will be considered a “tardiness pattern” and may result in disciplinary action up to and including discharge in addition to the docking of pay. A record of all tardiness and absenteeism will be maintained in company digital records and or your personnel file.

Commission Sales

Some inventory items and most membership items are sold with a predefined commission value. Commission wages are paid contingent on all procedures regarding the sale of the particular item being followed and all needed documents completed. No commission wages shall be due when sales and or follow up procedures are not adhered to. Any employee, who is discharged for cause or fails to give at least two (2) weeks’ notice of resignation, will forfeit the right to claim sales commission pay on any sales transaction finalized on their behalf, or sales commission as yet unpaid, after their respective termination date.

No Retaliation

No employee will be retaliated against for making a good faith inquiry as to the status of deductions made from an employee’s paycheck.



Performance Reviews

Your manager is continuously evaluating your job performance. Day-to-day interaction between you and your manager should give you a sense of how your manager perceives your performance. However, to avoid haphazard or incomplete evaluations, SweatPT LLC may conduct a formal review as warranted by your job position.

Verbal performance reviews may be conducted at any time as deemed necessary. New employees may be reviewed more frequently than others. A performance review may also be conducted in the event of a promotion or change in duties and or responsibilities.

During formal performance reviews, your manager will consider the following things, among others:

- Attendance and Punctuality
- Initiative and Effort
- Knowledge of your work
- Attitude and Willingness
- Desire to Enhance Company Value

The primary reason for a performance review is to identify your strengths and weaknesses in order to reinforce your good habits and develop ways to improve in your weaker areas. This review also serves to make you aware of, and to document how your job performance compares to the goals of the organization and the descriptions of your job. This is a good time to discuss your interests and future goals. Your manager is interested in helping you to progress and grow in order to achieve personal as well as work-related goals. Your manager can recommend further training or additional opportunities for you.



In addition to individual job performance reviews, SweatPT LLC periodically conducts a review of job descriptions to insure that we are fully aware of any changes in the duties and responsibilities of each position and that such change are recognized and adequately compensated. You should be given a copy of your job description when you are hired or whenever you accept a new position.



Training Information

Employee training is done primarily on-the job. Typically, the location manager is responsible for the general training of employees. Depending on the nature of the training requirement, specific and or specialized training may be conducted through specially trained staff members or outside training organizations.

If at any time you feel you have not been adequately trained to perform the job responsibilities assigned to you, it is your responsibility to notify your manager or the Department Head.



Communications

Successful working conditions and relationships depend upon successful communication. Not only do you need to stay aware of changes in procedures, policies and general information, you also need to communicate your ideas, suggestions, personal goals or problems as they affect your work. In addition to the exchanges of information and expressions of ideas and attitudes which occur daily, make certain you are aware of and utilize all SweatPT LLC's methods of communication, including this employee manual, bulletin boards, email, discussions with your manager, memoranda, staff meetings, newsletters, training sessions, etc.

In addition, you may receive letters from SweatPT LLC there is no regular schedule for distribution of this information. The function of each letter is to provide you and your family with interesting news and helpful information, which will keep you up-to-date on the events at SweatPT LLC



Email

All full time and some part time employees will be assigned a company email account. This email account is to be used exclusively for company business. Training as to how to properly use the email system will be provided by the Human Resources department and or your manager. You are responsible for checking your email inbox each workday for company correspondence affecting your job responsibilities. The company email system is a valuable tool to speed communications among our employees. Computer hardware is expensive and our system is not designed to handle chain letters, “Spam” or unnecessary correspondence. Abuse of the Internet or the email system may result in disciplinary action up to and including dismissal.

Please be advised that any email received or sent through the company email system is the property of SweatPT LLC and may be reviewed as deemed necessary. SweatPT LLC reserves the right to monitor all computer network traffic and the use of company computer resources at any time and at its discretion.

Bulletin Boards

Bulletins and bulletin boards are one way of keeping everyone informed about new policies, changes in procedures and special events. Information of general interest is posted regularly on bulletin boards. Please form the habit of reading the bulletin boards regularly. Only authorized personnel are permitted to post, remove, or alter any notice on a company bulletin board. If you want to have notices posted on a SweatPT LLC bulletin board, please see your manager for approval.



Company Meetings

On occasion, we may request that you attend a company-sponsored meeting. You will be notified as to which meetings you are to attend. If meetings are held during your non-working hours, and you are a “non-exempt” employee, you will be paid for the time you are at the meeting. In the event you are qualified for overtime pay by virtue of working more than forty hours the same work week that a meeting requiring your attendance is scheduled, then you will receive your regular over time rate.

Grievances and Suggestions

An efficient, successful operation and satisfied employees go hand in hand. Employee grievances and suggestions are of concern to SweatPT LLC regardless of whether the problems or ideas are large or small.

In order to provide an efficient evaluation of and response to grievances and suggestions, SweatPT LLC has established a formal Grievance and Suggestion procedure for all employees. It will always be the policy of SweatPT LLC to give full consideration to every employee’s opinion. There will be no discrimination against or toward anyone for his or her part in presenting grievances and suggestions.

Under this policy, a grievance is defined as any event, condition, rule, or practice in which the employee believes violates his or her civil rights, treats him or her unfairly, or causes him or her any degree of unpleasantness or unhappiness on the job. This covers a wide range of circumstances, everything from the workplace environment and other working conditions, to policies or practices, which interfere with or hinder job performance. A grievance may also deal with an attitude, a statement or an opinion held by a manager or a fellow employee.



The Grievance / Suggestion Procedure

See Your Manager First

If there is anything bothering you, or if you have a suggestion, we would like to hear about it. If you feel that any working condition, policy, practice, or action by SweatPT LLC or by any member of management is unjust, you should tell your manager about it and discuss the matter confidentially and in private with him or her. If you decide to do this, please stay in your work place and contact your manager before leaving. Establish with your manager an appropriate time and place to discuss the matter. If the discussion does not lead to a satisfactory conclusion, then proceed to the next step.

Put It in Writing

It makes a difference when you put your grievance or suggestion in writing. Understanding the situation and what you think the ideal condition should be, as well as some ideas for achieving your desired resolution, will help your manager go to work for you. If, after discussion with your manager, the situation remains unsettled, the matter should be referred to Senior Management. You may need to elaborate your complaint or proposed solution by explaining in a formal letter. Further describe the situation or problem, name any witnesses if applicable and be sure to mention any times, dates, and places. Also, include a summary of your communications with your manager on the subject. Of course, your grievance or suggestion may not require all of this information but could be a brief statement of a minor complaint about a working condition or a simple cost-saving idea. Whatever it is, we want to know about it. Once received, the appropriate member of Senior Management will schedule a conference with you.



Grievance / Suggestion Conference

Your manager's immediate manager will review the grievance or suggestion that you have submitted and call you in for a scheduled conference. This may, at his or her discretion, be with or without the presence of your immediate manager. At this conference, you should feel free to openly discuss your complaint or suggestion and substantiate your reasons for feeling the way you do. The Senior Management member will consider your input and render a decision. In most cases, the matter will usually be resolved at this stage.

If after your conference (in the event of a grievance) you are still displeased with the decision rendered, you will have the opportunity to bring the grievance directly to the President of the company. The problem will be discussed with all concerned and a final decision rendered. The President's decision will be binding on all.

The sole purpose of this Grievance / Suggestion Procedure is to give each employee and SweatPT LLC a chance to clear up any problem, complaint, friction, or grievance and to evaluate employee suggestions. In order for this policy to work, each employee and each member of management must want it to work and be willing to do whatever it takes to make it work.



Employment Policies

Attendance

You are expected to be at your work station and ready to work at the beginning of your assigned daily work hours and you are expected to remain at your work station until the end of your assigned work hours, except for approved breaks and lunch. When your work takes you away from your workstation, please let your manager know where you are going and how long you expect to be gone.

Be aware that excessive time away from your work area and or responsibilities could lead to disciplinary action.

Business Hours / Scheduling

Regular operating hours vary by location. Ask your manager the hours of operation of your location. Your manager will provide your work schedule. Request for schedule considerations should be given to your manager no less than two weeks in advance. Every consideration will be given to meet schedule requests but please understand the needs of the business must come first. In the event of duplicate schedule requests by individual employees, employee seniority shall determine priority. It is your responsibility to be aware of your schedule, the opening and closing times of your location and of any changes due to Holidays, etc.

Unless otherwise stated, it is not permissible for employees to “work through lunch” in order to arrive late, leave early or to work extra time without the prior approval of your manager.



Absence or Lateness

From time to time, it may be necessary for you to be absent from work. SweatPT LLC is aware that emergencies, illnesses or pressing personal matters that cannot be scheduled outside your work hours may arise. Sick days and vacation days have been provided for this purpose. If you are unable to report to work or if you will arrive late, please contact your manager immediately. Give him as much time as possible to arrange for someone else to cover your position until you arrive. If you know in advance that you will need to be absent, you are required to request this time off directly from your manager. He will determine when the most suitable time will be for you to be absent from your work. When you call in to inform SweatPT LLC of an unexpected absence or late arrival, ask for your manager directly. For late arrivals, please indicate when you expect to arrive for work. **Notifying a fellow-employee, or leaving messages is not sufficient; you must speak directly with a member of management.** If you are unable to call in yourself because of an illness, emergency or for some other reason, be sure to have someone call on your behalf and speak to your manager. If your manager is not available when the notification call is made, you may leave the information with another manager.

Absence from work for two (2) consecutive days without notifying your manager directly will be considered a voluntary resignation without prior notice.



Excessive Absenteeism or Lateness

In general, five (5) absences in a 90-day period, or a consistent pattern of absence, will be considered excessive and the reasons for the absences may come under question. Tardiness or leaving early is as detrimental to SweatPT LLC as an absence. Three (3) such incidents in a 90-day period will be considered a tardiness pattern and will carry the same weight as an absence. Other factors, like the degree of lateness, may be considered when rendering discipline.

Be aware that excessive absenteeism, lateness or leaving early may lead to disciplinary action, up to and including dismissal.

Record of Absence or Lateness

If you are absent because of illness for two (2) or more successive days, your manager may request that you submit written documentation from your doctor. If you are absent three (3) or more days because of illness, you may be required to provide written documentation from a doctor that you are able to resume normal work duties before you will be allowed to return to work. You will be responsible for any charges made by your doctor for this documentation.

Your manager will make a note of any absence or lateness, and the reason, in your personnel file. Please note that your attendance record will be considered when evaluating requests for promotions, transfers, leaves of absence and approved time off; as well as scheduling layoffs, etc.



Breaks / Rest Periods

The number and duration of breaks will be in accordance with applicable labor laws. Unless otherwise stated by law, each employee shall be due a paid fifteen (15) minute break after every four (4) consecutive hours worked for a maximum of thirty (30) minutes per eight hour day, provided the employee remains on company property. Employees working four (4) hours or less per day are not covered by this provision. Break time is calculated daily and does not accrue. Therefore, break time may not be carried over from day to day. Your manager will determine your break times. If you work in a department where breaks are not directly assigned, please coordinate with your co-workers to maintain adequate coverage of your work area at all times. Always be sure to return to work on time at the end of any break.

In the unlikely event of an emergency or unusual condition, your manager may ask you to change or postpone your break in order to finish a particular project.

Lunch Period

If you work at least eight (8) continuous hours, you will be given an unpaid lunch period of thirty (30) minutes. This time is in addition to the break time accrued as stated above. The time when lunch periods are scheduled varies among departments, depending on the needs of each department. Your manager will give you your lunch period schedule.



Benefits

Health Insurance

Health Insurance is currently not offered through SweatPT LLC.

Dental Insurance

Dental Insurance is currently not offered through SweatPT LLC.

Life and Accident Insurance

Life and Accident Insurance is currently not offered through SweatPT LLC.



401(k) Profit Sharing and Retirement Plan

SweatPT LLC does not currently offer a 401K profit sharing and retirement plan.



Vacation Policy

Vacation time is available to full time employees only and shall be earned and accrued on an annual basis of the employee's date of hire or the employee's anniversary date of promotion to full time status as follows:

| | |
|---------------------------------|---------------------|
| 0 - 1 year of service: | Not eligible |
| 1 – 3 years of service: | 5 days |
| 3 – 10 years of service: | 10 days |
| 10 + years of service: | 15 days |

Vacation time may not be accrued in part. The qualifying year of service must be completed in full before the appropriate amount of vacation time is earned. **Example:** One and one half year's service will equal five (5) days of vacation time. Vacation time may not be carried over from year to year without the prior approval of Senior Management. Vacation may only be used in minimum increments of one full day. Pay in lieu of vacation time may only be granted by the approval of Senior Management. Earned but unused vacation time will be paid upon termination of employment provided all proper termination criteria, as outlined in this manual, have been met.

Every effort will be made to grant you your vacation at the time you desire. However, vacations cannot interfere with company operations and therefore must be approved by your manager at least one month in advance. If any conflicts arise among employees in request for vacation time, preference will be given to the employee with the most seniority.



Leaves of Absence

Sick Leave

To qualify for sick leave, you must be a full time employee and have completed your Introductory Period. Sick time taken before your Introductory Period is complete will be without pay. Please advise your manager as soon as possible that you will be absent from work due to illness. Sick leave may only be used for the purpose of visiting doctors, dentists or other medical practitioners in their offices. However, this time may also be used for tending to a serious illness suffered by a member of your immediate family; in the event the illness requires your personal time and attention. For purposes of this section, immediate family includes spouse, child, parent, or sibling living in your home. If another person can attend to the needs of an ill family member, you are expected to fulfill your duties as an employee of SweatPT LLC Sick time is not to be used to extend vacation time or to be used for personal leaves of absence. SweatPT LLC may request proof-of-illness and may also use a company-appointed physician to examine the employee. In the event of an illness or injury that is covered by workers' compensation or FMLA, this sick leave policy will not apply but will defer to state and or federal statutes.

Sick time shall be earned and accrued based on the employee's date of hire or the employee's anniversary date of promotion to full time status as follows:

One (1) sick day will accrue for every four months of active employment. No more than eight sick days may be accrued in total. No sick time will accrue during any probationary period or approved leave of absence.

Sick time may only be used in minimum increments of one full day. Pay in lieu of sick time may only be granted by the approval of Senior Management. Earned but unused sick time **WILL NOT** be paid upon termination of employment.



Personal Leave of Absence

Occasionally, for medical, personal or other reasons, you may need to be temporarily released from the duties of your job with SweatPT LLC but may not wish to submit your resignation. Under certain circumstances, you may be eligible for an unpaid leave of absence.

You must apply in writing for an unpaid leave of absence. Setting forth the reason for the leave, the date on which you wish the leave to begin and the date on which you will return to active employment with SweatPT LLC Submit your application to your manager, who will bring your request before the appropriate members of Senior Management for approval.

A leave will be granted only when operating conditions at SweatPT LLC permit or, as the law requires. The needs of the company will determine the number of employees allowed out on unpaid leave at any one time. Even though a leave of absence is approved, no guarantee of future employment can be made.

Vacation, seniority and other benefits will not accrue while you are away. If applicable, you will be required to pay in full for any insurance premiums you may have in advance of your leave. Failure to return from a leave at the time agreed upon will result in termination of employment.

In the event of an illness or injury, which is covered by workers' compensation insurance, this personal leave policy will not apply but will defer to state statutes.



Returning From a Leave of Absence

You must notify SweatPT LLC at least fifteen (15) days prior to your expected return date that you intend to return from a leave of absence. When you return, every effort will be made to place you in the same job position originally vacated if such position remains and is available. If SweatPT LLC has had to eliminate or fill your position while you were on leave, you will be assigned to an open position for which you are properly qualified. If no such position exists, your employment will be terminated.

If you do not return from your leave of absence on the day indicated in your original application or in any approved extension, or within three (3) days of release by your doctor if you have been on a disability leave of absence, you will be considered to have voluntarily resigned from employment with SweatPT LLC, as of the day on which you began your leave of absence. If you have been on a disability leave of absence, you will be required to submit a statement from your doctor indicating that you are fit to return to your normal duties.



Family Medical Leave Act of 1993 (FMLA)

You are eligible for family and medical leave if you:

- Have worked for the company for at least 12 months and
- Have worked at least 1,250 hours for us during the previous 12 months and
- Work at the corporate office, warehouse, or any of our gym locations.

If you are eligible, you may take up to 12 weeks of leave over a 12-month period for the following reasons:

- The birth or adoption of a child (including placement in foster care)
- To care for a parent, child or spouse when that relative is unable to care for himself or herself because of a serious health condition
- Because of a serious health condition that makes you unable to perform one or more essential functions of your job.

In the case of leave for birth or adoption, for each day of leave taken, your allotment of accrued personal and vacation leave will be reduced by one day and you will receive regular pay. Once you're remaining allotment of paid personal and vacation leave is exhausted, any additional leave will be unpaid.

In the case of leave for a serious health condition, for each day of leave taken while you have a remaining allotment of paid sick leave, your allotment of paid sick leave will be reduced by one day and you will receive regular pay. Once your remaining allotment of paid sick leave is exhausted, any additional leave will be unpaid. You may, at your option, apply any remaining allotment of vacation or other paid leave when your sick leave is exhausted and continue to receive pay until these allotments are exhausted.



Your health care benefits will remain in effect while you are on FMLA leave, provided you pay whatever share of health costs you would ordinarily pay if you were on the job. If you fail to make a required payment within thirty (30) days after it becomes due, the unpaid benefit will be terminated. If you are on paid leave, these costs will be deducted from your pay. Otherwise, they will come due on the day they would have been deducted if you were receiving a paycheck. You may elect to continue coverage, at your expense, under our group life insurance plan, group disability insurance plans and group dental plan. You will not earn any type of paid time off during your leave.

You are required to notify your supervisor at least thirty (30) days in advance of any request for leave for the birth or adoption of a child and, if possible, for scheduled treatments of a serious health condition. If you fail to give advance notice, the beginning of your leave may be postponed for up to thirty (30) days.

If you fail to report to work when your leave allotment expires and your health coverage remains in effect, you will have the same rights as a terminated employee to keep your health insurance coverage in effect, at your expense, for the period set by law. We will send you notice of your rights by regular mail, addressed to you at your last known home address.



Accepting Other Employment or Going into Business While on Leave of Absence

If you accept any employment or go into business while on a leave of absence from SweatPT LLC, you will be considered to have voluntarily resigned your employment as of the day on which you began your leave of absence.

Funeral (Bereavement) Leave

With management approval, you may take up to one full day without pay to attend the local funeral of relatives and or friends. Out of town Funeral Leave requiring more than one full day may be granted at the discretion of the Department Head or Senior Management. If you prefer, an earned sick or vacation day may be used for this purpose.

Jury Duty

It is your civic duty as a citizen to report for jury duty whenever you are called. If you are called for jury duty, we will permit you to take the necessary time off. You must notify your manager within forty-eight (48) hours of receipt of the jury summons. On any day or half-day you are not required to serve, you will be expected to return to work if needed. You will not be paid for time off during Jury duty. However, an earned sick or vacation day may be used for this purpose.

Holidays

Full time employees will be paid eight (8) hours pay at their regular rate of pay on any day in which their location is closed for a full business day due to a holiday; provided that the employee was scheduled to work that day and that the employee works their last scheduled work day before and their first scheduled work day after the holiday. In the event a holiday falls on a day that the employee's location would have been normally closed, no pay is due. In the event a holiday falls on a day the employee's location is open for business no additional compensation will be due.



Educational Leave of Absence

An educational leave of absence may be approved if the desired curriculum is of mutual benefit to you and to SweatPT LLC. Employees should apply in the same manner as you would for a personal leave of absence with all stipulations applicable.

Military Leave of Absence

A military leave of absence will be approved upon receipt of proper documentation from the US government. Employees should apply in the same manner as you would for a personal leave of absence with all stipulations applicable.

Election Day

We encourage you to exercise your voting privileges in local, state and national elections. However, since the polls are open for long periods, you are encouraged to vote before or after your scheduled working hours. If it should be necessary, you may take up to two hours unpaid leave from work to vote in a governmental election or referendum. You will be expected to notify your manager at least one week in advance.



Computer Security

Ownership Policy

SweatPT LLC is the sole owner of all company information, regardless of where it may reside, including but not limited to, manuals, information telephones, pagers, copiers, facsimiles, and computer hard drives. All employees with access to company information need to be aware of their individual responsibility in protecting company assets and maintaining the confidentiality of all company data. Violations of computer security policies are considered severe and may result in disciplinary action up to and including dismissal.

Network Security

SweatPT LLC computer network resources must be managed and controlled to ensure security, integrity, authenticity, availability and privacy of information. No unauthorized software may be installed or any device connected to any corporate computer network either locally or remotely, without the prior consent of Senior Management and the IS department. Any computer equipment or authorizations assigned to an employee, must be returned to Senior Management or the IS department at the termination of employment.

Software

All software installed on any portable computer, workstation or server owned by SweatPT LLC is the sole property of SweatPT LLC and may not be removed, altered, distributed, copied, borrowed or used in any way without the prior approval of Senior Management and the IS department. Software development employees (programmers, engineers, network administrators, etc.) further acknowledge that any software created, developed or altered while an employee or contractor of SweatPT LLC, is the sole property of SweatPT LLC and may not be removed, altered, distributed, copied, borrowed or used in any way, without the prior approval of Senior Management and the IS department.



Employee Purchases

Employee Discounting

The discount privilege is offered for the benefit of employees only and is not intended to be extended to the members of their immediate family. Under no circumstances should company products be removed from the premises unless accompanied by a receipt from SweatPT LLC. Employees are permitted to buy company products at a discount for personal use, or to give as gifts, but it is an abuse of the discount privilege to buy items from SweatPT LLC on behalf of other people. SweatPT LLC considers such behavior a form of theft and violations of this policy may result in disciplinary action up to and including discharge.

All items purchased by an employee must be done with the approval of the location manager whenever possible and must be paid for in full before removal or consumption. A printed receipt for all purchased items must be readily available as long as the purchased item(s) remain on the property of SweatPT LLC.

When faced with the temptation to give discounts to friends, please decide against it. If you're being pressured, explain that you could lose your job.

If you become aware of a fellow employee about to give a friend or a customer an unauthorized discount, please explain to them this policy. If you know of others who have discounted or given away items in the past, please discuss the matter in private with your manager as soon as possible.

We must continually work together to remove the threats posed by unauthorized discounting.

This is a SweatPT LLC priority.



Gym Membership

All active employees will be given full time memberships to all Bailey's Gyms. This membership is considered a complimentary membership and WILL be terminated at the end of your employment or at such time that Senior Management dictates. Bailey's Gym Inc. reserves the right to terminate a membership at any time.

Gifts

Advance approval from management is required before an employee may accept or solicit a gift of any kind from a customer, supplier or vendor representative. Accepting personal gifts in exchange for products or services normally for sale by SweatPT LLC shall be considered theft and violations of this policy may result in disciplinary action up to and including discharge.

In addition, employees are not permitted to give gifts to members or suppliers, except for pre approved promotional premiums such as T-shirts, coffee mugs, pens, key chains, etc.

Inspection of Packages

SweatPT LLC reserves the right to inspect all clothing, gym bags, purses, packages or closed containers brought into or taken out of the work area.

Theft

Internal theft is a serious concern for SweatPT LLC although taking small items or property may seem inconsequential, the cumulative effect can be very large. Losses from theft immediately jeopardize the profitability of the company and impact our ability to increase salaries, improve benefits and reinvest in our company. SweatPT LLC will not tolerate property theft of any type. We consider property theft to be the unauthorized use of company resources, services or facilities or the taking of any money or company property for personal use. SweatPT LLC reserves the right to recover losses due to theft in any way possible including but not limited to, the garnishment of unpaid wages and or appropriate legal action.



Personal Issues

Personal Phone Calls & Mail

Our telephone bills represent a large expense to the company. We require that you keep personal phone calls to a minimum; they must not interfere with your work. You are permitted to make limited local area calls on company telephones for essential personal business during lunch or break periods only. Please do not abuse this privilege. Emergency calls regarding illness or injury to family members, changed family plans, or calls for similar reasons may be made. Incoming urgent calls will be directed to you.

Please do not use any SweatPT LLC location or post office box as a personal mailing address. It is never acceptable to use company mailing supplies or to place personal mail in with mail that is to be run through the company postage meter. Although the amount may seem small, it is still considered theft.

Personal Property

Due to the strict liability guidelines of our insurance carrier, under no circumstances are employees allowed to keep personal property on the property of SweatPT LLC your personal property may incur damage or theft and SweatPT LLC cannot be responsible for this type of loss.

If you work at a gym, you will be assigned a locker for your personal possessions. You will be responsible for all locks. SweatPT LLC reserves the right to inspect any employee locker at any time. You are responsible for keeping your locker clean and orderly. Please understand that SweatPT LLC cannot assume any responsibility for loss or damage to personal property placed in lockers.



Substance Abuse

SweatPT LLC is committed to providing its employees with a safe workplace and an atmosphere that allows us to protect inventory and other assets placed in our care. SweatPT LLC employees should not be subject to any safety threats from fellow workers. You are expected to be in suitable mental and physical condition while at work, allowing you to perform your job effectively and safely. While you may make your own life-style choices, SweatPT LLC cannot accept the risk in the workplace which substance use or abuse may create. The possession, sale or use of mood altering or controlled substances at the workplace, or coming to work under the influence of such substances, constitutes a violation of safe work practices. Violators of the Substance Abuse policy will be subject to disciplinary action, up to and including discharge. SweatPT LLC reserves the right to request independent drug testing of any employee suspected of any type of chemical abuse whether or not the abuse occurs on company property or during their working hours. SweatPT LLC will pay for any company mandated drug testing.

Parking Lot

You are encouraged to use the parking areas designated for our employees. Please keep in mind that the parking spaces adjacent to or in front of our building(s) are for members and visitors only. Remember to lock your car every day and park within the specified areas.

Courtesy and common sense in parking will avoid accidents, personal injuries, damage to your vehicle and damage to the vehicles of others. If you should damage another car while parking or leaving, immediately report the incident, along with the license numbers of both vehicles and any other pertinent information you may have to your manager. SweatPT LLC does not assume any liability for any loss or damages your vehicle or contents may sustain while parked in our parking lots.



Resignation

While we hope both you and SweatPT LLC will mutually benefit from your continued employment, we realize that it may become necessary for you to leave your job. If you anticipate having to resign your position with SweatPT LLC, you are expected to notify your manager at least two (2) weeks prior to the date that you must leave.

Any employee, who fails to give at least two (2) weeks notice of resignation or fails to properly complete all termination paperwork, will forfeit the right to claim any accrued vacation pay, monetary bonus and or sales commission pay on any sales transaction finalized on their behalf, or sales commission as yet unpaid, after their respective termination date.

Solicitations & Distributions

Solicitation for any cause during working time and in working areas is not permitted. You are not permitted to distribute non-company literature in work areas at any time. Employees are not permitted to sell chances, merchandise or otherwise solicit money or contributions without prior management approval. Persons not employed by SweatPT LLC are also prohibited from solicitation of any kind on company property. This provision includes but is not limited to, the solicitation to perform personal training on company property by an employee, for any individual, for additional compensation, outside of what is normally required in the employee's job description. Personal trainers, who are not employees of SweatPT LLC, are subject to additional guidelines stipulated under separate cover, which must be adhered to.

Violations of Policies

You are expected to abide by the policies in this manual. Failure to do so will lead to appropriate disciplinary action, which may include discharge. A written record of all policy violations is maintained in each employee's personal file.



Safety

Safety Rules

Safety is everybody's business. Safety is to be given primary importance in every aspect of planning and performing all SweatPT LLC activities. We want to protect you and all of your fellow employees against industrial injury and illness as well as minimize the potential loss of production.

All injuries (no matter how slight) must be reported to your manager immediately. Please report any equipment that needs repair or that is a safety hazard. Below are some general safety rules. Other safety procedures may be posted in your individual department or work area.

- Avoid overloading electrical outlets with too many appliances or machines.
- Use flammable items, such as cleaning fluids, with caution.
- Walk, don't run.
- Use stairs one at a time.
- Report to your manager if you or a co-worker becomes ill or is injured.
- Ask for assistance when lifting heavy objects or moving heavy furniture or equipment.
- Smoking is not permitted on company property.
- Keep cabinet doors and file and desk drawers closed when not in use.
- Sit firmly and squarely in chairs that roll or tilt. Never stand on a chair with wheels.
- Start work on any machine only after safety procedures and requirements have been explained and you understand them.
- Wear appropriate personal protective equipment, such as steel-toed shoes and hearing protection where applicable.
- Keep your work area clean and orderly and the aisle ways clear.
- Stack materials only to safe heights.
- Watch out for the safety of fellow employees, customers and members.



Remember that failure to adhere to these rules will be considered serious infractions of safety rules and may result in disciplinary actions. Maintaining the security of SweatPT LLC office spaces and areas are every employee's responsibility. Develop habits to insure security as a matter of course. For example:

- Always keep cash properly secured. If you are aware that cash is insecurely stored, immediately inform the person responsible or your manager.
- Know the location of all alarms and fire extinguishers and familiarize yourself with the proper procedure for using them should the need arise.
- When you leave SweatPT LLC premises, make sure that all entrances are properly locked and secured and that all security systems applicable are properly armed.
- If you are operating a company vehicle, you are responsible for the security of the vehicle and its contents at all times. You are required to take every precaution such as parking in a designated, controlled and well lit place and locking all doors, tail gates and windows.

First Aid

Federal law, enforced by the Occupational Safety and Health Administration (“OSHA”) requires that we keep records of all illnesses and accidents that occur during the workday. The Florida State Workers’ Compensation Act also requires that you report any illness or injury on the job, no matter how slight. If you hurt yourself or become ill, please contact your manager for assistance. If you fail to report an injury at the time the injury occurs, you may jeopardize your right to collect workers’ compensation payments as well as health benefits. OSHA also provides for your right to know about any health hazards that might be present on the job. Material Safety Data Sheets (MSDS) for all chemicals used in our business are available at each site. Should you have any questions or concerns, contact your manager for more information.