



## Record Retention Policy

### Purpose

The Human Resources (HR) department retains and destroys personnel records in accordance with JRK Hotel Group, Inc. and its subsidiaries and affiliates (collectively, the “Company”) corporate policies on business records retention, as well as federal and state laws governing record retention. Below is an outline of HR’s operating procedures for Human Resources-related record retention and destruction of documents when such retention periods have passed. If the Company’s retention procedure is not of sufficient duration for any state where the company does business, this procedure will be superseded by state requirements.

HR maintains both employee record information and government compliance reports. Both are subject to the following retention requirements and destruction procedures.

### Maintenance of Employee Records

The following employee information records are maintained in segregated personnel files:

1. Pre-employment testing results and background check information.
2. I-9 forms.
3. Benefits plan and employee medical records.
4. Health and safety records.
5. General employee personnel records.

Government compliance reports are maintained in reverse chronological sequence and filed separately from employee information records.

### Destruction of Employee and Applicant Records

All paper personnel records and confidential employee data maintained by HR will be destroyed by shredding after retention dates have passed; this procedure pertains to all personnel records, not just those governed by the Fair and Accurate Credit Transactions Act (FACTA).

Employment application materials submitted by applicants never employed are also to be shredded.

When a confidential record must be discarded or destroyed, it must be destroyed according to the record destruction policies. In the case of remote employees, employees are discouraged from printing out or creating hard copies of confidential records where possible. If hard copies must be printed, created, or kept, they should be stored in a locked cabinet, drawer, or other secure location until they are no longer needed or until the maximum retention period has ended. Remote employees must then destroy all confidential files by shredding them in a locked shredder or locked document destruction bin on Company premises or otherwise render the documents unusable or unreadable.

Personnel records include electronic as well as paper records. HR will work with IT periodically but no less than annually to review and ensure that HR’s electronic records relating to employee information and compliance reports are properly purged.

### Litigation Hold

When the Company is involved in or anticipates it may be involved in litigation, the General Counsel’s office will issue a litigation hold. This means that all documents relating to the litigation matter must be kept to preserve any potential evidence. If we fail to do so, the court can sanction the Company for destroying evidence. A court has broad authority to impose these sanctions, including anything from unfavorable procedural rulings during a trial to payment of monetary damages.

In the event that the Company General Counsel announces a litigation hold on any or all the Company records as a result of pending or anticipated litigation, all records covered by such litigation hold MUST NOT be discarded, deleted or destroyed. Further, IT will suspend the automatic deletion of emails for all individuals covered by the litigation hold. Any questions about the litigation should be directed to the General Counsel.

# Record Retention Policy

## Retention of Terminated Employees' Records

CATEGORY	DESCRIPTION OF RECORDS	RETENTION PERIOD
<b>Talent Acquisition, Recruiting &amp; Hiring Records</b>	Job requisitions and orders to recruiters, staffing agencies	<b>4 years after the decision to fill the position</b>
	Job ads and job postings	
	Job applications, resumes, cover letters, and all other inquiries, letters, communications, or data received from applicants or candidates who <i>never</i> became employed by the Company	
	Offer letters to applicants or candidates who <i>never</i> became employed by the Company	
	Background checks, consent forms, reports, correspondence of/with applicants or candidates who <i>never</i> became employed by the Company	
	Fair Credit Reporting Act Certifications	
	Interview notes from interviews of applicants or candidates who <i>never</i> became employed by the Company	
	Evaluation or assessment forms regarding the qualification or candidacy of applicants or candidates who <i>never</i> became employed by the Company	
	EEO-1 forms, data, and reports	
	Interview notes from interviews of employees who <i>were</i> hired and became employed with the Company	
Portfolios or sample work product of employees who <i>were</i> hired and became employed with the Company		
Evaluation or assessment forms regarding the qualification or candidacy of applicants or candidates who <i>were</i> hired and became employed with the Company		
<b>Non-Personnel File Records<sup>(1)</sup> Related to Employee Selection, Promotion, Performance Management, Training, Retention, and Termination</b>	Non-personnel file records related to promotions and demotions of employees	<b>6 years</b>
	Non-personnel file records related to transfers and reassignment of employees	
	Non-personnel file records related to employee performance evaluations and reviews	
	Non-personnel file records related to requests for accommodation of disabilities and reasonable accommodations provided by the Company	
	Non-personnel file records related to new hire orientation and onboarding of employees	
	Non-personnel file records related to the training of employees	
	Non-personnel file records related to employee terminations	
	Federal or State WARN Notice Records and Data	
Salary Guidelines and Wage Surveys		
<b>Workplace Investigation Records</b>	Witness statements	<b>Duration of subject employee's employment plus 6 years</b>
	Notes from witness interviews	
	Documentation gathered in the investigation file	
	Investigation findings and reports	

<sup>(1)</sup> "Non-Personnel File Records" means records that do not pertain to only one employee or that are not maintained in an employee's personnel file. Generally, Non-Personnel File Records refer to management or HR records pertaining to two or more employees.

# Record Retention Policy

<p><b>Payroll, Time, and Expense Records</b></p>	<p>Timesheets, timecards, and records of total hours/time worked, and meal breaks taken each day and workweek, including straight time and overtime hours</p> <p>Records of employee wages and deductions each pay period, including dates of paychecks and amounts of wage payments and wage rates</p> <p>Records of paid sick leave provided and used</p> <p>Records of vacation or other paid time off</p> <p>Expense reimbursement records (receipts, requests, reports, agreements, records of reimbursement, communications regarding expenses)</p> <p>Wage garnishment records</p>	<p><b>Duration of employment plus 6 years</b></p>
<p><b>Personnel Files &amp; Individual Employee Records</b></p>	<p>Job applications, resumes, cover letters, work/product examples</p> <p>Background checks, consent forms, and correspondence</p> <p>Offer letters and pre-employment correspondence</p> <p>New hire forms (W-4 forms, direct deposit authorization, emergency contacts, etc.) and policy acknowledgments</p> <p>Dispute Resolution/Arbitration Agreement</p> <p>Non-Disclosure, Confidentiality Agreement (or other restrictive covenant agreement)</p> <p>Performance evaluations and feedback</p> <p>Disciplinary records and write-ups</p> <p>Training records</p> <p>Business travel records</p> <p>Licensing and certification records</p> <p>Complaints about or from the employee</p> <p>Time off and vacation requests</p> <p>Attendance, absence, and tardiness records and communications</p> <p>Non-medical leave of absence records</p> <p>Non-medical workplace injury, accidents, and safety records</p> <p>Termination records, checklist, notices</p>	<p><b>Duration of employment plus 6 years</b></p>
<p><b>Employee Medical Information</b></p>	<p>Doctor's notes for absences or work restrictions</p> <p>Medical leave of absence records, including requests, forms, documentation, and correspondence (FMLA, CFRA, PDL, USERRA, ADA, FEHA, etc.)</p> <p>Requests for accommodation (ADA, FEHA)</p> <p>Interactive process records, including correspondence with the employee and their medical or mental health provider(s) regarding any request for accommodation or medical leave of absence</p> <p>Post-hire drug test results</p> <p>Infectious disease records related to symptoms, exposure, contact tracing, diagnosis, testing, or vaccination, including COVID-19</p> <p>Medical and health information provided to the Company for an employee's family members, friends, co-workers, and other associates related to any infectious disease (including COVID-19) symptoms, exposure, diagnosis, testing, or vaccination, as well as information about their travel and whom they have been in close contact with during the applicable infectious period</p>	<p><b>Duration of employment plus 6 years</b></p>

# Record Retention Policy

	Medical records related to an individual employee's workplace injury or accident	
	All other employee disability records	
<b>Immigration Records</b>	I-9 Forms, Supporting Documentation documents, e-Verify determination records	<b>3 years from the date of hire or 1 year after termination, <i>whichever is longer</i></b>
	Work visa applications, correspondence, and records	<b>If not employed, 3 years; if employed, duration of employment plus 3 years</b>
<b>Employee Benefits Records</b>	Group insurance records, including plan documents, communications regarding coverages and benefits	<b>As long as Plan is active, plus 6 years</b>
	Individual employee benefits enrollment and election forms, including benefits for dependents, family members, and beneficiaries	<b>Duration of employment plus 6 years</b>
	COBRA records and notices	<b>6 years</b>
	All plan documents, summary plan descriptions (updated with changes and modifications), and amendments to such documents	<b>Indefinitely</b>
	For the 401(k) plan, all death beneficiary designations and detailed year-end trust reports showing all annual trust activity, including records of plan distributions to participants and beneficiaries	
	Subject to the above categories that are retained indefinitely, ERISA Plan Participant Documents	<b>Duration of employment plus 10 years</b>
Subject to the above categories that are retained indefinitely, ERISA reports and disclosures related to all pension and welfare plans, including annual reports, notice or reportable events (such as plan amendments that may decrease benefits, a substantial decrease in the number of plan participants, etc.), plan termination		
<b>Workers' Compensation Records</b>	Insurance policy records and terms of coverage	<b>6 years after the claim is closed or 5 years after the end of employment, <i>whichever is later</i></b>
	Medical files and records about filed claims	
	Claim files, including letters, forms, reports, etc.	
<b>Safety, Injury, and Toxic Exposure Records</b>	Injury & Illness Prevention Program records	<b>Indefinitely</b>
	OSHA Logs (300, etc.)	<b>Duration of current calendar year plus 5 years</b>
	On-the-Job Injury Reports	
	Medical exams and toxic exposure records	<b>Duration of employment plus 30 years</b>
<b>Policies &amp; Procedures (All Departments)</b>	Employee Handbooks	<b>6 years after the current version is updated, amended, or replaced</b>
	Workplace Posters	
	Internal memoranda to employees regarding policies	
	Other written employment and workplace policies	
	Standard operating procedures, manuals, and other operational policies in all departments	

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