

# BE HEARD

## Welcome to Work Shield!

Your employer, Rock Hawaiian LLC, is committed to fostering an open and positive workplace culture. To assist with this commitment, Rock Hawaiian LLC has contracted with a third-party vendor, Work Shield to handle workplace harassment, discrimination, retaliation, and misconduct issues and complaints.

Starting now, If you believe you have been subject to or are otherwise aware of any conduct you believe violates this policy, whether involving fellow employees, customers, or vendors, you are required to timely report the matter, even if you are not the recipient or target of the conduct, and even if you are unsure whether the conduct would violate this policy. Further, you must report all incidents of discrimination, harassment, retaliation, illegal, or unethical conduct directed at you or another person, regardless of the offender's identity or position to Work Shield.

Here's what you can expect with Work Shield:



### Secure Reporting

Have confidence to safely and securely report incidents, anonymously or not, by proxy on behalf of an employee, to Work Shield 24/7 via mobile, online, or call center.



### Efficient Resolutions

Work Shield offers fair and ethical resolutions to help bring quick closure to your concerns in a streamlined and efficient manner.



### Impartial Investigations

Work Shield investigators are trained to conduct investigations without bias, so you can be certain your concerns will be handled fairly.



### Top Priority

Investigating harassment, discrimination, and retaliation incidents is our top priority. Establishing a clear path to resolution is our specialty.

To report an incident for yourself or as a proxy on behalf of another employee, please visit [RHL.WORKSHIELDPORTAL.COM](http://RHL.WORKSHIELDPORTAL.COM) or call 866.946.5558. You can download Work Shield's Digital ID Card to your Apple Wallet or Google Wallet app on your smart device for access anytime, anywhere (instructions are below). It's always best to provide as much detail about an incident as possible so that we can provide the most thorough investigation and resolution recommendations.

**Resources for You:** Work Shield is here to ensure you understand you can report workplace misconduct safely, and Rock Hawaiian LLC encourages you to feel confident and empowered to speak up. We compiled the below resources just for you!



### FAQs

A list of [FAQs](#) specifically for employees that you might find useful. You can find those at [workshield.com/employees](http://workshield.com/employees).



### Knowledge Hub

You can also find answers and resources to questions regarding the Work Shield portal by visiting the [Knowledge Hub](#) at [knowledge.workshieldportal.com](http://knowledge.workshieldportal.com).

Should you have questions at any time, please don't hesitate to send us an email at [hello@workshield.com](mailto:hello@workshield.com). We will get back to you as quickly as possible.

Sincerely,

The Work Shield Team

# HOW TO CONTACT WORK SHIELD DIRECTLY FROM YOUR DEVICE

Please follow these quick and easy instructions to add Work Shield's Digital ID Card to your smart device today:

1

Scan the QR code below with your smart device's camera or click the link [here](#) directly from your smart device.



2

You will be prompted to open and save the card to your Apple Wallet or Google Wallet app.

3

Should you ever need to report an incident, the card is stored in your smart device app with direct links to Work Shield's reporting website or reporting phone number.

**ROCK HAWAIIAN LLC**

**EMPLOYER HARASSMENT, DISCRIMINATION, AND RETALIATION PROTECTION PLAN**

**EFFECTIVE JUNE 15, 2025**

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# EMPLOYER HARASSMENT, DISCRIMINATION, AND RETALIATION PROTECTION PLAN AT A GLANCE

<b>BENEFIT</b>	The Rock Hawaiian LLC Employer Harassment, Discrimination, and Retaliation Protection Plan (“EHDRP Plan”) provides a safe and secure platform for employees who need to seek assistance with workplace harassment, discrimination and Retaliation misconduct issues. Instead of reaching out to your HR department or your manager, you are required to voice your workplace harassment, discrimination, retaliation, and misconduct issues to The Work Shield, LLC (“ <u>Work Shield</u> ”). Work Shield administers the EHDRP Plan, investigates each harassment, discrimination, retaliation, and workplace misconduct incident report, and then provides a recommended course of action to <u>Rock Hawaiian LLC</u> (the “Organization”) about each incident. You can file an Incident Report Form (“ <u>IRF</u> ”) online, at <u>RHL.WORKSHIELDPORTAL.COM</u> or you may also call the 24/7 toll-free Call Center at 866.946.5558.
<b>ELIGIBILITY</b>	All employees of the Rock Hawaiian LLC are eligible to participate in the EHDRP Plan beginning on the first date of employment. Temporary, seasonal, leased, or are eligible for the EHDRP Plan, unless otherwise indicated by Rock Hawaiian LLC.
<b>ENROLLMENT</b>	Enrollment is automatic. There is no election required for the EHDRP Plan.
<b>COSTS</b>	The cost of the EHDRP Plan is paid by Rock Hawaiian LLC.
<b>LIMITATIONS</b>	There are certain consultations that may be required after an IRF is filed with Work Shield. However, you may elect the time of such consultation upon filing an IRF. Please refer to the plan details beginning on page 5 of this document, for more information. Additionally, you may also file an anonymous IRF.
<b>INCIDENT REPORT FORMS (IRFs)</b>	IRFs are filed online at <u>RHL.WORKSHIELDPORTAL.COM</u> . To file a report, you or a proxy on your behalf must log in by establishing an account, and then file the IRF via the easy-to-use, fillable questions. Please provide as much detail as possible regarding any workplace harassment, discrimination, retaliation, and misconduct issues. You may also file an anonymous report, and in doing so, your login does not get transmitted to Work Shield.
<b>TERMINATION</b>	Your coverage ends on the last date of the month in which your employment terminates. However, any issue that is related to the time of service and employment with Rock Hawaiian LLC must be reported pursuant to the applicable process and through the IRF or Call Center, and such coverage is continued for a period of eighteen (18) months, free of charge after your termination of employment.

# **HARASSMENT, DISCRIMINATION, WORKPLACE MISCONDUCT, AND RETALIATION PROTECTION PLAN**

The Rock Hawaiian LLC Employer Harassment, Discrimination, and Retaliation Protection Plan (“EHDRP Plan”) provide access to a safe reporting platform with specialized, caring professionals who conduct impartial investigations to bring resolution to workplace harassment, discrimination, and retaliation issues. The EHDRP Plan is administered by The Work Shield, LLC (“Work Shield”). Work Shield is an independent third-party contracted team of trusted, experienced professionals that provides employees with a safe, immediate and impartial platform to ensure workplace harassment, discrimination, and retaliation concerns are heard, investigated, and resolved without fear of retaliation.

This EHDRP Plan has been prepared specifically for the employees of Rock Hawaiian LLC (the “Organization”) and its subsidiaries. Temporary, seasonal, leased, or independently contracted employees are eligible for the EHDRP. This EHDRP Plan also serves the Summary Plan Description.

Rock Hawaiian LLC maintains the EHDRP Plan and is available to help you learn about the benefits offered by the Rock Hawaiian LLC. You may obtain a copy of the EHDRP Plan, free of charge, by contacting Rock Hawaiian LLC.

## **ELIGIBILITY**

### **Employee Members**

As mentioned above, all employees are eligible for the EHDRP Plan. As such, employees who work on a Regular “full-time” or Regular “part-time” basis are eligible for participation in the EHDRP Plan (“Employee Members”). For purposes of benefit eligibility, Regular “full-time” basis means the employee has a normal work schedule of at least thirty (30) hours per week. Regular “part-time” means the employee who is a non-supervisory employee and employed to work on a part-time basis, or on a time, special job completion, or call-when-needed basis. Regular part-time also means any leased, seasonal, or temporary Employer. Regular part-time shall also include those employees who may be furloughed or who are on unpaid leave of absence. Regular part-time and Regular full-time includes employees who may be working from home or remotely.

### **Dependents**

No dependents of an eligible employee are eligible to participate in the EHDRP Plan. The EHDRP Plan is for eligible Employee Members only.

### **Continued Members**

Continued Members are former Employee Members who, as applicable, pursuant to applicable federal law, are eligible to elect to continue coverage under the EHDRP Plan beyond the date coverage would otherwise terminate if not for such federal law (“Continued Members”). However, as mentioned above, an Employee Member who terminates from employment who experienced an issue related to workplace harassment,

discrimination, retaliation, and/or misconduct will still use the EHDRP Plan to report the incident at no additional cost or fee. Note, that Continued Members include any terminated Employee Member, regardless if continuation coverage is required under federal law.

## ENROLLMENT

Your coverage is automatic; you do not need to take any steps to enroll.

## COSTS

Rock Hawaiian LLC pays the full cost of participation in the EHDRP Plan for you. If you are on an approved leave of absence, your EHDRP Plan coverage will continue at no cost to you. You have no obligation to pay any premium or fees for EHDRP Plan coverage or to obtain EHDRP Plan services; there are no premiums, co-payments, co-insurance, or deductible payments applicable to EHDRP Plan services.

## CONTACT INFORMATION AND OBTAINING EHDRP PLAN SERVICES

Work Shield combines a safe reporting platform with specialized caring professionals who conduct impartial investigations to bring resolution to workplace harassment and discrimination issues.

### Reporting Process

If you experience workplace harassment, discrimination, retaliation, or misconduct, you can file an incident report with Work Shield one of two ways:

1. File an Incident Report Form Online

- Go to RHL.WORKSHIELDPORTAL.COM
- Once you are on Rock Hawaiian LLC portal, set up your account with (i) your own username and (ii) your own password. *NOTE: setting up your account does prevent you from filing an anonymous incident report.*
- Once you set up your account, fill out the Incident Report Form (“IRF”) with as much detail as possible. Please note that you can file an anonymous report and your name or email address will not be included in the report.
- Once your report is submitted, you will receive an email from Work Shield, confirming receipt. From there, the Work Shield team will reach out to you for additional questions or comments. Therefore, it is important to include every detail of the incident.

2. Call Work Shield’s Toll-Free Call Center

You can also call Work Shield’s toll-free Call Center at 866.946.5558. Work Shield representatives are available twenty-four (24) hours a day, seven (7) days a week, to provide assistance services. Spanish-

speaking representatives are also available. When calling, please note that the representatives will be able to answer your questions, walk you through the IRF process, or even file an IRF on your behalf. If you do not have access to the internet, the representative, as stated above, will be able to file the IRF on your behalf.

When you call the toll-free Call Center, a Work Shield representative will:

- Ask you questions to help identify the process that is needed to file an IRF,
- Guide you through the IRF filing process,
- File an IRF on your behalf, and/or
- Connect you to a member of the Work Shield team who will reach out to you for additional questions or comments.

Once you submit your IRF, you will receive a record and report that are securely signed PDFs with a time stamp of the submission. You will receive this copy of the IRF from [submit@workshield.com](mailto:submit@workshield.com). The email contains your downloadable PDF report. If you have questions, you may submit them to [submit@workshield.com](mailto:submit@workshield.com) for more information. You will also have a copy of your submission in your designated portal under your username/password that you create(d).

#### Investigation Process

Once your IRF is submitted, a copy of your filed IRF will be emailed to you, as well as the Work Shield team. Upon receipt, Work Shield's team of specialized professionals will thoroughly review each filed IRF and begin investigating those incidents involving harassment or discrimination. If the IRF is provided with your name, Work Shield's professionals will follow up with you and others mentioned in the IRF, as applicable. If you choose to remain anonymous, Work Shield will conduct as much of an investigation as possible, based on the facts submitted.

The filing of your IRF is treated as a starting point for an investigation, not as definitive proof that harassment, discrimination, retaliation, or workplace misconduct has occurred. If your incident does not involve harassment, discrimination, retaliation, or workplace misconduct, your incident will be handled by your employer and will not be investigated by Work Shield.

#### Resolution Process for Investigated Incidents

If Work Shield has conducted an investigation relating to your incident report, after the investigation is complete, Work Shield submits a certified resolution recommendation to your employer. Once this recommendation is submitted to your employer, your employer should contact you to conclude the process. Please contact your employer directly should you have any additional questions following the conclusion of the investigation.

## COVERED SERVICES

### Personal Reporting Services

The EHDRP Plan provides employees a safe, immediate, and impartial platform to ensure workplace

harassment, discrimination, and retaliation concerns are heard, investigated, and resolved without the fear of retaliation. You are eligible to file as many IRFs as needed.

#### What is Workplace Harassment?

Although some guidance is provided below, it is not your job to decide whether what happened to you was harassment or discrimination. If what occurred made you feel uncomfortable or you were unfairly or badly treated, use the EHDRP Plan to report the incident and leave it to the Work Shield team to investigate the incident. It is important to remember that workplace harassment, discrimination, or retaliation may occur whether you are in the office, on a business trip, attending a conference, or meeting or even working from home or remotely.

#### Definitions, Examples, and the Basics

Although workplace harassment and discrimination are, in essence, covering the same material, there are some unique differences. What are the differences?

#### Title VII Protection

Title VII of the Civil Rights Act of 1964 states that it shall be an unlawful employment practice for an employer to discriminate against any individual with respect to the individual's compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin. Title VII also prohibits retaliation against someone for asserting rights under Title VII.

#### Discrimination

There are two main types of discrimination under Title VII:

1. Disparate treatment (intentional and direct): Your employer treats you differently than somebody else because you are a member of a protected class (e.g. because of your race, color, religion, sex, and national origin). Discrimination simply has to be a 'motivating factor' in the treatment. Possible examples of disparate treatment:
  - Your employer does not give you a promotion because you are a woman and the manager thinks you are likely to get pregnant soon.
  - Your manager gives you a smaller bonus than your male colleague because you are a woman and she thinks that you are not likely to be the breadwinner.
  - You are not invited out for work lunches because of your religion and your colleague, who organizes the lunches, disapproves of your religion.
2. Disparate impact (unintentional and indirect): Your employer uses a neutral employment policy/practice that applies to everyone that has a disproportionate adverse impact on members of a protected class. This policy/practice is not job-related and necessary for the operation of Rock Hawaiian LLC. Disparate impact may also be referred to as "adverse impact." Possible examples of disparate impact:
  - Written application questions may appear to be neutral because all job applicants are required to answer them, but if applicants of a protected class are eliminated as a result of a particular question, it may have a disparate impact on the protected class.
  - A seemingly neutral policy of soliciting applications only from sources where all of the potential job candidates are of the same race.

## Workplace Harassment

Title VII also prohibits harassment based on the victim's membership in a protected class such as race, sex, color, religion, and national origin. Harassment must be unwelcome and severe or pervasive enough to create a working environment that a reasonable person would consider intimidating, hostile, or abusive. Harassment may also result in an adverse employment decision against the victim, such as being fired, demoted, given fewer shifts, or giving a smaller bonus. Unwelcome harassment may include:

- Unwelcome conduct in the form of offensive jokes, comments, slurs, or name calling
- Offensive objects or pictures
- Unwelcome touching or contact
- Physical threats or assaults
- Ridicule, mockery, or put-downs
- Constant or unwelcome questions about an individual's identity
- Undue attention

The person harassing you could be your supervisor, another supervisor, a colleague, your employer's agent, or a non-employee such as a client or customer.

Generally, annoyances and isolated incidents, unless extremely serious, will not amount to unlawful harassment. However, it is important to report these incidents if you feel inclined. It is also important to know that "not liking" someone is not harassment by itself.

Possible examples of harassment may include:

- You are a woman and receive an offensive and suggestive present as a 'secret Santa' present.
- You have clinical depression and your manager makes a comment suggesting that depression is not a real thing—you are just being lazy and need to 'cheer up.'
- You receive an email chain letter sent around the office that portrays a certain ethnic group in an offensive and bad light.
- Your supervisor tells a homophobic joke, which offends you.

What is sexual harassment?

Sexual harassment is similar to non-sexual harassment but the 'unwelcome conduct' may come in the form of unwelcome sexual or physical advances, requests for sexual favors, comments of a sexual nature, or unwelcome sexual or physical touching.

Sexual harassment may include:

- Sharing sexual photos
- Sexual comments, jokes, questions
- Inappropriate sexual touching or gestures
- Invading personal space in a sexual way

Do I have to file an IRF to report the issue?

YES! You must take advantage of the EHDRP Plan as the administrative procedure and the reporting process by filing an IRF with Work Shield. If you fail to take advantage of or use any preventive or corrective opportunities available to Rock Hawaiian LLC with the reporting policy through the EHDRP Plan, any issue reported elsewhere will be dismissed.

**NOTE: GOING TO A HUMAN RESOURCES MANAGER OR ANOTHER MANAGER IS NOT ENOUGH GIVEN THAT THE EHP PLAN IS IN PLACE FOR YOU AND YOUR PROTECTION. YOU OR A PROXY ON YOUR BEHALF MUST FILE AN IRF IN ORDER TO HAVE ANY WORKPLACE HARASSMENT, DISCRIMINATION, RETALIATION, AND MISCONDUCT ISSUE ADDRESSED AND/OR RESOLVED BY WORK SHIELD. THIS IS THE ADMINISTRATIVE REMEDY AVAILABLE TO ALL EMPLOYEES AND AN IRF MAY BE FILED BY AN EMPLOYEE OR BY PROXY ON AN EMPLOYEE'S BEHALF.**

As indicated above, unless you report your harassment, discrimination, retaliation, or workplace misconduct issue using the IRF or Call Center, your employer may never know about it. By reporting through the EHDRP Plan, you can be assured that your workplace harassment, discrimination, retaliation, and misconduct issues will be taken seriously.

Do I need to make an internal complaint about harassment, discrimination, retaliation, or workplace misconduct?

No. If you have been harassed by a manager or supervisor, **you or a proxy on your behalf must file an IRF.** Providing an internal complaint does not preserve your claim and is not pursuant to the administrative remedies available to you under the EHDRP Plan. **AGAIN, YOU OR A PROXY ON YOUR BEHALF MUST FILE AN IRF UNDER THE EHDRP PLAN.**

May I make an anonymous IRF?

Yes. When you log in to the portal, you will be asked if you want your IRF to be anonymous. Keep in mind we do encourage you to report as much detail of the facts as possible. The more detailed the facts, the better the Work Shield team can investigate the incident and create effective recommendations and resolutions. If you make an anonymous IRF, Rock Hawaiian LLC will unlikely be able to take any action against the alleged individual(s).

Note, however, that an anonymous report not made in good faith may be subject to disciplinary action by Rock Hawaiian LLC, if applicable.

## SERVICES NOT COVERED

The EHDRP Plan does not cover any service that is not directly mentioned above.

## TERMINATION OF COVERAGE

Normally, coverage under the EHDRP Plan ends at the earliest of:

- Eighteen (18) months after your employment with Rock Hawaiian LLC if your employment terminates or you retire.
- If the plan is terminated, coverage for you ends on the date the EHDRP Plan is terminated.

# ASSIGNMENT OF BENEFITS

You may not assign, transfer, or convey any of the benefits provided by the EHDRP Plan.

**NOTE: COVERAGE UNDER THE EHDRP PLAN IS FREE FOR THOSE WHO TERMINATE EMPLOYMENT WITH ROCK HAWAIIAN LLC. GIVEN THIS, IF YOU HAVE AN ISSUE POST-TERMINATION OF EMPLOYMENT, YOU OR A PROXY ON YOUR BEHALF MUST FILE AN IRF IN ORDER TO HAVE ANY WORKPLACE HARASSMENT, DISCRIMINATION, RETALIATION, AND MISCONDUCT ISSUE ADDRESSED AND/OR RESOLVED BY WORK SHIELD. THIS IS THE ADMINISTRATIVE REMEDY AVAILABLE TO ALL TERMINATED EMPLOYEES AND AN IRF MAY BE FILED BY THE TERMINATED EMPLOYEE OR BY PROXY ON THE TERMINATED EMPLOYEE'S BEHALF. COVERAGE UNDER THE EHDRP PLAN IS FOR EIGHTEEN (18) MONTHS POST-TERMINATION - FREE OF CHARGE.**

## CONFIDENTIALITY

Discussions pursuant to the EHDRP Plan may be confidential as it relates to individuals outside of Rock Hawaiian LLC. However, the EHDRP Plan will not share information identifying your use of the EHDRP Plan without your permission, except as required or permitted by law or as needed to complete an investigation of the IRF.

As it relates to Rock Hawaiian LLC, to properly address an IRF, your information may be shared on an "as-needed" basis to conduct the investigation and the IRF that was reported.

## NOTICE OF PRIVACY PRACTICES (HIPAA)

As applicable, and in accordance with the privacy regulations issued by the U.S. Department of Health and Human Services pursuant to the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), Rock Hawaiian LLC complies with the rules and regulations of HIPAA. Rock Hawaiian LLC's complete notice of Rock Hawaiian LLC privacy practices is available for your review upon request. The notice describes how medical information about you may be used and disclosed and how you can obtain access to the information. The notice also describes various rights you may have regarding your information. Upon request, a written copy will be provided to you by contacting your local Human Resources representative.

## POST-TERMINATION COVERAGE

Upon termination of employment, the EHDRP Plan covers you for 18 months, free of charge. Again, coverage under the EHDRP Plan is free for you shall you terminate or retire from Rock Hawaiian LLC. This is covered for eighteen (18) months.

# MISCELLANEOUS INFORMATION

## No Employment Contract

The benefits described under this EHDRP Plan are not conditions of employment, nor are they intended to create an employment contract between you and Rock Hawaiian LLC. Nothing in this EHDRP Plan should be interpreted as a limitation on your right or Rock Hawaiian LLC's right to terminate your employment at any time, with or without cause.

## Administration

The EHDRP Plan Administrator is responsible for the administration of the EHDRP Plan and has sole discretionary authority to interpret and construe the terms of the EHDRP Plan, determine your eligibility for benefits under the EHDRP Plan, and resolve any disputes that arise under the EHDRP Plan. The expenses of administering the EHDRP Plan may be paid from EHDRP Plan assets. To the extent administrative expenses are not paid from EHDRP Plan assets, they shall be paid directly by Rock Hawaiian LLC.

## Reduction, Change, Termination, Forfeiture, or Suspension of Benefits

The following circumstances may lead to a reduction, change, termination, forfeiture, or suspension of benefits:

- Amendment or termination of the EHDRP Plan.
- Calculation errors discovered by subsequent audit.
- Becoming a member of a collective bargaining unit, if your collective bargaining agreement does not provide for participation in the EHDRP Plan.

# AMENDMENT AND TERMINATION OF THE EHDRP PLAN

Because Work Shield provides the EHDRP plan pursuant to a contract with Rock Hawaiian LLC, there is no guarantee that the EHDRP will continue indefinitely. The program is voluntary on the part of Rock Hawaiian LLC. Rock Hawaiian LLC reserves the right to change the Administrator at any time. There is also no guarantee that the number of EHDRP Plan sessions will not be changed in the future.

Rock Hawaiian LLC reserves the right to amend, modify, terminate, or partially terminate the EHDRP Plan at any time.

# PLAN DATA

## Name of Plan

Rock Hawaiian LLC Employer Harassment, Discrimination, and Retaliation Protection Plan (“EHDRP Plan”) is a component of Rock Hawaiian LLC’s WRAP benefit plan (if applicable).

The remainder of this section provides information about the EHDRP Plan and the sponsor.

### EHDRP Plan Sponsor and Primary Agent for Service of Legal Process:

Rock Hawaiian LLC  
P.O. Box 496539  
Garland, Texas 75049

You may obtain information about the EHDRP Plan and Rock Hawaiian LLC’s benefit plans from Rock Hawaiian LLC’s HR Department.

### EHDRP Plan Administrator:

Rock Hawaiian LLC  
P.O. Box 496539  
Garland, Texas 75049

Type of Plan: The EHDRP Plan is part of Rock Hawaiian LLC’s overall WRAP plan and is a workplace harassment protection plan provided by the employer to its employees, as set forth above.

EHDRP Plan Identification Number: If applicable, the Plan identification number shall be the same number as Rock Hawaiian LLC’s WRAP Plan or such other plan that this Plan falls within.

### Type of Administration:

The EHDRP Plan uses The Work Shield, LLC as the third-party administrator: The Work Shield, LLC, 4925 Greenville Avenue, Suite 500, Dallas, Texas 75206, 1.866.946.5558.

### Sources of Contributions and Funding Medium:

Rock Hawaiian LLC pays the entire cost of the EHDRP Plan from its general assets. There is no specific trust fund from which benefits or services under the EHDRP Plan are paid. Active employees do not pay any contribution.

Plan Year: January 1 – December 31 (unless otherwise indicated)

# DEFINITIONS

Certain terms and phrases used to describe the Rock Hawaiian Employer Harassment and Discrimination Protection Plan (“EHDRP Plan”) may not be familiar to you. It is important that you understand how the EHDRP Plan works and your rights as a participant, so some important terms are defined below.

**Authorized Representative:** *An authorized representative is a person you authorize, in writing, to act on your behalf or a person given authority by a court order to request treatment or submit claims on your behalf.*

**Organization:** *Rock Hawaiian LLC*

**Employer Harassment and Discrimination Protection Plan Administrator:** *The EHDRP Plan Administrator is The Work Shield, LLC, Rock Hawaiian LLC that has been engaged by Rock Hawaiian LLC to provide the EHDRP Plan.*

**EHDRP Plan:** *Unless otherwise stated, the term EHDRP Plan refers to Rock Hawaiian Employer Harassment and Discrimination Protection Plan.*

**Title VII:** *Title VII of the Civil Rights Act of 1964 is a federal law that prohibits employers from discriminating against employees on the basis of sex, race, color, national origin, and religion, and any other defining characteristic, as defined by Title VII of the Civil Rights Act of 1964.*

# ROCK HAWAIIAN LLC EMPLOYEE HANDBOOK SUPPLEMENT

The Rock Hawaiian LLC employer Harassment, Discrimination, and Retaliation Protection Plan (the “EHDRP Plan”) provides a safe and secure platform for employees who need to seek assistance with workplace harassment, discrimination and misconduct issues. Instead of reaching out to your human resources department, manager, or your supervisor, and as set forth in this supplement to your employee handbook (the “Supplement”), you must voice your workplace harassment, discrimination, retaliation, and misconduct issues to The Work Shield, LLC (“Work Shield”). Work Shield administers the EHDRP Plan, investigates incidents involving harassment, discrimination, and retaliation, and then provides a recommended course of action to Rock Hawaiian LLC (the “Organization”) about each investigated incident. This way, your employer does not control the intake, investigation, or reporting of such incidents. As provided to you on Work Shield’s Digital ID Card as well as identified on the Work Shield breakroom posters, you can file an Incident Report Form (“IRF”) online or by proxy on behalf of another employee, at [RHL.workshieldportal.com](http://RHL.workshieldportal.com), or you may also call the 24/7 toll-free Call Center at 866.946.5558. You may refer online at [RHL.workshieldportal.com](http://RHL.workshieldportal.com) to the EHDRP Plan for policies that are associated with harassment, discrimination, and retaliation topics.

**TO THE EXTENT THE EHDRP PLAN CONFLICTS WITH YOUR ORGANIZATION’S HARASSMENT, DISCRIMINATION, MISCONDUCT, RETALIATION, AND/OR ANY TITLE VII POLICIES, THE LANGUAGE AND REPORTING PROCEDURES OF THIS SUPPLEMENT SHALL CONTROL AND SUPERSEDE ANY HANDBOOK PROVISIONS, AND IN THE EVENT THAT AN ORGANIZATION HANDBOOK ADDRESSING HARASSMENT, DISCRIMINATION, MISCONDUCT, RETALIATION, AND/OR ANY TITLE VII ISSUES DOES NOT EXIST, THIS SUPPLEMENT SHALL ALLOW THE EHDRP PLAN TO OUTLINE AND CONTROL ANY AND ALL REPORTING PROCEDURES RELATED TO HARASSMENT, DISCRIMINATION, RETALIATION AND MISCONDUCT ISSUES.**

The EHDRP Plan cannot anticipate every situation or answer every question about harassment, discrimination, retaliation, or misconduct issues. From time to time, circumstances will undoubtedly require that the policies, practices and benefits described in the EHDRP Plan be changed. Accordingly, Rock Hawaiian LLC and Work Shield each reserve their right to modify, supplement or rescind any provision of the EHDRP Plan as it deems necessary. If any changes to the EHDRP Plan become necessary, your employer will endeavor to notify you of such changes by distributing revised pages to you. When new policies are added or existing policies are changed, the most recent policy shall prevail and govern any new action taken. Furthermore, coverage under the EHDRP Plan continues until 18 months post-termination of employment, as set forth under the EHDRP Plan.

**IMPORTANT: PLEASE NOTE THAT GOING TO YOUR HUMAN RESOURCES DEPARTMENT, MANAGER, OR YOUR SUPERVISOR FAILS TO QUALIFY AS EXHAUSTING YOUR ADMINISTRATIVE REMEDY GIVEN THE YOUR EMPLOYER’S INCORPORATION OF THE EHDRP PLAN. YOU OR A PROXY ON YOUR BEHALF MUST FILE AN IRF IN ORDER TO HAVE ANY WORKPLACE HARASSMENT, DISCRIMINATION, MISCONDUCT, OR RETALIATION ISSUE ADDRESSED AND/OR RESOLVED. THIS IS THE ADMINISTRATIVE REMEDY AVAILABLE TO ALL EMPLOYEES. AN IRF MAY BE FILED BY AN EMPLOYEE OR BY PROXY ON AN EMPLOYEE’S BEHALF. AGAIN, NOT REPORTING YOUR HARASSMENT, DISCRIMINATION, RETALIATION, OR MISCONDUCT INCIDENT TO WORK SHIELD VIA AN IRF DOES NOT EXHAUST THE ADMINISTRATIVE REMEDY AVAILABLE TO YOU. PLEASE REPORT TO WORK SHIELD ANY ISSUES YOU MAY ENCOUNTER.**

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Employee Name (Printed)

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Employee Signature

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Date