

XSCAPE THEATRES EMPLOYEE HANDBOOK



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Welcome from the President

On behalf of your colleagues, I welcome you to Xscape Theatres and wish you every success here.

Our people are our business and people applies not only to our guests but also our employees. We strive to provide the best work environment possible. We believe that each employee contributes directly to the Company's growth and success, and we hope you will take pride in being a member of our team.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with Xscape Theatres.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Sincerely,

Chance Ragains
CEO & President
Xscape Theatres

Introduction to the Employee Handbook

It is Xscape Theatres policy that team members maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among fellow colleagues, and is free from all forms of harassment and violence. All full-time, part-time, fixed term team members, temporary workers and any other contractor, agent, consultant, or person acting for or on behalf of the Company is expected to adhere to this Employee Handbook. Failure to comply with the Employee Handbook may lead to disciplinary action, up to and including termination of employment. All individuals must take personal responsibility for their own compliance. Managers should ensure that this handbook is understood within their own area.

We prepared this handbook to help you find the answer to many questions that you may have regarding your employment with Xscape Theatres. It is critical that you take the time to read this handbook in its entirety to understand what is expected of you throughout your time with the Company. We do not expect this handbook to answer all your questions. Managers and Human Resources also serve as a major source of information.

Neither this handbook nor any other verbal or written communication by a Management Representative is, nor should it be considered to be, an agreement, contract of employment, expressed or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. Your employment relationship with the Company is "at will", meaning that either you or the Company can terminate the employment relationship, with or without notice, at any time. If you have any questions about any of the information in this Handbook or about your employment, please contact your manager on duty, General Manager, Ops, or a member of the Human Resources Department.

No Company representative other than the CEO may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate Company documents. These Company documents are always controlling over any statement made in this handbook or by any member of management.

Although we have made our best effort to fully address the most common policies and procedures, this handbook is not intended to cover every possible situation. Xscape Theatres reserves the right to add to or amend the policies, procedures and guidelines contained herein, without prior notice.

Corporate Mission Statement

Xscape Theatres is committed to designing, constructing, and operating the most efficient and attractive theatre facilities that cater to the movie theatre guest and provide a superior movie going experience.

The primary strategic goal of the Company is to become a market leader in the industry, rapidly growing from a regional chain to a national chain.

Community Partner

The Company does not just build and operate theatres; we help foster economic development for the communities we live in and serve. Additional businesses, such as restaurants and retail establishments routinely spring up around the success of Xscape Theatres. The Company is proud to fuel this economic revitalization and growth.

The Company is also proud of its commitment to the families and children in local communities. The Company, through its Xscape Theatres, offers Kids shows during summer months. These family friendly movies offer children of all ages a chance to experience the magic of the movie theatre at a substantially reduced or free admission.

Company History

The company previously formed Great Escape Theatres in 1997 and was based in New Albany, IN opening new theatres almost every year. Twenty-eight successful locations were constructed until the company decided to sell them in 2012. Now the company is starting again with even better theatres, titled Xscape Theatres.

Each Xscape Theatre location is equipped with standard features that include digital sound and projection, stadium seating, 3D and more. The new locations feature faux leather reclining seats and premium experience auditoriums, titled The Xtreme Xscape.

Our Pledge to You

We pledge a working environment of mutual respect, cooperation, and commitment. As such, we will listen to your concerns with an open mind and attentiveness; respond to your concerns in a timely manner; share important information pertaining to our industry, employment, benefits and expectations; and to assist you in developing your job related skills. We pledge to be the best employer we can be and assist you in being the best employee you can be.

EMPLOYMENT

Employment at Will

This handbook is a guide and reference for all employees and is not a contract, expressed or implied, guaranteeing employment for any specific duration. Employment with Xscape Theatres is “at-will”, meaning either you or the Company may terminate this relationship at any time, for any reason, with or without cause or notice. The Company does not tolerate discriminatory or other unlawful conduct and all employment decisions will uphold this policy.

No member of management, or representative of the Company, other than one of the owners, has the authority to enter into any employment contract with you for any specified period or to make any promises or commitments contrary to the foregoing. Further, any employment agreement entered by a Company owner shall not be enforceable unless it is in writing and signed by both the employee and owner.

To retain necessary flexibility to respond to changing circumstances, Xscape Theatres reserves the right to change or discontinue any or all such provisions, policies or procedures of this handbook, in whole or in part, at any time, with or without notice. No set of policies can anticipate every situation that might arise, or answer every question, and this handbook does not attempt to do so.

Equal Employment Opportunity

Xscape Theatres is an equal opportunity employer. It is the policy of the Company to prohibit discrimination of any type and to afford equal employment opportunities to employees and applicants, without regard to sex, race, color, religion, sexual orientation, gender identity/reassignment, citizenship, national origin, age, disability, pregnancy or maternity, genetic information, marital status, veteran status or any other characteristic protected by applicable national, federal, state or local law. The Company will conform to the spirit as well as the letter of all applicable laws and regulations.

The Company will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their manager on duty, General Manager, Ops or Human Resources. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to corrective action, up to and including termination of employment.

Sexual and Other Unlawful Harassment

It is the policy of the Company that harassment of applicants and employees on the basis of sex, race, religion, color, national origin, disability, marital status, age, sexual orientation, gender identity/reassignment, genetic information, citizenship, pregnancy or maternity, veteran status or any other characteristic protected by applicable national, federal, state, or local law, including sexual harassment is unacceptable and will not be tolerated.

This policy applies to all employees. It covers harassment by employees of Xscape Theatres (including members of management), guests, vendors, or other third parties with whom the Company has business dealings.

Sexual harassment has been defined generally as including unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, whenever: (1) submission to the conduct is either an explicit or implicit term or condition of employment; (2) an employee's reaction to the conduct is used as a basis for employment decisions affecting that employee; or (3) the conduct has the purpose or effect of interfering with the employee's work performance or creating an intimidating, hostile or offensive working environment.

No employee or applicant should be subjected to unsolicited and unwelcome sexual overtures. Nor should any employee or applicant be led to believe that an employment opportunity or benefit will in any way depend upon "cooperation" of a sexual nature.

Sexual harassment is not limited to demands for sexual favors. It also may include such actions as: (1) sexually-oriented verbal kidding, teasing, or jokes; (2) repeated offensive sexual flirtations, advances, or propositions; (3) continued or repeated verbal abuse of a sexual nature; (4) graphic or degrading comments about an individual or his or her appearance; (5) the display of sexually suggestive objects or pictures; (6) subtle pressure for sexual activity; and (7) physical contact or blocking movement.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature or consensual personal and social relationships without a discriminatory employment effect. It refers to behavior which is not welcome, and which is personally intimidating, hostile, or offensive.

Other prohibited forms of harassment include jokes, verbal abuse and epithets, degrading comments, the display of objects and pictures and other offensive conduct relating to an individual's race, religion, color, national origin, ancestry, handicap, medical condition, disability, marital status or age, all as defined and protected by applicable law.

Any employee who feels that he or she has been the subject of harassment or who has reason to believe that someone else has been the subject of harassment has the obligation to notify Human Resources, his or her manager on duty, General Manager or Ops immediately. The complainant is expected to provide information that the Company requests, including a detailed account of the incidents complained of, witnesses (if any), dates, and other information considered relevant by the Company. A prompt investigation of the matter will be made. All employees - whether complainant, witness or accused - are required to be truthful, accurate, and cooperative during the Company's investigations.

Anyone who is found to have engaged in prohibited harassment will be subject to appropriate sanctions, which may include termination of employment, depending on the circumstances. No one should be presumed to be in violation because an investigation is being conducted. Xscape Theatres will make its findings at the conclusion of the investigation.

It is the policy of the Company that no one will be retaliated against for making a complaint of harassment based upon an honest perception of the events or for cooperating in the investigation of a complaint. Individuals found to have made intentionally false harassment accusations against another person will be subject to discipline, up to and including termination.

Accommodations for Nursing Mothers

Xscape Theatres will provide nursing mothers reasonable paid break time to express milk for their infant child(ren) for up to one year following the child's birth.

If you are nursing, you will be provided with a space, other than a restroom, that is shielded from view and free from intrusion from co-workers and the public.

Break time should, if possible, be taken concurrently with any other break time already provided. If you are non-exempt, clock out for any time taken that does not run concurrently with normally scheduled rest periods, and such time will be paid in accordance with federal law. You are encouraged to discuss the length and frequency of these breaks with your manager on duty, General Manager or Human Resources.

Expressed milk can be stored in a personal cooler. Sufficiently mark or label with employee's name, to avoid confusion for other employees.

No provision of this policy applies, or will be enforced, if it conflicts with or is superseded by any requirement or prohibition contained in a federal, state, or local law, or regulation.

Drug and Alcohol-Free Workplace

Xscape Theatres is committed to maintaining a drug-free workplace to protect its employees, guests, clients, and the public from the serious risks posed by the manufacture, possession, distribution or use of drugs or alcohol. Substance abuse threatens and impairs employee health, safety, security, job performance and morale.

The Company prohibits and does not tolerate employees being under the influence of, or the possession of or use of illegal drugs at any time during their shift nor, anywhere within Company or guest facilities, or during any business-related activity. For purposes of this policy, working time includes lunch and rest periods. Any sale or manufacturing of illegal drugs during work or on the employer's premises, or facilities will be treated as gross misconduct, punishable by immediate termination for the first offense as well as additional criminal charges, as necessary.

Employees are expected and required to report to work on time and in an appropriate mental and physical condition for work. To do so, employees must not have alcohol or illegal drugs in their system.

Employees are responsible for notifying management within five (5) days of any drug and/or alcohol related criminal conviction occurring in the workplace or while conducting Company business. All employees must, as a condition of their employment, adhere to this policy. Failure to do so will result in disciplinary action, up to and including termination.

Prescription Drugs

Employees who are taking prescription drugs on the advice of a physician that may affect their performance or have adverse side effects should immediately discuss their situation with the General Manager or Human Resources and obtain written permission before reporting to work. Such employees are responsible for disclosing to the General Manager or Human Resources the possible side effects of the prescription drug on work performance and the expected duration of its use. The Company will then decide whether a reasonable accommodation is necessary under the circumstances until the side effects of concern no longer exist.

Taking prescription drugs that are not prescribed to the employee directly is an illegal drug. Taking prescription drugs in excess of a doctor's written prescription is misuse of medication and is also prohibited. Giving prescription drugs to others is illegal and will be regarded as sale or transfer of an illegal drug in accordance with our workplace drug policy.

If you have a problem with drugs or alcohol, you should seek treatment before it affects your work performance, or other important aspects of your life. The Company encourages employees to do so and will make reasonable efforts to accommodate effected employees to preserve their employment. Drug counseling and rehabilitation may be available to employees through the medical insurance program.

Drug Testing

If the Company has a reasonable suspicion that an employee is under the influence of drugs or alcohol while at work or during any business-related activity and anyone involved in an on-the-job accident or injury may be required to take a drug and/or alcohol test. Continued employment is contingent upon satisfactory test results. Refusal to cooperate will result in disciplinary action, up to and including termination.

Workplace Violence Prevention

Xscape Theatres is committed to maintaining a safe work environment and preventing workplace violence. The Company has adopted the following guidelines to address intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on company property.

All employees, guests, visitors, and vendors should always be treated with courtesy and respect. Employees are expected to refrain from fighting, horseplay, or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of the Company.

Violence in the workplace may be described as verbal or physical threats, intimidation, and/or aggressive physical contact. Prohibited contact includes, but is not limited to the following:

- Intimidation, harassment, assault, battery, stalking, or conduct that causes a person to believe he or she is under a threat of death or serious bodily injury.
- Inflicting or threatening injury to another person's life, health, well-being, family, or property.
- Possessing a firearm, explosive or other dangerous weapons during work time or using an object as a weapon.
- Abusing or damaging Company or employee property.
- Using obscene or abusive language or gestures in a threatening manner; and
- Raising voices in a threatening manner.

Because of the potential for misunderstanding, joking about any of the above conduct is also prohibited.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your manager on duty, General Manager, Ops or Human Resources. This includes threats by employees, as well as threats by guests, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities at the worksite or on company property should be reported as soon as possible to your manager or another member of management. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

The Company will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. To maintain workplace safety and the integrity of its investigation, the Company may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt corrective action up to and including termination of employment.

Xscape Theatres encourages employees to bring their disputes or differences with other employees to the attention of their manager on duty, General Manager, Ops or Human Resources before the situation escalates into potential violence. The Company is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

Criminal Background Checks

The Company may exercise its right to make reasonable and appropriate investigations into the background of applicants and employees as part of its commitment to maintain a safe work environment for its employees and guests.

Criminal background checks may be required in any of the following situations:

1. At the time of hire or promotion into all management positions.
2. When management needs to confirm information brought to its attention concerning a misstatement by an employee about his/her background, or there has been a material change in an employee's criminal record after hire.

All background checks will be conducted with authorization from the employee.

Immigration Law Compliance

Xscape Theatres is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate based on citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Company within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact Human Resources. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

Accommodation of Individuals with Disabilities

In compliance with the Americans with Disabilities Act ("ADA") and other applicable state and local laws, we provide reasonable accommodations for qualified individuals with disabilities. It is our policy to:

- Ensure that qualified individuals with disabilities are treated in a nondiscriminatory manner in all terms, conditions, and privileges of employment, as required by the ADA.

- Provide qualified applicants and employees with disabilities with reasonable accommodations, except where such accommodations would create an undue hardship on us, as provided under the ADA.

It is the responsibility of an employee to inform management of the need for an accommodation.

HIPAA

The Health Insurance Portability and Accountability Act of 1996 (HIPAA), assures that employees' and clients' health information is properly protected while allowing the flow of health information needed to provide and promote high quality health care and to protect the individual's health and wellbeing.

Medical information on individual employees/clients is treated confidentially. Xscape Theatres will take special precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee/client's medical information. Anyone inappropriately disclosing such information is subject to corrective action, up to and including termination of employment.

Employees with questions concerning the Company's HIPAA policy should contact Human Resources for more information.

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WORK ENVIRONMENT & EMPLOYEE CONDUCT

Attendance and Punctuality

Attendance Policy

Punctual and regular attendance is an essential responsibility of each employee of the Company. The purpose of this policy is to promote the efficient operation of the theatre and to minimize unscheduled absences.

If an employee forgets to clock in or out from a shift, the manager on duty should be notified to correct the situation. Other employees are not allowed to make adjustments.

All employees are expected to be in complete proper authorized uniform, at their assigned workstation and prepared to work at the beginning of each shift. An employee may not clock in earlier than 5 minutes prior to the beginning of their shift or clock out 5 minutes later than the end of their shift without permission of the manager on duty.

All employees must be checked out by the manager on duty at the end of their shift. Any employee leaving without permission may be terminated.

Absences

Absence is the failure of an employee to report for work when the employee is scheduled to work. There are two categories of Absences, excused and unexcused.

Excused Absence occurs when the following conditions are met:

1. The employee provides sufficient notice as defined below to the manager on duty.
2. Such absence request is approved by the manager on duty.

Unexcused Absence occurs when one of the two conditions above is not met.

Sufficient Notice

To be considered an excused absence as defined above, sufficient notice must be given to the manager on duty via theatre phone and follow up with email for written proof. Email is required for documentation. Sufficient notice is defined as:

1. For a scheduled absence, employees must give a notice of two weeks (14 days).
2. For an emergency absence occurring a) at the beginning of an employee's shift, employees must notify their manager on duty no later to three (3) hours prior to the beginning of their shift and b) during the employee's shift; employees must notify the manager on duty prior to leaving the premises.

Any failure to provide the Company with sufficient notice of absence will result in disciplinary action. Only your General Manager may approve any exceptions to this provision or any conflicts in scheduling.

Employees must take earned paid time off for every absence unless otherwise allowed by company policy (e.g. Leave of Absence policy, Bereavement policy, Jury Duty, etc.)

Progressive Discipline for Unexcused Absences

Unexcused absences will be monitored on a twelve-month rolling calendar. Example: If an employee has their first unexcused absence on March 15th, they can only have two additional unexcused absences before March 15th of the following year or risk termination of employment.

- 1st offense: Documented written warning.
- 2nd offense: Documented written warning and possible suspension up to two (2) weeks. Length and time to be determined by OPS, Management and Human Resources.

- 3rd offense: Documented written warning, suspension up to two (2) weeks, and possible termination. OPS and Human Resources will provide final determination.

If it is necessary for you to be absent or late for work because of illness or an emergency, you must notify the manager on duty via theatre phone and follow up with email for written proof, (email is required for documentation) as soon as possible, but no later than three (3) hours prior to the scheduled starting time on the same day. If you are unable to call, you must have someone make the call for you.

No Call/No Show - Job Abandonment

Failure to notify the manager on duty of an absence or failure to report to work without providing notice to his/her manager on duty via theatre phone and follow up with an email for written proof, (email is required for documentation) for a scheduled shift will be considered a no call/no show – job abandonment. No call/no show situations may result in disciplinary action, up to and including termination. Absence from work for three or more consecutive shifts without proper notification will be considered voluntary, self-termination or job abandonment.

Any employee may appeal this determination in writing to the Human Resources Department; if it is determined that there were extenuating circumstances for the absences, the employee may be reinstated.

Failure to notify the manager on duty before leaving your workstation and/or the building prior to the end of your scheduled shift will be considered job abandonment and may result in disciplinary action, up to and including termination, which would be considered a voluntary, self-termination.

Tardiness

You are expected to report to work on time. If you are unable to report to work as scheduled, you should notify the manager on duty via theatre phone as soon as possible, but no later than one (1) hour prior to the beginning of your scheduled arrival time. This notification does not excuse the tardiness but simply notifies the manager on duty that a schedule change may be necessary.

Employee Separations

Employee Termination

All employee terminations shall be handled in a professional manner with minimal disruption to ongoing work functions.

There are three types of terminations:

1. Voluntary
2. Involuntary
3. Death

Voluntary Terminations

Voluntary termination of employment occurs when 1) an employee informs his/ her manager on duty or the General Manager of employee's resignation, 2) termination is deemed to have occurred when an employee is absent from work for three (3) consecutive scheduled shifts and fails to properly contact his/her manager on duty or the General Manager (job abandonment), or 3) an employee walks off from his/her workstation and leaves the building prior to the end of their scheduled shift, failing to notify his/her manager on duty or the General Manager (job abandonment) .

Employees are expected to provide a minimum of two weeks' (2) notice of their intention to separate from the Company to allow a reasonable amount of time to transfer ongoing workloads. It is expected that written notification will be provided to the employee's manager on duty or General Manager. Upon receipt of an employee's resignation, the manager on duty or General Manager must notify the Human Resources Department by sending a copy of the resignation letter, annotated if necessary, with pertinent information (i.e. employee's reason for leaving, last day of work, etc.) The Human Resources Department, Ops or General Manager will coordinate the employee's out-processing.

The out-process includes:

1. Returning all company property (i.e., keys, ID cards, uniforms, name tags, etc.).
2. Review benefits status and final paycheck.
3. Upon resignation, "termination paperwork" will be completed by General Manager and returned to the Human Resources Department.

Involuntary Terminations

An involuntary termination of employment may be for several reasons, i.e. misconduct, tardiness, absenteeism, unsatisfactory performance, etc. In some cases, progressive discipline may be used, prior to termination, to correct a performance problem. However, certain types of employee misconduct are so severe that one incident of misconduct will result in immediate dismissal without prior use of progressive discipline.

Involuntary terminations include layoffs and management-initiated dismissal.

Before any action is taken to terminate an employee, the employee's General Manager must notify OPS and the Human Resources Department with the intent to terminate. In some situations, it may be recommended that the employee be suspended prior to dismissal. This action allows the Human Resources Department to investigate to avoid the possibility of a wrongful termination charge against the Company. The suspension may be with or without pay per management discretion. Should it be determined the employee be terminated, any benefit information (if applicable) will then be forwarded to the employee's residence by the Human Resources Department.

Return of Company Property

Employees are responsible for items issued to them by the Company or in their possession or control. Employees must return all Xscape Theatres property immediately upon request or upon termination of employment. Where permitted by applicable laws, the Company may withhold from the employee's check or final paycheck the legally permissible dollar amount of any items that are not returned when required. Xscape Theatres may also take all action deemed appropriate to recover or protect its property.

Deceased Employees

A termination due to the death of an employee will be made effective as of the date of death. Upon receiving notification of the death of an employee, the General Manager must notify the Human Resources Department immediately. The Human Resources department will process the appropriate beneficiary payments (if applicable) from the various employee benefit plans.

Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image that the Company presents to guests and visitors.

Dress Code

The Company requires all employees to follow a standard dress code. This policy enables us to provide a neat and professional appearance and allows guests to recognize us as theatre staff members. There are two types of theatre staff members, Floor Staff and Management.

Floor Staff will receive one polo-style shirt with the Xscape logo and an Xscape nametag (hats will also be provided if local code requires it). Polo shirts will be replaced annually if needed and with OPS approval. Employees may purchase additional shirts for a nominal fee. The employee is responsible for the cleaning and maintenance of the shirt. The employee is responsible for all uniform items provided by the Company, lost or damaged uniform items must be replaced at the employee's expense.

Dress Code Rules for both Floor Staff and Management

1. Must conform to Local, State and Federal Health Codes.
2. No offensive tattoos or body piercings may be visible. You may be asked to cover one or both in accordance with local Health Code(s).
3. Jewelry should be limited to:

- no more than three rings total between both hands.
 - necklaces that must be concealed for safety reasons.
 - earrings-one per ear no larger than a quarter.
4. Hair must be natural in style and color. Hair longer than collar length must be pulled back or restrained with a hairnet. (note: Hats may be worn by Floor Staff but only if required by local health code. If required, only hats provided by the Company will be acceptable. Hats cannot be altered or decorated without previous authorization from corporate office).
 5. Make-up must be natural-looking and understated. Subtle fragrances of cologne/perfume are acceptable. Scents used too liberally can become overpowering for co-workers and guests.
 6. Fingernails must be clean and functional.
 7. Shirts must be wrinkle free and always tucked in.
 8. Slacks must be wrinkle free, properly fitted, cover ankles and pulled up to waist level.
 9. Torn, dirty or frayed clothing is unacceptable. All seams must be finished.
 10. Xscape Name Tag must always be worn while on duty.

Floor Staff Dress Code

1. Xscape polo shirt with name tag located on the opposite side of the Xscape logo.
2. Black short sleeve or long sleeve shirt with no writing or hood, may be worn under the Xscape polo shirt.
3. Black dress slacks (no denim, cargo, canvas, sweatpants, yoga, or spandex allowed).
4. Crepe-soled or rubber-soled shoes for box theatre and concession staff (tennis shoes are acceptable, but they must be all black; no exceptions) or shined black leather shoes.
5. Black socks.

Management Dress Code

Xscape offers a business casual dress code for managers, however, it is always appropriate to maintain a professional image. Because all casual clothing is not suitable for the theatre, these guidelines will help determine what is appropriate for managers to wear to work. Clothing that displays the Xscape logo is encouraged. Some general rules of unacceptable clothing are as follows:

- Clothing that is appropriate for the beach, yard work, dance clubs, exercise session, and sporting events are not appropriate for work.
- Clothing that reveals too much of certain body parts including cleavage, back, chest, feet, stomach, or undergarments is not appropriate.
- Clothing should be pressed and never wrinkled.
- Torn, dirty or frayed clothing is unacceptable. All seams must be finished.
- Clothing that has words, terms, or pictures that may be offensive to guests or other employees is unacceptable.

No dress code can cover all contingencies, so employees must exert good judgement in their choice of clothing to wear to work. Any questions or uncertainty about acceptable, professional business casual attire should be brought to the General Manager.

Slacks, Pants, and Suit Pants

Slacks that are like Dockers™ and other makers of cotton or synthetic material pants, wool pants, flannel pants, dressy capris, and nice-looking dress synthetic pants are acceptable. Inappropriate slacks or pants include jeans, sweatpants, exercise pants, cargo pants, Bermuda shorts, short shorts, shorts of any kind, bib overalls, leggings, and any spandex or other form-fitting pants such as biking pants.

Skirts, Dresses, and Skirted Suits

Casual dresses and skirts that are split at or below the knee, are acceptable with opaque stockings. Dress and skirt length should be at a length that allows the wearer to sit comfortably in public. Short, tight skirts that ride halfway up the thigh are inappropriate for work. Mini-skirts, skorts, sun dresses, beach dresses, and spaghetti-strap dresses are inappropriate for the theatre. Dress Shirts (button up and collared), Tops, Blouses, and Jackets are the only acceptable attire for work. Most suit jackets or sport jackets are acceptable attire. Inappropriate attire includes tank tops, midriff tops, shirts with potentially offensive words, terms, logos, pictures, cartoons, or slogans, halter-tops, tops with bare shoulders, sweatshirts, and t-shirts unless worn under another blouse, shirt, jacket, or dress.

Shoes and Footwear

Slip resistant conservative walking shoes, dress shoes, oxfords, loafers, boots, flats, dress heels, and backless shoes are acceptable for work. Socks or opaque stockings must be worn. Athletic shoes, tennis shoes, thongs, flip-flops, slippers, and any casual shoe with an open toe are not acceptable in the theatre.

Accessories and Jewelry

Tasteful, professional ties for men are mandatory. Jewelry should be worn in good taste, with limited visible body piercing. All local health codes must be upheld.

If any clothing fails to meet Xscape standards, as determined by management, the employee will be asked not to wear the inappropriate item to work again. If the problem persists, the employee will be sent home to change clothes and will receive a counseling for the first offense. If dress code violations continue, progressive disciplinary action will be taken, up to and including termination.

Promotional Dress/Buttons

Wearing studio T-shirts or dressing up to promote a film or other special occasion may only be done with the VP of Operations approval.

Personal Hygiene

All Xscape employees are expected to meet hygiene requirements during regular business hours and for the duration of their employment. All employees should:

- Maintain acceptable personal hygiene.
- Brush their teeth and maintain good oral hygiene.
- Use deodorant / antiperspirant to minimize body odors.
- Wash hands after eating, smoking, or using the restroom.

Solicitation

To ensure a productive and harmonious work environment, persons not employed by Xscape Theatres may not solicit or distribute literature in the workplace at any time for any purpose.

The Company recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.

In addition, the posting of written solicitations on Company bulletin boards is restricted. These bulletin boards display valuable information, and employees should consult them frequently. If employees have a message of interest to the workplace, they may submit it to Human Resources, Ops, or the General Manager for approval.

Computers, Internet, and Electronic Communications

Electronic communications, including the contents of Company owned computers and telephones are the property of the Company. This policy is meant to set forth guidelines regarding access to and disclosure of information sent or received by Xscape Theatres employees using the system. This policy may be changed at any time. The Internet, electronic mail (e-mail), phone mail or any other communication or information system of the Company is not to be used in any way that may be disruptive, offensive to others, or harmful to morale.

Generally, Xscape Theatres treats all computer files, including e-mail sent or received, as business information. The Company has the capability and reserves the right, with or without notice, to access, monitor, review, copy, and/or delete any computer files, including e-mail sent or received, and all web site communications and transactions.

If employees make incidental use of the computer system for personal files or e-mail, employees should not expect personal files or e-mail to be protected from review by the Company. Accordingly, employees should not use computer systems to create or transmit any information they wish to keep private.

Company computer systems shall not be used to solicit for commercial ventures, religious or political causes, or outside organizations not authorized by the Company.

Employees are prohibited from playing computer games (i.e. video games) while using Company owned computer systems.

Email

When transmitting messages via email, employees should consider that persons other than the addressee can read the messages and that messages may later be disclosed to outside parties or a court relating to litigation. Because of these concerns, Xscape Theatres employees are required to maintain the highest standards of discretion and professionalism when transmitting email.

Use of the computer system to engage in any communications in violation of this or any Company policy is strictly prohibited. The Company prohibits the display or transmission of sexually explicit images, messages, cartoons, or any transmission or use of communications containing profane or offensive language including ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their sex, race, color, national origin, age, sexual orientation, disability, genetic information, marital status, gender identity/reassignment, citizenship, pregnancy or maternity, religion, veteran status, or any other status protected by applicable national, federal, state or local law shall be transmitted.

Internet

Xscape Theatres provides employees with access to the internet for business related purposes. The Company has the capability to review website access. Employees should not have any expectation of privacy regarding the websites accessed through the Company computer system. Any incidental use of the internet for personal use must be conducted with the highest levels of professionalism. Employees are prohibited from downloading computer programs, graphics, etc. without Ops prior approval.

Software

Xscape Theatres prohibits the unauthorized use of software. The Company expects employees to conduct themselves responsibly in this regard. Employees should refrain from making or using unauthorized copies of software programs.

Social Networking

The Company understands that social media can be a fun and rewarding way to share your life and opinions with family, friends, and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether associated or affiliated with Xscape Theatres, as well as any other form of electronic communication. The Company encourages you to ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action, up to and including termination.

Always be fair and courteous to fellow associates, guests, members, suppliers, or people who work on behalf of Xscape Theatres. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open-Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage guests, members, associates or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment based on race, sex, disability, religion or any other status protected by law or company policy.

Employees are expected to post only appropriate and respectful content. The following list provides recommended guidelines when using social media:

- Maintain the confidentiality of Xscape Theatres trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures, or other internal business-related confidential communications.
- Do not create a link from your blog, website, or other social networking site to a Company website without identifying yourself as an Xscape Theatres associate.
- Express only your individual opinions.

The Company prohibits taking negative action against any associate for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another associate for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Employees should be aware that anything they post on social media that is defamatory or that reveals private or confidential information could expose them to civil liability and lawsuits.

Personal Mobile Devices/Phones

For Theatre Floor Staff, the use of personal mobile devices/phones are not allowed without the prior approval from the manager on duty. Cell phones are to be silenced during your shift and out of sight. Personal calls are discouraged except in the case of an emergency. If you are anticipating an emergency phone call, please alert the manager on duty so arrangements can be made to accommodate your particular situation. If caught with a cell phone during your shift, management reserves the right to take appropriate disciplinary or corrective action.

Smoking

All Xscape Theatres facilities are smoke free. The use of all tobacco and smoking products, including chewing tobacco and electronic cigarettes (E-cigarettes) are only allowed in designated areas outside Company worksites. Breaks for use of these products are at the manager's discretion and may not be taken unless approved by the manager on duty. Individuals using these products in the designated areas are responsible for ensuring the area is kept neat and all associated trash is disposed of properly. Employees must not smell of tobacco use when interacting with guests or other employees. Individuals are also responsible for washing hands after the use of any of these products. It is unacceptable to approach a guest smelling like tobacco use. Please keep this in mind always and act accordingly.

Safety

It is the Company's policy to strive to provide a safe and healthy work environment for all employees. Safety is everyone's responsibility. Xscape Theatres prohibits, forbids, and does not tolerate carelessness, substandard or hazardous work practices within its facilities, on its property, while conducting Company business or during any business-related activity. In the event of a work-related accident, injury, or disease, it is the employee's responsibility to immediately report to the manager on duty, General Manager, Ops or Human Resources, allowing the proper response measures to be taken.

The Company expects that all employees will perform employment duties with care and attention to the guest and client while upholding the safety and welfare of fellow workers and Company quality standards and requirements. Employees who are negligent in performance of their job duties will be subject to discipline, up to and including immediate termination.

Personal Relationships in the Workplace

Xscape Theatres strongly discourages the employment of relatives or individuals involved in a dating relationship in the same area of an organization as these types of relationships may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships. Xscape Theatres reserves the right to investigate any such conflicts or problems caused by such personal relationships or family relationship and discipline any individuals involved in such relationships, conflicts, or problems up to and including immediate termination.

Relatives of current employees may not occupy a position that will be working directly for or supervising their relative. Individuals involved in a dating relationship with a current employee may also not occupy a position that will be working directly for or supervising the employee with whom they are involved in a dating relationship. Xscape Theatres also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a

dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

Security Inspections

The Company wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other dangerous materials. Xscape Theatres requires the cooperation of all employees in administering this policy. An employee's refusal to cooperate in an inspection or investigation may result in further disciplinary action, up to and including termination.

Desks, lockers, and other storage devices may be provided for the conveniences of employees but remain the sole property of the Company. Accordingly, any agent or representative of the Company can inspect them, as well as any articles found within them, at any time, either with or without prior notice. A minimum of two Company representatives will be present to conduct and record details of the search.

Xscape Theatres likewise wishes to discourage theft or unauthorized possession of the property of employees, visitors, and guests. To facilitate enforcement of this policy, Xscape Theatres or its representative may inspect not only desks and lockers, but also any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto Company premises.

Open Door Policy

Our open-door policy is designed to resolve concerns so that positive working relationships can be maintained. If you experience problems within working relationships, have concerns about a policy or procedure or feel that you have been treated unfairly, we encourage you to discuss the situation with your manager on duty or General Manager. If after discussing your concerns and/or questions with a member of management and your issue is not resolved to your satisfaction, you may utilize the Company's Problem Resolution procedure. No employee will be penalized for voicing a complaint with the Company in a reasonable, business-like manner.

Problem Resolution

Xscape Theatres wants to provide you with the safest, most productive work experience possible. As an employee of the Company you are considered a valuable member of the team. If work-related conflict arises or wrongdoing occurs, you must take part in promoting the best work environment possible.

Xscape Theatres takes a common-sense approach to conflict in the workplace. Employees simply working out their differences in a respectful and fair manner can easily resolve some matters. The Company understands certain conflicts or problems may arise when an employee feels more comfortable notifying a manager or Human Resources to respond to disputes.

When conflict or wrongdoing occurs, the Company wants to be notified and has established safe internal procedures to make it easy for you to report. The Company prohibits retaliation against any employee who lodges a good faith complaint of workplace wrongdoing or conflict or who participates in any related investigation. Any employee who engages in prohibited retaliation is subject to disciplinary action, up to and including possible termination.

Reporting Procedure

If you are aware of workplace conflict or wrongdoing taking place, you must immediately discuss your questions, problems, complaints, or reports with your manager on duty. If you feel uncomfortable doing so or if your manager on duty is the source of the problem, condones the problem, or ignores the problem; immediately report the incident to your General Manager, Ops or Human Resources. You are not required to directly confront the person who is the source of your report, question, or complaint before notifying any of those individuals listed.

Nevertheless, you are required to make a reasonable effort to make wrongdoing or conflict known should it exist. Employees must utilize the above stated reporting procedure whenever reporting work related conflict or wrongdoing as stated in the handbook policies.

Anti-Retaliation Policy

Xscape Theatres prohibits and does not tolerate retaliation against any employee because of employee's participation in protected activities, including but not limited to good faith reporting of workplace wrongdoing, making a protected claim against the Company, or properly using Company benefits.

Any employee who engages in prohibited retaliation is subject to disciplinary action, up to and including possible termination. No person, no matter his or her title or position, has the authority, expressed, actual, apparent or implied, to retaliate against any Xscape Theatres employee.

The Company recognizes making false accusations of wrongdoing in bad faith can have serious consequences for those who are wrongly accused. Xscape Theatres prohibits deliberately making false and/or malicious allegations, as well as, deliberately providing false information during an investigation. Anyone who violates this rule is subject to disciplinary action, up to and including termination.

Workplace Conduct

Xscape Theatres strive to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense, and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including termination, at the Company's sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment based on false or misleading information.
2. Stealing, removing, or defacing Company property or a co-worker's property, and/or disclosure of confidential information.
3. Completing another employee's time records without appropriate authorization.
4. Violation of safety rules and policies.
5. Violation of the Company's Drug and Alcohol-Free Workplace Policy.
6. Fighting, threatening, or disrupting the work of others or other violations of Xscape Theatres Workplace Violence Policy.
7. Failure to follow lawful instructions of the manager on duty, General Manager, or Ops.
8. Failure to perform assigned job duties.
9. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness, or unexcused absences.
10. Gambling on Company property.
11. Willful or careless destruction or damage to Company assets or to the equipment or possessions of another employee.
12. Wasting work materials.
13. Performing work of a personal nature during working time.
14. Violation of the Solicitation and Distribution Policy.
15. Violation of the Harassment or Equal Employment Opportunity Policies.
16. Violation of the Communication and Computer Systems Policy.
17. Unsatisfactory job performance.
18. Any other violation of Company policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and Xscape Theatres reserves the right to impose whatever discipline it chooses, or none, in a particular instance. The Company will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in any given situation.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

Corrective Action

Employee Conduct/Progressive Discipline Process

There will sometimes be situations in which an employee violates policy or may not be performing up to the standards required for her or his position. Xscape Theatres maintains a procedure to ensure a fair method of appropriate corrective action. Corrective Action is a system intended to give you advance notice, whenever possible, of concerns with your conduct or performance. A performance problem exists when some area of an employee's performance does not meet expectations. The problem can occur either in technical skills, work habits or conduct.

Once a performance problem or unsatisfactory work situation surfaces, it is important to confront the situation promptly and to seek improvement.

A progressive discipline process may be used in dealing with an employee's performance, conduct, or other issues: including coaching, verbal warning, written warning, suspension (at the discretion of management, Ops and Human Resources), and termination. However, depending on the infraction, progressive discipline steps may be skipped, and termination could be warranted immediately.

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EMPLOYMENT STATUS & RECORDS

Employment Categories

It is the intent of the Company to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period.

Based on the work performed, each employee is designated as either Non-exempt or Exempt from federal and state wage and hour laws. Non-exempt employees are entitled to overtime pay under the specific provisions of federal and state laws, except for Overtime Exemptions for Movie Theatres in certain states. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. An employee's Exempt or Non-exempt classification may be changed only upon written notification by Xscape Theatres management.

In addition to the classifications of Exempt or Non-Exempt, each employee will belong to one of the following employment statuses:

Regular Full-Time: employees are not in a temporary or introductory status and work 30 hours or more per week. Generally, they are eligible for the Xscape Theatres medical, dental, vision and life insurance benefit package, subject to the terms, conditions, and limitations of each benefit program.

Regular Part-Time: employees are not assigned to a temporary or introductory status and work less than 30 hours per week. Regular Part-Time employees receive all legally mandated benefits but are ineligible for all other Company benefit programs.

Employment Files

Xscape Theatres maintains an employment file on each employee. The employment file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Employment files are the property of the Company, and access to the information they contain is restricted. Generally, only management staff who have a legitimate reason to review information in a file can do so.

Employees who wish to review their own file should contact Human Resources. With reasonable advance notice, employees may review their own employment file on the Company's premises and in the presence of an individual appointed by Xscape Theatres to maintain the files.

Former employees do not have access to their employment files.

Employee Personal Data Changes

It is the responsibility of each employee to promptly notify Human Resources of any changes in their home mailing address, telephone numbers, number and names of dependents, tax withholding information, emergency contacts, educational accomplishments, and other such data. Employee data should be accurate and current.

Personal Information Disclosure to External Parties

Prospective employers, financial institutions, and residential property managers routinely contact employers requesting information on a former or current employee's work history and salary. All such requests of this type shall be referred to and completed by the Human Resources Department. For written requests, information will be entered on the form provided only when it is accompanied by a former or current employee's signed authorization to release information form. All completed verification forms will be returned directly to the requesting party. All telephone requests must be forwarded to the Human Resources Department; release of information will be limited to confirmation of employment dates and position held.

New Employee Orientation

To ensure your start with Xscape Theatres goes as smoothly as possible a member of management will see that you are provided a general introduction to your job.

Introductory Period

All new and rehired employees work on an introductory basis for the first 90 calendar days after their date of hire. Employees who are promoted or transferred within the Company must complete a secondary introductory period of the same length with each reassignment to a new position. Any significant absence will automatically extend an introductory period by the length of the absence. If Xscape Theatres determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

In cases of promotions or transfers within the Company, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during the secondary introductory period. If this occurs, the employee may be allowed to return to his or her former job or to a comparable job, for which the employee is qualified, depending on the availability of such positions and business needs.

Performance Reviews

Managers and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Performance management provides the opportunity to discuss job tasks, identify and correct weaknesses, encourage, and recognize strengths, and discuss positive, purposeful approaches for meeting goals. Both the manager and employee share responsibility in maintaining open communications concerning ongoing performance management.

Employees in management positions will receive formal performance reviews beginning after your introductory period and then at least once per year thereafter. Performance review meetings are used to keep you informed and to offer guidance for defining and reaching performance goals. Performance reviews are an opportunity to re-evaluate job responsibilities as well. Performance reviews should not be construed as a step to achieve increased compensation.

Wage Determination

The Company determines and sets wages that support consistent pay practices, comply with federal and state laws, mirror our commitment to Equal Employment Opportunity, and provide competitive compensation within our labor market and within the financial limitations of business resources. During the course of your employment, adjustments to pay may occur due to promotion, transfer, significant changes to the essential duties of your job, job performance, wage market shifts and changes in the Company's financial resources.

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EMPLOYEE BENEFITS

Vacation

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. The company encourages time off away from work to promote work-life balance.

Eligibility

All full-time employees working a regular and consistent thirty-eight (38) or more hours per week will be eligible for annual vacation time based upon calendar years of service. Eligible employees receive vacation time per the schedule below.

First Calendar Year of Service

Newly hired employees, working thirty-eight (38) or more hours per week will be eligible for a pro-rated number of vacation days based on the month in which you were hired, during the first calendar year as shown below:

Month in which you were hired	Number of Vacation Days
January, February, March	4
April, May, June	3
July, August, September	2
October, November	1
December	0

Second Calendar Year of Service and Beyond

Vacation time from your second year of continuous service and forward will be available on January 1st of each year. It is your individual responsibility to manage your vacation time throughout the year.

- At the beginning of the second calendar year of continuous service: one (1) week of paid vacation (5 days).
- At the beginning of the third calendar year of continuous service, through the fifth calendar year of continuous service: two (2) weeks of paid vacation (10 days).
- At the beginning of the sixth calendar year of continuous service and beyond: three (3) weeks of paid vacation (15 days).

Scheduling Use of Vacation

Vacation requests must be approved 30 days in advance through the General Manager. General Managers must submit all vacation requests to Payroll, HR & OPS for availability and approval.

Since our business is seasonal, there are times where all employees must be available for scheduling to ensure we provide the best guest services. These dates are Critical Blackout Dates and they are listed below. All requests that occur during these Critical Blackout Dates will be denied and the employee is responsible for the shift(s) they are scheduled for.

We also have Non-Critical Blackout Dates. Employees should refrain from requesting time off during peak season and Non-Critical Blackout Dates. If a request is made during one of these times, all employees must seek OPS approval.

Non-Critical Blackout Dates will be approved based upon a first request, followed by seniority. While a request is submitted, this does not mean it has been approved until you receive an email confirmation from the General Manager that your time off is approved. Managers and General Managers must receive email confirmation from OPS for their vacation approval.

Blackout Dates

Blackout dates are defined in two categories, Critical Blackout Dates and Non-Critical Blackout Dates.

Critical Blackout Dates include: Valentine's Day, Thanksgiving Holiday (Friday before Thanksgiving until Sunday after Thanksgiving), Christmas Holiday (Friday before Christmas until December 31st.)

Non-Critical Blackout Dates include: Birthday of Martin Luther King, Jr weekend (Friday-Monday), President's Day weekend (Friday-Monday), Memorial Day weekend (Friday-Monday), Valentine's Weekend, Independence Day (July 2nd to July 5th),

Labor Day weekend (Friday-Monday), New Year's Day (January 1st), Easter weekend (Friday-Sunday), Mother's Day (Sunday) and any other dates approved by VP of Operations.

Paid Time Off (PTO)

All full-time employees working a regular and consistent thirty-eight (38) or more hours per week will be eligible for annual PTO based upon the schedule below. PTO is designed to be used for unexpected sick days, medical & dental appointments, and other personal time off that is not scheduled vacation time off.

First Calendar Year of Service

Newly hired employees, working thirty-eight (38) or more hours per week will be eligible for pro-rated number of PTO days based on the month in which you were hired, during the first calendar year as shown below:

Month in which you were hired	Number of PTO Days
January, February, March	4
April, May, June	3
July, August, September	2
October, November, December	1

Second Calendar Year of Service and Beyond

All eligible full-time employees working a regular and consistent schedule of thirty-eight (38) or more hours per week will be granted annual PTO of five (5) days on January 1st beginning in your second calendar year of service and beyond.

Scheduling Use of PTO

PTO requests must be approved 7 days in advance through the General Manager, except for an unexpected sick event. General Managers must submit all PTO requests to Payroll, HR & OPS for availability and approval.

The same guidelines listed above for Critical Blackout Dates apply for PTO requests.

Vacation and PTO Utilization

To encourage utilization, unused vacation time and PTO will not rollover from year to year and, unused vacation time and PTO will not be paid out but will be forfeited if not used by the end of the calendar year. No payments will be made in lieu of taking the time off.

Leaving the Company

Upon termination of employment, employees will not be paid for unused vacation time or unused PTO.

The Company requests that resigning employees give a two (2) week notice. Vacation or PTO cannot be used during this time unless otherwise approved by OPS.

*Applicable state and local laws and regulations take precedence over the provisions of this leave policy.

The Company reserves the right to change or modify this vacation and PTO policy at its discretion.

Theatre Passes and Concessions

Xscape Theatres provide their employees certain privileges, and the management team must enforce these policies. Employees are entitled to free movies Sunday through Thursday (holidays excluded) for themselves and one guest, subject to availability. New movies will not be available from location release date till the following Monday. Xscape Theatres uses the following holidays for this purpose: New Year's Day, Birthday of Martin Luther King, Jr; Valentine's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. Tickets are mandatory. To obtain tickets at an employee's home theatre, employees must have a manager's approval and complete the employee pass log on location.

If an employee wishes to visit another theatre, the employee needs to request the visit through their manager. The manager should request and receive approval from management of the other theatre in advance (a minimum of 24 hours). All pass guidelines and pass restrictions still apply.

If an employee is not on-duty, he or she must pay full price for all concession items, including popcorn and soda. No discounts are allowed. At no time should any employee be given free food while visiting the theatre.

If an employee or manager is purchasing an item or receiving a ticket, on or off duty, another manager on duty is required to issue the ticket or concession purchase. If only one manager is on duty and a manager is wishing to make a purchase, an email must be sent to OPS prior to the purchase. Once a purchase is made, an itemized receipt must be printed, signed by both the manager on duty, and the employee/manager purchasing the item. This receipt will be kept with the end-of-night paperwork sent to the corporate office.

Any items returned by a guest or found to be damaged must be kept in view of a camera and logged as waste. At no time may these items be consumed by and employee or manager.

Failure to comply with these policies may result in loss of privileges, disciplinary warning, suspension, or termination.

Paid Holidays

The Company observes the following holidays each year for pay purposes:

- Thanksgiving Day
- Christmas Day

Due to the unique nature of our business, theatre operations do not close for observed holidays. Employees who do not work on a scheduled holiday will not be paid. Hourly employees receive one and a half (1.5) times their normal hourly rate for each hour worked on a holiday. Full-time, salaried employees receive their regular salary.

Medical/Dental/Vision/Life Insurance

The Company provides core group insurance coverage for eligible personnel who work 30 hours or more per week. A summary plan description booklet will be provided upon enrollment. The Company will comply with applicable provisions of federal and state insurance laws and regulations.

The cost of coverage is shared by the employee and the Company and depends upon the coverage you choose. Please contact the General Manager or Human Resources if you have questions regarding the group insurance plan. If there is any conflict between the insurance plan or plans and the information provided in this handbook, the language of the insurance plan or plans shall control.

Should any employee wish to view ERISA documents, such as certificates of coverage, summary plan descriptions, individual discernment records or other covered documents, they must put the request in writing and submit it to Human Resources. A member of Human Resources will be in touch with you to determine what you would like to view and how we can send that to you or review it with you.

Family and Medical Leave Act (FMLA)

What FMLA Provides

The FMLA provides eligible employees the opportunity to take unpaid, job-protected leave for certain specified reasons. Any employee who has questions about this policy should contact Human Resources for guidance. Xscape Theatres will not interfere with, restrain, or deny an eligible employee's use of FMLA leave.

Eligibility Requirements

Employees are eligible to request FMLA leave if they have worked for the Company for at least one year, have worked at least 1,250 hours over the previous 12 months and work at a location where at least 50 employees are employed by the Company within 75 miles.

While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven (7) years or more are not counted unless the break is occasioned by the employee's fulfillment of his or her National Guard or Reserve military obligation (as protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA),

or a written agreement exists concerning the employer's intention to rehire the employee after the break in service. If you do not meet these criteria, you are not eligible for FMLA leave.

Qualifying Reasons for FMLA Leave

A covered employer must grant an eligible employee up to a total of 12 weeks of unpaid leave during any 12-month period for one or more of the following reasons:

- for the birth and care of a newborn child of the employee.
- for placement with the employee of a son or daughter for adoption or foster care.
- to care for a spouse, son, daughter, or parent with a serious health condition.
- to take medical leave when the employee is unable to work because of a serious health condition; or
- for "qualifying exigencies" arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation (up to 12 weeks); or
- "Military Caregiver Leave" to care for a covered service member with a serious injury or illness related to certain types of military service (up to 26 weeks per year may be taken for this purpose).

A "Serious Health Condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement includes an incapacity of more than three (3) consecutive full calendar days and two (2) visits to a healthcare provider or one (1) visit to a healthcare provider and a continuing regimen of care; an incapacity caused by pregnancy or prenatal visits, a chronic condition, or permanent or long-term conditions; or absences due to multiple treatments. Other situations may meet the definition of continuing treatment.

The maximum amount of leave that may be taken in any 12-month period-for all reasons combined is 12 weeks, with one exception. For leave to care for a Covered Service member, the maximum combined leave entitlement is 26 weeks, with leaves for all other reasons constituting no more than 12 of those 26 weeks.

Identifying the 12-Month Period

The Company measures the 12-month period in which leave is taken by the "rolling" 12-month method, measured backward from the date of any FMLA leave with one exception. For leave to care for a covered service member, the Company calculates the 12-month period beginning on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date. FMLA leave for the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth or placement.

Employee Notice Requirements

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable. Employees must comply with Xscape Theatres normal call-in procedures.

Employees must provide sufficient information for the Company to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Company if the requested leave is for a reason for which FMLA leave was previously taken or certified. When an employee seeks leave due to a FMLA qualifying reason for which the Company has previously provided the employee FMLA protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave.

Certifications

The Company requires that an employee's request for leave due to a serious health condition affecting the employee or a covered family member be supported by a certification from a health care provider. Xscape Theatres may require second or third medical opinions at the expense of the Company and periodic recertification of a serious health condition. The Company

may utilize a health care provider, a human resource professional, a leave administrator, or a management official – but not the employee’s manager on duty – to authenticate or clarify a medical certification of a serious health condition.

Xscape Theatres requires employees returning from leave for their own serious health condition to submit a certification that they can resume work. If reasonable safety concerns exist, the Company may, under certain circumstances, require such a certification for employees returning from intermittent FMLA leave.

Compensation and Benefits while on Family and Medical Leave

Family Medical Leave is unpaid leave. In accordance with applicable state law, employees may be required to apply all accrued and unused paid leave to all leaves covered by this policy.

Xscape Theatres will continue to pay its portion of the group health premium for the duration of any approved FMLA leave. The employee continues to be responsible for paying his or her group health insurance premiums as if he/she were still actively working during this period. An employee’s failure to pay his or her portion of the group health insurance premium will result in coverage being canceled. If an employee does not wish to continue group health insurance while on family and medical leave, the Company should be notified immediately.

Employees who are able to return to work within the FMLA approved leave time limits, will be entitled to be covered by health insurance at the time they return to work if their coverage has lapsed for any reason during the approved FMLA leave. Any changes to Company health coverage while an employee is on a family and medical leave will be applied as if the employee were still actively employed.

Return from Leave

Except as otherwise provided by law, upon returning from FMLA leave eligible employees will be restored to their original job or to an equivalent job with equivalent pay, benefits and other terms and conditions of employment. Restoration may not be possible if, for example, your position has been eliminated. Additionally, certain key employees may not be entitled to job restoration under certain conditions. If you are a key employee, you will be notified of such status. Use of FMLA leave will not affect the calculation of an employee’s seniority or years of service.

For additional information about your rights and responsibilities under FMLA and/or to request leave under this policy please contact Human Resources.

Xscape Theatres recognizes that certain states may have laws which provide greater or diverse types of leave and/or may require less advance notice than that set forth above. In such event, the applicable state family and medical leave law shall apply.

Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice, or it is otherwise impossible or unreasonable.

The leave will be unpaid. However, employees may use any available paid time off for the absence. Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon the employee's return to active employment.

Contact Human Resources for more information or questions about military leave.

Bereavement Leave

The Company offers paid bereavement leave for full-time employees who work 30 hours or more per week and unpaid leave for part-time employees who work less than 30 hours per week. This leave is to provide a time for mourning after the loss of an immediate family member. The employee’s General Manager authorizes the use of bereavement leave. Bereavement time may only be requested and taken on a scheduled workday. An employee may take up to three (3) days of leave for the death of an immediate family or stepfamily member. The immediate family or stepfamily includes spouse, child, mother, father, sister, brother, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, grandchild,

grandparent, and grandparent-in-law. If additional time is needed, vacation or unpaid personal leave may be taken with management approval.

Employees who wish to take time off due to the death of an immediate family member should notify their manager on duty immediately. The employee must provide verification of need generally in the form of an obituary, etc.

The General Manager shall report and notate leave usage on the employee's time sheet and turn in the time along with the verification document to the Human Resources Department within 48 hours of employees last day worked. The Human Resources Department shall administer the related payroll process to properly account for the bereavement leave.

Jury or Witness Duty

The Company recognizes that jury duty is a civic responsibility; therefore, employees can be off work if required to participate in jury duty. Time off for jury duty is paid for Exempt/Salaried employees and unpaid for Non-Exempt/Hourly employees. Employees must show the jury duty summons to their manager on duty or General Manager as soon as possible so that the manager on duty or General Manager may plan to accommodate their absence.

Employees who are called for jury duty must provide their manager on duty or General Manager with an official statement of time served as a juror. Employees may be expected to report to work if they are released early from jury duty. Contact your manager on duty or General Manager if you are released early.

If employees have been subpoenaed or otherwise requested to testify as witnesses by the Company, they will receive paid time off for the entire period of witness duty. Employees will be granted unpaid time off to appear in court as a witness when requested by a party other than Xscape Theatres. Employees are free to use any available paid leave benefit (such as vacation or PTO leave) to receive compensation for the period of this absence.

Upon receipt of notification from the state or federal courts regarding an obligation to serve on a jury or act as court witness on behalf of the Company, the employee should notify his/her manager on duty or General Manager. The employee is required to provide copies of the subpoena or jury summons to his/her manager on duty or General Manager to forward to the Human Resources Department for processing. The employee will also be responsible for obtaining daily documentation signed by the Court Clerk confirming hours served.

The manager on duty or General Manager will verify the notification and make the scheduling adjustments to accommodate the employee's obligation. The manager on duty or General Manager will also provide the documentation signed by the Court Clerk to the Human Resources Department for processing

Employees appearing as a plaintiff, defendant or for non-subpoenaed court appearance will not receive paid time off; vacation or unpaid time should be used for these instances.

Benefits Continuation (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Company health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation or termination of employment, death of an employee, a reduction in an employee's hours or a leave of absence, an employee's divorce or legal separation or a dependent child who no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at Xscape Theatres group rates plus an administration fee. The Company provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the health insurance plan. The notice contains essential information about the employee's rights and obligations.

Workers' Compensation Insurance

All employees are covered by workers' compensation insurance, which compensates an employee for lost time, medical expenses, rehabilitation services and loss of life or dismemberment from an injury arising out of or in the course of work. All injuries must be reported immediately to the manager on duty or the General Manager. An incident report must be completed, and sent to OPS, the Human Resources Department and any other person or department as defined by SOP. It is the responsibility of theatre management to report all incidents to the appropriate workers' compensation carrier within 24 hours of the incident.

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TIMEKEEPING & PAYROLL

Accurately recording time worked is the responsibility of every employee. Federal and state laws require an accurate record of time worked to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved by Ops before it is performed.

The Company provides meal and rest breaks, when applicable, in accordance with federal, state, and local wage and hour laws.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Theatre Floor Staff employees should report to work no more than fifteen (15) minutes prior to their scheduled starting time nor stay more than fifteen (15) minutes after their scheduled stop time without prior authorization from their manager on duty.

Work Schedules

The employee schedule will be distributed by close of business on the Tuesday prior to the week it represents. It is the responsibility of each employee to know his/her schedule. Schedules are distributed for one week (7 days), from Friday to Thursday.

We will try to meet your scheduling desires; however, our business requires you to have the flexibility to work varied schedules, including evenings, weekends, and holidays. The number of hours you work in a given week is likely to vary. Also, your scheduled shifts may vary.

Since our business is seasonal, there are times where all employees must be available for scheduling to ensure we provide the best guest services. These dates are Critical Blackout Dates and they are listed below. All requests that occur during these Critical Blackout Dates will be denied and the employee is responsible for the shift(s) they are scheduled for.

We also have Non-Critical Blackout Dates. Employees should refrain from requesting time off during peak season and Non-Critical Blackout Dates. If a request is made during one of these times, all employees must seek OPS approval.

Non-Critical Blackout Dates will be approved based upon a first request, followed by seniority. While a request is submitted, this does not mean it has been approved until you receive an email confirmation from the General Manager that your time off is approved. Managers and General Managers must receive email confirmation from OPS for their vacation approval.

Blackout Dates

Blackout dates are defined in two categories, Critical Blackout Dates and Non-Critical Blackout Dates.

Critical Blackout Dates include: Valentine's Day, Thanksgiving Holiday (Friday before Thanksgiving until Sunday after Thanksgiving), Christmas Holiday (Friday before Christmas until December 31st.)

Non-Critical Blackout Dates include: Birthday of Martin Luther King, Jr weekend (Friday-Monday), President's Day weekend (Friday-Monday), Memorial Day weekend (Friday-Monday), Valentine's Weekend, Independence Day (July 2nd to July 5th), Labor Day weekend (Friday-Monday), New Year's Day (January 1st), Easter weekend (Friday-Sunday), Mother's Day (Sunday) and any other dates approved by VP of Operations.

Changes to the schedule can only be made by management.

You should notify management as soon as possible whenever you are sick and cannot work a scheduled shift. It is your responsibility to either cover your shift and obtain a note from your doctor relieving you of your shifts if you will be out for more than 3 shifts in a row. You must notify management of who will be working in your place and the length your absence.

Overtime

When operating requirements or other needs cannot be met during regular working hours, employees may be required to work more than 40 hours in one week. All overtime work must receive OPS prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Non-Exempt employees are entitled to overtime pay under the specific provisions of federal and state laws, except for Overtime Exemptions for Movie Theatres in certain states. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Failure to work scheduled overtime or overtime worked without prior authorization from OPS may result in disciplinary action, up to and including possible termination of employment.

Breaks

The Company provides meal and rest breaks, when applicable, in accordance with federal, state, and local wage and hour laws.

Paydays

Employees are paid on a bi-weekly basis. Paychecks are based upon a pay period of two consecutive weeks; paychecks or direct deposits will be received the 2nd Friday following the end of the pay period

Payroll Deductions

All authorized deductions will be automatically made by payroll before you receive your paycheck. Deductions include all applicable taxes (Federal, State and any local), Social Security (FICA) and any other deductions you have authorized. If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted within 30 days.

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EMPLOYEE ACKNOWLEDGEMENT

I, the undersigned employee, hereby acknowledge receipt of a copy of the Employee Handbook for Xscape Theatres. I understand that violation of any Company policy, whether or not set forth in the handbook, may result in discipline or termination of my employment. I agree to read and become familiar with the handbook's entire contents and to abide by its terms throughout my employment. I understand that the handbook does not constitute or create or constitute a pact or contract, express or implied, between Xscape Theatres and its employees or any individual employee (including me).

I understand that Xscape Theatres may modify this handbook and/or any Company policy at any time. Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to Xscape Theatres policy of employment-at-will. Only the President of Xscape Theatres has the ability to adopt any revisions to the policies in this handbook.

I understand and agree that my employment at Xscape Theatres is "AT WILL" and may be terminated at any time by either Xscape Theatres or me for any reason not expressly prohibited by law or for no reason at all. I further understand and agree that, as a condition of my employment, or continued employment with Xscape Theatres, I will bring any claim I may have against Xscape Theatres, or its corporate partners and affiliates, arising from my employment with Xscape Theatres, within one-year after the event giving rise to any such claim, or be forever barred. I waive any statute of limitations to the contrary.

The employee handbook describes valuable information about Xscape Theatres, and I understand that I should consult the President or Human Resources regarding any questions not answered in the handbook.

I have entered into my employment relationship with the Company voluntarily and acknowledge that there is no specified length of employment.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Employee's Name (printed): _____

Employee's Signature: _____

Date: _____