



**Moxie Sozo**  
**Employee Handbook**

**January 2018**

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## **IMPORTANT INFORMATION ABOUT THIS HANDBOOK**

This Handbook is designed to acquaint employees with Moxie Sozo and provide employees with information about working at Moxie Sozo. The Handbook is not all-inclusive, but is intended to provide employees with a summary of some of Moxie Sozo's guidelines. This Handbook replaces all previously issued handbooks.

**THIS HANDBOOK DOES NOT CONSTITUTE AN EXPRESS OR IMPLIED EMPLOYMENT CONTRACT BETWEEN MOXIE SOZO AND ANY EMPLOYEE OR GROUP OF EMPLOYEES NOR SHALL IT BE CONSTRUED OR RELIED UPON AS A BINDING STATEMENT OF EMPLOYMENT TERMS. EMPLOYMENT AT MOXIE SOZO IS "AT-WILL", MEANING THAT EITHER MOXIE SOZO OR ITS EMPLOYEES HAVE THE ABSOLUTE POWER AND AUTHORITY TO TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME WITHOUT NOTICE AND WITH OR WITHOUT REASON OR CAUSE. NO STATEMENT IN THIS HANDBOOK OR IN ANY OTHER MOXIE SOZO PUBLICATION IS TO BE CONSTRUED AS AFFECTING OR MODIFYING IN ANY WAY THE AT-WILL STATUS OF ANY MOXIE SOZO EMPLOYEE.**

Only the Principal of Moxie Sozo has the authority to enter into an agreement with an employee for employment for any specified period and such agreement must be in writing and signed by both the Principal and the employee.

This Handbook is not intended to be comprehensive or all-inclusive nor is it intended to be a substitute for the good judgment and discretion of Moxie Sozo's managerial personnel. Moxie Sozo's management reserves the right in its sole discretion at any time, without notice and without reason, to change, eliminate and/or modify: (a) any of the provisions contained in this Handbook; (b) the provisions of any other published or unpublished policies; and/or (c) the employee benefit plans sponsored by Moxie Sozo. This Handbook simply highlights Moxie Sozo's existing policies, practices and benefits for its employees' personal reference.

Moxie Sozo's management reserves the right to select and evaluate employees and to determine standards of performance. Moxie Sozo expects all employees to perform their job duties to the highest professional and industry standards at all times and will not tolerate inappropriate or insubordinate conduct. Moxie Sozo's policies and procedures, as well as reasonable directions from management, are to be followed at all times. Employees will be held accountable for failure to follow such policies, procedures and direction through means up to and including termination of employment.

This Handbook is the property of Moxie Sozo and must be returned to Moxie Sozo upon request or upon termination of employment with Moxie Sozo.

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## **INTRODUCTION**

### **WELCOME**

Welcome to Moxie Sozo. Over the years, many people have worked here. They have come from all over the country and overseas. While here they did very good work. They met their deadlines. They were proactive. They were on time. They were professional. They took their job very seriously. **We expect the same from you.**

### **WHAT DO WE DO?**

Moxie Sozo, LLC is a Colorado Limited Liability Company, founded and incorporated in 1999. Moxie Sozo is a full-service design and advertising agency capable of handling all aspects of a client's design, advertising, marketing, branding and public relations needs. Moxie Sozo is located in Boulder, Colorado, but we work with clients in the United States, Asia, Europe and Australia.

- Moxie Sozo is a design and advertising agency.
- We build brands, evolve brands and grow brands.
- We specialize in unique, original and creative solutions.
- We do not do beige, boring or average.

### **PERSPIRATION**

Moxie Sozo is not a typical agency. We work. We refine. We rework. And if an idea is still not perfect, we keep working. Good design is simple: take a brilliant idea and execute it beautifully. Unfortunately, those brilliant ideas usually follow a lot of mediocre ones. Good design takes effort, and effort takes time. Maybe the Management doesn't like the concept, or maybe the client doesn't like the color blue. What makes us better than most is our ability to go back and come up with more ideas. Better ideas. Ideas that would never be possible without that extra effort. Very few designers will expend the passion and energy it takes to produce great work. These are the type of designers we hire, and the type of designers who love working here.

### **CLIENT RELATIONSHIPS**

Many agencies do good work. Few spend the time to cultivate long-term relationships. We do. One of our secrets is to simply make ourselves available. When a client calls, they talk to a real live person. If someone is not available, we try to help them ourselves. We don't transfer clients to voice-mail. On more than one occasion, clients have remarked that they feel like they are our only account. This comes from treating all clients with respect, being available to them when they need us, and working with the client to make every project, regardless of budget or timeline, as good as it can possibly be.

### **CAPABILITIES/CREATIVE PROBLEM SOLVING**

Moxie Sozo is a small, high-end agency with the capabilities of a larger firm. Many companies specialize in catalogs or packaging or websites. We can do those things, but we specialize in solutions. Each project presents us with a unique and interesting challenge. We consider each project within its wider context of brand, purpose, audience, time and space. Sometimes the best solutions are traditional; sometimes they involve doing things other agencies wouldn't dream of doing. Like mailing 1,500 trees. We're hired for our fresh perspective and lack of pre-conceived ideas. More importantly, we're hired for the way we execute those ideas. If we're producing a catalog, we want it to be the best in the industry. If we're mailing out a small forest, we want it to be the best small forest that the postal service has ever

seen. Every client should end up with a solution that is best suited for its particular needs, and every solution should be fresh, original, and full of personality.

## **CREATIVE ENVIRONMENT**

We believe that creative people thrive in a casual environment. Sometimes people make the mistake of thinking we approach design and business with that same casual attitude. When it comes to design, there is nothing casual about Moxie Sozo. We are here to produce world class design for world class clients.

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## **IMPORTANT THINGS TO KNOW**

### **OFFICE HOURS AND GENERAL INFORMATION**

- Office hours are generally **8:30 a.m. – 5:30 p.m. Mountain Time.**
  - Our main office phone number is **720.304.7210.** Our fax number is **720.304.7219.**
  - The Accounts Team should answer the phone. However, if the phone is still ringing after 3 rings, answer it. Please answer the phone **“Moxie Sozo, this is [your name].”** Be sure to get the caller's name and phone number.
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## **WHAT MOXIE SOZO EXPECTS OF YOU**

### **WE ASK THAT YOU:**

- Be on time.
- Work hard.
- Be quick to lend a hand.
- Be proactive.
- Help solve problems.
- Pursue excellence.

### **WE ASK THAT YOU DO NOT:**

- Avoid responsibility.
- Pretend that you are busy when you are not.
- Leave people hanging.
- Make excuses.
- Be selfish.

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## **CONDUCT AT WORK**

### **EQUAL EMPLOYMENT OPPORTUNITY**

Moxie Sozo is committed to providing equal employment opportunities. All qualified applicants and employees will be considered for employment and advancement without regard to sex, race, color, national origin, ancestry, age, religion, disability, genetic information, sexual orientation, marital status or any other basis protected by applicable laws. This policy applies to all employment practices and terms and conditions of employment, including but not limited to promotions, transfers, compensation, terminations, training and participation in Moxie Sozo-sponsored benefits or programs.

Employees should raise any concerns regarding possible discrimination in accord with the complaint procedure described below. No retaliation will be permitted against anyone who in good faith brings forth a complaint of possible discrimination.

### **DISABILITY ACCOMMODATION**

Moxie Sozo complies with the Americans with Disabilities Act and applicable state and local laws providing for non-discrimination in employment against qualified individuals with disabilities. Moxie Sozo will make reasonable accommodations for qualified employees with known disabilities to the extent required by law. If an employee needs a reasonable accommodation, the employee should contact Human Resources or the Principal. Human Resources or the Principal will work with the appropriate supervisors to review the request and evaluate possible accommodations.

### **HARASSMENT PROHIBITED**

Moxie Sozo is committed to maintaining a work environment that is free from unlawful discrimination and harassment, including intimidating, hostile, or offensive conduct. Harassment and other inappropriate conduct that is based on, or is directed toward someone because of sex, race, color, national origin, ancestry, age, religion, disability, genetic information, sexual orientation, or any other unlawful basis, is against Moxie Sozo's policy and will not be tolerated. Voice-mail and electronic communications (such as e-mail and Internet use) are covered by this policy in the same manner as other communications and actions.

**Prohibited Conduct Defined** – For the purpose of this policy, prohibited conduct includes verbal, visual, or physical conduct that: (1) relates to another person's sex, race, color, national origin, ancestry, religion, disability, genetic information, age, sexual orientation, or other status protected by law; or (2) is directed toward another person because of that person's sex, race, color, national origin, ancestry, religion, disability, genetic information, age, sexual orientation, or other status protected by law, where such conduct may have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Prohibited conduct may include, among other things, telling racist or sexist jokes or making offensive or derogatory remarks about another person's race, ancestry, national origin, age, genetic information, sexual orientation, or disability. Prohibited conduct includes but is not limited to conduct that may constitute or lead to sexual harassment, such as use of suggestive sexual comments, jokes, or innuendo; persistent, unwanted flirtation or invitations for dates or other social activities; unwelcome sexual advances or passes; sexual remarks or questions about a person's body, clothing, or sexual activities; patting, pinching, or other offensive touching; or displays of sexually suggestive pictures or objects. Sexually harassing conduct may include conduct between persons of the same gender, regardless of the sexual preference of those persons. Prohibited conduct may occur not only through personal contact, comments, visual displays, or observation, but also through exposure to media such as e-mail or display of Internet sites or other material or information on computer monitors.

## **PERSONS COVERED**

Unlawful discrimination and harassment are prohibited whether committed by supervisors, co-workers, or non-employees, including vendors, suppliers, and clients. Employees must not engage in prohibited conduct against other Moxie Sozo employees or personnel of Moxie Sozo's vendors, suppliers, or clients.

## **DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE**

**Employee Responsibility** – All employees must report any incident of possible discrimination or harassment. Employees who become aware of or are subject to possible discrimination or harassment must notify their immediate supervisor, Human Resources or the Principal, immediately. Moxie Sozo may ask that complaints be put in writing to facilitate the investigation process. For employees who are comfortable doing so, telling the person who is engaging in inappropriate behavior to stop is often the most effective way to stop objectionable behavior.

**Supervisor Responsibility** – Supervisors who become aware of any incidents or alleged incidents of possible discrimination or harassment must immediately report them to Human Resources or the Principal. Supervisors who receive complaints of possible discrimination or harassment must consult with Human Resources or the Principal before undertaking an investigation or other action. Supervisors must report all allegations of discrimination, harassment, or other prohibited conduct to Human Resources and must deal properly with such allegations.

**Investigation and Response** – Moxie Sozo will take prompt action to investigate allegations of unlawful discrimination or harassment. All employees are expected to be truthful, accurate, and cooperative during any Moxie Sozo investigation. Based upon its investigation, Moxie Sozo will take prompt and appropriate corrective action as warranted. Resolution may include an apology, counseling or training, a verbal or written warning, transfer, demotion, suspension, or termination. Appropriate steps will also be taken if any non-employee (such as a vendor, supplier, or client) is found to have unlawfully discriminated against or harassed any employee of Moxie Sozo.

**Confidentiality** - Reports of discrimination or harassment will be kept confidential to the extent possible, consistent with the need for a thorough investigation.

## **NO RETALIATION FOR REPORTING DISCRIMINATION OR HARASSMENT**

Moxie Sozo prohibits retaliation of any nature against an employee for filing a good faith complaint under this policy, for assisting in a complaint investigation, or for opposing an unlawful practice. If an employee believes that he or she has been retaliated against for making a complaint or for participating in an investigation, the employee should immediately report the retaliation and follow the complaint procedure outlined above.

## **STANDARDS OF CONDUCT**

Moxie Sozo's reputation for integrity is a valuable asset and is directly related to the conduct of its employees. Moxie Sozo's business is conducted in accordance with all applicable laws and the integrity of each employee is of utmost importance. Therefore, employees must never use their positions with Moxie Sozo for private gain, to advance personal interests or to obtain favors or benefits for themselves, members of their families or for any other individuals, corporations or business entities. Employees of Moxie Sozo should conduct themselves in a manner which precludes questions from arising with respect to their association or work with Moxie Sozo.

## **DRESS CODE**

Moxie Sozo's clients treat Moxie Sozo's employees like professionals and expect Moxie Sozo's employees to be professional in return. This goes for the way Moxie Sozo answers the phone, composes e-mails, and the way its employees dress. Moxie Sozo employees should always look better than its clients. Clothes should look good, fit appropriately, and be ironed or pressed. Employees should wear shoes, button down shirts, blouses, skirts, dresses, slacks, or nice jeans. Employees should be put together, not thrown together.

## **SMOKING**

Smoking is prohibited inside Moxie Sozo's offices.

## **SUBSTANCE ABUSE POLICY**

Moxie Sozo recognizes that drug and alcohol use in the workplace can negatively impact safety, security, and productivity. For this reason, Moxie Sozo prohibits the following activities while representing Moxie Sozo, while working, while on Moxie Sozo property or Moxie Sozo client property and while operating or occupying Moxie Sozo equipment or machinery:

- Use, consumption, possession, purchase, sale, transfer, receipt, manufacture, distribution, and/or dispensation of illegal drugs;
- Use, consumption or possession of alcohol (except as discussed below); and
- Reporting to work or working while under the influence of alcohol or illegal drugs.

For purposes of this policy, "illegal drugs" means any controlled substance, medication, or other chemical substance that: (a) is not legally obtainable in the United States; or (b) is legally obtainable, but is not legally obtained or is not being used for the purpose(s) for which it was prescribed or was intended.

From time to time alcohol may be served at Moxie Sozo or Moxie Sozo may authorize alcohol to be served at certain functions. Some Moxie Sozo employees may hold positions where alcohol may be served, such as at business functions, meetings and/or business-related meals or entertainment activities. No employee is required or urged to drink alcohol at any such function or as a part of the employee's job and whether or not to consume alcohol is an employee's personal choice. Any employee who drinks alcohol at a Moxie Sozo function or business-related event may not drive home while impaired by alcohol. It is every employee's responsibility to drink responsibly. Moxie Sozo encourages employees with substance abuse problems to seek help for their problems before performance problems arise or violations of this policy occur.

## **SAFETY**

Moxie Sozo is committed to providing a safe workplace. Moxie Sozo complies with all applicable safety laws and strives to reduce the possibility of workplace accidents. Any employee who has concerns about safety within the work environment should report the concerns to his or her supervisor or Human Resources. Any employee who sustains an illness or injury while on the job, no matter how minor, should immediately report the injury or illness to his or her supervisor. It is the responsibility of everyone to help maintain a safe and secure workplace.

## **VIOLENCE FREE WORKPLACE**

Moxie Sozo prohibits the possession of weapons and any type of violent or threatening behavior towards employees, vendors, suppliers or clients while employees are working for Moxie Sozo, are on Moxie Sozo property, are on a Moxie Sozo client's property, are representing Moxie Sozo, or are engaged in Moxie Sozo business. Any employee who is threatened or witnesses or overhears a threat of harm should report the incident immediately to Human Resources or if the employee believes there is imminent danger, should call 911.

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## **EMPLOYMENT POLICIES**

### **AT-WILL EMPLOYMENT RELATIONSHIP**

**Employment with Moxie Sozo is at-will meaning that either Moxie Sozo or its employees have the absolute power and authority to terminate the employment relationship at any time without notice and with or without reason or cause.**

No one has authority to alter the at-will relationship, other than in a written contract signed by Moxie Sozo's Principal.

### **PERSONAL INFORMATION**

Employees are asked to keep their contact and personal information accurate by notifying Human Resources when their personal information changes.

### **IMMIGRATION LAW COMPLIANCE**

Moxie Sozo employs only U.S. citizens and aliens who are authorized to work in the United States. 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 within three days of his or her hire date and present documentation establishing identity and employment eligibility.

### **BACKGROUND CHECKS**

Certain Moxie Sozo employees may be required to undergo a background check, including a check for publicly available criminal, civil, and driving records at the local, county, state, and federal levels as allowable under applicable laws. The employee will be informed in advance that these records are being secured and will be given appropriate forms and additional information at that time.

### **OPEN DOOR POLICY**

Moxie Sozo is a dynamic place to work, and it is hoped that every employee's experience with Moxie Sozo will be positive and rewarding. However, in the event that problems or misunderstandings occur, Moxie Sozo supports an open door philosophy to problem solving. If an employee has a work-related concern, he or she should discuss it with his or her immediate supervisor, Human Resources or the Principal.

### **EXCESSIVE ABSENTEEISM OR TARDINESS & ABSENCE REPORTING**

Five unscheduled absences or instances of tardiness in a 90-day period, or a consistent pattern of absence, may be considered excessive. Unscheduled tardiness or leaving early is as detrimental to Moxie Sozo as an absence.

Moxie Sozo is aware that from time to time, it may be necessary for an employee to be absent from work due to emergencies, illness, or pressing personal matters that cannot be scheduled outside work hours. If an employee is unable to report to work or if the employee will arrive late, the employee must notify his or her supervisor as soon as possible before the start of his or her workday. Sending e-mails, text messages, or leaving messages on office voice-mail is not acceptable. If an employee's supervisor is not available, the employee must contact Human Resources. Leaving a message for Human Resources will be considered acceptable notification. If the employee knows in advance that he/she will be absent, the employee must request the time off from his or her supervisor in advance.

### **OUTSIDE EMPLOYMENT**

An employee may hold a job with another organization as long as the employee satisfactorily performs the employee's job responsibilities with Moxie Sozo and provided there is no conflict of interest present. If Moxie Sozo determines that an employee's outside work represents a conflict of interest or interferes with the employee's performance, the employee will be asked to resolve the conflict, which may include termination of the outside employment if the employee wishes to remain employed by Moxie Sozo.

## **FREELANCE WORK**

Design or creative freelance work must be disclosed in advance to the Principal who may approve the freelance work in his sole discretion. In general, occasionally helping out friends on small projects may be approved, but performing freelance work for businesses is generally inappropriate and will be evaluated on a case-by-case basis. Working on freelance projects during office hours is prohibited. If approved by the Principal, designers may use Moxie Sozo computers while doing freelance work for friends, but color printing must be done elsewhere. If approved by the Principal, designers performing freelance services for businesses may not use Moxie Sozo computers or equipment to do the freelance work.

## **PERSONAL PORTFOLIOS**

Current and former Moxie Sozo employees may be allowed to use published work they created at Moxie Sozo for self-promotional purposes but only if they have received written approval in advance from the Principal. Current and former Moxie Sozo employees may never use published work they created at Moxie Sozo for commercial purposes unrelated to Moxie Sozo and may never use unpublished work.

Moxie Sozo employees may never imply they created something that they did not create. If there is ever any confusion about creative credits, an employee should talk to the Principal. All work created while working at Moxie Sozo is the property of Moxie Sozo. This includes all design concepts, illustrations, layouts and logos.

## **SNOW DAYS**

Moxie Sozo follows the Boulder Valley School District's lead: If school is cancelled due to snow, the office will be closed and employees may work from home. Check [www.bvsvd.org](http://www.bvsvd.org) for snow day cancellations.

## **HOUSEKEEPING**

Moxie Sozo strives to maintain a pleasant working environment for its employees. Employees are responsible for keeping their work areas clean and organized. Common areas, including the kitchen, should be kept clean by those using them.

## **BULLETIN BOARDS**

Bulletin boards provided by Moxie Sozo are for the express purpose of communicating information related to Moxie Sozo. Approval by Human Resources is needed prior to posting material on a bulletin board.

## **DISCIPLINE & TERMINATION**

Moxie Sozo attempts to deal constructively with employee performance problems, unsatisfactory behavior and employee errors. The disciplinary process used will be determined by Moxie Sozo in its discretion in light of the facts and circumstances of each case and considering a variety of factors including, but not limited to:

- The seriousness of the situation;
- The employee's past conduct and length of service; and
- The nature of the employee's previous performance or incidents involving the employee.

Depending upon the facts, disciplinary action may include oral or written warnings, probation, suspension with or without pay, or immediate discharge. **Because all employees are employed on an at-will basis, Moxie Sozo and its employees both have the absolute power and authority to terminate the employment relationship at any time without notice and with or without reason or cause.**

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## **CLASSIFICATIONS, COMPENSATION & EVALUATIONS**

### **FULL/PART-TIME STATUS**

A full-time employee is an employee who regularly works forty (40) hours each week. Following the completion of sixty (60) days of employment, full-time employees are eligible for most of the employee benefits described in this Handbook.

A part-time employee is an employee who is regularly scheduled to work fewer than thirty-two (32) hours each week, but who may on occasion work more than thirty-two (32) hours each week. Part-time employees are generally not eligible for the employee benefits described in this Handbook unless their eligibility is expressly stated in this Handbook or mandated by applicable law.

### **TEMPORARY WORKERS**

Moxie Sozo may employ temporary workers for specific periods of time or to complete a specific project. The job assignment, work schedule and duration of a temporary position will be determined on an individual basis. Temporary workers generally work on short-term assignments not to exceed six (6) months. Temporary workers retain temporary status unless and until notified in writing by Human Resources of a change. While temporary workers may be covered by some legally-mandated benefits, they are ineligible for Moxie Sozo's benefit programs.

### **NON-EXEMPT AND EXEMPT EMPLOYEES**

Employees may be classified as either non-exempt or exempt under the Fair Labor Standards Act and applicable state regulations. Non-exempt employees are paid their regular wage rates for work time up to twelve (12) hours per day. Non-exempt employees who work more than twelve (12) hours in one day or who work more than forty (40) hours in a work week will receive overtime pay in accordance with applicable law.

Exempt employees are paid an annual salary and may have to work hours beyond their normal schedule as workload demands require. Exempt employees are not eligible for overtime pay.

### **BUSINESS HOURS**

Regular business hours are 8:30 a.m. to 5:30 p.m., Monday through Friday, Mountain Standard Time. Each employee's hours of work and the scheduling of his/her lunch and other breaks, as applicable, will be determined by the employee's supervisor.

### **PAY PERIOD & HOURS**

Moxie Sozo pays employees on the 15th and the last day of each month. If a pay day falls on a Saturday, Sunday, or holiday, employees will be paid on the nearest business day determined by Human Resources. Any discrepancy between the hours an employee worked, reported or for which the employee was paid, as well as any questions regarding pay deductions, should be brought to the immediate attention of Human Resources.

### **OVERTIME POLICY**

Moxie Sozo compensates non-exempt employees in accordance with the overtime provisions of the Fair Labor Standards Act and applicable state regulations. Overtime compensation is based on actual hours worked. Holidays, paid time off, jury duty or other pay for non-work hours will not be considered hours worked for purposes of performing overtime calculations. Overtime hours must be approved by Human Resources or the Principal in writing prior to working the overtime hours. Overtime is paid to non-exempt employees for more than forty (40) hours worked in one week and for over twelve (12) hours in a workday and is compensated at a rate of one-and-one-half times their regular rate for every hour worked.

### **PERFORMANCE REVIEWS**

Performance reviews and general guidance are provided on a continuous, as-needed basis. Performance reviews are intended to provide constructive feedback on how employees can best perform their jobs and to promote a dialogue between supervisors and employees about career goals, job satisfaction, and job performance. Performance reviews are separate from compensation reviews.

### **COMPENSATION REVIEWS**

Moxie Sozo conducts compensation reviews in its discretion at irregular intervals. Relevant factors for increases in compensation include, but are not limited to: 1) exceptional performance; 2) dedication, loyalty and commitment; 3) professionalism and ability to work well with others; 4) having a positive impact on Moxie Sozo's corporate culture; and 5) billable hours.

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## COMPANY PROPERTY

### ELECTRONIC COMMUNICATIONS POLICY

Moxie Sozo's business utilizes and depends upon computers and electronic communications. It is the responsibility of each employee to ensure that Moxie Sozo's technology is used for proper business purposes and in a responsible manner that does not compromise the confidentiality or proprietary of sensitive information.

#### COMPUTER SYSTEMS IN GENERAL

**Systems Security.** All computer resources and equipment are assets of Moxie Sozo and are to be protected from unauthorized use, access, modification, destruction or disclosure. Each employee is responsible for activity performed using the employee's password. No employee should attempt to obtain access to another employee's files and/or documents without prior authorization.

**No Expectation of Privacy.** Employees do not have a personal privacy right in any matter created, received, sent, or stored on a Moxie Sozo computer or server, whether or not the matter is designated as private or confidential. Moxie Sozo monitors its computer systems and may, at any time without notice, read and copy any and all files or data contained on any computer, including but not limited to e-mail messages and personal file directories. Moxie Sozo maintains full access to all computer systems to ensure compliance with requirements of applicable law and internal policies, to support internal investigations, and to manage Moxie Sozo's information systems.

**Software & Works of Authorship License Restrictions and Copyright Laws.** Information and works of authorship posted, viewed or downloaded from the Internet may be protected by copyright or piracy laws. It is the responsibility of each employee to ensure compliance with all copyright laws and license restrictions before downloading or receiving software or works of authorship from any source. Software and works of authorship may not be loaded onto a Moxie Sozo computer (or personal computer while in Moxie Sozo's office), including software downloaded from the Internet, unless it is approved in advance by the Principal or Human Resources. Moxie Sozo acknowledges that copyright infringement is a violation of the law and may cooperate with a third party investigation if an employee infringement occurs. In such a case the infringing employee will be liable for any and all civil and criminal liabilities imposed, in addition to legal fees that Moxie Sozo may incur.

**Virus Protection.** All files originating from outside Moxie Sozo, including files obtained over the Internet, must be checked for possible computer viruses before being loaded onto a Moxie Sozo computer. All employees should contact the Principal or Moxie Sozo's Information Technology department before loading a file that may pose a risk.

#### TELEPHONE CALLS, VOICE-MAIL AND TEXT MESSAGING

**Moxie Sozo Telephone and Voice-mail System Use / No Expectation of Privacy.** Personal calls and personal faxes to or from Moxie Sozo should be avoided, except under special and necessary circumstances. Moxie Sozo's telephone systems are assets of Moxie Sozo and are intended to be used to conduct Moxie Sozo business. Moxie Sozo may monitor and record telephone calls for any reason and may listen to Moxie Sozo voice-mail at any time, with or without notice.

**Personal Cell Phone Use.** The use of personal cell phones (including voice or text messaging) during work hours should be limited and should not be disruptive in the workplace.

**Prohibition of Cell Phone Usage When Driving.** Employees may not use cell phones when driving on Moxie Sozo business. If an employee is driving and needs to use a cell phone, for speaking or for text messaging, the employee should pull over and stop before texting, placing a call or talking on the phone.

## **E-MAIL USAGE**

**Business Purposes.** Moxie Sozo employees may be provided with a Moxie Sozo e-mail address, the principal purpose of which is to facilitate business communications among Moxie Sozo employees and clients.

**No Expectation of Privacy.** All e-mail correspondence is the property of Moxie Sozo, whether or not related to personal or confidential matters. Moxie Sozo reserves the right to, and may, monitor its e-mail system, including employee mailboxes, at its discretion and in the ordinary course of business. The existence of passwords and “message delete” functions do not restrict or eliminate Moxie Sozo’s ability or right to access electronic communications. In certain situations, Moxie Sozo may be compelled to access and disclose messages that were sent over its e-mail system.

**Standards of Confidentiality and Security.** E-mail which contains information confidential or proprietary to Moxie Sozo or its clients must be treated as confidential in accordance with Moxie Sozo’s policies regarding confidentiality and data and information security.

**Prohibited Use.** E-mail should conform to the same standards of propriety and respect as any other verbal or written business communication. Offensive, demeaning, harassing, defamatory, or disruptive messages are prohibited. This includes, but is not limited to, messages that are inconsistent with Moxie Sozo’s Discrimination and Harassment policies. Employees who become aware of or receive prohibited e-mail should notify their immediate supervisor, Human Resources, or the Principal.

## **INTERNET ACCESS AND USAGE**

**Work-Related Purposes Use / No Expectation of Privacy.** Moxie Sozo’s connection to the Internet is principally for work-related purposes. Unauthorized use of the Internet is prohibited. Unauthorized uses include, but are not limited to, posting, viewing, downloading, or otherwise transmitting or receiving offensive, defamatory, pornographic, or sexually explicit material; engaging in computer “hacking” or other related activities; or attempting to disable or compromise the security of information on any computer. Moxie Sozo monitors Internet usage at its discretion and in the ordinary course of business.

**Sending/Receiving Information.** An employee should never provide confidential, proprietary or restricted information about Moxie Sozo, its clients, employees, members, or suppliers over the Internet without Moxie Sozo’s prior written consent. This includes but is not limited to information about Moxie Sozo or its clients, employees or members’ products, services, projects, organizational structure, financial data and/or pricing.

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## **PROTECTION OF COMPANY PROPERTY**

Employees are expected to exercise care in the use of Moxie Sozo property and to protect it from theft, loss and damage. All Moxie Sozo property must be returned upon request or if an employee is terminated. If an employee fails to return Moxie Sozo’s property or fails to return property in good condition, including but not limited to Moxie Sozo computers, Moxie Sozo may deduct the fair value of that property from the employee’s paycheck or final paycheck to the extent allowable by law and/or it may require prompt repayment.

An employee may neither remove Moxie Sozo property from the premises without permission from his or her supervisor or the Principal, nor use Company equipment in an unauthorized area or on Company property in an unauthorized manner. Moxie Sozo property is for Moxie Sozo business use and should not be used for personal matters.

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## **PROTECTION OF CONFIDENTIAL INFORMATION**

In the course of employment with Moxie Sozo, employees will have access to, view or work with Confidential Information as defined below. Confidential Information, proprietary information and trade secrets are very valuable to Moxie Sozo and its clients. Improper access to or disclosure of any Confidential Information, proprietary information or trade secrets could irreparably harm Moxie Sozo and/or its clients. Employees are not entitled to view or gain access to all Confidential Information and materials of Moxie Sozo or its clients. Employees are entitled to gain access to and view only that Confidential Information and/or materials specifically entrusted to them for the purpose of performing their job at Moxie Sozo.

“Confidential Information” includes, but is not limited to, any and all trade secrets, confidential knowledge, data or other proprietary information of Moxie Sozo or its clients; Moxie Sozo or its clients’ information relating to products, processes, know-how, concepts, ideas, designs, design concepts, illustrations, layouts, logos, creative strategies, specifications, writings, drawings, graphs, charts, data compilations, formulas, methods, samples, developmental or experimental work, computer programs, improvements, discoveries, plans for research and new products, plans for marketing and selling, business plans, budgets and financial statements of any kind; pending licenses; prices and costs; information regarding the skills, compensation, and professional histories of employees, members, consultants and employees; supply and service information including suppliers’ names or addresses and the terms of supply service contracts; Moxie Sozo and its clients’ product planning and design information including what product lines and individual products Moxie Sozo is planning for future production; and any specific designs that Moxie Sozo is developing or considering developing. It is impossible to list all the kinds of confidential, proprietary, or trade secret information and materials to which employees might have access, which employees might view, or with which employees might work or be entrusted while at Moxie Sozo. Therefore, employees should treat all of Moxie Sozo’s and its clients’ business affairs, information, materials, plans and projects as Confidential Information.

Confidential Information is the property of Moxie Sozo and/or its clients. Because of the importance of Confidential Information and materials to the business of Moxie Sozo and its clients, employees must not, at any time, disclose any such confidential information and materials to anyone—even after they leave Moxie Sozo—except as specifically authorized by Moxie Sozo, nor may employees make any personal use of such Confidential Information. Similarly, all documents, files, records and other work product relating to Moxie Sozo or its clients, including those documents, files, records and other work product containing Confidential Information, are the property of Moxie Sozo or its clients and should not be removed from the premises of Moxie Sozo except as authorized by Moxie Sozo in the course of an employees’ employment. Employees must exercise utmost care and take all steps that may be necessary to protect and guard against the disclosure of any Confidential Information or materials to anyone, even family members or vendors, suppliers, contractors, consultants and others who may serve Moxie Sozo or its clients.

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## **OWNERSHIP OF CREATIVE MATERIAL**

Any and all creative material produced by and at Moxie Sozo is Moxie Sozo’s property. All work created by Moxie Sozo employees is a “work for hire” and the property of Moxie Sozo. No employee, either during or after his or her employment with Moxie Sozo, may take any creative material from Moxie Sozo or use any creative material for any purpose not authorized by Moxie Sozo’s Principal. Creative material includes, but is not limited to, creative strategies, processes, designs, works, drafts, prototypes, methodologies, reports, specifications and any other non-public information regarding Moxie Sozo’s current and developing campaigns and services.

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## **BENEFITS**

Moxie Sozo provides eligible employees with several benefits. Some of the programs (such as Social Security, worker’s compensation, and unemployment insurance) cover all employees as prescribed by

law. Other benefits are provided by Moxie Sozo to certain employees who meet eligibility criteria. Benefits eligibility is dependent upon a variety of factors including length of employment and employee classification. Human Resources can identify the programs for which employees are eligible.

The benefit descriptions in this Handbook are only summaries. In the event of a conflict between these summaries and the actual plan documents, the plan documents shall control. Moxie Sozo reserves the right to modify or discontinue any of its employee benefits or plans at any time, with or without notice to employees, as allowed by law.

**ELIGIBILITY FOR BENEFITS**

Full-time employees regularly working forty (40) hours per week are eligible for most benefits after they have been employed for sixty (60) days.

Part-time employees regularly scheduled to work less than thirty-two (32) hours per week will receive only those benefits expressly stated in this Handbook and those benefits required by law.

Temporary workers are only eligible for benefits required by law.

**HOLIDAYS**

Full-time employees are eligible for paid holidays when a holiday falls on a scheduled workday. Part-time employees are eligible for paid holidays that fall on a regularly scheduled workday and will be paid for the time originally scheduled to be worked on the holiday.

Moxie Sozo recognizes the following holidays: Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas, and New Year’s Day. If a holiday occurs during an employee’s scheduled time off, the employee will be paid for that holiday and not be charged a PTO day. Employees are not eligible to receive holiday pay when on a leave of absence.

**PERSONAL TIME OFF (PTO)**

Each full-time employee is granted Personal Time Off (“PTO”) each calendar year based on the employee’s length of employment as provided below.

Length of continuous employment as of January 1 of each calendar year	PTO accrued annually for use in the calendar year accrued
0-3.99 years	120 hours (15 business days)
4-7.99 years	160 hours (20 business days)
8 years or more	200 hours (25 business days)

Each part-time employee is granted PTO on a pro-rata basis based on the number of hours the employee regularly works. PTO must be used in the calendar year in which it is granted. Employees will be informed of their number of PTO days by Human Resources. Employees can use PTO for rest and relaxation or to take care of personal issues. PTO may not be carried over from year-to-year without the prior written approval of the Principal which may be provided in the sole discretion of the Principal in certain special circumstances where an employee was unable to use his or her PTO due to work commitments. Accrued but unused PTO is paid out upon termination of employment.

**PAID LEAVES**

**Funeral (Bereavement) Leave**

Regular, full-time employees are entitled to take up to three (3) workdays with pay to attend the funeral and take care of personal matters related to the death of a member of the employee’s immediate family. Immediate family is defined as parent, parent-in-law, step-parent, child, step-child, spouse, grandparent, grandchild, brother, sister, brother/sister-in-law, son/daughter-in-law, niece and nephew.

## **Jury Duty**

Moxie Sozo will not threaten, coerce, or discharge an employee for reporting for juror service as summoned. Upon receiving a notice for jury duty, employees must immediately provide Moxie Sozo with a copy of the notice. An employee must report for work if he or she is released from jury duty before the end of Moxie Sozo's workday or if the employee is temporarily released from jury duty, provided the employee was regularly scheduled to work that day. Employees will be paid by Moxie Sozo for time served as a witness or juror in accord with applicable law.

## **PAID FAMILY/MEDICAL LEAVE**

Moxie Sozo is not required by applicable law to provide employees with family and medical leave, but may make certain leave time available as a benefit to its employees. To be eligible for paid leave to attend to family and medical matters, employees must work full-time and must have worked at Moxie Sozo for at least one year. Eligible employees may be granted paid time off from work duties to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child; or to care for themselves or a child, spouse, son/daughter or parent with a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or continuing treatment by a health care provider. Eligible employees who wish to request leave for family and medical matters should discuss the possibility of leave with Human Resources or the Principal. A request for leave should be made at least thirty (30) days in advance of foreseeable events, or as soon as possible for unforeseeable events. Paid time off for family and medical matters is available to full-time employees per the following schedule:

### **Years of Employment and Time Available for Family/Medical Leave**

- Greater than 1 year: 3 days
- Greater than 2 years: 5 days
- Greater than 4 years: 8 days
- Greater than 6 years: 10 days

Paid time off for family and medical matters is given in Moxie Sozo's sole discretion, does not accrue, cannot be carried over to the following year, and is not paid out upon termination of employment at Moxie Sozo.

## **UNPAID LEAVES**

Moxie Sozo realizes that occasionally an employee may need to be temporarily released from the duties of their job with Moxie Sozo, but may not wish to submit their resignation. Under certain circumstances, an employee may be eligible for an unpaid leave of absence. Please consult with Human Resources or the Principal to determine eligibility for these types of absences.

## **MILITARY RESERVES OR NATIONAL GUARD LEAVE OF ABSENCE**

Moxie Sozo complies with the Uniform Services Employment and Reemployment Rights Act (USERRA) and applicable state laws pertaining to military leave. Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the required time off and reinstated in accordance with federal and state law. Accrued vacation may be used for this leave if the employee chooses. Military orders should be presented to Human Resources and arrangements for leave made as early as possible before departure. Employees must also notify Human Resources of their intent to return to employment as required by applicable law.

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## **INSURANCE**

### **HEALTH CARE COVERAGE & DENTAL COVERAGE**

Health and dental coverage is available to eligible full-time employees – those employees who regularly work forty (40) hours per week - after sixty (60) days of employment with Moxie Sozo. If an employee chooses health and/or dental insurance coverage, Moxie Sozo's insurance company will provide the employee with a booklet describing the benefits. A copy of this booklet is also available to employees

upon request from Human Resources. Please see Human Resources for current insurance rates and details of the programs offered.

In the event of an employee's termination of employment with Moxie Sozo or loss of eligibility to remain covered under the group health insurance program, employees and their eligible dependents may be eligible for continued coverage under the health insurance program for a limited period of time at the employee's expense. Please contact Human Resources with questions concerning the availability of post-termination continued coverage.

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## **OTHER BENEFITS**

### **401(K) PLAN**

Effective January 1, 2018, Moxie Sozo offers a 401(k) plan to its eligible employees. Generally, eligible employees with at least 6 months of service with Moxie Sozo are eligible to make pre-tax or after-tax Roth 401(k) contributions from their pay to the plan. After one year of service, employer matching contributions may also be made. For more information about the 401(k) plan, please see the plan's Summary Plan Description available from Human Resources.

### **FLEXIBLE SPENDING ACCOUNTS**

Moxie Sozo offers eligible employees both a health flexible spending account and dependent care flexible spending accounts. To be eligible for the flexible spending accounts ("FSA"), you must be eligible for Moxie Sozo's health care coverage.

**AN FSA ALLOWS YOU TO DEFER AMOUNTS FROM YOUR PAY ON A PRE-TAX BASIS AND RECEIVE TAX-FREE REIMBURSEMENT FOR ELIGIBLE EXPENSES INCURRED DURING THE YEAR. FOR 2018, THE LIMIT FOR A HEALTH FSA IS \$2,650 AND FOR DEPENDENT CARE THE LIMIT IS \$5,000 (OR \$2,500 MARRIED FILING SEPARATELY). GENERALLY, YOUR FSA DEFERRAL ELECTIONS WILL REMAIN IN PLACE FOR THE ENTIRE CALENDAR YEAR, UNLESS YOU QUALIFY FOR A "CHANGE IN STATUS." THERE ARE ALSO DEADLINES FOR REQUESTING REIMBURSEMENTS AND AMOUNTS THAT ARE NOT USED ARE FORFEITED. OTHER RULES APPLY. FOR MORE INFORMATION ABOUT THE FSA, PLEASE SEE HUMAN RESOURCES FOR A BOOKLET WITH MORE INFORMATION.**

### **FLEXIBLE WORK OPTIONS**

Moxie Sozo makes every effort to work with its employees to accommodate flex-time alternatives. There is no standard in this area. Any arrangements in this regard require the written approval of the Principal and may be revoked by the Principal at any time in his sole discretion.

### **PARKING**

Moxie Sozo may assist employees in locating parking and may contribute towards an employee's cost of a parking lot or garage space in downtown Boulder. Employees are eligible to receive a free **EcoPass**. Questions about parking and the **EcoPass** should be directed to Human Resources.

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## **TRAVEL AND REIMBURSEMENT POLICIES**

### **TRAVEL PROCEDURE**

An employee may be asked to attend occasional trade shows, meetings and conferences to represent Moxie Sozo. Transportation, food and lodging costs will be paid and/or reimbursed by Moxie Sozo in accordance with its reimbursement policies. All travel on behalf of Moxie Sozo must be approved by a supervisor in advance. Any employee who is driving an automobile on Moxie Sozo business, whether his/her own personal vehicle or a rental vehicle, is required to have a current, valid driver's license. An employee may secure travel advances to cover estimated expenses for a period of up to two weeks. Requests for travel advances should be forwarded to the Accounting Supervisor at least one week before departure.

## **EXPENSE REIMBURSEMENTS & PURCHASE ORDER PROCESS**

An employee must have authorization from a supervisor responsible for his or her budget area prior to incurring an expense on behalf of Moxie Sozo. To be reimbursed for authorized expenses, an employee must submit an expense report accompanied by receipts in accordance with Moxie Sozo policies. Expense reports/vouchers should be submitted as authorized reimbursable expenses incur.

### **DINNER REIMBURSEMENTS**

If an employee works past 7:30 p.m., Moxie will cover his or her dinner up to \$12. If an employee goes home at 5:30 and returns to the office later, the employee should eat at home before returning to work.

### **ENTERTAINING CLIENTS / WORKING LUNCHESES**

Reimbursement for client lunches, dinners or drinks and/or working lunches will be treated on a case-by-case basis. All of these expenses should be cleared with the Principal in advance. Employees are welcome to go out to coffee or lunch with a client at any time provided the employee pays the tab.

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## ACKNOWLEDGMENT OF RECEIPT & CERTIFICATION OF UNDERSTANDING

Please remove, sign, and return this page to Human Resources. Thank you!

I have received a copy of the Moxie Sozo Employee Handbook (“Handbook”), which outlines Moxie Sozo’s current practices, policies and programs.

I understand that it is my responsibility to read and become familiar with the information contained in the Handbook. I understand that the Handbook is intended as a reference document containing general employment guidelines and does not represent all guidelines, practices, policies, or programs of Moxie Sozo. I further understand that the language contained in the Handbook and in Moxie Sozo’s other guidelines, policies, and programs do not create a contract of employment. I am aware that the information in the Handbook is subject to change from time to time in the sole discretion of Moxie Sozo without prior notice, including the information about Moxie Sozo’s benefits. I understand that the Handbook and its contents revoke and supersede any and all previous statements on similar subjects and that Moxie Sozo may deviate from the policies in individual circumstances in its discretion.

I am aware that during the course of my employment confidential information will be made available to me (such as creative and corporate strategies and other information). I understand that this confidential information must not be disclosed, given away or used outside of Moxie Sozo premises, or provided to any non-Moxie Sozo employees. In the event of the termination of my employment, whether voluntary or involuntary, I hereby agree not to use any of Moxie Sozo or its clients’ confidential information. I also understand that any work I complete while employed by Moxie Sozo is Moxie Sozo or its clients’ property and that I must have written permission from Moxie Sozo to display any such work either during or after my employment with Moxie Sozo.

**I understand that my employment is at-will, which means that either Moxie Sozo or I have the absolute power and authority to terminate the employment relationship at any time without notice and with or without reason or cause.** I further understand that nothing in this Handbook modifies the at-will employment relationship between me and Moxie Sozo. I understand that the at-will nature of my employment can only be altered by a written agreement signed by Moxie Sozo’s Principal, Leif Steiner, and hereby acknowledge that I have entered into no such agreement.

I agree in accepting or continuing employment with Moxie Sozo to abide by its policies, procedures and practices and the directions of Moxie Sozo’s management. I understand that failure to comply with Moxie Sozo’s policies, procedures and practices or the directions of its management may result in the termination of my employment.

Please sign and return to Human Resources.

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Employee’s Printed Name Position

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Employee’s Signature Date

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Moxie Sozo Representative Date