



Ride The Ducks Branson

Safety Procedure

The purpose of the safety procedure is to:

- explain and promote a safety culture
- establish authority of employees in matters of safety
- identify and address potential safety hazards

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Table of Contents

at RIDE THE DUCKS we are SAFE and SMART

PURPOSE

ADMINISTRATION

AUTHORITY TO SUSPEND AN OPERATION

OCCURRENCE OF AN ACCIDENT OR INCIDENT

SIGN OFFS

DEFINITIONS

INCIDENT

ACCIDENT

SAFETY CRITICAL POSITION

AUTHORIZED OPERATOR POSITION

SAFETY MANAGER

SAFETY SPECIALIST (LOCAL REPRESENTATIVE)

SAFETY STANDARDS

SAFETY TRAINING PLANS

SAFETY TRAINING

SAFETY WORK ORDERS

MODIFICATIONS

SERVICE BULLETINS

DRUG AND ALCOHOL TESTING

EMERGENCY PLANNING AND PREPAREDNESS

WHAT IF

RED FLAG

LAWS, ORDINANCES AND RULES

COMMUNICATION

NOTES

APPENDIX A: SAFETY STANDARDS

POSITION: ALL EMPLOYEES. Sign Off Form

POSITION: PRESIDENT

POSITION: MANAGING PARTNER

POSITION: GENERAL MANAGER

POSITION: DIRECTOR OF OPERATIONS

POSITION: DIRECTOR OF FLEET OPERATIONS

POSITION: SAFETY SPECIALIST (LOCAL REPRESENTATIVE)

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POSITION: OPERATIONS MANAGER

POSITION: MAINTENANCE MANAGER

POSITION: ALL OTHER SUPERVISORY PERSONNEL

APPENDIX B - Background & Credit Verification Policy

EXHIBIT B1 - Credit Check Release Authorization

APPENDIX C - Drug & Alcohol Policy

APPENDIX D - Examples of (paper) sign off forms

APPENDIX E - "Safety Critical" Positions

APPENDIX F: "Authorized Operator" Positions

APPENDIX G: Equipment/Tools for use ONLY by authorized operators

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Procedure	Safety
Approved by	President - CHRIS HERSCEND
Issued by	Safety Manager - FRANK ENGLISH
Effective date	MARCH 1, 2017

PURPOSE

The purpose of the safety procedure is to:

- explain and promote a safety culture
- establish authority of employees in matters of safety
- identify and address potential safety hazards

Implementation of this procedure will apply as determined consistent and appropriate by the safety manager. Unless specifically indicated in this procedure, audits, reports, meetings, and activities do not require a written report.

ADMINISTRATION

AUTHORITY TO SUSPEND AN OPERATION

Any employee, when performing the duties of their position or when in control of an operation, must suspend (stop) performing their duties or suspend (stop) the operation when its continuation is not consistent with safety standards, operating procedures, or emergency procedures; OR if in their opinion its continuation presents a hazard to themselves, guests or employees. The employee who, while in control of an operation, suspends or stops the operation, must immediately notify his or her supervisor. The safety manager will be notified immediately and the operation will be resumed only with the consent of the safety manager.

OCCURRENCE OF AN ACCIDENT OR INCIDENT

The safety manager may investigate any accident or incident. If the safety manager deems remedial action necessary, the vehicle or operator involved may not return to service until released by the safety manager.

DISCIPLINARY ACTION

Any employee who is in violation of this safety procedure will be subject to disciplinary action up to and including discharge. The safety manager will recommend disciplinary action to management and Human Resources in all matters involving the safety of guests and/or employees. The safety manager, appropriate management member and Human Resources will agree on final disciplinary action.

SIGN OFFS

Digital sign offs and email reports are preferred alternatives to “pen & paper” signatures and reports, *provided that* any digital sign off requires users to first enter a unique user id and password. All digital sign off forms may be located [here](#) on Duck Central. For pen & paper sign offs please promptly scan and upload all documents to Duck Central in the appropriate folder.

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DEFINITIONS

INCIDENT

An unplanned event that adversely affects normal operations which **could have** resulted in personal injury and/or property damage, regardless of fault.

ACCIDENT

An unplanned event **resulting in personal injury or property damage**, regardless of fault.

SAFETY CRITICAL POSITION

A job function requiring specialized training to reduce the potential of a serious accident or injury to employees or guests. A list of safety critical positions will be maintained as an addendum to the safety procedure and reviewed annually for additions and/or deletions.

AUTHORIZED OPERATOR POSITION

A job function requiring training in specific operating procedures, processes, or work methods. A list of authorized operator positions will be maintained as an addendum to the safety procedure and reviewed annually for additions and/or deletions.

SAFETY MANAGER

An individual responsible for providing overall, company-wide leadership in safety procedures. This individual will identify one or more qualified designees to serve in his or her absence. For purposes of this procedure, **all** references to the safety manager shall be construed to include the safety manager *and his/her designee(s)*.

SAFETY STANDARDS

Safety standards are established (as part of the safety procedure) for all employee positions. The safety standards will be maintained as an addendum to the safety procedure and reviewed annually for additions and/or deletions. The safety standards must include the following:

1. Basic responsibilities for all employees
2. Additional responsibilities for management
3. A method for documenting compliance as required

SAFETY TRAINING PLANS

Safety training plans are established by departmental managers in whose area of responsibility the job function falls. All safety critical training plans must be approved by the safety manager and must include the following:

1. Specific task identification
2. A method for documenting compliance as required - both the trainer and the trainee
3. A method for documenting compliance as required by external agencies

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SAFETY TRAINING

Safety training for specific positions shall be conducted in accordance with the [RTDI Safety Training Manual](#).

SAFETY WORK ORDERS

The safety specialist shall initiate a [safety work order](#) when, in his/her judgment, maintenance, repair, or other work requires immediate action to prevent accident or injury.

MODIFICATIONS

Any modifications to the design of any Ride the Ducks equipment shall be submitted to the safety manager for approval PRIOR to modifications taking place. Any modifications to a RTD facility, load bearing structure shall meet local city/state regulations and building codes.

SERVICE BULLETINS

All Service Bulletins are to be reviewed immediately and the reviewer shall submit (an email) notice of acknowledgment to the Safety Manager. The manager in charge shall ensure all Service Bulletins are completed in accordance with Service Bulletin directives.

DRUG AND ALCOHOL TESTING

RTD Branson shall have in place a drug and alcohol testing procedure that specifies the purpose for drug/alcohol testing and the positions to be tested. [RTD Policy here](#).

EMERGENCY PLANNING AND PREPAREDNESS

RTD Branson shall have a written emergency response plan which specifies responsibilities in the event of an emergency. Emergency planning and preparedness shall be included as a topic during monthly safety meetings and shall be documented.

WHAT IF

RTD Branson shall train staff on “what if” scenarios. This training shall be included as a topic during monthly safety meetings and shall be documented.

RED FLAG

An unplanned, undesirable incident that **did NOT result** in an injury *but can be studied* to prevent a recurrence or accident/injury. RTD encourages active, open discussion of red flag incidents while respecting and maintaining the privacy of employees involved in the red flag incident.

LAWS, ORDINANCES AND RULES

Ride The Ducks **will not violate** federal, state or local laws and/or regulations. It will be the responsibility of the safety manager to ensure RTD stays abreast of such “external” safety expectations and to effectively communicate same to RTD management and employees.

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COMMUNICATION

RTD strives to maintain open communication between management and employees on all matters. Employees' thoughts regarding safety are vitally important, and we encourage active participation in **constantly improving** our safety culture. Methods of communication include - but are not limited to:

- New hire orientation including a discussion of safety and health policies.
- Regularly scheduled safety meetings and/or safety talks during team meetings.
- Posted or distributed information and "Safe To Say" (or equivalent) phone number.

NOTES

- All revisions to the safety procedure *regardless of timing* require approval by RTD Branson company President.
- It is understood that the job titles listed in this procedure do not prevent the delegation of responsibilities when appropriate and within the abilities of the designee to perform independently or under direction.
- It is understood that the specific job titles referred in this procedure may change from time to time. While we make every effort to refer to specific titles here, it is understood that tasks listed in this procedure should follow job *function* first. When in doubt, please discuss any discrepancies between title & function with the safety manager.

APPENDIX A: SAFETY STANDARDS

POSITION: ALL EMPLOYEES. Sign Off Form

1. Perform your job in accordance with your training and all established operating & emergency procedures. Do not exceed any employee physical restrictions.
2. Do not perform in a position until your trainer or supervisor signs you off.
3. Do not let anyone perform your task and/or job function unless your supervisor approves it.
4. **Do not operate equipment that you believe to be unsafe.**
5. If a guest or an employee is injured in your area of responsibility, provide immediate assistance to the best of your ability (people first!) and notify a supervisor.
6. Be continuously on the lookout for unsafe conditions and notify your supervisor if any are found.
7. YOU are responsible for your sign offs. Make sure you know and comply with what is required of your position(s).
8. Injuries caused as a result of not following these safety standards may subject you to disciplinary action, fines or other actions as state law dictate.

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POSITION: PRESIDENT

1. **MARCH 1:** Approve safety procedure and ensure direct reports have reviewed the current company safety procedures.
 2. **ON-GOING:** Tour guest and employee areas for the purpose of monitoring the implementation of and compliance with the safety procedure.
 - a. Tour areas as recommended by the safety manager; randomly tour locations representing various responsibilities.
 - b. Look for visible hazards.
 - c. Discuss and increase awareness of "What If"
 - d. Randomly audit employees to ensure they are performing their job as trained.
 - e. Randomly audit employees' understanding of emergency procedures for their area.
 - f. Randomly audit employees' knowledge and performance in safety critical and authorized operator positions.
 3. **QUARTERLY:** Review safety results with safety manager & managing partners
 - a. Ensure compliance with this procedure.
 - b. Ensure proper focus and attention is given to safety critical and authorized operator positions.
 - c. Review cumulative injury experience and any corrective/preventative actions taken.
 - d. Discuss "What If" activity and actions.
 - e. Review significant claims, trends, and red flag activity.
 4. **FEBRUARY:** Conduct a review following the pattern of the quarterly review.
-

POSITION: MANAGING PARTNER

1. **MARCH 1:** Ensure direct reports have reviewed the current company safety procedures.
2. **ON-GOING:** Ensure that the appropriate climate is in place for the safety manager to properly discharge his or her responsibilities.
3. **ON-GOING:** Address, with the safety manager, any inconsistency between departments regarding interpretation, practice, or implementation of the safety procedure.
4. **ON-GOING:** Tour guest and employee areas for the purpose of monitoring the implementation of, and compliance with, the safety procedure.
 - a. Tour areas as recommended by the safety manager; randomly tour locations representing various responsibilities.
 - b. Look for any visible hazards.
 - c. Discuss and increase awareness of "What If"
 - d. Randomly audit employees to ensure they are performing their job as trained.
 - e. Randomly audit employees' understanding of emergency procedures for their area.
 - f. Randomly audit employees' knowledge and performance in safety critical and authorized operator positions.
5. **QUARTERLY:** Review safety results with the safety manager:
 - a. Ensure compliance with this procedure.

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- b. Ensure proper focus and attention is given to safety critical/authorized operator positions.
 - c. Review cumulative injury experience and any corrective/preventative actions taken.
 - d. Discuss "What If" activity and actions.
 - e. Review significant claims, trends, and red flag activity.
6. **FEBRUARY:** Conduct a review of the prior 4 quarters' safety results, following the format of the quarterly review.
 7. **FEBRUARY:** Submit any recommended changes to the safety procedure to the president.
-

POSITION: DIRECTOR OF OPERATIONS

1. **MARCH 1:** Ensure direct reports have reviewed the current company safety procedures
 2. **MONTHLY:** Tour guest and employee areas for the purpose of monitoring the implementation of, and compliance with, the safety procedure.
 3. **MONTHLY:** Ensure departmental safety meetings are being conducted.
 4. **ON-GOING:** Ensure training & sign-off process is working well. The Director of Operations is responsible for maintaining records in accordance with the relevant statutory & company requirements.
 5. **ON-GOING:** Promote a safety culture by:
 - a. Training, coaching, and modeling safety awareness.
 - b. Review accident information with employees ASAP after each accident.
 - c. Recognize employees whose actions contribute to the safety of their work areas.
 - d. Review red flag incidents.
 6. **ANNUALLY:** Tour guest and employee areas for the purpose of monitoring the implementation of, and compliance with, the safety procedure.
 - a. Randomly tour facility with the managing partner(s), general managers president and safety manager.
 - b. Audit for any visible hazards.
 - c. Discuss and increase awareness of "What If"
 - d. Randomly audit employees to ensure they are performing their job as trained.
 - e. Randomly audit employees' understanding of emergency procedures for their area.
 - f. Randomly audit employees' knowledge and performance in safety critical and authorized operator positions.
 7. **QUARTERLY:** Review safety results with the managing partners & safety manager:
 - a. Ensure compliance with this procedure.
 - b. Ensure proper focus and attention is given to safety critical and authorized operator positions.
 - c. Review cumulative injury experience and any corrective/preventative actions taken.
 - d. Discuss "What If" activity and actions.
 - e. Review significant claims, trends, and red flag activity.
 8. **ON-GOING:** Ensure climate is in place for the safety manager to effectively discharge his/her responsibilities and assume the responsibility of the Safety Manager in his or her absence.
 9. **NOVEMBER:** Review recommended changes to safety procedure with safety manager.
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POSITION: DIRECTOR OF FLEET OPERATIONS

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10. **MARCH 1:** Ensure direct reports have reviewed the current company safety procedures.
 11. **ANNUALLY:** Tour employee areas for the purpose of monitoring the implementation of, and compliance with, the safety procedure.
 - a. Randomly tour facility with the managing partner(s), general managers president and safety manager.
 - b. Audit for any visible hazards.
 - c. Discuss and increase awareness of "What If"
 - d. Randomly audit employees to ensure they are performing their job as trained.
 - e. Randomly audit employees' understanding of emergency procedures for their area.
 - f. Randomly audit employees' knowledge and performance in safety critical and authorized operator positions.
 - g. Inspect to verify that employees have been signed off at a minimum of every (30) thirty days on safety critical items
 - h. Conduct departmental safety meetings.
 12. **QUARTERLY:** Review safety results with the managing partners & safety manager:
 - f. Ensure compliance with this procedure.
 - g. Ensure proper focus and attention is given to safety critical and authorized operator positions.
 - h. Review cumulative injury experience and any corrective/preventative actions taken
 - i. Discuss "What If" activity and actions.
 - j. Review significant claims, trends, and red flag activity.
 13. **ON-GOING:** Ensure climate is in place for the safety manager to effectively discharge his/her responsibilities and assume the responsibility of the Safety Manager in his or her absence.
 14. **ON-GOING:** Promote a safety culture by:
 - a. Training, coaching, and modeling safety awareness.
 - b. Review accident information with employees ASAP after each accident.
 - c. Recognize employees whose actions contribute to the safety of their work areas.
 - d. Review red flag incidents.
 15. **ON-GOING:** Ensure the following:
 - a. No equipment is placed back in service after being removed from service or suspended for any reason without obtaining approval from safety manager.
 - b. All appropriate Safety Data Sheets (SDS) are received, maintained, accessible and reviewed by employees.
 16. **NOVEMBER:** Review recommended changes to safety procedure with safety manager.
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POSITION: SAFETY MANAGER

1. **ANNUALLY:** Audit to promote & improve the safety procedure:
 - a. Approve a process which ensures an ongoing review of attentiveness, response time, and skill for safety critical positions throughout the company.
 - b. Assess the effectiveness of employee selection/placement for safety critical and authorized operator positions.
 - c. Evaluate the quality and completeness of the training process for safety critical and authorized operator positions.
 - d. Audit RTD Branson prior to opening or prior to high season (by mid-June) for overall safety compliance.
2. **ON-GOING:** Review all reported guest and employee injuries. Conduct an investigation of

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any injuries resulting in a medical examination or treatment. Determine cause(s) and initiate appropriate action. Assist management team in all aspects of implementing the safety procedure.

3. **ON-GOING:** Promote a safety culture by:
 - a. Training, coaching, and modeling safety awareness
 - b. Review accident information with employees ASAP after each accident.
 - c. Recognize employees whose actions contribute to the safety of their work areas.
 - d. Implement and support local safety incentive programs.
 - e. Review red flag incidents
4. **ON-GOING:** Ensure the following:
 - a. No equipment is returned to service without the approval of the Safety Manager if suspension was required by Regulatory Agency or Safety Manager.
 - b. All appropriate Safety Data Sheets (SDS) are received, maintained, accessible and reviewed by employees.
5. **MONTHLY:** Review safety issues, opportunities for improvement. Prior to implementation, approve any action which may create inconsistencies.
6. **MONTHLY:** Tour guest and employee areas for the purpose of monitoring the implementation of, and compliance with, the safety procedure.
 - a. Randomly tour operation.
 - b. Look for any visible hazards.
 - c. Discuss and increase awareness of "What If"
 - d. Randomly audit employees to ensure they are performing their job as trained.
 - e. Randomly audit employees' understanding of emergency procedures for their area.
 - f. Randomly audit employees' knowledge and performance in safety critical and authorized operator positions.
 - g. Inspect to verify that employees have been signed off at a minimum of every (30) thirty days on safety critical items.
 - h. Ensures compliance with 30 day Facility Safety Inspections program.
 - i. Ensures safety meetings are taking place at a minimum of every (30) thirty days.
7. **QUARTERLY:** Review safety results with the managing partners.
 - a. Ensure compliance with this procedure.
 - b. Ensure proper focus and attention is given to safety critical/authorized operator positions.
 - c. Review cumulative injury experience and any corrective/preventative actions taken.
 - d. Discuss "What If" activity and actions.
 - e. Review significant claims, trends, and red flag activity.
8. **ANNUALLY (OCTOBER):** Obtain agreement on annual "off season" inspection priorities with the Fleet Operations Director. These inspections may include both buildings and vehicles. The results should be evaluated, deficiencies noted and corrective action taken as appropriate.
9. **ANNUALLY (FEBRUARY):**
 - a. Review the prior 4 quarters' safety results with the president & managing partners.
 - b. Review any recommended changes to safety procedure with the president.
 - c. Approve all safety standards, training plans, emergency response plans, homeland defense plans and ensure retention consistent with regulatory/statutory requirements.
10. **MARCH 1:** Ensure that safety critical & authorized operator positions in local operation have signed off on safety standards.
11. **BY JULY - EVERY 3RD YEAR (2012, 2015, 2018):** No later than July 1, complete an audit of

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the safety program, utilizing a qualified 3rd party firm familiar with the sightseeing, transportation, or passenger vessel industries. Review for:

- a. Compliance with the safety procedure.
- b. Understanding of & ability to perform safety responsibilities.
- c. Assessment of training provided to fulfill safety responsibilities.
- d. Attentiveness & staffing levels.
- e. Application of operating procedures.
- f. Equipment in compliance with State and & Federal regulations.

POSITION: ALL OTHER SUPERVISORY PERSONNEL

1. **MARCH 1:** Ensure direct reports have reviewed the current company safety procedures.
2. **ON-GOING:** Participate in safety tours as requested.
3. **MONTHLY:** Tour guest and employee areas for the purpose of monitoring the implementation of, and compliance with, the safety procedure.
 - a. Randomly tour operations in your area of responsibility.
 - b. Look for any visible hazards.
 - c. Discuss and increase awareness of "What If"
 - d. Randomly audit employees to ensure they are performing their job as trained.
 - e. Randomly audit employees' understanding of emergency procedures for their area.
 - f. Randomly audit employees' knowledge and performance in safety critical and authorized operator positions.
 - g. Inspect to verify that employees have been signed off at a minimum of every (30) thirty days on safety critical items.
4. **MONTHLY:** Conduct departmental safety meetings.
5. **ON-GOING:** Promote a safety culture by:
 - a. Training, coaching, and modeling safety awareness.
 - b. Review accident information with employees ASAP after each accident.
 - c. Recognize employees whose actions contribute to the safety of their work areas.
 - d. Review red flag incidents.
6. **ON-GOING:** Ensure the following:
 - a. No equipment is placed back in service after being removed from service or suspended for any reason without obtaining approval from safety manager.
 - b. All appropriate Safety Data Sheets (SDS) are received, maintained, accessible and reviewed by employees.

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APPENDIX B - [Background & Credit Verification Policy](#)

EXHIBIT B1 - [Credit Check Release Authorization](#)

APPENDIX C - [Drug & Alcohol Policy](#)

APPENDIX D - [Examples of \(paper\) sign off forms](#)

APPENDIX E - “Safety Critical” Positions

1. **All** Public Conveyance Operators and Maintenance Personnel
 - a. Captain / Driver (aka CDL)
 - b. Deckhand (aka Narrator and/or Boarding Ambassador)
 - c. Truck Driver
 - d. Mechanic (all types)
 - e. Technician (all types)
2. Welder
3. Fabricator
4. Installer
5. Machinist
6. Painter
7. Food Handler

APPENDIX F: “Authorized Operator” Positions

Any employee operating or handling any of the following items:

1. Blood-borne pathogens
2. Confined space/entry
3. Lockout Tag-out / Control of Hazardous Energy
4. Powered Industrial Equipment
5. Fire Extinguishers
6. Ladders (walking/ working surfaces) & work at elevations
7. Portable Power tools including Landscaping tools
8. Company Vehicles, including
 - a. Gas and Electric Industrial Trucks (carts)
 - b. Powered Industrial Trucks (forklifts)
9. Fuel Powered and Electric Welding Equipment
10. Compressed Gas Cylinders
11. Machine Tools
12. Electrical Training - Qualified (licensed) and Non-Qualified Employees
13. Personal Protective Equipment (P.P.E.) and Respiratory Protection

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- 14. Spray Application of Flammables
- 15. Sensitive Documents or communications, including:
 - a. Hazard Communications
 - b. Access to Employee Medical Records
 - c. Emergency Plans

APPENDIX G: Equipment/Tools for use ONLY by authorized operators

<p>PORTABLE TOOLS</p> <ol style="list-style-type: none"> 1. Electric & Air Drill 2. Roto Hammer 3. Hammer Drill 4. Circular Saw 5. Jig Saw 6. Electric & Air Impact Wrench 7. Chain Saw 8. Belt Disc Sander / Grinder 9. Power Threader 10. Air Die Grinder/Cutter 11. Band Saw <p>HEAVY EQUIPMENT</p> <ol style="list-style-type: none"> 1. Power Industrial Trucks (Forklifts) <p>LANDSCAPE EQUIPMENT</p> <ol style="list-style-type: none"> 1. Lawn Mowers 2. Weed Eaters 3. Back Pack Blowers <p>COMPANY VEHICLES</p> <ol style="list-style-type: none"> 1. Company Trucks / Cars & APVs 	<p>SHOP TOOLS</p> <ol style="list-style-type: none"> 1. Drill Press 2. Lathe Wood or Metal 3. Band Saw 4. Mill 5. Bench Grinder 6. Press 7. Press Brake 8. Sheer 9. Iron Worker <p>WELDING / CUTTING</p> <ol style="list-style-type: none"> 1. Electric or Fuel Powered Welding 2. Oxy/Acetylene 3. Compress Gas 4. Plasma Cutter <p>PAINT SHOP</p> <ol style="list-style-type: none"> 1. Airless Paint Gun 2. Sandblaster 3. Pressure Washer
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RIDE THE DUCKS INTERNATIONAL BACKGROUND CHECK PROCEDURE

Purpose: To protect employees, guests, company property and guests' property by requiring background checks for designated positions. These checks may include (but are not limited to) criminal, civil, MVR and credit checks.

Teams Responsible: Safety & Human Resources.

The Safety team is responsible for determining the broad categories of positions and independent contractors for which background checks are required. Each property will develop their own list of specific positions and independent contractors requiring background checks to comply with corporate guidelines as shown [here](#).

The Human Resources team is responsible for:

1. **Criminal Background Checks:**
 - a. All new and current employees will be required to [sign a form](#) authorizing the Company to conduct background checks.
 - b. Post job offer, pre-employment background checks for felony and misdemeanor convictions will be conducted for all positions listed [here](#).
 - c. Background checks will also be done for all current employees in positions listed [here](#) (seasonal, year-round and salaried) who have not previously had a background check or who have had a 60 day break in service since their last date of employment.
 - d. Pre-transfer background checks will also be required for any employee transferring to a position listed [here](#) if the employee has not previously had a background check or if the employee has had a 60 day break in service since his/her last date of employment.
 - e. Felony and certain misdemeanor convictions may be a bar to employment. In evaluating background history, the following guidelines will be used:
 - i. A misdemeanor conviction within the past five (5) years, including drug charges.
 - ii. A felony conviction within the past ten (10) years, including drug charges.
 - iii. A conviction of any crime against a person (i.e. robbery, sexual assault, battery, etc).
 - iv. Two or more felony convictions, ever.
 - v. Falsification of information of employment application concerning convictions/background.
 - vi. The final decision of whether a conviction will be a bar to employment or transfer will be made by Human Resources with the concurrence of a Managing Partner or President.

2. **Credit Checks:** Pre-employment credit checks are required for positions designated [here](#). The same [authorization form](#) will be used.
- a. Transfers must complete a credit check before beginning a designated position unless the the candidate has previously completed a credit check for the company and has not had a 60 day break in service since their last day of employment.
 - b. In evaluating credit history the following guidelines will be used. (President, Ride The Ducks may authorize exceptions when extenuating circumstances exist). We will not hire/promote/transfer a person into a position requiring a credit check if the applicant's credit history reflects any of the following:
 - i. One (1) or more accounts(s) currently sixty (60) or more days overdue.
 - ii. A total of four (4) or more accounts that are/were sixty (60) or more days overdue.
 - iii. Accounts that were previously thirty (30) or more days overdue a total of six (6) or more times
 - iv. One (1) or more accounts(s) charged off as bad debt.
 - v. One (1) or more accounts(s) that have been turned over to a collection Agency that are medical in nature.

**RIDE THE DUCKS INTERNATIONAL
DRUG AND ALCOHOL TESTING PROCEDURE**

The purpose of this procedure is to ensure that the safety of our guests, employees and properties is not compromised by drug use. Ride The Ducks International has a vital interest in providing and maintaining a safe environment for both its guests and employees. The use of drugs in the workplace presents serious safety and health risks. It is with the objective of a drug-free workplace that the Company adopts the following procedure:

- 1. Categories of employees subject to testing:**
 - a. All positions designated as "Safety Critical" *excluding food handlers*
 - b. Any supervisors or members of management operating in a safety Critical position (even on a temporary basis).
 - c. Safety, Security, and EMS personnel

- 2. The above-listed positions are subject to the following types of testing:**
 - a. Pre-employment
 - b. Return-to-Duty testing
 - c. Random testing
 - d. Reasonable Cause testing
 - e. Post-Incident /Accident testing

- 3. We expressly prohibit:**
 - a. On- or off-duty use, sale, manufacturing or possession of illegal drugs
 - b. On- or off-duty abuse of harmful inhalants.
 - c. Reporting for work while under the influence of illegal drugs or alcohol.
 - d. Reporting for work while under the influence of prescribed medication without first obtaining permission from the Safety Manager.
 - e. Misuse of prescribed medication.

- 4. Illegal Drugs/Prescribed Medications**
 - a. Employees will not report for duty or remain on duty while being under the influence of any illegal drug.
 - b. Employees undergoing prescribed medical treatment with any drug must report this treatment to a representative of the safety department and his/her supervisor in order to determine the feasibility of the company temporarily changing the employee's job assignment.
 - c. No prescription drug shall be brought upon Company premises by any person other than the person for whom the drug is currently prescribed by

a licensed medical practitioner, and shall be used only in the manner, combination and quantity prescribed.

5. Refusal to Test

- a. Includes willful refusals and any non-medically excused failure to submit to testing to determine drug levels.
- b. Refusing to submit to testing, after being properly notified to do so, shall result in immediate termination of employment.

6. Testing Procedures

- a. The drug testing process (to include who is authorized to require testing) will be identified by each property.

7. Testing Occasions

- a. **Random Annual Testing:** All employees in safety Critical positions are subject to random annual testing as specified in property procedures.
- b. **Mandatory Testing:** Employees in safety Critical positions will be tested for drugs in the following circumstances:
 - **Post Job Offer:** Individuals with a "new hire" job offer for a safety Critical position must successfully complete drug testing within 30 days prior to employment. Individuals who do not begin work within 30 days of the date on which they were tested must successfully complete additional drug testing which satisfies this requirement.
 - If an individual receiving a new job offer in a safety Critical position refuses to be tested or has verified confirmed positive drug test result, the Company will deny or withdraw the offer of employment. Applicants may not be allowed to begin work until test results are received.
 - **Entry or return to duty:** Employees who transfer into a designated safety Critical position from a non-safety Critical position, or employees occupying safety Critical positions that are returning from absences from duty of 60 calendar days or more will not be allowed to perform safety Critical duties until test results are received.
 - Within 30 days of return, a return to duty drug test will be conducted, and a verified negative test result received, before an individual is returned to duty to perform a safety Critical function.
 - **Post-incident:** Drug testing will occur within 3 hours after an

incident has occurred. "Incident" means when an employee is involved in a mishap resulting in physical damage to persons, equipment or facilities or in a lost-time injury. An "incident" can also include circumstances where the safety of persons, equipment or facilities is put into jeopardy.

- Testing must be accomplished within 3 hours following such mishap or damage, except in such a case where the employee suffers significant injury, obtaining necessary medical assistance will take priority over drug testing.
- A decision not to test an employee after an incident must be approved by the local Safety Representative and appropriately documented.
- A decision not to test an employee after an incident as defined in this section should not be considered a final determination that the employee was not involved in the incident. Failure to order testing at the time of the incident does not waive the Company's right to order testing at a later time.
- The failure of an employee to meet the testing requirement, (after being properly notified) to do so shall result in immediate termination of employment.

c. Reasonable Cause: All employees are subject to drug testing for reasonable cause. Observation may occur during just before/after the workday. Reports of observations must be documented. Indications that reasonable cause to test exists include, but are not limited to, the following:

- Use or possession of drugs.
- Slurred speech
- Unsteady standing or walking
- Unsafe actions
- Inability or difficulty doing routine tasks
- Disorientation or confusion
- Erratic or unusual behavior
- Evidence of repeated errors on the job
- Unsatisfactory time and attendance patterns

8. Employee Responsibilities: *Employees must*

- a.** Consent to cooperate in the effort to maintain a workplace free from the effects of drugs.

- b. Agree to all testing procedures as outlined in policies and procedures.
 - c. Disclose any prescribed medication, including maintenance drugs, to designated safety/Security personnel
- 9. **Records** Employee records pertaining to drug testing will be maintained in a secure location with controlled access.
- 10. **Implied consent.** By applying for and maintaining employment with Ride The Ducks International or its subsidiaries, employees consent to cooperate in the effort to maintain a workplace free from the effects of drugs through the use and enforcement of this policy and related procedures.