



Cornell University  
ILR School

Cornell University ILR School  
**DigitalCommons@ILR**

---

Consent Decrees

Labor and Employment Law Program

---

1-9-2013

# EEOC v. Carrols Corp

Frederick Scullin

Follow this and additional works at: <http://digitalcommons.ilr.cornell.edu/condec>

Thank you for downloading this resource, provided by the ILR School's Labor and Employment Law Program. Please help support our student research fellowship program with a gift to the Legal Repositories!

---

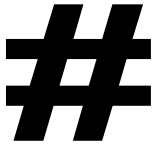
This Article is brought to you for free and open access by the Labor and Employment Law Program at DigitalCommons@ILR. It has been accepted for inclusion in Consent Decrees by an authorized administrator of DigitalCommons@ILR. For more information, please contact [hlmdigital@cornell.edu](mailto:hlmdigital@cornell.edu).

---

## EEOC v. Carrols Corp

### **Keywords**

EEOC, Carrols, 98-CV-1772 (FJS) (TWD), Consent Decree, sex, female, sexual harassment, retaliation, constructive discharge, service, Employment Law, Title VII



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**New York District Office**

33 Whitehall Street, 5<sup>th</sup> Floor  
New York, NY 10004-2112  
For General Information: (800) 669-4000  
TTY: (800)-669-6820  
District Office: (212) 336-3721  
General FAX: (212) 336-3625

Gillian L. Thomas  
Trial Attorney  
Phone (212) 336-3770  
Fax (212) 336-3623  
[gwilliamthomas@eeoc.gov](mailto:gwilliamthomas@eeoc.gov)

January 9, 2013

~~VIA EOC~~  
Hon. Frederick J. Scullin, Jr.  
U.S. District Court  
Northern District of New York  
Federal Building and U.S. Courthouse  
100 South Clinton Street  
Syracuse, NY 13261

Re: *EEOC v. Carrols Corp., No. 98-CV-1772 (FJS) (TWD) (N.D.N.Y.)*

Dear Judge Scullin,

I represent Plaintiff Equal Employment Opportunity Commission and am writing on behalf of both parties. I am enclosing for the Court's approval a proposed Consent Decree, by which the parties have resolved EEOC's claims in this case.

Among the exhibits to the Decree is Exhibit B, which lists 89 Claimants' names, addresses, Social Security numbers, and amounts payable to them under the Decree. Pursuant to Local Rule 8.1, the parties respectfully request that this Exhibit be filed under seal so as to protect the Claimants' privacy. A Proposed Sealing Order is enclosed here, as well. We appreciate the Court's consideration of this request.

Respectfully,

/s/

Gillian L. Thomas  
Trial Attorney

Encls.

cc: Mike Delikat, Counsel for Defendant  
John Giansello, Counsel for Defendant  
Jeff Mayer, Counsel for Defendant

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

<hr/>		<b>X</b>
<b>EQUAL EMPLOYMENT OPPORTUNITY</b>	:	
<b>COMMISSION,</b>	:	
	:	
<b>Plaintiff,</b>	:	
	:	<b>98-CV-1772 (FJS)(TWD)</b>
<b>v.</b>	:	
	:	
<b>CARROLS CORPORATION,</b>	:	
	:	
<b>Defendant.</b>	:	
<hr/>		<b>X</b>

**PROPOSED SEALING ORDER**

Plaintiff Equal Employment Opportunity Commission and Defendant Carrols Corporation have requested that this Court enter an Order to seal Exhibit B to the Consent Decree jointly proposed to and filed with the Court on January 9, 2013. The Exhibit lists 89 Claimants' names, addresses, Social Security numbers, and amounts payable to them under the Decree. The parties submit that this information requires personal privacy protection under Local Rule 8.1. Upon consideration of this request, the Court hereby

**ORDERS** that the above-referenced document and this Sealing Order be filed under seal.

**IT IS SO ORDERED.**

Dated: January\_\_\_\_, 2013  
Syracuse, New York

Frederick J. Scullin, Jr.  
Senior United States District Court Judge

NORTHERN DISTRICT OF NEW YORK  
EQUAL EMPLOYMENT OPPORTUNITY

Plaintiff,

98-CV-1772 (FJS)(TWD)

v.

**CARROLS CORPORATION,**

Defendant.

CONSENT DECREE:

1. This cause of action was initiated on November 17, 1998 by the Equal Employment Opportunity Commission ("EEOC"), an agency of the United States Government, to correct unlawful employment practices on the basis of sex. EEOC alleges that Defendant Carrols Corporation ("Carrols") subjected Charging Party Wendy McFarlan and other female employees to sexual harassment, retaliation, and/or constructive discharge in violation of Title VII of the Civil Rights Act of 1964, as amended ("Title VII"). Carrols denies having engaged in any unlawful discrimination, harassment, or retaliation, and denies all of the allegations of the complaint.

2. The Parties to this Consent Decree ("Decree") are Plaintiff EEOC and Defendant Carrols.

3. The Parties have engaged in extensive and comprehensive settlement negotiations and desire to settle this action, and stipulate to the entry of this Decree as final and binding between the Parties. Not less than thirty (30) days before Carrols executes any agreement to sell, assign, consolidate or merge the Company with or into a third party, it will provide written notice

and a copy of this Decree to any prospective successors or assigns and will simultaneously

11,xX\11.11 .UJLJ/ v^ %X 11 1 w 5>CUB. I. C \*

4. The terms of this Decree represent the full and complete agreement of the Parties. The Parties have agreed that this Decree may be entered into without findings of fact and conclusions of law having been made and entered by the Court.

In consideration of the mutual promises of each Party to this Decree, the sufficiency of which is hereby acknowledged, the Parties agree as follows, and the Court finds appropriate, and it is therefore **ORDERED, ADJUDGED, AND DECREED** that:

**GENERAL PROVISIONS**

5. This Decree resolves finally the Complaint filed by EEOC in this case, and resolves EEOC's claims in regard to, and EEOC waives further processing of, any of the individual EEOC Charge Numbers listed in Exhibit A to this Decree.

6. This Decree in no way affects EEOC's right to process any other pending or future charges that have been or may be filed against Carrols and to commence civil actions on any such charges as EEOC sees fit. EEOC reserves all rights to proceed regarding matters not covered in this Decree.

7. The Parties agree and the Court finds that the Court has jurisdiction over the subject matter and the Parties to this action, venue is proper, and all administrative prerequisites

lidV%\$ U wv11. 11Xwt\*

8. The parties agree that the United States District Court has jurisdiction to enforce this Decree and its terms. Either party may petition the Court for relief under this Decree.

9. Should EEOC believe that Carrols has breached this Decree, it will notify Carrols<sup>5</sup> General Counsel in writing, by email and overnight mail, of the nature of the dispute and identify the **provision(s)** that it believes Carrols has breached and the steps it believes

Carrols should take to cure the alleged breach. Absent a showing by any party that the delay will cause irreparable harm, Carrols shall have twenty (20) days from the date of notice ("Dispute Resolution Period") to try to resolve or cure the breach. The Parties agree to cooperate with each other and use their best efforts to resolve any dispute referenced in EEOC's notice. After the Dispute Resolution Period expires, EEOC may initiate an enforcement action in this Court, seeking all available relief or remedies.

### **MONETARY RELIEF**

10. Carrols will pay monetary relief in the total sum of two and one-half million dollars and no cents (\$2,500,000.00) (the "Claim Fund") to the Claimants as designated in Exhibit B. Monetary relief will include payments in the nature of back pay and compensatory damages. EEOC has allocated two hundred five thousand eight hundred seventy-six dollars and no cents (\$205,876.00) of the Claim Fund to claims for lost earnings to Claimants as designated in Exhibit B. With respect to the payment of back pay, Carrols will provide a W-2 Statement for those payments and be responsible for deducting applicable withholdings. EEOC has allocated two million two hundred ninety-four thousand one hundred twenty-four dollars and no cents (\$2,294,124.00) to Claimants as compensatory damages, as designated in Exhibit B. As to payment for compensatory damages, Carrols is not required to withhold taxes or make employer contributions required to be made on payment of wages, except that it shall issue IRS Forms 1099 for these payments at the time required by law.

11. Within ten (10) days of entry of this Decree, or twenty (20) days after EEOC provides Carrols with the legal name, social security number, and address of each Claimant, whichever is later, Carrols will distribute to each Claimant her portion of the Claim Fund as specified by EEOC in Exhibit B, which will be filed under seal. Payment will be made by **United** States Postal Service, return receipt requested. Carrols will provide EEOC with copies of

the check(s), Forms 1099 and W-2 Statements concurrent with Carrols's providing them to the Claimants. Any check not presented to Carrols' bank for payment within one hundred and eighty (180) days of its issuance will be cancelled, and Carrols will remit the amount thereof to a 501(c)(3) charitable organization, agreed upon between the Parties, whose mission is consistent with Title VII's prohibitions against sexual harassment. Additional conditions precedent to Carrols' obligation to make certain individual payments shall apply as set forth in Exhibit B.

IN TESTIMONY WHEREOF,

12. Carrols and its managers, supervisors, officers and agents are enjoined from harassment toward any of the Claimants or any other female because of her sex.

13. Carrols and its managers, supervisors, officers and agents also are enjoined from retaliating against any of the Claimants or any other female who has complained of sexual harassment, opposed discrimination, filed a charge of discrimination, or who gives testimony or assistance concerning the investigation or litigation of sexual harassment charges or lawsuits filed under Title VII.

**POSTING AND NOTICES**

14. Within thirty (30) days of entry of this Decree, Carrols will display the EEOC poster, a copy of which is attached as Exhibit C, at all its store locations where other notices to employees are regularly posted.

15. Within thirty (30) days of entry of this Decree, Carrols will display the Notice attached as Exhibit D at all store locations which were in existence on January 1, 2012, on a bulletin board where other notices to employees are regularly posted.

16. Within ninety (90) days of entry of this Decree, Carrols will display the Notice attached as Exhibit D at all store locations it acquired after January 1, 2012, on a bulletin board where other notices to employees are regularly posted.



TRAINING

17. Commencing within ten (10) days of entry of this Decree, Carrols will provide all new employees, within their first three (3) days at work, an E-learning training program that includes a module on recognizing, preventing, and eliminating sexual harassment in the workplace. This training program will be done on a computer at the work location provided by Carrols. The E-learning material will clearly make known that all employees have the right to work in an atmosphere which is free from sexual harassment, and that harassment in any form will not be tolerated. It also will include instruction on how to lodge a harassment complaint, including a list of personnel, by title and phone number, to whom such complaints may be addressed. In the event that a harassment complaint arising out of the employee's restaurant is substantiated, the employee and his or her co-workers will receive group re-training in these topics, such training to be provided in person by the Regional Human Resources Manager ("Regional HR Manager") or his or her designee within thirty (30) days of the conclusion of the investigation.

18. Within six (6) months of entry of this Decree, Carrols will revise its electronic record-keeping system so as to allow retrieval of lists of names and titles of employees and managers who have completed E-learning in a consolidated format by name and restaurant (hereinafter "roll-up").

19. Commencing within ten (10) days of entry of this Decree, Carrols will provide all Restaurant Managers, Assistant Managers, and Shift Supervisors, within four (4) weeks of hire or promotion, a unit of no fewer than two (2) hours of formal in-person training on Human Resources issues, including training on anti-discrimination, anti-harassment, and anti-retaliation laws. If trainers are not available during the four (4) week period, this unit will be provided as early as is reasonably practicable within the training program required for each of these

managers and supervisors. The training sessions will be conducted by the Training Manager or the Regional HR Manager during the existing management certification program. This training unit will emphasize managerial employees' obligation not only to refrain from harassment of and retaliation against any employee, but to report any harassment that they observe or that is reported to them. Carrols will also incorporate into the training of shift supervisors and managers material addressing the special needs of teenaged workers with respect to preventing and remedying sexual harassment. The training further will inform managerial employees that their annual appraisal will include review of their performance in these areas, as referenced in paragraph 35 below, and will explain to them how they will evaluate, and be evaluated, on compliance with Carrols' policies. Written materials on these topics will be provided to all managerial employees.

20. Commencing within ten (10) days of entry of this Decree, all Regional Vice-Presidents, Regional HR Managers, District Supervisors, Restaurant Managers, Assistant Managers, and Shift Supervisors, within six (6) months of hire or promotion, also will attend an approximately five (5)-hour training course, "Shades of Harassment," unless they have already taken that course prior to promotion.

21. Commencing with the first annual supervisors conference ("Annual Supervisors' Conference") held after the date of entry of this Decree, at each Annual Supervisors' Conference all Regional Vice-Presidents, Regional HR Managers, and District Supervisors will attend a training module of at least one (1) hour concerning Carrols' policies and procedures and federal laws against harassment, discrimination, and retaliation, and on how to investigate complaints of sexual harassment.

22. Commencing with the first annual multi-day meeting for Regional HR Managers ("Annual Regional HR Managers' Meeting") held after the date of entry of this Decree, at each Annual Regional HR Managers' Meeting, all Regional HR Managers will attend a multi-day corporate-level seminar which will include training on laws against discrimination; managing a diverse workforce, including teenaged workers; how to investigate complaints of sexual harassment, consistent with the company's guidelines; and legal developments with respect to harassment. The training sessions will be conducted by Carrols' General Counsel. This training will include the use of videos and other written materials concerning sexual harassment, and tests to confirm managers' knowledge at the seminar's conclusion.

23. Commencing within sixty<sup>7</sup> (60) days of entry of this Decree, Carrols will pay for Regional HR Managers' membership in SHRM and offer Regional HR Managers the opportunity to attend periodic HR seminars and programs.

24. Except for the roll-up to be implemented pursuant to Paragraph 18, *supra*, within thirty (30) days of entry of this Decree, Carrols will maintain records containing, but not limited to, the dates of the above trainings, names and titles of attendees, and agendas for the trainings. For the roll-up to be implemented pursuant to Paragraph 18, *supra*, Carrols will commence maintaining such records upon implementation.

#### ANTI DISCRIMINATION POLICIES

25. Commencing within ten (10) days of entry of this Decree, at the time Carrols provides the E-learning training described in Paragraph 17 above, Carrols will provide and review with all new employees a pamphlet entitled "Recognizing, Preventing and Eliminating Sexual Harassment" (a copy of which is attached hereto as Exhibit E), which includes a copy of Carrols' policy, "Preventing and Eliminating Sexual Harassment." That pamphlet has a tear-out form which states "the Carrols Corporation Sexual Harassment policy has been explained and

reviewed with me and I understand its contents. I have received a copy of the Carrols Corporation Sexual Harassment Booklet." Managers will be instructed that it is their responsibility and obligation to secure a signed acknowledgment form from each new hire provided with these materials, and that their annual performance appraisals as referred to in Paragraph 35 below will include evaluation of their compliance with this responsibility and obligation. Within one week of completion, acknowledgement forms so obtained will be placed in employees' personnel files maintained at the restaurant of their employment and in personnel files maintained at the applicable regional office. The E-learning module, once the roll-up provided for in Paragraph 18, *supra*, is implemented, also will include a mechanism by which the employee acknowledges completing the training and receiving the pamphlet, records of which will thereafter be maintained electronically. Within ninety (90) days of entry of this Decree: (a) Carrols' anti-harassment policies and complaint reporting contact information will be made available on [Carrols.com](http://Carrols.com), with a hyperlink to [Carrolsethics.com](http://Carrolsethics.com); and (b) Carrols' anti-harassment policies and complaint reporting contact information available on [Carrols.com](http://Carrols.com) will be made available on [Carrolsethics.com](http://Carrolsethics.com) with an on-line reporting feature for employees to file complaints of sexual harassment, including anonymously. The anti-harassment policies and complaint reporting contact information also will be made available in Carrols restaurants in a three-ring binder near the bulletin board where all employee notices and policies are regularly displayed. Finally, Carrols will provide Restaurant Managers with additional copies of the policies and will inform employees of the policies' availability by notice in all of the locations described above.

26. Within one hundred and twenty (120) days of entry of this Decree, Carrols will delete any and all language in its policy, "Preventing and Reporting Sexual Harassment," and its

PowerPoint training program, "Sexual Harassment Training," that references "false" and/or "malicious" harassment complaints or potential sanctions for such complaints. Carrols will not include the deleted language in any policies, procedures, or training relating to sexual harassment. Within one hundred and twenty (120) days of entry of this Decree, Carrols will delete any and all language in its pamphlet, "Recognizing, Preventing and Eliminating Sexual Harassment," its policy "Preventing and Reporting Sexual Harassment," and its E-learning training program indicating that non-supervisory employees are "obligated" or otherwise required to report all harassment, including any and all language indicating that employees are obligated to confront the harasser(s) before invoking Carrols' complaint procedure. Carrols will include in written materials and in training a statement that advises non-management employees that one of the steps they can take if harassed is to tell the harasser to stop and that sexual harassment should be reported promptly. Carrols will not include any of the deleted language in any policies, procedures, or training relating to sexual harassment.

27. Within ten (10) days of entry of this Decree, all Carrols policies on sexual harassment will also be available to all managers on the Carrols intranet for managers.

28. Within twenty (20) days after entry of this Decree, Carrols will offer all voluntarily departing hourly employees the opportunity to fill out a written exit interview form for submission to the Regional HR Manager. (See form attached as Exhibit F). Within 120 days after entry of this Decree, Carrols will offer all voluntarily departing managers the opportunity to fill out a written exit interview form for submission to the Regional IIR Manager. Carrols will develop the manager written exit interview form within one hundred twenty (120) days of entry of this Decree, and will provide a draft to EEOC for review and approval. Completed interview forms will be transmitted to and maintained in electronic format on a website housed on

Grapevine, in a password-protected database accessible by password protected format by Regional HR Managers, the Corporate Vice-President of Human Resources, the Corporate HR Manager and the Employee Benefits Specialist, within one week of receipt. The notice received by the departing employee will contain his or her unique password-protected log-in code by which he or she can access Grapevine for the purpose of responding to the interview form. These written exit interviews will specifically ask whether sexual harassment occurred at the restaurant where the employee worked, whether Carrols made the employee aware of how and to whom to report any kind of sexual harassment, and whether the employee ever complained of sexual harassment or participated in an investigation of a sexual harassment complaint. The exit interview also will afford an opportunity to provide a narrative response to these questions.

29. Within ten (10) days of entry of this Decree, Carrols' Vice President for Human Resources will receive immediate alerts when he or she receives negative responses to any of the sexual harassment-related exit interview questions. Carrols will investigate any complaint of sexual harassment uncovered in the course of an exit interview in accordance with its regular procedures for investigation of such complaints. Exit interviews including a complaint of sexual harassment will be shared with the appropriate District Supervisor(s) if the District Supervisor will be involved in the investigation of the complaint or if the complaint is determined to be substantiated; however, an exit interview will not be provided prior to investigation to a district supervisor who is the object of a complaint contained in it. Additionally, all responses to the exit interviews will be provided to the appropriate District Supervisor(s) on a semi-annual basis.

**COMPLAINT HOTLINE AND DEDICATED EMAIL ADDRESS**

30. Within ten (10) days of entry of this Decree, Carrols will maintain a toll free Hotline telephone number run by outside provider EthicsPoint and an email address (the "dedicated email address") for employees to file complaints of sexual harassment, including

anonymously. The Hotline telephone number as of the entry of this decree is 1-800-511-8439; the dedicated email address as of the entry of this decree is [www.carrolsethics.com](http://www.carrolsethics.com). The Hotline number and the dedicated email address will be contained in the body of the Orientation Handbook, and contact information for the relevant Regional HR Manager and the Vice President for Human Resources at Corporate Headquarters also will be displayed on the inside cover of the Sexual Harassment Pamphlet and will also be included in the materials posted under the anti-harassment tab on [Carrols.com](http://Carrols.com) and in the linked material on [Carrolsethics.com](http://Carrolsethics.com), as provided for in Paragraph 25 above. This contact information, along with that for the relevant District Supervisor, will also be available at each store in the 3-ring binder containing a variety of policies that is accessible to all employees near the bulletin board where notices are normally posted. Carrols reserves the right, upon notice to employees and EEOC and upon consent by EEOC, such consent not to be unreasonably withheld, to change the Hotline telephone number, the outside provider of the hotline telephone service, and the dedicated email address, as long as reasonably equivalent or better service is provided.

31. Within ten (10) days of entry of this Decree, complaints of sexual harassment made through the Hotline or dedicated email, or made to the District Supervisor, the Vice President for Human Resources, or any manager at Carrols, will be referred to the relevant Regional HR Manager or his or her designee, or the designee of Corporate Human Resources, for prompt and thorough investigation. The relevant District Supervisor also will be informed that a complaint has been received, unless the District Supervisor is the object of the complaint or to do so would compromise Carrols' ability to investigate pursuant to its anti-discrimination policy. Carrols will maintain guidelines for investigation of complaints of sexual harassment complaints, including the importance of considering demeanor of complainants and witnesses

and the existence of prior complaints, the maintenance of consistency in complaint resolution, and the importance and manner of informing complainants of investigation outcomes. These guidelines will be reviewed at the Annual Regional HR Managers' Meeting and the Annual Supervisor's Conference referenced in Paragraphs 21 and 22 above. Individuals filing complaints of harassment or interviewed in the course of the investigation will be compensated for their time and given the option to conduct interviews (1) by phone; (2) by interview at the restaurant; or (3) in a meeting outside of their work location if they indicate they do not want to meet at the restaurant.

32. Commencing within ten (10) days of entry of this Decree, any complaints of sexual harassment, whether made to Carrols or via EthicsPoint, and their status will be logged into a spreadsheet maintained by EthicsPoint within a week of the investigation's conclusion. Access to the spreadsheet will be limited to authorized Human Resources and in-house legal staff of Carrols or as may be required by Carrols' corporate governance policies or by law. The spreadsheet is attached as Exhibit G. Additionally, whenever a Regional HR Manager or designee begins investigation of a harassment complaint, he or she (a) will review the spreadsheets in order to learn whether the alleged harasser has been the subject of a prior complaint, and (b) will review the last three audits, as described in Paragraph 34, below, to learn whether the restaurant in question is in compliance with company policies.

33. Within ten (10) days of entry of this Decree, Carrols will maintain the physical records relating to harassment complaints, including investigation and conclusion, in a central location in each of its Regions within one week of an investigation's conclusion. A memorandum reflecting the outcome of the investigation on any claim found to have merit, will



also be included in the accused harasser's personnel file maintained at the store location and shall be provided to the District Supervisor.

34. Commencing within fifteen (15) days of entry of this Decree, Carrols' Regional HR managers will conduct audits of HR practices in Carrols\* restaurants as part of the biennial audit of each restaurant that exists at the time the Decree is entered, such that every restaurant is audited at least once by the conclusion of the term of this Decree, and will provide the results to outside counsel of record for Carrols. As part of the audits, the Regional HR Manager will conduct meetings with groups of no fewer than three (3) employees. The audit will include questions about whether any employee has been the victim of, or observed sexual harassment of another employee at their restaurant. Individuals interviewed in the course of the audit will be compensated for their time and given the option to conduct interviews (1) by phone; (2) by interview at the restaurant; or (3) in a meeting outside of their work location if they indicate they do not want to meet at the restaurant. The audit form is attached as Exhibit H. Carrols reserves the right, upon notice to EEOC and upon consent by EEOC, such consent not to be unreasonably withheld, to change the audit form. Employees not interviewed personally by the Regional HR Manager shall be provided the audit interview form to complete manually. Any complaint lodged in the course of the audit will be logged in the spreadsheet referenced in Paragraph 32 and investigated according to company policy.

**MANAGEMENT ACTION HOKMS**

35. Within ten (10) days of entry of this Decree, evaluation forms for all Restaurant Managers, Assistant Managers and District Supervisors will include a criterion of adherence to EEO policies of Carrols. In particular, the Checklist of Appraisal Characteristics for Managers form will include the following question: "To what extent does the individual take measures to

prevent sexual harassment and discrimination and comply with federal state and local employment law?" Reviewing managers will be requested to explain, in the comments portion of the review form, the basis for the rating assigned in this category. During the management training described above in Paragraph 19, managers will be informed in writing about the criteria for assessing this factor, including whether all required postings are displayed, whether all employees received a copy of the anti-harassment policy at the time of hire, whether the manager has been the subject of or failed to properly handle a sexual harassment complaint, the number of harassment complaints brought by employees in a given store, and feedback gathered from employees during the exit interviews and Regional HR Managers' audits or interviews concerning the overall store environment.

#### REPORTING AND MONITORING

36. Carrols will make available for inspection and copying any records reasonably related to the enforcement of this Decree, upon twenty (20) days written notice by EEOC, which notice will specify those records that EEOC seeks to inspect.

37. At the close of one hundred eighty (180) days following the entry of this Decree, and following every one hundred eighty (180) day period thereafter, Carrols will provide EEOC with a written summary narrative report on the status of its compliance with each of the paragraphs of this Decree. All materials required by this Decree to be sent to EEOC will be sent by first class mail addressed to Consent Decree Monitor, Equal Employment Opportunity Commission, New York District Office, 33 Whitehall St., 5th Floor, New York, New York 10004, or will be sent by email to Consent Decree Monitor at [decreeemonitornydo@eoc.gov](mailto:decreeemonitornydo@eoc.gov).

#### DURATION OF DECREE AND RETENTION OF JURISDICTION

38. This Decree will remain in effect for two (2) years from the date of entry.

39. The Court retains jurisdiction over this action during the duration of this Decree solely for the purpose of providing relief according to the provisions of this Decree. The matter may be administratively closed but will not be dismissed during the duration of this Decree. Within thirty (30) days after the date set for the expiration of the Decree, the parties will submit a stipulation of dismissal to the Court.

SO ORDERED, ADJUDGED AND DECREED this \_\_\_\_\_ day of January, 2013.

CK J. O'Connell Jr.  
Senior United States District Court Judge

APPROVED IN FORM AND CONTENT;

EMPLOYMENT OPPORTUNITY

%^%JIVLJLJ.i5iSM.J/i

t v

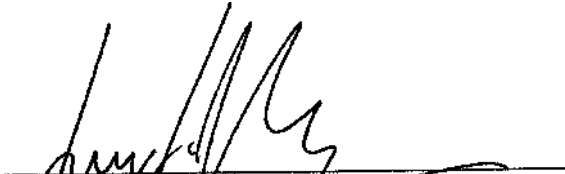
Elizabeth! Gro ssman  
Regional Attorney  
EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
New York District Office  
33 Whitehall St., 5th Floor  
New York, NY 10004  
Phone; (212)336-3696  
Fax; (212)336-3623

DATED;      ire+ ^

FOR DEFENDANT  
CARROLS CORPORATION

Michael Delikat  
John D. Giansello  
ORRICK, HERRINGTON & SUTCLIFFE,  
  
51 W 52nd Street  
New York, New York 10019-6142  
Phone: (212)506-5000  
Fax: (212)506-5151

DATED:

  
\_\_\_\_\_  
Jeffrey J. Mayer  
FREEBORN & PETERS LLP  
111 S. Wicker Drive, Suite 3000  
Chicago, IL 60606  
Phone: (312)360-6000  
Fax: (312)360-6596

DATED:      / jlfloi^

OHSUSA:752774434.1

EXHIBIT A

Charges of discrimination referenced in Consent Decree Paragraph 5 in which EEOC will not issue a notice of right to sue and which EEOC will not further process

Name	<u>Charge No.</u>
Wendy McFarlan	160962407
Irene Arthur	1 U J y 7 v 1 3 i
Meneyonne Franklin Hedgepeth	146990359
Ja'Netta Anderson	146990392
Julie Federowicz	165990402
Kristin (Kristen) Marion	160 A12045
Pamela Lynn Kurtz	160A01939
Denise Kear	160A10391
Trudy Davis Garner	160A10806
Else Atkins	160A10807

# Exhibit B

Filed Under Seal

Exhibit C

# Equal Employment Opportunity is THE LAW

## Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases

### RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

### DISABILITY

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

### AGE

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

### GENETICS

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

### RETALIATION

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

### WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected.

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing

impaired) is available at [www.eeoc.gov](http://www.eeoc.gov) or 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impaired). EEOC also has offices in all 50 States, the District of Columbia, and Puerto Rico. For more information, visit [www.eeoc.gov](http://www.eeoc.gov) or call 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impaired).

U.S. Equal Employment Opportunity Commission  
1400 ...  
Washington, DC 20512





**EXHIBIT D**



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
New York District Office**

33 Whitehall Street, 5<sup>th</sup> Floor  
New York, NY 10004-2112  
For General Information: (800) 669-4000  
TTY: (800)-669-6820  
District Office: (212) 336-3721  
General FAX: (212) 336-3625

**NOTICE TO ALL EMPLOYEES OF CARROLS CORPORATION**

This notice is posted pursuant to a Consent Decree entered into by Carrols Corporation (Carrols) and the U.S. Equal Employment Opportunity Commission (EEOC), in resolution of Case No. 98-cv-1772 filed by EEOC in the United States District Court for the Northern District of New York. EEOC alleged that Carrols violated Title VII of the Civil Rights Act by subjecting women employees to sexual harassment and retaliation at a number of its Burger King restaurants around the country. Carrols denied the EEOC's allegations.

Federal law prohibits employers from discriminating against employees and applicants based on sex, national origin, religion, race, color, age, disability or genetic information. Federal law also prohibits employers from retaliating against employees and applicants who complain about or oppose discrimination or participate in any way in lodging a complaint.

Among its provisions, the Consent Decree requires that Carrols:

1. Refrain from harassing or discriminating against any individual because of sex and from retaliating against any person who exercises his or her rights under federal anti-discrimination laws;
2. Pay monetary damages to 89 employees;
3. Revise its written policies prohibiting harassment and retaliation and its procedures for receiving and investigating harassment and retaliation complaints, and make those documents available to all employees in hard copy and electronically;
4. Train restaurant managers, District Supervisors, Regional Human Resources Managers, and Regional Vice-Presidents in how to prevent, investigate, and resolve complaints of harassment and retaliation;
5. Train hourly employees about Carrols' anti-harassment policies and procedures;
6. Adopt measures improving Carrols' recordkeeping with respect to complaints of harassment and retaliation;
7. Make periodic reports to EEOC about its compliance with the Decree.

If you have any questions or complaints of harassment or retaliation, you may contact any of the following:

- Any manager
- Your District Supervisor [phone number]
- Your Regional Human Resources Manager [phone number]
- Carrols' corporate Human Resources department [phone number; [www.humanresources.com](http://www.humanresources.com)]
- Carrols<sup>5</sup> toll-free complaint hotline - 1-800-511-8439
- Carrols<sup>5</sup> dedicated website for reporting harassment - [www.carrolsethics.com](http://www.carrolsethics.com)

EEOC has offices throughout the United States and you may contact and its toll-free-telephone number is 1-800-669-4000. The EEOC may also be contacted through its website at [www.eeoc.gov](http://www.eeoc.gov).

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE  
THIS NOTICE MUST REMAIN POSTED FOR 2 YEARS FROM DATE OF POSTING,  
UNTIL \_\_\_\_\_, 2015.

Exhibit E

**Recognizing,  
Preventing  
& Eliminating**


**SEXUAL  
HARASSMENT**



**Toll Free Harassment Reporting Hotline:  
1-800-348-1074 ext. 2318**

**Carrols Corporation and its subsidiary Carrols LLC,  
968 James Street, Syracuse, NY 13203**

**Acoso  
Sexual**



**Línea Directa Libre de Cobro Para  
Reportar Acoso Sexual:  
1-800-348-1074 ext. 2318**

**Carrols Corporation y su subsidiario Carrols LLC,  
968 James Street, Syracuse, NY 13203**

**Reconocimiento,  
Prevención  
y Eliminación de**

**PARA REPORTAR EL ACOSO SEXUAL O  
 PARA INFORMACION ADICIONAL O  
 SOBRE EL AVISO Y LA PREVENCIÓN DEL  
 ACOSO SEXUAL EN LA CORPORACIÓN DE CAR-  
 ROLS Y SU SUBSIDIARIO CARROLS LLC, LLAME A  
 LA LINEA DIRECTA  
 LIBRE DE CARGO DE ACOSO SEXUAL:  
 1-800-348-1074 ext. 2318  
 O  
 ENVÍENOS UN CORREO ELECTRÓNICO A  
 LA SIGUIENTE DIRECCIÓN DE CORREO ELECTRÓNICO:  
 humanresources@carrols.com**

**TO REPORT HARASSMENT OR FOR  
 FURTHER INFORMATION ABOUT  
 REPORTING AND PREVENTING  
 SEXUAL HARASSMENT AT  
 CARROLS CORPORATION AND  
 ITS SUBSIDIARY CARROLS LLC  
 CALL THE TOLL FREE  
 HARASSMENT  
 HOTLINE AT:  
 1-800-348-1074 ext. 2318  
 humanresources@carrols.com**











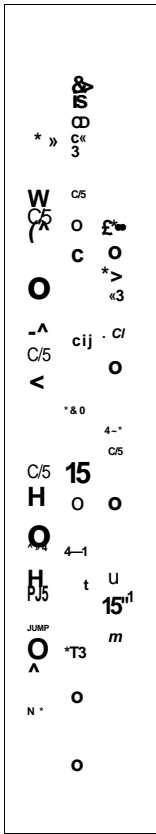
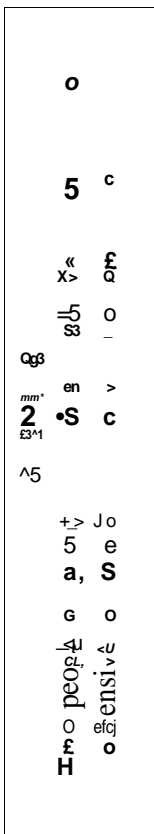
111 3C  
N O N O  
% J E I  
O  
in

1/2 X5 0

**PHYSICAL:** Unwelcome and unwanted physical contact, such as touching, bumping, rubbing, pinching, hugging, kissing, blocking of normal movement or physical assault.

**VERBAL:** Dirty or offensive jokes and language, threats sounds, rumors, gossip about intimate sexual experience of one's personal life. It can be unwanted sexual advance or propositions, repeated unwanted social invitations or propositions, degrading comments about one's dress or physical features. It can also be suggestive pet names or suggestive nick names, sexual conversations and innuendo

**NON-VERBAL:** Gestures, expressions, leering, inappropriate clothing, slogans or sexual content on T-shirts, calendars and screensavers, sexually explicit books and magazines, sexually suggestive objects or pictures.



El acoso sexual puede ser obvio, sutil, hablado o sobrentendido. Este siempre conciente de su propia conducta y pregúntese, "¿Es mi comportamiento ofensivo a mis compañeros de trabajo?"

**El acoso sexual puede ser:**

- **FÍSICO:** El contacto físico incomodo e indeseable, tal como tocar, tropezar, pellizcar, abrazar, besar, bloqueo de movimientos naturales o ataque físico.

- **VERBAL:** Chistes y lenguaje sucios u ofensivos, amenazas, sonidos, rumores, chismes acerca de la vida sexual de experiencias íntima en la vida de una persona. Puede ser avances o proposiciones indeseable, repetidas invitaciones sociales indeseables, silbidos, comentarios degradantes del vestir o características físicas de una persona. También puede ser sobre-nombres o nombre de mascotas, conversaciones sexuales e insinuaciones.

o -v 5

**RECUERDA:**  
Dos personas pueden participar en comportamientos con bases sexuales lo cual no es ofensivo para ellos, pero son ofensivas para otros a su alrededor.

**SINO ESTA SEGURO, PREGUNTATE:**  
"¿Como me sentiria si mis hijos, hermanos, padres o pareja fueran expuestos a este tipo de comportamiento?"

**සමීක්ෂණය**

ඔබගේ සේවාදායකයේ සිටින අනෙකුත් සේවකයන්ගේ හා සේවකයන්ගේ ඔබට එරෙහිව පවතින හිංසාකාරී හැසිරීමක් පිළිබඳව ඔබට දන්නා තොරතුරු සඳහා ඔබට දැනුවත් කරන්න.

73. ඔබට සේවයේ සිටින අනෙකුත් සේවකයන්ගේ හා සේවකයන්ගේ ඔබට එරෙහිව පවතින හිංසාකාරී හැසිරීමක් පිළිබඳව ඔබට දන්නා තොරතුරු සඳහා ඔබට දැනුවත් කරන්න.

70. No. Carrols no permite que un gerente o supervisor se comporte con usted de manera que crea un ambiente sexual hostil para los demás compañeros de trabajo. Tal vez usted crea una impresión de preferencia. También, si la conducta del gerente o supervisor, la consecuencia sería difícil e incomodar, la consecuencia sería difícil e incomodar para uno o ambos de los individuos involucrados.

ඔබට සේවයේ සිටින අනෙකුත් සේවකයන්ගේ හා සේවකයන්ගේ ඔබට එරෙහිව පවතින හිංසාකාරී හැසිරීමක් පිළිබඳව ඔබට දන්නා තොරතුරු සඳහා ඔබට දැනුවත් කරන්න.



ඔබට සේවයේ සිටින අනෙකුත් සේවකයන්ගේ හා සේවකයන්ගේ ඔබට එරෙහිව පවතින හිංසාකාරී හැසිරීමක් පිළිබඳව ඔබට දන්නා තොරතුරු සඳහා ඔබට දැනුවත් කරන්න.

ඔබ

ඔබ

70. Carrols no permite que un gerente o supervisor se comporte con usted de manera que crea un ambiente sexual hostil para los demás compañeros de trabajo. Tal vez usted crea una impresión de preferencia. También, si la conducta del gerente o supervisor, la consecuencia sería difícil e incomodar, la consecuencia sería difícil e incomodar para uno o ambos de los individuos involucrados.



7. Si, teniendo en cuenta que su comportamiento no crea un ambiente sexual hostil para los demás compañeros de trabajo. Ten en cuenta que si la relación no funciona, puede ser incomodo para los involucrados trabajar junto cómodamente. Además, si tu compañero(a) rehúsa tu petición a una cita, acepta un no como respuesta y respeta la decisión de ese empleado.

ඔබට සේවයේ සිටින අනෙකුත් සේවකයන්ගේ හා සේවකයන්ගේ ඔබට එරෙහිව පවතින හිංසාකාරී හැසිරීමක් පිළිබඳව ඔබට දන්නා තොරතුරු සඳහා ඔබට දැනුවත් කරන්න.

ඔබට සේවයේ සිටින අනෙකුත් සේවකයන්ගේ හා සේවකයන්ගේ ඔබට එරෙහිව පවතින හිංසාකාරී හැසිරීමක් පිළිබඳව ඔබට දන්නා තොරතුරු සඳහා ඔබට දැනුවත් කරන්න.

ඔබ

Can touching or flirting with a willing co-worker it creates a hostile work environment.

ඔබට සේවයේ සිටින අනෙකුත් සේවකයන්ගේ හා සේවකයන්ගේ ඔබට එරෙහිව පවතින හිංසාකාරී හැසිරීමක් පිළිබඳව ඔබට දන්නා තොරතුරු සඳහා ඔබට දැනුවත් කරන්න.

ඔබට සේවයේ සිටින අනෙකුත් සේවකයන්ගේ හා සේවකයන්ගේ ඔබට එරෙහිව පවතින හිංසාකාරී හැසිරීමක් පිළිබඳව ඔබට දන්නා තොරතුරු සඳහා ඔබට දැනුවත් කරන්න.

2  
o  
15  
elf  
2

may be. Non-employees and customers are not allowed to sexually harass Carrolls employees. Managers and supervisors should monitor and deter such non-employee conduct and employees should report any such conduct.

*Can one sexual comment or incident constitute sexual harassment*

¿Es considerado acoso sexual si un empleado hombre hostiga a otro empleado hombre?  
Avances sexuales indeseable son considerados acoso sexual, aunque estos avances indeseables sean hechos por miembros del mismo sexo u opuesto.

Puede ser. Dependiendo en la indole de las fotos, es posible que esto contribuya a un ambiente laboral hostil y sin profesionalismo.

¿Es considerado acoso sexual el que un empleado de contabilidad tenga un protector de pantalla que exhiba celebridades masculinas en poses sugestivas y en diferente estado de desnudes?

8  
o  
EJ  
83  
8

8  
o  
EJ

8

8

AV  
is  
O  
[ft]  
ST  
C  
N

8  
o  
EJ

83  
83

83



**CARROLS CORPORATION AND  
ITS SUBSIDIARY CARROLS LLC  
WILL NOT PERMIT SEXUAL HARASSMENT TO BE  
A PART OF ITS WORKPLACE!**

**Here is what Carrols is doing to prevent  
Sexual Harassment in the Workplace.**

**Established Written Policy & Procedures:** Carrols has a comprehensive, proactive and aggressive policy towards eliminating sexual harassment from its workplace and providing its employees with a workplace free of harassment. This policy includes severe penalties for harassers, employees who condone harassment, or people who retaliate based on claims of harassment. *(A complete copy of the Carrols Sexual Harassment Policy is included at the end of this booklet.)*

**Employee and Management Training:** All Carrols employees and managers receive extensive and ongoing sexual harassment training. In addition, Carrols promotes daily awareness to potential harassment situations and encourages immediate reporting of any such occurrences.

**Established Complaint Procedure:** Carrols will take swift and immediate action whenever sexual harassment is discovered, reported or suspected. All complaints will be taken seriously and employees have a duty to promptly report any such incidents to management. All employees, including Carrols, have a duty to make sure that nobody retaliates against employees who oppose or report harassment or participate in investigations. Furthermore, Carrols will protect the confidentiality of a victim and investigate the claim to the best of its ability.

**Enforce the Carrols Policy:** Carrols will discipline any employee found to have engaged in, condoned or retaliated based on sexual harassment. Carrols will maintain accurate records of all investigations and findings while ensuring that employees who oppose or report sexual harassment are protected from retaliation.

**LA CORPORACION DE CARROLS Y SU SUBSIDIARIO  
CARROLS LLC NO PERMITIRA EL ACOSO SEXUAL  
COMO PARTE DEL AMBIENTE LABORAL**

**Los siguientes son los pasos que Carrols esta haciendo  
para prevenir acoso sexual en el lugar de trabajo.**

**Estableció Políticas y Procedimientos escritos:** Carrols tiene un entendimiento, pro-activo y una política agresiva para eliminar el acoso sexual del lugar de trabajo. Proveyéndole a sus empleados un lugar de trabajo libre de acoso sexual. Esta política incluye penalidades severas para los acosadores, personas que permiten el acoso o personas que toman represaria a quienes se quejan de acoso. (Una copia completa de las políticas de Carrols con referencia a acoso en el lugar de trabajo esta incluida al final de este folleto.)

**Entrenamiento del Personal y Gerencia:** Todos los empleados y gerentes de Carrols reciben un entrenamiento extenso y continuo en referencia al acoso sexual. Además, Carrols promueve conciencia diaria a potenciales situaciones y alienta que reporten cualquier acontecimiento de indole acosador.

**Establece Procedimiento de Quejas:** Carrols toma acción rápida e inmediata cuando se descubre, se reporta o se sospecha acoso sexual. Todas las quejas son tomadas muy seriamente y el personal tiene la responsabilidad de reportar inmediatamente a la gerencia cualquier incidente semejante. Todo empleador, incluyendo Carrols, tiene la responsabilidad de asegurarse que nadie tome represaria en contra de las personas que se oponen o reportan acoso o particippan en una investigación. Aun más, Carrols protegerá la confidencialidad de una victima e investigara la queja lo mejor que se pueda.

**Hace cumplir las Políticas de Carrols:** Carrols disciplinara a cualquier empleado que este comprometido, halla permitido o tomado represaria sobre acoso sexual. Carrols mantendrá archivos exactos de todas las investigaciones y hallazgos para asegurarse que empleados que se oponen o reportan acoso sexual estén protegidos de represarias.





Fecha en Efecto: 5/23/00  
Reemplaza: 6/1/99  
Aprobado por: Joseph A. Zirkman  
Titulo: Consejo General

La política Carrols , sus subsidiarios y divisiones es la de mantener un ambiente laboral en el cual todos los empleados sean tratados con respeto y dignidad. La Compañía prohíbe acoso de todo tipo, incluyendo acoso basada en el genero de la persona, origen, orientación sexual o invalidez mental o física. Todas las personas tienen el derecho de trabajar en un ambiente libre de prácticas y comportamiento discriminatorio, incluyendo acoso sexual. El propósito de esta política es de (i) educar a todos nuestros empleados sobre el tipo de conducta que constituye acoso sexual; (ii) notificarle a todos los empleados que la Compañía no perdonará o tolerará el acoso sexual y (iii) establecer un procedimiento de investigar acoso sexual (iv) que urja a cualquier persona que sienta que ha sido objeto de acoso sexual a reportarle esta conducta a los representantes de la Compañía; (v) notificar empleados que nadie que reporte casos de acoso sexual tendrá represalias en su trabajo (vi) quienes llevarán a cabo una investigación y, si fuera necesario, tomarán acción disciplinaria contra la persona responsable del acoso sexual.

**DEFINICIÓN DE ACOSO SEXUAL**

*avances sexuales indeseables, o como la petición de favores sexuales y otras conductas indeseables, ya sean de forma verbal o escrita, o que conlleven a un comportamiento físico de índole sexual. Como lo define la EEOC, el acoso sexual incluye una conducta indeseable o indigna basada en el género de la persona; (i) cuando la sujeción o el rechazo a causa de esta conducta afecta decisiones referentes a la contratación, (ii) evaluación, ascenso, o cualquier otro aspecto relacionado con el empleo; o (iii) cuando tal conducta interfiera de forma transcendental con el empleo de aquel o aquella persona, o resulta en un ambiente de trabajo amenazador, hostil, u ofensivo.*

No es fácil definir exactamente qué acciones o qué forma de comportamiento constituirán acoso sexual en un caso particular debido a que este dependerá de hechos y circunstancias específicas, incluyendo qué tan exagerada, insultante, o seria la conducta es. Acoso sexual puede existir aunque no exista un interés seductivo o romántico detrás de la conducta.

*unwelcome sexual advances, requests for sexual favors and other unwelcome verbal, written or physical conduct of a sexual nature where, (i) an employee's submission to or rejection of this conduct is made either explicitly or implicitly a term or condition of employment; (ii) submission to or rejection of this conduct by an individual is used as the basis for decisions regarding hiring, evaluation, promotion or any other aspect of employment; or (iii) when such conduct substantially interferes with an individual's employment or creates an intimidating, hostile, or offensive work environment.*

The Equal Employment Opportunity Commission (the "EEOC") defines sexual harassment as:

**DEFINITION OF SEXUAL HARASSMENT**

It is the policy of Carrols Corporation., its subsidiaries and divisions (collectively the "Company"), to foster and maintain a workplace in which all individuals are treated with respect and dignity. The Company prohibits harassment of any kind, including harassment based upon race, national origin, sexual orientation, or mental or physical disability. All Carrols employees have the right to work in an environment, which is free from discriminatory practices and behavior, including sexual harassment. The purpose of this Policy is to (i) educate all of our employees about what conduct may constitute sexual harassment, (ii) advise all employees that the Company will not condone or tolerate sexual harassment, (iii) establish procedures for investigating complaints of sexual harassment, (iv) encourage employees who feel they have been subjected to sexual harassment to report such conduct to representatives of the Company, (v) advise employees that no one who reports or complains about sexual harassment will be retaliated against in any manner, and (vi) to advise employees that Carrols has established disciplinary measures for employees who engage in sexual harassment, who condone harassment or retaliate based upon claims of harassment.

**POLICY STATEMENT**

Supersedes: 6/1/99  
Effective Date: 5/23/00  
Instruction No: 105



Actions and conduct which will constitute sexual harassment are not easily defined in all cases. Each particular case will depend on the specific facts and circumstances, including how pervasive, abusive or serious the behavior. Sexual harassment may exist even when there is no romantic or seductive intent behind it. What the offending person may think is consensual or voluntary may still be “unwelcome” to the offended person. Examples of inappropriate behavior or actions which may constitute sexual harassment include, but are not limited to:

- expressed or implied demands for sexual favors in exchange for favorable reviews, assignments, promotions, continued employment or promises of continued employment;
  - expressed or implied threats to fire, transfer or give a poor review or take some other negative job action against an employee who fails to go along with sexual advances;
- coerced sexual acts;
- physical conduct such as touching, rubbing, pinching, massaging, brushing up against another person or staring in a sexual or suggestive manner;
- graphic, verbal comments about an individual's body or sexuality;

the display in the workplace of graphic and sexual objects, pictures or graffiti;

using the e-mail or voice system to make sexual advances, unwelcome flirtations or propositions or to send messages containing sexually suggestive pictures, cartoons or jokes;

sexually suggestive slogans on tee-shirts, calendars, screensavers, books and magazines;

negative statements, disparaging remarks or horseplay consistently targeted at one gender (either men or women), even if the content of the verbal abuse is not sexual in nature.

- Lo cual la persona que comete el acoso piense que su conducta sea agradable al empleado/a puede ser indeseable a la persona a quien se le comete el acoso. Ejemplos de comportamiento y acciones que pueden constituir acoso sexual incluyen, pero no es limitada a:
- expresadas o implícitas demandas sexuales a cambio de hojas de despues favorables, ascenso, empleo continuo, promesas de empleo continuo;
- expresadas o implícitas amenazas de despido, traslado u hojas de despues no favorables, u otro tipo de acción negativa contra el empleado que no este de acuerdo con los avances sexuales;
- avances sexuales indeseables:
- conducta física como tocar, pasar la mano, masaje, pellizcar o acometer el cuerpo de un individuo, o mirarlo(a) de una forma sexual o sugestiva;
- comentarios gráficos o verbales sobre el cuerpo de un individuo o su sexualidad;
- la repetición de bromas de tipo sexual, lenguaje sexual, adjetivos sexuales, chismes sexuales, comentarios sexuales o indagaciones sexuales;
- la repetición de coqueteo indeseables, avances o proposiciones;
- pedirle de forma continua a un empleado una cita, después de que él o ella han indicado no estar interesados;
- hacer sugerencias sexuales, o comentarios o gestos obscenos;
- exponer en el trabajo gráficos u objetos, fotos o grafitos con indicaciones sexuales;
- uso de correo electrónico o automático para hacer propuestas de tipo sexual, coqueteos indeseables o proposiciones, o para enviar mensajes que contengan fotos con insinuaciones sexuales, caricaturas, o chistes;
- declaraciones negativas o comentarios denigrantes que estén dirigidos de forma consistente hacia un género (ya sea masculino o femenino), inclusive si el contenido del abuso sexual no tiene índole sexual;
- sugerencia sexuales escritas en camisetas, calendarios, protector de pantalla, libros o revistas;
- Declaraciones negativas o comentarios que desprecian de forma consistente y que estén dirigidos hacia un grupo (ya sea hombres o mujeres), aunque el contenido del abuso verbal no sea de índole sexual, o

El tipo de comportamiento precedente que se ha descrito es inaceptable no solamente en el lugar de trabajo, sino también en ambientes vinculados con el trabajo, tales como viajes de negocios o eventos sociales que se relacionen con el trabajo. Además, tal comportamiento también está prohibido cuando está dirigido hacia aquellas personas que no están empleados por la compañía, tal como personas que solicitan empleo, personal de entrega, personal de servicio, visitas y, por supuesto, a los clientes de los restaurantes.

Como se ha descrito con anterioridad, el uso del correo electrónico o del contestador automático es una violación a la política de la compañía y es prohibido. Se les recuerda a los empleados que el uso del correo electrónico o del sistema de contestador automático está vigilado por la compañía y ningún empleado deberá asumir que estos mensajes son privados.

→ ○ √ ∞ ∞ √ | √ √ ∞

Esta política cubre a todos los oficiales, directores y empleados de Carrols y sus subsidiarias y divisiones. El acoso sexual, ya sea que se haya llevado a cabo entre los empleados, supervisores, oficinas o por aquellos que no sean empleados pero que estén en contacto con la Compañía durante el transcurso del empleo (por ejemplo, proveedores de servicio o contratistas de la Compañía), es adverso a esta política y no se tolerará. La Compañía urge a que se reporten todos los incidentes de acoso sexual, sin importar quien sea el ofensor y no tolerara represalias en contra de individuos que rebusen avances sexuales o traigan quejas de acoso o que participen en investigaciones de acoso.

→ ∞ ∞

La Compañía urge a aquellos individuos que piensan que están siendo acosados a que le notifiquen a la persona que supuestamente los está ofendiendo, de forma firme y con prontitud, que su comportamiento es indeseable. Sin embargo, también reconocemos que en algunas circunstancias el empleado puede sentirse incómodo de encarar al ofensor/a, particularmente si el ofensor/a es el supervisor o gerente del empleado. Por lo tanto, aunque decida encarar al ofensor/a para discutir el incidente, la Compañía sugiere que aquellos empleados que piensan que están siendo atormentados por acoso sexual le reporten el incidente a cualquiera de las siguientes personas:

- Empleados por hora deben de notificar al Gerente General, Asistente de Gerencia, Supervisor de Distrito o el Gerente de Recursos Humano de la Región
- Gerente General, Asistente de Gerencia deben de notificar al Supervisor de Distrito o al Gerente de Recursos Humano de la Región.
- Empleados Corporativos deben de notificar a su supervisor inmediato o en la oficina al Departamento de Recurso Humanos.

→ Corporate staff employees are to notify their immediate supervisor or the home office Human Resources Department.

→ Restaurant Managers and Assistant Managers are to notify the District Supervisor, the Region Human Resource Manager or the Regional Director or Vice President.

→ Restaurant hourly employees are to notify the Restaurant Manager Assistant Restaurant Managers, the District Supervisor or the Region Human Resource Manager.

The type of behavior described in the preceding section is unacceptable not only in the workplace, but also in other work-related settings such as business trips or Company sponsored social events. In addition, such behavior is also prohibited when directed toward non-employees, such as job applicants, delivery personnel, service personnel, visitors and, of course, customers to the restaurants.

As described above, the use of the Company's e-mail or voice mail systems in violation of this policy is prohibited; employees are reminded that e-mail and voice mail messages are monitored by the Company, and no employee should expect such messages are private.

**INDIVIDUALS COVERED BY THIS POLICY**

This policy covers all officers, directors, and employees of Carrols, its subsidiaries and divisions. Sexual harassment, whether engaged in by co-workers, supervisors, officers or by non-employees with whom employees come into contact in the course of employment (i.e., the Company's service providers or contractors), is contrary to this policy and will not be tolerated. The Company encourages the reporting of all incidents of sexual harassment, regardless of who the offender may be and will not tolerate any retaliation against individuals who decline sexual advances or bring complaints about harassment or who participate in investigations regarding harassment.

**REPORTING A COMPLAINT**

The Company encourages individuals who believe they have been or are being harassed to promptly advise the alleged offender that his or her behavior is unwelcome. In many circumstances however, an employee may be uncomfortable confronting that person, especially if the harasser is the employee's manager or supervisor. Therefore, whether or not you decide to confront the alleged harasser, the Company asks that individuals who believe they have been subjected to sexual harassment report the incident to any of the following persons:

The type of behavior described in the preceding section is unacceptable not only in the workplace, but also in other work-related settings such as business trips or Company sponsored social events. In addition, such behavior is also prohibited when directed toward non-employees, such as job applicants, delivery personnel, service personnel, visitors and, of course, customers to the restaurants.

As described above, the use of the Company's e-mail or voice mail systems in violation of this policy is prohibited; employees are reminded that e-mail and voice mail messages are monitored by the Company, and no employee should expect such messages are private.

**INDIVIDUALS COVERED BY THIS POLICY**

This policy covers all officers, directors, and employees of Carrols, its subsidiaries and divisions. Sexual harassment, whether engaged in by co-workers, supervisors, officers or by non-employees with whom employees come into contact in the course of employment (i.e., the Company's service providers or contractors), is contrary to this policy and will not be tolerated. The Company encourages the reporting of all incidents of sexual harassment, regardless of who the offender may be and will not tolerate any retaliation against individuals who decline sexual advances or bring complaints about harassment or who participate in investigations regarding harassment.

**REPORTING A COMPLAINT**

The Company encourages individuals who believe they have been or are being harassed to promptly advise the alleged offender that his or her behavior is unwelcome. In many circumstances however, an employee may be uncomfortable confronting that person, especially if the harasser is the employee's manager or supervisor. Therefore, whether or not you decide to confront the alleged harasser, the Company asks that individuals who believe they have been subjected to sexual harassment report the incident to any of the following persons:



Page 40 of 57

Todas las alegaciones sobre acoso sexual serán investigadas con prontitud y a fondo. La Compañía conducirá una investigación imparcial, y ningún individuo que supuestamente halla participado en el acoso tendrá su tarea en la investigación de la queja. La Compañía se esforzará por mantener el proceso de investigación de forma confidencial, hasta el punto que sea práctico y apropiado bajo las circunstancias.

Aunque el individuo no reporte su queja o no quiera que se comience una investigación, la Compañía tiene una obligación de investigar todos los casos de acoso que se le reporte a su atención.

20 ○ ←

La Compañía tiene procedimientos y guías específicas para investigar acoso; estos procedimientos deben de ser revisado por los investigadores antes de iniciar cualquier tipo de investigación de acoso. Una vez que se complete la investigación sobre la demanda de acoso sexual, los resultados le serán comunicados a la persona que presentó la demanda y al ofensor.

Si la Compañía descubre que en efecto ha ocurrido hostigamiento, el hostigador será sujeto a una acción disciplinaria. A pesar de que acciones específicas correctivas se tomarán contra el hostigador a discreción de la Compañía, estas acciones pueden incluir:

8 3

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

1 2 3 4 5 6

who are alleged to have participated in the harassment will have any role in the investigation of the complaint. The Company will endeavor to maintain confidentiality throughout the investigatory process to the extent practical and appropriate under the circumstances. **Even if the victim has not actually made a complaint or does not wish to have his or her allegations investigated, the Company has a duty to investigate all instances of harassment that are brought to the Company's attention.**

The Company has specific Procedures and Guidelines for investigating sexual harassment; those Procedures and Guidelines must be reviewed by the investigators prior to initiating any investigation of sexual harassment. Upon completing the investigation of a sexual harassment complaint, the findings will be communicated to the complainant and alleged offender.

If the Company finds that harassment occurred, the harasser will be subject to appropriate disciplinary action. Disciplinary actions against the harasser may include:

- ← written reprimand;
- ← referral to appropriate counseling or training;
- ← withholding of a promotion or bonus;
- ← reassignment;
- ← temporary suspension without pay or probation;
- ← discharge.

No matter how minor the infraction and even if it is a first offense, a written reprimand, as opposed to a verbal reprimand, must always be given when it has been determined that sexual harassment has occurred. **Even where it is a first offense for a harasser, if the offense is serious enough the Company may terminate the harasser for his or her actions.**

58 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100







**Carrols Corporation**  
**and its subsidiary Carrols LLC /ftU^SK**  
Sexual Harassment Policy Review Form | i j / J W ^

**Name:**

**Unit #:**

**Date:**

**The Carrols Sexual Harassment policy has been explained and reviewed with me and I understand its contents. I have received a copy of the Carrols Sexual Harassment booklet.**

*Signature*

*Social Security Number*

**Witness:**

*Supervisor/Manager Signature*

'Manager, please retain signed document in employee's personnel file.



# Corporacion de Carrols y su subsidiario Carrols LLC

Formulario y Reconocimiento de la Politica de Acoso Sexual

Nombre:

# de Unidad:

Fecha: \_\_\_\_\_

Se ha explicado la politica de acoso sexual de Carrols y entiendo su conenido. He recibido una copia del folleto de acoso sexual de Carrols.

*Firma*

*Numero de Seguro Social*

Testigo:

*Firma del Supervisor 6 Gerente\**

Gerente, por favor conserve este documento firmado en fichero del personal del empleado/s.

968 James Street • Syracuse, NY 13203  
PREVINIENDO EL ACOSO SEXUAL EN CARROLS



Exhibit F



## CARROLS CORPORATION

### HOURLY TEAM MEMBER EXIT INTERVIEW

Your feedback is important to us. Please take a few minutes to provide us with information regarding your employment with Burger King.

1- Please write the USER ID and PASSWORD as listed on your postcard.

USER ID: Password: CAR

**Please put an "X" in the one bubble that best fits your answer to the following questions.**

2. At the completion of my first day orientation I had a clear understanding of the company policies and regulations that apply to me.

\$|p Disagree (|p Uncertain Sjjp Agree

3. I received good on-the-job training.

rfjp Disagree Sp Uncertain p|p Agree

4. I was shown my Training Passport.

^p Disagree i j p Uncertain ^p Agree

5. Customer service was a priority in this restaurant.

£||3 Disagree |jj|l Uncertain |l|§ Agree

©• I received helpful and frequent feedback on how I could improve my performance.

flip Disagree m^ Uncertain fj\$| Agree

7. I was clearly advised about my job performance with regular written 6 month performance reviews.

Disagree *mm* Uncertain (w Agree *mm* Not Applicable

8. I am aware of the REAP Program (Restaurant Employee Advancement Program).

Disagree *mm* Uncertain fcpja Agree

9» Please write any comments you may have on questions 2-8.

i o. I was paid for all the hours and minutes that I worked,

\ssm Disagree \$f|i Uncertain *mm* Agree

11. There is NOT a problem with the sale or use of illegal drugs in this restaurant.

Disagree f|p Uncertain ^p Agree

i2« My restaurant was a safe place to work,

Disagree *OM* Uncertain 'mM Agree

13. Team Members are not treated differently by co-workers because of race, gender, or sexual orientation.

Disagree tey Uncertain *mm* Agree

14. Team Members are not treated differently by managers because of race, gender, or sexual orientation,

fcSjg Disagree {jjjp Uncertain @p Agree

\*15. I was made aware of the Employee Grievance Program.

&U Disagree ijji Uncertain \$M Agree

16. Harassment of any kind was not a problem at this restaurant.

C^ Disagree i^3 Uncertain m^ Agree

17- I was made aware of how and to whom to report any kind of harassment.

Disagree i^8 Uncertain {M Agree

18, Please write any comments you may have on questions 10-17.

19- Employees are treated fairly and with respect.

#jp Disagree |jjp Uncertain (jp Agree

20. New Team Members are made to feel welcome here.

Om Disagree (j|l\$| Uncertain (j|j Agree

.21. Managers give praise for a job well done.

Disagree eg\$§i Uncertain mm Agree

22. Policies and procedures are fairly and consistently enforced "between managers.

%0 Disagree {pp Uncertain pp Agree

23. This job was what I expected.

mm Disagree Pp Uncertain i^p Agree

24. The schedule I was given met my needs and my requests.

W& Disagree \*|jpl Uncertain rtp Agree

25. There was a spirit of Teamwork among all Team Members and Managers.

Disagree fli! Uncertain (fill Agree

26. Management is committed to high standards.

Disagree \*£Sk Uncertain 'Mm Agree

27. Please write any comments you may have on questions 19-26.

28. What most influenced your decision to leave? (choose 1)

Restaurant Environment

Management

i l i Team Members

f Pay

Other - Please explain under the comment section in question 31.

29. What did you like most about your job? (choose 1)

11 § Restaurant Environment

Management

**Team** Members

Pay

Training

Other - Please explain under the comment section in question 31,

30. What did you like least about your job? (choose 1)

Restaurant Environment

Management

Team Members

Pay

Training

Other - Please explain under the comment section in question 31,

31. Please write any comments you may have on questions 28-30.

32. How long did you work at Burger King?

A Less Than 3  
^^ months

A 4 - 12  
'^ months

g g | 13 -18  
^^ months

| 1 | Over 18  
^^ months

Thank you for completing this survey. In order to send you coupons for free value meals, please provide us with your address below,



Exhibit H

Human Resources Audit Form Burger King

v2,0

General Information

Audit Completed By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Reviewed With: \_\_\_\_\_ Unit: \_\_\_\_\_  
 District Manager: \_\_\_\_\_

Overall Ratings

Deficiencies This Audit: \_\_\_\_\_ Deficiencies Last Audit: \_\_\_\_\_

The following audit program ts divided into two categories\* shaded areas and non-shaded areas. shaded areas arc legal requirements and tho non-shaded areas are Carrels requirements.

I. Training		S	U
1	Proper orientation completed with all newly hired and rehired employees, (Inter/tew three most recent hires).	r	***
2	Four step mining methorj is utilized with .ill new lures. (Interview three most recent hires.)	r	r
3	Right Track Training modules, complete, available and property used,	r	c
4	Team Member score cards up to date.	r	c.
5	Team Member evaluations up to date,	r	...
6	Phase I Training format and seminars utilized to tram Team Leaders, Shift Supervisors and Shift Coordinators. Evaluations every six months.	c	r
7	REAP plaque posted and current.	r	r
8	Salaried managers, AM His, Shift Supervisors, Shift Coordinators and Breakfast Coordinators are 8MT and AFS certified.	r	c
9	Sexual Harassment booklet handed out to all new hires. (Interview throe most went hires.)	c	r
10	Sexual Harassment policies explained, and reviewed with all new hires. (Interview three most recent hires.)	r	r
11	Phase IV is being reviewed with each Assistant Manager until completed.	r	r
	Assistant Manager, _____ Last Review Date: _____		
	Assistant Manager: _____ Last Review Date: _____		
	Assistant Manager: _____ last Review Date: _____		
	Assistant Manager: _____ Last Review Date: _____		
12	Review Restaurant's Communication Book. Insure that communications are professional and constructive.	r	c

II. Safety

- Route to nearest medical facility displayed,
- Emergency telephone number posted by telephone,
- Adequate supply of First Aid material on hand.
- Eye wash statJbn available with seated bottle of eye wash,
- S Pfsy it Safe program executed.
- 6 Equipment properly labeled for use only by employees 18 and older. (Tomato siicer, vegetable slicer, step ladder, filter machine, shortening shuttle)
- ? Fryer filtering safety equipment available, in good condition, and util&ed. (Shield, apron, long gloves, boots, etc.)
- SJAre the Broiler Cleaning Instructions posed?
- 9jis the video security system on and working? (proper backup tapes if applicable)
- 10 Is the safe locked upon arrival?
- U Mo Exit after 8 PM sign posted on the back door.





**IV. Required Posters and Employee Bulletin Board**

- 1 State Poster
- 2)Stata Disability Poster (where applicable)
- yfvVcH^s Compensation Poster (where applicable)
  - Federal Poster
  - Sexual Harassment Poster
  - Carols Posters = AB-In-One
- REAP
- Dollars for Doers
- Ethics Poster
- The Missing Plea
- Criminal ID Poster displayed In drive-thru.
- 14 Carrots Employee Bulletin Board Policies Booklet available with MSDS sheets
- LSjChoWng poster In frame and visible to public.
- 6 Posters neatly displayed and m good condition.
- 7 Certificate of Hazard ,
- 18 Uniform Cleaning Service Available sign posted with appropriate receptacle. (NY and M only)
- 19 New Jersey Temporary Disability Benefits Law Poster

**V\* Payroll / Schedule**

- Payroll records are stored weekly In manlla payroll folders.
- 2 Audit payroll records per payroll folder cover.
- 3JAudit payroll records for closer time corrections on a daily basis.
- 4 Time corrections documented property on dairy WebCEMS Time Correction Signature Report Including employee and manager Initials.
- 5 Verity that the daily corrections found In the payroll folder match the time corrections In WebCEMS on the restaurant's PC. (Review firee weeks)
- 6 Employees sign for paychecks/advices on Paycheck Receipt Report. Employee checks/advices kept In safe, checks over two weeks old that sm not picked up are returned to Payroll Department
- 7 Terminated employees removed from WebCEMS no later than two weeks after their last day of work. Terminations documented properly,  
aiTerminated payroll records for seven years. Archives organized by year with appropriate labels utilized.
- 9 Manager's name and signature for each shift on employee schedule; employee schedule property color-coded to designate minors; schedule posted by Thursday for upcoming week.
- 10 Region policy concerning management work schedule Is being followed. Fifty hour work week is being adhered to. Attach copy of current management schedule.
- 11 Minors' hours worked adhere to state and federal requirements. Audit at least two i
- 12 Non-Minors' hours worked adhere to state and federal requirements. Audit a least two weeks.
- 13 Verify all employees property paid for all hours worked including orientation and dosing.
- H Check for evidence of "phantom employees.\* Pull and verify an Employees on Premises Report Verify number of employees paid vs. lactrvG employee files.
- Payroll reviewed week-ending: \_\_\_\_\_ Payroll reviewed week-ending\*.

**VI. Recruiting**

- Active recruiting program in place; Applications, Marquee, Window Painting, etc.
- 2 Program In place for receiving and reviewing applications,
- 3 All applications are kept In a secure Ideation to prevent ID theft.

Number of acbve employees	
Recommended staffing goal	

Adults															
Age	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
Sex	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M
Height	5'10"	5'10"	5'10"	5'10"	5'10"	5'10"	5'10"	5'10"	5'10"	5'10"	5'10"	5'10"	5'10"	5'10"	5'10"
Weight	150	150	150	150	150	150	150	150	150	150	150	150	150	150	150
Eye Color	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue
Hair Color	Black	Black	Black	Black	Black	Black	Black	Black	Black	Black	Black	Black	Black	Black	Black
Complexion	Fair	Fair	Fair	Fair	Fair	Fair	Fair	Fair	Fair	Fair	Fair	Fair	Fair	Fair	Fair
Build	Slender	Slender	Slender	Slender	Slender	Slender	Slender	Slender	Slender	Slender	Slender	Slender	Slender	Slender	Slender
Scars	None	None	None	None	None	None	None	None	None	None	None	None	None	None	None
Other															
Signature	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]	[Signature]
Notes															

Minors

O H M W

w u

Work  
Status  
(minors  
only)

3

◊

a,

r r r P r

r r\*

r r r r r r r r r

**Comments**

Section IJ Training	
Section II; Safety	
<b>Section III: Hourly Employee's Flics</b>	
1	Signed Application:
2	Voluntary Self Identification Form:
3	r-9:
4	List C;
5	ID;
6	Proof of Age;
7	Federal Tax Form;
8	State Tax Form;
9	City/County Tax Form:
10	Sexual Harassment Form:
11	Training Cert. / PPE:
12	PP% Questionnaire:
13	Uniform Agreement:
14	First Day Checklist:
15	SC Terms of Employment:
16	Arbitration Form:
17	Workers' Comp Form (PA only):
18	Work Permit:
19	Employment Notification (PA only);
20	Minor Agreement Form (IN, OH, NC & NY only):
21	Missed Reviews;
28	Healthcare Declaration Form (MA, VT only):
29	Credit Card Security 81 Information Confirmation:
30	NY State Pay Rate and Pay Day Acknowledgement
31	Felony Convictions Unreported to HR
33	Consent Form for Biometric Data Use (NY Only)
Section III! Employee Files Addition Comments	
<b>Section IV: Required Posters and Employee Bulletin Board</b>	
Section Vs Payroll / Schedule	
Section VI; Recruiting	
Section VII Summary PLEASE NOTE; District Manager must respond In writing to Human Resources regarding any unsatisfactory findings.	

Employee Interview Questions			
Employee's Names			
			Comments
1	How long have you worked for Carrols?		
2	Can you tell me who completed your orientation?	C Yes ^ No	
3	Did this person use the orientation flip chart / E-tearmlng orientation?	T Yes r NO	
4	Were you paid for your orientation?	C Yes C No	
5	Can you tell me who did your initial training?	C Yes f* No	
6	Did you receive a Sexual Harassment Handbook?	C Yes r NO	
7	Do you understand Carrols* policy on Sexual Harassment?	<* Yes f No	
8	Do you know who to report harassment or discrimination to?	r yes r NO	
9	Have you ever witnessed, been a victim of or heard of any incidents of Inappropriate language or behavior on the part of any team members or the managers?	<* Yes <* NO	
10	Do the managers follow fair discipline standards?	C yes C m	
11	Do you feel you are treated differently because of your race or gender?	f* Yes f No	
12	Are you aware of the grievance procedure?	C Yes *** No	
13	Are you paid for all the hours you work?	C Yes f* No	
14	Are you ever asked to do work off the clock?	C Yes (* No	
IS	Do employees have to repay cash register shortages ?	(* Yes *** No	
16	What day does the schedule go up for the next week?	wJaf*LLbE4.	
17	Are you aware of any Issues Involving the sale, use or possession of illegal drugs In the restaurant?	*** Yes f* No	
13	Are you aware of any safety or security problems In this restaurant?	C yes f No	
19	Do you know who your District Manager is?	C Yes f No	
20	Do you like working here? Why?	C Yes <* No	
21	How would you rate Burger King on a scale of 1-10 for employment with " 1 " being worst and "10" being best?	Sclccti...	
22	Would you recommend this Burger King restaurant to a friend for employment?	C Yes C No	
23	Have you ever been encouraged to go on-line and fill out the Guest Trac survey on your restaurant or have you ever been told by management not to hand out receipts?	(* Yes f NO	