## **Timetable**

## **Pre-Opening**

When you provide your Franchisees a clear outline for pre-opening, you remove the guesswork. Franchisees, knowing what they must do, aren't paralyzed with indecision; they're not intimidated by the tasks ahead. Everything runs efficiently.

In preparing your timetable, make sure that Franchisees find quickly determine their key actions. And make sure any obligations match the UFOC and Franchise Agreement. Be careful to follow these tips:

Work with your management team to identify the key actions. You may find you have to do this again and again, as new franchises open.

Make sure your professional service providers (e.g. legal, accounting, banking) are aware of the new franchise and contributing to the timetable.

Make sure the Franchisee has enough time!

Make sure the Franchisee has taken any required classes and received any required certifications.

Here is an example. Most of the tasks here are common; the support you can provide, and the responsible providers, may vary.

Weeks Before Opening	Task	Contact
n/a	Sign Franchise Agreement	Management
9	Register for Orientation	Training Coordinator
	Seek office space	Facilities Manager
8	Apply for business license	*support not provided

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	Apply for Federal Employer Identification Number (FEIN)	*support not provided
	Choose your business structure; make appropriate filings.	*support not provided
7	Open banking accounts	*support not provided
	Apply for contractor's license	Training Coordinator
	Secure insurance	Training Coordinator
6	Meet licensing and code requirements	Operations
	Interview potential staff	*support not provided
	Secure management, accounting & legal support	Legal
5	Sign lease / acquire office space	*support not provided
	Order utilities, telephone and Internet	*support not provided

Weeks Before Opening	Task	Contact
4	Set up credit card processing accounts	Operations
	Install software	Technology
3	Purchase vehicle(s)	*support not provided
	Order Opening Package(s) from Company	Stores
	Order office supplies	*support not provided
	Order vehicle graphics	Marketing
2	Order exterior sign	Marketing
	Order business cards and "leave-behinds"	Marketing
	Set up accounts with approved vendors	Procurement
	Conduct local market research	Marketing
1	Begin networking and establish referral accounts	Marketing
	Launch grand opening advertising campaign	Marketing
	Write press release	Marketing
Opening!	Conduct first staff meeting	*support not provided
	Find source of labor for large projects	*support not provided
	OPEN FOR BUSINESS!	*support not provided
Notes	Orientation Training must be completed prior to opening business; sessions are offered monthly at Company office.  Per the Franchise Agreement, you have three months from signing the Franchise Agreement to open your	Training Coordinator
	franchise.	

## Nine Weeks Before Opening

Remember, the Agreement states you must be open for business within three months after you sign the Agreement.

Register for orientation. Most new Franchisees register for the next available orientation session after the Franchise Agreement is in place. Our Training Coordinator will help you.

Once you've signed the Franchise Agreement, you'll receive a username and password allowing you to take the online portion of our New Franchise Orientation. You must complete this online portion before you attend the in-person portion of Orientation at Company headquarters.

Seek office space. We urge you to find a commercial leasing agent to assist you in finding office space, allowing you to focus your attention on opening your franchise. Please do this as soon as possible; otherwise your opening could be delayed, costing you both time and money, and violating the Franchise Agreement. Our Facilities Manager will help you.

You may decide to provide at least part of your orientation online. If you do, you can focus on critical hands-on training when the Franchisees arrive for in-person training.

## **Eight Weeks Before Opening**

Apply for business license. Since each state has its own application, filing and registration requirements, you'll contact the appropriate office in your state. If you need help, our Training Coordinator will assist you.

Apply for Federal Employer Identification Number (FEIN). Also known as the Tax Identification Number (TIN), this is a unique nine-digit number used by the Internal Revenue Service (IRS) to identify business entities operating in the United States. When the number is used for identification rather than employment tax reporting, it is usually referred to as a TIN; for reporting employment taxes, as a FEIN.

Like the Social Security Number assigned to individuals, FEINs are used by employers, sole proprietors, corporations, partnerships, non-profit organizations, trusts and estates, government agencies, certain individuals and other business entities. The IRS uses this number to identify taxpayers who are required to file various business tax returns. Employers may choose to either obtain a FEIN or use their Social Security Number for the purpose of reporting taxes withheld on behalf of their employees.

A FEIN is usually written in the form 00-0000000, and a Social Security Number in the form 000-00-0000, to differentiate between the two. FEINs do not expire but only identify businesses.

Nonprofit organizations need FEINs to apply for an exemption from federal income tax. This exemption is terminated if annual reports are not filed. To maintain a group exemption letter, the central organization must submit an annual report, at least 90 days before the close of its annual accounting period.

For additional information about a FEIN number visit the US Internal Revenue Service website at http://www.irs.gov/

Choose your business structure; make appropriate filings. You should consult with a business attorney, CPA, or tax consultant when deciding what business structure is right for you. You'll complete and file a "Certificate of Incorporation" or "Articles of Incorporation" and paying a filing fee.

Each state has its own set of laws governing incorporation. Your corporation is born when the Articles of Incorporation are filed with the appropriate office in your state, accompanied by required filing fees. Accelerated incorporations or same-day filings may be available in your state.

On the following page is a sample form for Articles of Incorporation, which could be included in your Manual as an example.

# Here is a sample Articles of Incorporation form, from http://www.lectlaw.com/. This isn't meant to replace the form required by your state.

ARTICLES OF INCORPORATION OF [NAME]

The undersigned subscriber to these Articles of Incorporation, a natural person competent to contract, hereby forms a corporation under the laws of the State of [NAME].

ARTICLE I - NAME

The name of the corporation shall be [NAME].

ARTICLE II - NATURE OF BUSINESS

This corporation may engage in or transact any and all lawful activities or business permitted under the laws of the United States, the State of [STATE], or any other state, county, territory or nation.

ARTICLE III - CAPITAL STOCK

The maximum number of shares of stock that this corporation is authorized to have outstanding at any one time is [#] shares of common stock having a par value of \$1.00 per share.

ARTICLE IV - ADDRESS

The street address of the initial registered office of the corporation shall be [ADDRESS] and the name of the initial Registered Agent for the corporation at that address is [NAME].

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#### ARTICLE V - SPECIAL PROVISIONS

The stock of this corporation is intended to qualify under the requirements of Section 1244 of the Internal Revenue Code and the regulations issued thereunder. Such actions as may be necessary shall be deemed to have been taken by the appropriate officers to accomplish this compliance.

ARTICLE VI - TERM OF EXISTENCE

This corporation shall exist perpetually.

ARTICLE VII - LIMITATION OF LIABILITY

Each director, stockholder and officer, in consideration for his services, shall, in the absence of fraud, be indemnified, whether then in office or not, for the reasonable cost and expenses incurred by him in connection with the defense of, or for advice concerning any claim asserted or proceeding brought against him by reason of his being or having been a director, stockholder or officer of the corporation or of any subsidiary of the corporation, whether or not wholly owned, to the maximum extent permitted by law. The foregoing right of indemnification shall be inclusive of any other rights to which any director, stockholder or officer may be entitled as a matter of law.

ARTICLE VIII - SELF DEALING

No contract or other transaction between the corporation and other corporations, in the absence of fraud, shall be affected or invalidated by the fact that any one or more of the directors of the corporation is or are interested in a contract or transaction, or are directors or officers of any other corporation, and any director or directors, individually or jointly, may be a party or parties to, or may be interested in such contract, act or transaction, or in any way connected with such person or person's firm or corporation, and each and every person who may become a director of the corporation is hereby relieved from any liability that might otherwise exist from this contracting with the corporation for the benefit of himself or any firm, association or corporation in which he may be in any way interested. Any director of the corporation may vote upon any transaction with the corporation without regard to the fact that he is also a director of such subsidiary or corporation.

This corporation shall have a minimum of one director. The initial Board of Directors shall consist of: [NAMES]

#### ARTICLE X - INCORPORATOR

The name and address of the incorporator is: [ADDRESS]

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal

on this \_\_\_\_\_day of \_\_\_\_\_\_\_, 20\_\_\_\_\_

Incorporator: [NAME]

STATE OF [NAME]

COUNTY OF [NAME]

The foregoing instrument was executed and acknowledged before me this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 20\_\_\_\_\_, by [NAME].

[NAME] Notary Public (SEAL)

State of [NAME]

My Commission Expires: [DATE]

## **Seven Weeks Before Opening**

*Open banking accounts*. Choosing a bank account for your franchise is a critical point in the weeks leading up to your opening. Here are some suggestions which may help you decide which bank would best suit your needs:

You must set up a business account if you have a legal business structure. You may use either a business account or your own personal account if you are acting as a Sole Trader.

Even if you have a personal account with a particular bank, and you may feel comfortable dealing with them, they may not offer the best deal for your business. You should compare banks according to their various costs and charges. We recommend that you favor banks with a strong background, those which are familiar names in the community.

Bank Charges: How much will your account cost? Are there levels of charge depending on the number of transactions processed per month? Is there an introductory period for new businesses?

Online Banking: the Company treats this as essential; you may want to do the same. You can check transactions online in a fraction of the time even spent on a phone call.

Interest: interest rates can vary between banks, and between accounts at the same bank. Some well-known banks pay no interest on your account balance; others may have trade-offs between free transaction costs and interest rates. Consider the benefits each account would provide in your case.

Small Business Team: Many banks have specialized small business units: these will offer a simple setup process and dedicated small-business bankers. You may have

regular contact with your bank, so we urge you to consider banks that offer such dedicated relationships.

Apply for contractors' license. Applying for a contractor's license is relatively straightforward, although the specific requirements will vary based on your location. The rules are similar between states; however, your first step should be visiting the web site of your state contractors' board. There you'll find specific information on licensing, the testing and application process, fee schedules and additional state-specific requirements.

Generally speaking, a contractor's license application, application and testing fees and, in some instances proof of bonding and insurance, will be required to obtain a contractor's license. After you check on your specific state requirements, you'll need to fill out an application, which can be downloaded from most official state web sites, or can be ordered by calling your local or state licensing authority. Most applications require the applicant to state their experience and business references, as well as any issues, complaints or lawsuits that you may or may not have had. In many cases the application will also require a detailed financial statement, as well as declarations on your personal finances, such as whether or not you've ever filed for bankruptcy.

(A tip: Be prepared by first having a business plan ready before filling out the application. It will not only help you plan for your future business, but will help you with the application questions as well.)

You'll likely also have to take a test on construction management and/or a specific trade, the details of which vary greatly from state to state. In most states, it's not required to take any specific coursework before getting a contractor's license; however, some states (such as California) offer either a classroom or home study program to help you study for the tests. While it's not required, many will suggest coursework to help you prepare for the required licensing tests – especially for those with limited construction or business management experience.

Finally, to apply for a contractor's license, you'll need to pay several fees, including a licensing fee and testing fees. Specific amounts vary, but be prepared for costs to range from \$75 to \$300 per application, test or licensing fee, with overall costs totaling around \$500. An additional cost to remember is that, in some cases, proof of bonding and insurance will also be required.

Before you apply for a contractor's license, be sure to take into account that in most states you will need at least two separate licenses before performing and professional construction work: a contractor's license from the state board, and a business license for the city or county in which you're performing the work. Also keep in mind that licensing requirements will change based on what type of construction you plan on doing – whether commercial, residential, remodeling or new construction. Your specific situation can change application and permit requirements, such as the amount of experience you'll need to declare.

Specific licensing requirements will vary by state; visit the official web site for your state or city to find out more information.

Your insurance requirements should be based on your local business mode on insurer requirements on your industry. These should be clearly listed UFOC and Franchise Agreement.

Secure insurance. Our Training Coordinator can help you determine the right insurance for your franchise. This insurance is required by the UFOC and Franchise Agreement, and we provide in the Franchise Agreement a detailed description of the coverage you need, though we urge you to give high priority to liability coverage. You can choose a provider.

## Six Weeks Before Opening

Meet licensing and code requirements. You must comply with all local, state and federal regulations regarding both operations and the industry overall. Keeping licenses current is your responsibility.

Here are some registrations you have to be aware of:

County government may require an occupational license.

Local government may require a safety inspection, and a floor plan.

State government may require registration with a regulating division, and may require an annual report.

Professions may require registration as well.

They may all require public display of licenses and capacity.

If your business is a residential and commercial service, contact the state contractors' licensing board, health department, and motor vehicles; on the local level contact the health department, code enforcement, zoning, buildings, fire marshal, and waste disposal. The requirements for all these should be readily available online.

Other resources for federal law governing your business operations include

United States Code of Federal Regulations (CFR), access.gpo.gov

- National Fire Protection Association (NFPA), (800) 344-3555 or nfpa.org
- Federal Trade Commission (FTC), (800) 326-2222 or ftc.gov
- Secretary of State Web sites, secst.com, for information on corporations, partnerships, business and UCC filings.

*Interview potential staff*. Though we will not help you fill staff positions, we provide in this Manual an outline of positions that you'll want to fill prior to opening. Because it takes a while to find the best people for the job, you should start looking for them right away.

Look for employees that complement your skills.

Remember, good employees are found, not changed.

Be sure you understand the Company mission and core principles before you start.

Be sure candidates buy in to the Company mission and core principles before they're hired.

Remember what employees really crave: responsibility, a good work environment, a sense of accomplishment, a belief in the business, and then a fair wage.

Where can I find good employees?

The best place to look for good new employees is with good current employees. If you have someone on staff you trust, and that employee trusts a prospect, it's likely you can trust the prospect too. Some companies will give the current employee a bonus if the prospect is hired after a referral. Everybody wins!

Though many job-hunters are using the Internet, and you can find plenty of prospects there, an increasing number are turning to social media and networking online. For this reason we recommend that if you'll be hiring often, you get involved in social networks, especially Facebook and Twitter. A growing number of high-quality prospects can be found networking on

those platforms. Even if you're hiring at lower levels than the networkers, those people will know people.

If you want new employees to find you, you must be in a place where you can be found. Examples include local and regional Chambers of Commerce and business networking groups – those are growing rapidly.

When times are hard, companies will often turn to independent contractors and pay by the job, avoiding the cost of benefits. When times are hard, more and more highly-skilled workers turn to contracting for extra money as well. Online services like ODesk and Guru can help you find professionals for particular jobs.

How do I keep good employees?

Remember that many employees have other values than a paycheck alone: flexible scheduling, a pleasant atmosphere, friendly co-workers (and management!), professional development, and potential for advancement. If you can offer some or all of these you'll be good at retention.

A simple way to alienate employees is to keep them in the dark. When something is going on, if you tell your investors, stakeholders, and/or customers, but not your employees, the employees will find out anyway. And they'll resent it. You'll see this reflected in both productivity and morale.

A word about meetings: employees often hate them. Meetings are an essential tool, especially in the early days of the business, for allowing you to deal with issues in depth and get feedback. It's your job, though, to make those meetings interesting and brief enough that your employees won't wish they were anywhere else on Earth. We recommend you have an agenda for any staff meeting, with a time limit on any topic – and that you stick to it. If

discussion on any topic threatens to go over a time limit, ask to continue the discussion outside the meeting. We also recommend that your staff meetings include at least one "happy" agenda item: examples might include donuts, planning a party, or offering a brief training session on some topic of interest. The staff will be happy about it, and you will be too.

Technology will help you, especially when there's no real need for a meeting. Take advantage of e-mail, voice mail, instant messaging, even Twitter to keep employees up-to-date. We recommend, however, that you try to stick to one of these methods over the others, to your staff will get used to that method. Your employees won't like having to keep up with all of them. Remember, though benefits are expensive, communication is virtually free!

When people doing business with you have a positive experience, they'll remember it. When people doing business with you have a negative experience, they'll tell everyone! So we urge you to reward compliments and resolve complaints right away! Marketing is expensive, but word-of-mouth is virtually free!

It's worth noting that many of our Franchisees post positive feedback in a public place. Some even post resolutions to complaints as well.

Secure management, accounting and legal support. Your first employee should be an office manager. This person will help you take care of everything else: fielding calls, managing the books, ordering supplies, marketing, and hiring the rest of the staff. You'll save yourself a great deal of work!

You'll have a support team of professionals who aren't your direct employees: accounting and legal services primarily. You may also need

contractors such as IT network managers and report-writers. Once you have an office manager, you have help finding this support as well!

## **Five Weeks Before Opening**

Sign lease / acquire office space. If you don't have office space by this time, you probably won't open on time. If you do have office space and there are needed repairs, take care of them right away, or you still won't open on time. Be prepared to sign a 2-5 year lease. These tips may help you save money.

- If you can negotiate a favorable lease at the beginning, you may save some money for a few more employees or a marketing campaign. Do your homework! Has the space been vacant? Are others competing for it now?
- What is the exact usable square footage of each space you're considering? This does not include common areas, e.g. corridors, elevators, lobbies, and bathrooms.
- What are you allowed to do with the space? Be as broad as possible, since your business may grow and your plans may change.
- Though you are likely to get a better price with a longer lease, you have to be
  protected in case you grow out of your space or your plans change. Try to negotiate
  short-term leases, e.g. two years, with options for later years.
- If your rent is to go up annually, then you should try to negotiate a phase-in period, to enable you to organize the budget for a rent increase.
- If you are to pay for utilities, telephone and Internet yourself, try to negotiate a cap on spending in your lease, because in the early days of your business you may be working long hours.

Order utilities, phone and Internet. Again, these may not be built into the lease, and you will need them. In some cases we require constant phone and Internet access, or T-1 line, or cable service, or dedicated fax, or

multiple phone lines; check with our Training Coordinator for specifics, and be aware of this when you order. And remember it can take two weeks to a month for this process to be completed.

# **Four Weeks Before Opening**

#### Set up a credit card processing account.

#### **Credit card processing introduction**

The following comes from BuyerZone, http://www.buyerzone.com/finance/credit\_merchants/buyers\_guide1.html. It is very likely to be available on other sources as well, but BuyerZone is a provider you can consider when looking for credit card processing services.

When Western Union first gave charge cards to their best customers in 1914, no one would have guessed that over \$2 trillion would be charged in 2003. As ubiquitous as credit cards are, their use is still growing. The exploding world of online commerce is playing a part, as is the increasing usage of credit cards in business-to-business transactions. While some businesses could not open their doors without a credit card processing service, it is more of a question for others.

The world of merchant services can be confusing, especially for small businesses who have never accepted credit cards before.

#### Are merchant services worth it?

If your company is successfully invoicing your customers, you may be put off by the costs of merchant services, which take a percentage of all your sales. However, avoiding potential loss from non-payment can quickly make up for the expense. Plus, you will no longer have to spend staff time issuing late invoice notices or wait 30, 60 or even 90 days for invoices to be paid. Credit cards allow

funds to be transferred to your bank account in less than a week. This can be a welcome relief for businesses that experience a tight cash flow.

If you are selling to consumers, [a credit card processor's function of] merchant services will allow you to expand your customer base and provide a more convenient method of payment than cash or checks. And if you are interested in selling over the Internet, credit card processing is a must.

Not every company needs to accept credit cards. If your per-order cost is typically in the thousands of dollars and your customer base is stable or subject to credit checks, you may find it cheaper to continue invoicing your customers.

#### **Credit card processing providers**

Here are some types of companies providing this important service:

- Banks. Although it's easy to apply to your bank for credit card services, you can
  expect the bank to look over your business closely before your application is
  accepted.
- Contractors, or third-party processors. These organizations will handle everything,
   and as a result banks will often contract credit-card processing to them.
- Independent sales organizations (ISOs). These are registered merchant brokers, representing third-party processors. They won't actually do the work; they'll instead serve as a matchmaker between you and a contractor that does. They're also not as tightly regulated as other credit-card processors, so be careful here.
- Credit card providers. Although MasterCard and Visa have you establish a merchant account through an intermediary, American Express (http://home.americanexpress.com/home/merchant.shtml?aexp\_nav = merchtab) and Discover (http://www.discoverbiz.com/merchant/become/data/become.html) allow you to apply directly.

 Associations. You may find a local small business or trade association offering processing at discount rates for its members. If your industry typically has trouble qualifying for merchant accounts, this is a good option.

#### Qualifying for a merchant account

It's common for service providers to accept 99% or more of the applications they get, so don't be fooled by "high acceptance rates."

Service providers will be checking your application:

- A credit history review for every officer listed on the application, not neglecting credit references from your suppliers.
- The nature of your business, e.g. products, especially those delivered right away, are less risky than services.
- The nature of your charges, e.g. card swipes for customers dealing with you in person are less risky than remote transactions.
- Chargeback history. Chargebacks are sale reversals that occur for various reasons, such as
  - Order processing errors on your end
  - Customer misunderstandings
  - Errors by the customer's bank
  - Fraud

### **Credit card services pricing**

*Upfront*. When you accept credit cards in person, you need a terminal for card swipes, and this is your major upfront cost.

- Simple terminals up to \$300
- Terminals with printers, \$200-600
- Wireless terminals, \$600-1000

You can also lease these terminals, for about \$35-50/month.

If you're accepting transactions without the card, e.g. over the Internet, there's verification software available for as little as \$150. Some credit providers also support verification by phone.

Application fees can cost \$200 or more, and they may be non-refundable, and they may not cover account activation. Know what you're paying for!

Recurring. Your largest recurring cost is the discount rate, charged you by the provider for each transaction. That rate is determined by perceived risk, transaction type, sales volume and charge per sale.

Most providers will offer different discount rates for card-present and MOTO (mail order/telephone order, and Internet) or card-absent transactions. At the time of this writing, those rates were 1.5-2% for card-present and 2.2-3% for card-absent. Providers may also give you a monthly charge, perhaps \$25-30. This may affect you more if you have a low transaction rate.

#### Other fees include

- The per-transaction fee, possibly 20-30 cents per card-present transaction and 30-50 cents per card-absent.
- The summary fee, for issuing monthly credit card transaction summaries, usually around \$10.

The above are basic fees, common among providers. But you should be aware that there are any number of other fees that can appear in the small print of your provider agreement:

- Annual fees
- Internet processing fees
- Shipping and Handling
- Setup fees
- Customer support fees
- Early termination fees (which might prevent you from switching providers, and are often accompanied by a long-term lease)

Be careful to understand what you'll be charged for before entering into an agreement with any provider. Some fees can be negotiated, which is especially important if you expect low volume charges. If you have high-volume charges, on the other hand, then try to negotiate per-transaction cost, especially the discount rate. Some providers will lower the discount rate if your average sales rate is likely to be high.

You may also be asked to keep a minimum balance in your merchant account.

You may also be offered a low introductory rate that could increase drastically after a few months, as is sometimes seen in consumer credit. Providers reserve the right to change their rates based on economic factors that may have nothing to do with you, but you should not allow a provider to sign you up for an increase.

#### Choosing a merchant service

Although price will affect your choice of provider, consider customer service as well. You should find out what other customers think of a particular provider's service. Get referrals from the provider to its other customers, and ask them

- Whether their needs are serviced quickly
- Whether customer service is available 24/7.
- Whether there is a long wait to contact a customer service rep
- How the provider deals with chargebacks
- Whether the provider charges per incident
- Whether the provider offers a secure server to encrypt credit-card information for online sales
- Whether the provider is legitimate, e.g. known in the business world and having a physical address, etc.

### Ordering a merchant service

Get an idea of when funds are transferred, because providers differ. Remember also that MOTO transactions take longer for funds transfer than do other transactions.

Compare variable fees. Check on fees that tend to vary between providers and may be negotiable. Such fees include set-up, cancellation, and monthly minimum.

Get the complete picture. Once you know all the fees a provider will charge you, figure out what your total cost would be based on your best and worst recent months.

Read the contract. Make sure to read the contract in detail to understand all fees, minimum charges, the term of the agreement, and termination clauses. Some providers will not cover every point and leave it to you to uncover the details.

#### **PayPal**

The proceeding image comes from the PayPal Web site, http://www.paypal.com/ - PayPal is the industry standard for handling credit-card transactions online. The growth in online purchasing over the last several years is a sign of consumer trust in transaction security, for which PayPal is largely responsible.

At the time of this writing, most merchant credit-card transactions conducted on PayPal have a fee of 1.9 to 2.9%, plus 30 cents. This charge is competitive with most of the estimated charges given above. There is no charge to add or withdraw funds; your PayPal account is tied to your bank for funds transfer.



Install software. In this Manual is included a chapter covering hardware and software specifications, and our Technology Office can help you understand your computers better, with limited technical assistance. For detailed assistance with particular software, you may need to refer to the manufacturer: for this reason, we urge you to take advantage of optional technical support for your hardware and software purchases. Diagnosing computer problems can be very time-consuming, and can nearly shut down business operations; you want to avoid that to the greatest extent possible.

#### **Register your Management Software**

We require every franchise to use specific Management Software, for consistency throughout all Franchises. Our Training Coordinator will set up training for you and your

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staff in the use of this software; and in the Appendix of this Manual is a section describing the software and its use in detail.