

# PERFORMANCE

H O S P I T A L I T Y

We deliver. Bottom line.

## Elevating the CASE

Code of Business  
Conduct and Ethics



# Elevating the CASE



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Communication  
Accountability  
Systems  
Evolution

# Code of Business Conduct and Ethics

## Agenda:

- Protection of the company
- Protection of our associates



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# Code of Business Conduct and Ethics

As Performance Hospitality and its affiliates continue to expand their operations, it is appropriate to reemphasize the Company's commitment to conducting business honestly and with integrity, in an ethical manner and in accordance with all applicable U.S. and foreign laws and regulations.



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# Code of Business Conduct and Ethics

Performance Hospitality's Code of Business Conduct and Ethics is designed to:

- Promote honest and ethical conduct, including the ethical handling of conflicts of interest.
- Ensure the protection of our legitimate business interests, including corporate opportunities, assets and confidential information
- Provide guidance on how to resolve ethical dilemmas and contact information to be used when questions or concerns arise.

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# Code of Business Conduct and Ethics

All associates must maintain the highest level of ethical standards of business conduct.

Each associate is, and will be held, responsible for the observance of the Code. Failure to comply with the provisions of the Code may subject associates to disciplinary measures, including termination of employment, and to other applicable legal consequences.



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# Code of Business Conduct and Ethics

The Company expects that its associates will use good judgment, high ethical standards and honesty in all business dealings and will share a commitment to protect its assets and manage its business in the best interest of Performance Hospitality and its stakeholders.



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# Protection of the Company and the Company Assets



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# Conflict of Interest

Company associates are expected to apply sound judgment to avoid conflicts of interest that could negatively affect Performance Hospitality, its business or its affiliates, whether or not there are specific rules for that particular situation. Associates are expected to disclose to Performance Hospitality any situations that may involve conflicts of interests affecting them personally or affecting other Company associates or those with whom Performance Hospitality conducts business.



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# Outside Employment

Associates must devote their entire business time, attention and energies to the business of the Company and its affiliates and must not engage in any other employment, occupation, consulting or other business activity related to the business in which the Company or any activity which may tend to interfere with the associate's duties and responsibilities as an employee of the Company.



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# Company Property

Our associates are prohibited from taking (or directing to a third party) a business opportunity that is discovered through the use of Company property, information or position. More generally, associates are prohibited from using Company property, information or position for personal gain and from competing with the Company.



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# Gifts and Gratuities

To avoid any unethical or illegal conduct and to avoid even the appearance or accusation of unethical or illegal conduct, the Company prohibits associates from accepting any fees or fee equivalents including but not limited to commissions, incentives, services, kickbacks, gifts, gratuities or payments of any kind .

The restrictions regarding Gratuities do not apply to tips or gratuities from hotel guests allowed under Performance Hospitality's Associate Manual (Food and Beverage, Valet and Housekeeping departments or working as concierge, bellmen or doormen) or for other hotel level associates in other departments if such tips or gratuities were approved.



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# Gifts to Third Parties

Associates have a responsibility to uphold the Company's reputation and policies of business ethics in all dealings with third parties. The Company strictly prohibits under all circumstances:

- Payments in the form of money, gifts, favors or entertainment to any government officials, foreign or domestic, for the direct or indirect purpose of securing action, of inducing a government official or employee to fail to perform or improperly perform his or her official functions, or otherwise in violation of the law.
- Payments to contractors, suppliers or other business partners to obtain favorable treatment.
- Transactions designed to obtain business or direct business.

# Intellectual Property

Performance Hospitality expects all associates to conduct its business and use its business systems and facilities in ways that avoid any violations of copyright, trademark, service mark, patent, trade secret or other intellectual property rights held by third parties.



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# Community and Political Involvement

Performance Hospitality respects its associates' involvement in community, charity, religious and political activities and causes. We encourages such involvement so long as any such activities do not interfere with Company job responsibilities. No Company associate may represent that the associate's views or activities represent those of Performance Hospitality. Company associates must not engage in any unwanted solicitations or pressure toward other Company associates or business partners relating to any such community, charitable, religious or political causes.



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# Protection of the Company's Associates, Business Partners and Guests



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# Commitment to Excellence

Our mission is delivering approachable lifestyle hospitality by applying operating models and programs that enhance the guest and the associate self-expressive experiences, while generating exceptional returns to the ownership group. We are committed to deliver its services in accordance with highest industry service standards.



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# Respect for Associates

Performance Hospitality expects each Company associate to promote a positive working environment for all.

Performance Hospitality's employment decisions are based on reasons related to its business, such as job performance, individual skills and talents and other business-related factors. Company policy requires adherence to all national, state or other local employment laws. Company policy prohibits discrimination in any aspect of employment based on race, color, religion, age, sex, sexual orientation, marital or familial status, national origin or ancestry, disability or veteran status, in accordance with applicable laws.



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# Abusive or Harassing Conduct Prohibited

Company policy prohibits abusive or harassing conduct by its associates toward others, such as unwelcome sexual advances, comments based on ethnic, religious or racial aspects or other non-business, personal comments or conduct which make others uncomfortable in their employment with the Company. Performance Hospitality encourages its associates to report harassment or other inappropriate conduct as soon as it occurs.



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# Health & Safety

We expect all associates to help maintain a healthy and safe working environment and to report any unsafe or hazardous conditions or materials, injuries and accidents connected with Company business. Associates must not work under the influence of any substances that would impair or impact the safety of others. All threats or acts of physical violence or intimidation are prohibited.



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# Confidential Information

Confidential Information” means any information about the Company or any of its affiliates, or any of their respective employees, investors, partners, consultants, clients, customers, suppliers, or accounts, in any form, that is not generally known to business competitors or the general public (unless such knowledge resulted from unlawful activity or breach of a duty to maintain the confidentiality of the information).



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# Email

Company associates are expected to use appropriate judgment and discretion in their email, memos, notes and other formal and informal communications relating to Performance Hospitality's business.

Communications relating to Company business must avoid inappropriate or derogatory comments about other associates, the Company, the hotel, or other individuals or companies, unprofessional language and unauthorized financial, legal or business statements.



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# Media Communications

To ensure that the Company maintains the appropriate public image and that communications to the media are accurate and in line with applicable company policy, Associates should refer any media inquiries to the Director of Public Relations. No other associates are authorized to give statements to any representative of the media. You should be aware that even seemingly innocent or casual comments regarding the company may have a potentially negative effect.



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# When in Doubt

This Code of Ethics attempts to address the most common ethical and legal issues that Performance Hospitality associates may encounter. However, it cannot address every question that may arise. If faced with an ethical dilemma, Performance Hospitality associates should carefully consider the issue and reference available resources, such as this Code and other Company policies and procedures.



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# When in Doubt

The following questions may prove useful in assessing an ethically questionable situation:

- Does the potential action comply with the law?
- Does it feel like the right thing to do?
- Does it follow this Code and all other Performance Hospitality policies?
- Would you feel comfortable if others knew about it?



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# When in Doubt

If the answer to any of these questions “no” or “I don’t know”, do not take the action. Performance Hospitality associates should seek guidance from the Vice President, Human Resources or the General Counsel if they have questions regarding any ethical issue.



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# Reporting

Performance Hospitality requires all its associates to report promptly all violations of the Code to an appropriate person or persons under the circumstances. Performance Hospitality expects all its associates to be accountable for adherence to the Code, including the responsibility to report violations.



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We deliver  
important,  
consistent, relevant  
and inspiring  
information to all  
associates across all  
properties

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