

## CELL PHONE USE & REIMBURSEMENT POLICY

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1. **Purpose.** This Policy outlines the guidelines and procedures for the appropriate use of company-provided or personal cell phones for work-related purposes and to establish a framework for reimbursing employees for reasonable and necessary expenses incurred while using their personal cell phones for conducting company business.

This policy aims to:

- ✦ Ensure the responsible, secure, and efficient use of cell phones for conducting company-related tasks and communications.
  - ✦ Define the eligibility criteria for employees to receive company-provided cell phones or reimbursement for personal cell phone usage.
  - ✦ Establish clear expectations and guidelines for employees on the acceptable use of cell phones, emphasizing safety, privacy, and compliance with applicable laws and regulations.
  - ✦ Detail the procedure for requesting, approving, and processing cell phone reimbursements, as well as the documentation required to support such claims.
  - ✦ Promote cost control and management by encouraging employees to use the most economical means of communication while maintaining productivity and effectiveness in their job functions.
  - ✦ Protect the company's sensitive information and intellectual property by implementing appropriate security measures and protocols for cell phone usage.
  - ✦ Address potential issues related to the personal use of company-provided cell phones and the potential tax implications of providing such benefits to employees.
2. **Effective Date.** May \_\_, 202.
  3. **Audience.** Executives (VP, Sr. VP or C-Level personnel only), Regional Managers, General Managers, Facilities Personnel, Directors, and other corporate support employees as approved by an Executive.
  4. **Policy.** The use of personal phones can be a valuable resource for employees in the performance of their job duties by providing immediate accessibility. By implementing this policy, the company aims to maintain a professional work environment, protect its assets and interests, and ensure that employees understand their responsibilities and obligations when using cell phones for work purposes.
    - 4.1. Eligible employees will receive a non-taxable allowance on a semi-monthly payroll basis to cover the business use of personal cell phones. Recipients of the allowance will be required to obtain their own cell phone and service contract from any reputable national mobile carrier.
      - 4.1.1. The amount of such reimbursements are as follows:
        - ✦ \$75 per month for Executives (VP, Sr. VP or C-Level personnel only), Regional Managers, General Managers, Facilities Personnel, Directors and other corporate support employees as approved by an Executive. This determination is based upon such employee's job description, need for availability after hours and general frequency of need for personal cell phone use.

5. **Guidelines for Cellular Phone Usage.** The following information can be used as a guide for complying with Destination Pet's Cell Phone Policy.

5.1. Business Use Requirements:

- ✿ To be eligible for a cell phone allowance requires that the personally owned device is available for business use as required by the department or supervisor. An employee receiving an allowance must maintain active cell phone service with any mobile carrier.

5.2. Personal Use:

- ✿ The allowance policy assumes that the cell phone will be used for both personal and business calls. Because the phone service contract is personally maintained by the employee, it may be used for personal use as well.

5.3. Appropriate Use:

- ✿ The employee agrees to use the phone in ways consistent with Destination Pet's general conduct policy. Inappropriate or unlawful use of the cell phone and its services and features is prohibited. Phone misuse will result in immediate cancellation of the cell phone allowance. Voicemail inbox greetings, if used, should reflect the highest levels of professionalism.

5.4. Use of a Cell Phone While Operating a Motor Vehicle:

- ✿ Employees must be aware and comply with all laws regarding the use of cellular phones while driving.
- ✿ This policy prohibits employees from talking, texting, emailing or otherwise using a cell phone while operating Destination Pet's vehicles or while operating a personal vehicle on behalf of Destination Pet. Bluetooth/hands free technology may be used whenever available, and only if the driver's assessment of the circumstances indicates that operation of the phone will not compromise driver safety.
- ✿ Phone conversations should be suspended during hazardous conditions.

5.5. Data:

- ✿ Given that mobile devices may be storing and transferring critical data while connected to the internet, the following guidelines apply:
  - ✿ Take precautions to ensure the device is not lost or stolen.
  - ✿ Always protect the device with a password (PIN) or other personal identifying technology to prevent unauthorized access.
  - ✿ Avoid or limit the storing of Destination Pet data on your device.
  - ✿ If the employment relationship with Destination Pet terminates for any reason, it is the employee's immediate obligation and responsibility to delete and remove any and all Destination Pet data from their personally owned device.

#### 5.6. No Expectation of Privacy:

- ✿ All material, data, communications, and information, including but not limited to email (both outgoing and incoming), telephone conversations and voicemail, text messages, and internet and social media postings and activities created on, received or transmitted by, printed from, or stored or recorded on the device for Destination Pet or on behalf of Destination Pet ("Destination Pet Content") is the property of Destination Pet, regardless of who owns the device(s) used.
- ✿ You are expressly advised that in order to prevent misuse, Destination Pet reserves the right to monitor, intercept, and review, without further notice, all Destination Pet Content, in Destination Pet's sole discretion. This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing, retrieving, and printing of transactions, messages, communications, postings, logins, recordings, and other uses of the device. Therefore, you should have no expectation of privacy whatsoever in any Destination Pet content. While Destination Pet will provide advance notice where possible and will take reasonable precautions to avoid the loss of your personal content it is your responsibility to regularly back up your personal content so that you do not lose personal information if the device.
- ✿ By signing this acknowledgement, you understand and consent to Destination Pet's monitoring, intercepting, reviewing, copying, and disclosing Destination Pet Content in Destination Pet's sole discretion. You also agree that the use of any device for Destination Pet's business or on behalf of Destination Pet is at your own risk and Destination Pet will not be responsible for any losses, damages, or liability arising out of the use of any device under this policy, including any loss, corruption, or use of any content or loss of access to or use of any device, its software, or its functionality.

#### 5.7. Confidentiality and Proprietary Rights

- ✿ Destination Pet's confidential information and intellectual property, including trade secrets, are extremely valuable to Destination Pet. You must treat them accordingly and not jeopardize them through your use of your device. Disclosure of Destination Pet's confidential information to anyone outside of Destination Pet and use of Destination Pet intellectual property is subject to Destination Pet's At-Will Employment, Noncompetition, Confidential Information and Assignment of Inventions Agreement or other confidential information agreements signed by the employee and Destination Pet.

#### 5.8. Consequences for Failure to Comply

- ✿ Employees who violate any provision of this policy are subject to discipline, up to and including termination of employment. For the avoidance of doubt this may include immediate loss of the reimbursement set forth in this policy.

## **ACKNOWLEDGMENT**

I, \_\_\_\_\_ (Employee Name), acknowledge that on \_\_\_\_\_ (date), I received a copy of Destination Pet's Cell Phone Use and Reimbursement Policy and that I read it, understood it, and agree to comply with it.

I understand that Destination Pet has the maximum discretion permitted by law to interpret, administer, change, modify, or delete this policy at any time, with or without notice. No statement or representation by a supervisor or manager, or any other employee, whether oral or written, can supplement or modify this policy. Changes can only be made if approved in writing by the Chief Executive Officer or Chief Legal Officer of Destination Pet.

I also understand that any delay or failure by Destination Pet to enforce any work policy or rule will not constitute a waiver of Destination Pet's right to do so in the future.

I understand that neither this policy nor any other communication by a management representative or any other employee, whether oral or written, is intended in any way to create a contract of employment.

I understand that unless I have a written employment agreement signed by an authorized Destination Pet representative, I am employed at will, and this policy does not modify my at-will employment status. If I have a written employment agreement signed by an authorized Destination Pet representative and this policy conflicts with the terms of my employment agreement, I understand that the terms of my employment agreement will control.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date Signed: \_\_\_\_\_