

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS**

U.S. Equal Employment Opportunity
Commission,

Plaintiff

v.

Rent-A-Center East, Inc.,

Defendant.

Case No. 2:16-cv-02222

**DEFENDANT'S NOTICE OF FILING DECLARATION OF JODY WANLESS,
ILLINOIS DEPARTMENT OF ECONOMIC SECURITY**

Defendant Rent-A-Center East, Inc. ("Defendant" or "RAC"), by and through undersigned counsel, hereby files its Notice of Filing Declaration of Jody Wanless, (attached as "**Exhibit A**"). In the conference held May 8, 2018, this Declaration was discussed in reference to documents from the Illinois Department of Economic Security, Defendant's Exhibit 42, which will be offered by Defendant at trial.

Respectfully submitted,

/s/ Stephanie J. Quincy

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Plano, Texas 75024
972.801.1465

Dated: May 9, 2018

CERTIFICATE OF SERVICE

I, **Stephanie J. Quincy**, an attorney, certify that I served the attorney of record named below with a copy of *Defendant's Notice of Filing Declaration of Jody Wanless, Illinois Department of Economic Security* via ECF (*Electronic Case Filing*) on May 9, 2018:

Miles Shultz

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James L. Lee

Gwendolyn Young Reams

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U.S. Equal Employment Opportunity Commission

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U.S. Equal Employment Opportunity Commission

131 M. Street, N.E.

Washington, DC 20507

/s/ Stephanie J. Quincy

Stephanie J. Quincy (AZ Bar No. 014009)

EXHIBIT A

DECLARATION OF JODY WANLESS

I, Jody Wanless, do hereby swear, affirm and attest as follows based upon my personal knowledge or knowledge gained by my employment and experience with the Illinois Department of Employment Security (“IDES”), of the matters contained herein:

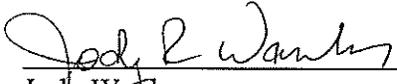
1. I am currently employed by the IDES as the Southern Region Assistant Regional Manager, located in Springfield, Illinois.
2. I have been employed with the IDES for approximately ten years.
3. As the Southern Region Assistant Regional Manager, I have personal knowledge of what the process is that an applicant in the State of Illinois has to go through to apply for unemployment benefits.
4. I have been asked to review the application for unemployment benefits by a Ms. Megan Kerr. I have reviewed Ms. Kerr’s application for benefits which she submitted in August 2014. Based upon the documents, her employer was Rent-A-Center.
5. I have specifically been asked to explain the process that resulted in the six-page Printable Adjudication Summary (“PAS”).
6. The process an applicant goes through is to either to apply for unemployment benefits in person, over the phone, or over the internet/IDES Website. It appears that Ms. Kerr’s original application for benefits was via the internet/IDES Website. Based upon her application she submitted, she was then requested to submit a “Misconduct Questionnaire” that Ms. Kerr would have filled out and electronically signed. According to the documents, she electronically signed and dated this document on August 4, 2014.

7. Rent-A-Center was then notified of Ms. Kerr's application. According to the documents, Rent-A-Center submitted a response to Ms. Kerr's application, through a third-party, John Campbell (Account Manager) with Barnett Associates, Inc., in Garden City New York. Mr. Campbell submitted a seven page response on August 15, 2014 to the IDES. The seven pages consisted of: page 1 is a fax cover page, pages 2 and 3 are a copy of "Notice of Claim to Benefit Chargeable Employer" (a copy of the Notice) and Mr. Campbell's contact information at the bottom of page 3, page 4 is 4 lines stating why Ms. Kerr's employment was terminated, pages 5 and 6 are the "Standards of Conduct," and page 7 is "Safety and Other Workplace Policies."
8. Mr. Campbell's Response (page 4 of 7) stated:
 - a. Final Incident – Using company vehicle personal business on a Sunday when the store is closed.
 - b. Policy Violation – Using the company vehicle for personal business.
 - c. Witness – Jason Morris.
 - d. Termination performed by Jason Morris, Store Manager 00319, 217-891-1487."
9. The usual process at the IDES at this point in time would be for a representative of IDES to contact the applicant, in this case Ms. Kerr, via phone. According to the records (the PAS) a phone interview was conducted between an IDES representative (an adjudicator) and Ms. Kerr on August 18, 2014 at 10:47 AM (see page 2 of PAS). The PAS indicates that an Interview was held with Ms. Kerr via telephone. Beginning at the bottom of page 2, of the PAS, and continuing to the middle of page 3 of the PAS, the adjudicator was asking Ms. Kerr the questions that appear on the left and Ms. Kerr's responses would have been manually recorded on the right by the adjudicator.

10. It is my understanding that the Court is interested in the validity and trustworthiness of the information contained on page 3 of the PAS. Based on my experience with the IDES, the information (responses/answers) would have come from Ms. Kerr and documented by the adjudicator at or near of the time of the phone interview with Ms. Kerr. I have reviewed all the information submitted by the Employer (Rent-A-Center's) agent (Barnett), and nowhere in the seven pages is any of the information, which is contained on page 3 of the PAS. The information contained on page 3 of the PAS would have had to come from Ms. Kerr herself. Based on my experience with the IDES, I believe the information contained in the PAS is true, accurate, and reliable, and was related by Ms. Kerr during her phone interview which was held on August 18, 2014.
11. I have attached the documents I am referencing in this Declaration (the six page PAS, and the seven pages submitted by John Campbell of Barnett Associates, Inc., on behalf of Rent-A-Center) and the Misconduct Questionnaire submitted by Ms. Kerr.
12. I understand that I am not required to provide the testimony in this Declaration. Prior to signing this Declaration, I was provided with a full opportunity to carefully review this Declaration and freely make any corrections and additions of any kind. I verify that the information I have provided in this Declaration is true and correct.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge and belief.

Executed on: 1/25/18
Date



Jody Wanless

Adjudication: Summary

Claimant Information

Name:	megan L. vanna	Claimant ID:	5530786	Hide Detail
SSN:	###-##-2717	Date of Birth:	01/28/1976	BYB: 08/09/2015
Address:	11810 S KOMENSKY AVE APT 303 ALSIP, IL 60803 USA	Primary Telephone:	(708) 800-5341	LEP: English
Local Office:	14 - Harvey Office			
Last Week Certified:	08/22/2015	Last Week Paid:	02/07/2015	Payment Method: No Payment Method
Date of Claim:	03/13/2016	Claim Status:	Filed	Last Day Worked: 08/14/2014
LEU:	4082494 RENT-A-CENTER EAST INC / RENT-A-CENTER EAST INC	BCE:	4082494 RENT-A- CENTER EAST INC / RENT-A- CENTER EAST INC	WBA: \$ 260.00 MBA Balance: \$ 6,760.00 Dep Allow: \$ 0.00

Employer Information

Account Number:	4082494	FEIN:	481024367	T/R:	Taxable	Hide Detail
Employer Name:	RENT-A-CENTER EAST INC	DBA:	RENT-A-CENTER EAST INC	Telephone:	(800) 275-2696	
Main Address:	5501 HEADQUARTERS DR PLANO, TX 75024-5837	Region:	Chicago Region	Plant Coded:	Yes	
		POA/Rep:	Yes	Relationships:	Yes	
Notice of Claim Receipt/Response Method:		Effective Date:				
SIDES E-Mail Address:		Effective Date:				

Current Issue Information

Issue Detection Date:	08/04/2014	Section Of The Law:	602A	Source Of Issue:	Claim Application
Protest Received:	Yes	Timely:	Yes	Status:	Completed
Protesting Employer:	RENT-A-CENTER EAST INC / RENT- A-CENTER EAST INC	Protest Date:	08/15/2014		

Employment Information

Rate Of Pay:	13.20 Per Hour
Length of Employment:	
From:	05/01/2005
To:	07/21/2014
Hours of Employment:	
From:	08:00 AM
To:	08:00 PM

Employer Name: RENT-A-CENTER EAST INC
UI Account Number: 4082494
Phone Number: (217) 550-8648
What were the claimant's job duties? Manager

Issue Confirmation

Should this interview continue under a different section of the law? No
If yes, what is the correct issue?
Should this interview stop because it is a non-issue? No
Waiver: The claimant waives the right to seven day notice of interview on this issue and understands that the information provided will be used to determine eligibility for benefits. Not Applicable

Language

Will the interview be conducted in English? Yes
If no, in what language will the interview be conducted?
If Other, please specify:
Translator:

Contacts

Contact Name: Megan Kerr
Phone Number: 217-550-8648
Ext:
Contact Date: 08/18/2014
Time: 10:47 AM
Result: Made Contact
Action Taken: Interview Held
Tickler Date:
For:
If Other, please explain:
Key identifiers verified: By Telephone
If other, explain
If not verified, explain

Claimant Guided Interview

Misconduct

What was the date that you were discharged? 07/21/2014
Who discharged you? Jason Morris

What is that person's title? Store Manager

How did you find out that you were discharged? In Person

What reason were you given for the discharge? I was told I wasn't authorized to use a vehicle.

Describe the last act, omission, or circumstance which led to the discharge. We donated time to certain charities. In the past I had asked to use a vehicle. The Sunday before that Sunday, I used the (company) vehicle. On Monday he told me I wasn't authorized to use the vehicle. I had been using it every other month and I had been there 10 years.

Explain why the act(s), failure to act, or the circumstances occurred. Explain any circumstances that were not within your control. He was a newer manager. It was the company box truck. I was moving homeless people from the shelter into a home. The organization was at a church and we worked for GOODWILL too. This particular Manager doesn't spend time or anything to charitable events. I asked for permission beforehand. The Saturday previous, he gave me authorization then on Monday he let me go.

Was there a company policy or rule? Unknown

What was the policy/rule or expected conduct/performance? (i.e. what should you have done?) I had been asking for permission to use the vehicle all along.

Had you received any prior warning about this type or similar conduct? No

Warnings

Final Questions

Were you aware that you could be discharged for not complying? No

Describe (if any) other explicit instructions given to you by the employer for the same or similar act, omissions, or circumstances: None

Describe what (if anything) you did to prevent the violation/circumstance that led to the discharge: Q: Were there some personal issues between you and the new Manager? A: Yes there was some personal issues. From he time he came in, I was demoted. They gave me a small work load, efforts to make me quit.

Describe, if you are aware, what effect the action, omission, or circumstance had on the employer (e.g. physical damage to property, loss of profits, etc.): It didn't affect them negatively. It was a positive way to promote the company within the community.

Initial Screening

Is an employer interview required? Yes

Issue Confirmation

Should this interview continue under a different section of the law? No

If yes, what is the correct issue?

Should this interview stop because it is a non-issue? No

Contacts

Contact Name: Unknown

Employer Name: Rent-A-Center, Inc.

Title: c/o Barnett & Associates

Phone Number: 516-877-2860

Ext:

Contact Date: 08/18/2014

Time: 11:01 AM

Result: Left Message
Action Taken: Left a message with a request for a call back within 48 hours (8/20/14).
Tickler Date:
For:
If Other, please explain:

Contacts

Contact Name: Unknown
Employer Name: Rent-A-Center, Inc.
Title: c/o Barnett & Associates
Phone Number: 516-877-2860
Ext:
Contact Date: 08/21/2014
Time: 04:09 PM
Result: Final - Information Not Provided
Action Taken: No response from the employer
Tickler Date:
For:
If Other, please explain:

Employer Guided Interview

Misconduct

Warnings

Final Questions

Sources

Source: Claimant Questionnaire
If Other, explain:
Contact Name: Megan Kerr
Title:
Phone Number: 217-550-8648
Ext:
Contact Date: 08/21/2014
Time: 04:12 PM
Comments: The claimant's questionnaire indicates that she was discharged because of "Using a company vehicle with (out) authorization..."
Source: Protest
If Other, explain:
Contact Name: John Campbell @ Barnett Associates, Inc.
Title: Account Manager
Phone Number: 516-750-7077

Ext:

Contact Date: 08/21/2014

Time: 04:14 PM

Comments: Protest received in a timely manner; it indicates "Unauthorized use of company vehicle."

Source: Other

If Other, explain: Attachments

Contact Name:

Title:

Phone Number:

Ext:

Contact Date: 08/21/2014

Time: 04:14 PM

Comments: Attached to the employer's protest are the company policies.

Other Sources

Information From Other Sources

Is information from other sources required? Yes

Claimant Rebuttal

Rebuttal Screening

Is an claimant rebuttal required? No

Employer Rebuttal

Rebuttal Screening

Is an employer rebuttal required? No

Determination

Issue Statement

Issue Statement: Was the claimant discharged for misconduct connected with the work?

Evidentiary Fact

Evidentiary Fact: The evidence shows the claimant was discharged from RENT-A-CENTER EAST INC / RENT-A-CENTER EAST INC because (Reason).

Detailed Facts

Reason: of a company-owned vehicle policy violation. The claimant had used the company vehicle for personal use, however; she previously used the company-owned vehicle many times for the same purpos (ie. charitable event), for more than a year with the consent of her immediate supervisor.

Statement of Reasoning

Statement of Reasoning: Since the claimant's action, which resulted in her discharge did not harm the employer or other employees,

Determination Statement

Determination Statement: the claimant is not ineligible for benefits from (From) in regard to this issue.

Decision Information

Determination: Allow
Determination Date: 08/21/2014
From: 08/03/2014
To: 12/31/9999
Determination Mailed Date (Claimant): 08/22/2014
Determination Mailed Date (Employer): 08/22/2014
Party Status: Yes
Workload Credit: Yes

PRINT

Misconduct Questionnaire

You indicated that you were discharged. Under Section 602A of the Illinois Unemployment Insurance Act, an individual who is discharged because of misconduct connected with his/her work, is ineligible for unemployment benefits. Please provide information about your separation from RENT-A-CENTER EAST INC. The information you provide will be used for the purpose of determining your eligibility for benefits.

You will receive a notice by mail with the date and time an interview will be held regarding your separation. At the time of the interview you may provide more detailed information.

Section A: Employment Information		
Employer Name RENT-A-CENTER EAST INC		Employer Telephone Number
Length of Employment From: 05/01/2005 To: 07/21/2014	Work Hours From: 8:00 AM To: 8:00 PM	Wages \$13.20 Per Hour
Type of Work (e.g. retail sales, cook, office manager, etc) manager	Job Duties manages acc,sales,collections,employees	
Section B: Reason For Discharge		
What was the date you were discharged?	07/21/2014	
Who discharged you?	jason morris	
What is that person's title?	store manager	
What reason were you given for the discharge?	using a company vehicle with authorization	
Describe the last act, omission, or circumstance that led to your discharge on that date.	Used a company vehicle on Sunday; With managers permission and given keys on Saturday to assist with a charity event. Reported to work on Monday. I was told I did not have permission and was let go.	
Was there a company policy or rule concerning the last act/circumstance that caused your discharge?	Yes	
What was the policy/rule or expected conduct/performance?	company vehicles are not Authorized for use during none business hours. (however exceptions have been made in past)	
Had you received any prior warnings about this type or similar conduct?	No	
<i>If Yes, what type of warning did you receive, by whom and when?</i>		
Name	Date	
	01/01/1980	
Type Verbal		
Were you aware that you could be discharged for not complying with the rule or policy?	No	
Describe, if you are aware, what effect the action, omission, or circumstance had on the employer (e.g. physical damage to property, loss of profits, etc.)		
No negative circumstances arose because of my action. In fact my action brought Rent-Center in to a more positive lite with the community.		
Section C: Electronic Signature		
Name : megan L. kerr		Date: 08/04/2014
Telephone Number: (217) 550-8648		

Fax

To: From: John
Fax: 6306453710 Fax:
Company: Voice:

Date: August 15, 2014
Subject: 349622717

Comments:

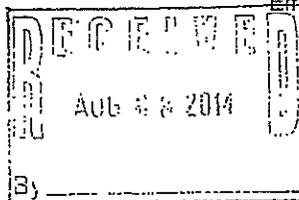
Illinois Department of Employment Security
 Burbank
 5608 West 75th Place
 Burbank, IL 60459
 Phone: (708) 458-0500 · TTY: (866) 322-8357
 www.ides.illinois.gov



1042462274



RENT-A-CENTER EAST INC
 C/O BARNETT ASSOCIATES, INC
 PO BOX 7340
 GARDEN CITY, NY 11530-0700



Date Mailed: 08/05/2014
 Employer Account Number: 4082494
 FEIN: 481024367
 Claimant SSN: 349-62-2717
 Reply Due Date: 08/15/2014

Notice of Claim to Benefit Chargeable Employer

The claimant listed below has filed a claim for Unemployment Insurance. Please review the information carefully. If you wish to protest the claimant's right to benefits for any reason other than the claimant's involvement in a Labor Dispute, you must do so in writing by attaching a signed letter to this notice which includes the claimant's name and Social Security Number and gives a detailed and complete statement of facts supporting your allegation and returning it by 08/15/2014 to Burbank at 5608 West 75th Place, Burbank, IL 60459 or fax to (630) 645-3710.

If you are registered as a SIDES Employer, and you also received an E-mail notification regarding this notice, please respond using the SIDES E-Response process by logging into www.illinoisSIDES.com and selecting the SIDES link.

If you would like to begin receiving or responding to Notices of Claims electronically, you may register with SIDES at www.illinoisSIDES.com. Once you have registered with SIDES E-Response you will start to receive E-mail notifications that you have requests pending. Only at this time will your SIDES account be activated and you can begin responding to Notice of Claims electronically. If at the time you receive this notice you are not registered for SIDES, you cannot respond electronically to this notice.

IMPORTANT INFORMATION: If you DO NOT wish to protest this claim, no response is necessary. **HOWEVER:** If you do respond to this notice, please submit your response only once. If you respond electronically via SIDES then please DO NOT fax or mail your protest or response as well.

Last Name: kerr	Suffix:	Other Last Name: kerr	
First Name: megan	Middle Initial: L	Benefit Year Begin Date: 08/03/2014	
Date of Claim: 08/03/2014	Claim ID: 12646979	Claim Type: New	Program: Regular
First Day Worked: 05/01/2005	Last Day Worked: 07/21/2014	Reason for Separation: Discharged (Fired)	
Return to Work Date: Unknown	Claimant Resides In: IL	State Worked In: IL	Dependent: None

The wages shown represent earnings the claimant received from you during the base period. A worker's base period consists of the first four of the last five completed calendar quarters immediately preceding the month in which the benefit year begins. The alternate base period is the last four completed calendar quarters immediately preceding the benefit year.

Benefit Year Begin Date: 08/03/2014	Total Base Period Wages: \$36,647.72	
Base Period Qtr: 2	Base Period Year: 2013	Wages: \$8,897.29
Base Period Qtr: 3	Base Period Year: 2013	Wages: \$8,792.61
Base Period Qtr: 4	Base Period Year: 2013	Wages: \$9,314.47
Base Period Qtr: 1	Base Period Year: 2014	Wages: \$9,643.35

This notice is being sent to you because you are the Chargeable Employer for whom the claimant worked for 30 days (not necessarily consecutively) from the beginning of the claimant's Base Period to the "Date of Claim." You will be charged for any benefits paid to him/her. There is no connection between the amount that you paid the claimant and the amount you will be charged. The claimant's benefits are based on his/her wages during the first four of the last five completed calendar quarters (Base Period) prior to the claimant's "Benefit Year Begin." You will be charged for the benefits paid even if the wages you paid the claimant are not used in calculating his/her benefits. If the claimant worked for you for less than 30 days, you can be charged because you were the single employer that paid the claimant enough wages to requalify the claimant after a disqualifying separation from a previous employer. Rules on charging can be found at 56 Ill. Adm. Code 2765.325 et seq. [See www.ides.illinois.gov under rules.]

RENT-A-CENTER EAST INC 08/05/2014
 Claimant Name: megan L. kerr SSN:349-62-2717



1042462274

IMPORTANT INFORMATION: This section contains examples and general information only. Please see paragraph one for protest instructions.

Generally, a claimant is not eligible for benefits if he/she:

- Was fired for misconduct. Misconduct means a "deliberate and willful violation of a reasonable rule or policy of the employing unit, governing the individual's behavior in performance of his work, provided such violation has harmed the employing unit or other employees or has been repeated by the individual despite a warning or other explicit instruction from the employing unit."
- Quit a job without a good, employment related reason however, there are some exceptions. For example, if the claimant left on the advice of his/her doctor or because he/she was a victim of domestic violence, the leaving doesn't have to be employment related. If the claimant quit because of the exceptions found at Section 601B(1), (2) or (6) of the Act, he/she will receive benefits, but you won't be charged.
- Refused an offer of suitable work without a good reason. For there to be a refusal of work, you must have told the claimant the hours, salary and duties of the job as well as when you wanted them to start work for you. It is not enough to say "come in and fill out an application."
- Is not able to work, not available for work or did not actively seek another job.

If you wish to protest the claimant's right to benefits because he/she received vacation pay in connection with his/her separation. In your response, you must indicate the period covered by the vacation pay and the amount of the pay. Your protest must be filed by the "Reply Due Date" or within 10 days of the date that the vacation pay is paid or becomes payable. If the payment was made for an announced period of vacation or inventory shutdown, it is not necessary to make this designation.

Appeal Rights

If your protest is not postmarked, faxed, or successfully submitted via SIDES by the "Reply Due Date", you will not have the right to appeal a determination that is not in your favor. However, you can protest at any time that the claimant was not able, available or actively seeking work, giving details. You can also protest anytime that the claimant was not unemployed or that the claimant is receiving a retirement pension. In those cases, you would have the right to appeal a determination for periods after the date that you filed your protest. Even if your protest is late, we will still consider any information that you provide. However, you will not be able to appeal our determination.

If you wish to request a change of address for forms such as Notices of Claims (ADJ030F), Employer Contribution and Wage Report (UI-3/40), Statement of Benefit Charges (BEN118), send a written request to Illinois Department of Employment Security (IDES) Metro South Region at 16845 South Halsted; Harvey, IL 60426-6113 or fax to (708) 596-8813. NOTE: All agents must have power of attorney on file to request a change of address.

Unless you request reconsideration of your chargeability by completing and submitting this form by 08/15/2014, this decision will become final.

Please select one of the following and complete all other related information:

I did not employ the claimant for 30 days

Start Date: 05/21/2005 End Date: 07/19/2014

Total Number of Days Worked: _____

Leased employee (Please identify leasing Agency Name and Address)

Agency Name			
Address 1		Address 2 (Apt., Floor, Suite, etc.)	
City		State	Zip Code

John Campbell
 Account Manager
 Barnett Associates, Inc.
 PO Box 7340
 Garden City, NY 11530
 Phone (516) 750-7077
 Fax (516) 750-7177

Claimant never worked for me Claimant is not unemployed *NOTE: Claimant may still be eligible if working part-time

I certify that the information contained herein is true and correct.

Name (printed):	<u>JOHN CAMPBELL</u>	Signature:	<u>[Signature]</u>
Title:	<u>ACCP REP</u>	Contact Name (if different):	
Date:	<u>8/15/14</u>	Telephone Number:	<u>516-750-7077</u>

SEE ATTACH

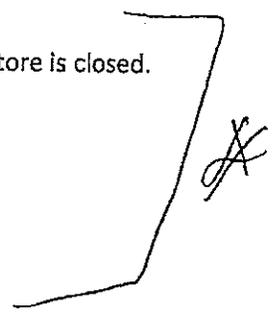
Final Incident - Using company vehicle personal business on a Sunday when the store is closed.



Policy Violation - Using the company vehicle for personal business.

Witness - Jason Morris

Termination performed by Jason Morris, Store Manager 00319, 217-893-1487



Standards of Conduct

RAC coworkers are expected to know and adhere to RAC's policies and procedures related to Standards of Conduct. As a RAC coworker, you are required at all times to use your best efforts to perform assigned tasks promptly and efficiently and to be courteous and impartial in dealing with customers and coworkers. In general, we strive to create a pleasant and safe work environment for the benefit of coworkers and customers. To accomplish this, certain conduct on the part of coworkers is prohibited. The following list is not all-inclusive, but represents examples of unacceptable coworker conduct. Failure to comply with any of the below may be cause for disciplinary action up to and including termination from employment.

- Willful disregard of Company EEO policies relating to harassment (including sexual harassment), discrimination, or retaliation
- The use of profanity, words that denigrate, racial or gender slurs, criticism of national origin, ethnicity or sexual preferences, criticism of religious beliefs, or comments used to make another person feel uncomfortable. This includes threatening, coercing, or intimidating other coworkers or customers or directing profane, abusive, insulting, or threatening language at a manager, member of management, customer, coworker, or visitor
- Engaging in or requesting sexual favors with customers in exchange for merchandise or services
- Immoral or indecent conduct while on duty or on Company property, including conduct that discredits you or RAC
- Conducting formal or informal meetings with adult entertainment or at adult entertainment establishments
- Willful disregard of labor laws (such as overtime regulations – including working coworkers off the clock, falsification of the hours worked or falsifying any timekeeping record)
- Failure to report any acts of theft or fraud
- Falsification, misrepresentation or omission of facts in discussions or in writing, (e.g. employment application, performance report, rental agreement, customer's identity, etc.)
- Unauthorized access to or disclosure of any confidential or proprietary information of the Company, its customers or coworkers; with the exception of discussions related to certain terms and conditions of employment (e.g. wages, hours, etc.)
- Failure to cooperate with a Company investigation or failure to cooperate with an investigation by law enforcement related to a crime against the Company
- Violation of cash handling/cash management policies. Under no circumstances may RAC coworkers use their personal money (e.g. cash, credit card, check, etc.) to pay on a customer's account or balance the drawer, etc.
- Failure to protect customer information, which includes credit card information or any other form of personally-identifiable customer information (e.g. social security number, date of birth, etc.). Credit card information cannot be retained in any form (e.g. notepad, binder, the High Touch system, etc.). Customer information must never be thrown in the trash but rather disposed of according to Company policy (e.g. Iron Mountain shredding bin).
- Accepting money or considerations for Company goods or services for personal gain
- Using Company property (including Company vehicle) for personal use
- A coworker's absence for two consecutive working days without notifying the manager or two occurrences of absence without notifying the manager within a 12 month period or being excessively tardy or absent or failing to follow work schedules
- Sleeping during scheduled work periods

- Engaging in any work stoppage, slowdown, walkout, cessation of work or any other activity designed to restrict or delay the production, shipment, delivery or receipt of goods or services by the Company
- Refusal or failure to carry out a directive of a manager except where compliance may result in a violation of law or Company policy or jeopardize your health or safety or the health or safety of others
- Destruction of Company property or that of visitors, customers or coworkers
- Reporting to work under the influence of alcohol or illegal drugs, as well as consuming alcohol or illegal drugs on Company time or Company property or failure to pass any drug screen
- Commission of any criminal offense (other than a minor traffic violation) while on duty or on Company property, or commission of any criminal offense which might adversely affect the coworker's work or work relationships or the Company's business or reputation
- General neglect of or failure to follow safety rules and procedures
- The unsafe operation of equipment or vehicles in a negligent manner
- Bringing potentially hazardous or dangerous items on Company property, such as firearms, weapons, chemicals, explosives, etc.
- Violence or engaging in threats of violence in the workplace
- Violation of Company practices, policies and/or procedures
- Any violation of any local, state or federal debt collection law including entering the home of any customer where an adult is not present
- Using a concealed recording device while at work or while conducting RAC business without the consent of the individual(s) being recorded

Attendance

We need you here! You are important to the overall success of our operations. That is why you were hired! When you are not here, RAC stores and customers may not get the service they expect and deserve, and your coworkers must pick up the slack and take care of your responsibilities.

Our expectations for attendance are really simple and just common sense. All coworkers are expected to report for work on time and complete their scheduled shift. Obviously, there are some instances of time off that are understood and can be managed with the proper manager approval (e.g. family/medical leave, sick/personal time off, vacation, holiday, bereavement leave, jury duty, or other approved leaves of absence). However, other unscheduled, unapproved time away from work is a problem for the Company and may affect your employment with RAC.

If you are unable to make your shift, or need to leave early, show your manager and coworkers the respect they deserve, and notify your manager as far in advance as possible so coverage of your job can be planned while you are away. Coworkers are expected to contact their manager directly if they cannot report to work. Leaving your manager a voicemail message or text message should be followed up with timely, direct communication

This policy defines realistic attendance expectations. For purposes of these guidelines, examples of attendance violations include:

- Repeated incidences of tardiness, which is defined as arriving to work late five (5) or more minutes after scheduled start time
- Taking extended breaks or meal periods without prior approval

Safety and Other Workplace Policies

The safety and well-being of Company coworkers and customers is extremely important to RAC. We take reasonable steps to maintain a workplace free from hazards and perils. At the same time, we need every coworker's help. All coworkers are expected to follow all Company safety and loss prevention policies and procedures at all times. Additionally, if coworkers see anything in the workplace that they believe to be a safety, security, or other hazard to their well-being, they are responsible for immediately reporting their concern to a member of management.



Since failure to follow the Company's health and safety rules is such a serious risk, such failure can result in disciplinary action up to and including termination.

Coworker Safety Practices

A good safety record is the result of safe working conditions and following appropriate safety policies and procedures combined with common sense. RAC coworkers must follow these general safety guidelines at all times

- RAC store coworkers must complete the required safety training, i.e. Focus I, within the first 30 days of employment
- Sound judgment and safe practices are to be exercised in the work habits of all coworkers
- Personal safety protection equipment must be used when required by Company policy
- Equipment is only to be operated by those authorized as a result of their knowledge, training, and experience
- Guards and other safety devices installed over the point of operation, moving parts, power transmission, or electrical connections must be in place at all times
- Fire protection and prevention practices are responsibilities shared by all RAC coworkers. These include the clearance of passage aisles and doorways, proper storage of flammable materials, and control of smoking and open flames, which must be complied with at all times
- All coworkers are expected to comply with the laws, rules, and regulations concerning safe practices as published by RAC and by governmental agencies having jurisdiction over such matters
- Your job may have additional safety guidelines which are established for your protection and the protection of others. If so, you will be required to know and follow them carefully

Equipment Operation

Before operating equipment for the first time, you must have the approval of your manager. Follow all instructions carefully! Familiarize yourself with all safety and operating features of the equipment. If there is a mechanical problem, notify your manager immediately; do not make repairs without authorization.

Vehicles Operation



Only authorized coworkers may operate vehicles for the purpose of conducting RAC business, including personal vehicles and Company-owned vehicles. Company-owned vehicles may not be used for personal business or occupied by any family members, friends, or other unauthorized persons at any time. RAC coworkers must display safe driving habits and not speed or drive recklessly.

Compliance with all local, state, and federal traffic laws is required. Failure to do so will result in discipline up to and including termination.