

## 9.2 ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY

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### 1. Use of Centerplate Technology

Centerplate has established this policy to ensure that employees' use of Centerplate's electronic communications systems (including e-mail, instant messages, facsimile transmissions, and the internet) ("Electronic Communication") is consistent with Centerplate's business interests. This policy applies to all employees and contractors having access to any of these systems. The following rules must be observed when using Centerplate's Electronic Communication systems.

***Business use only.*** Non-business use of Centerplate's Electronic Communication systems is prohibited. Examples of prohibited non-business uses include, without limitation, solicitation for or communication on behalf or in support of commercial ventures, religious or political causes, or outside organizations, or any other non-job related solicitations or communications. While minor exceptions are permitted from time to time, such as electronic communication to family, the system is provided for business purposes and should be used accordingly.

***Privacy.*** Communication using Centerplate's Electronic Communication systems is the property of Centerplate and users have no personal privacy or property rights in electronic communication received and sent. All data, information, messages, and communications sent, received, or stored electronically on Centerplate's computer and Electronic Communication systems may be accessed by Centerplate in the ordinary course of business at any time without notice to the employee or contractor. There should be no expectation that the contents of any communication received or sent is confidential from Centerplate's Electronic Communication system. Although e-mail may allow the use of passwords for security, confidentiality is not guaranteed. All passwords are known to Centerplate as the Electronic Communication systems may need to be accessed by Centerplate in the absence of an employee or contractor. Even when a communication is erased, it may still be possible for others to retrieve and read that electronic communication.

***General Guidelines.*** Electronic communications (whether internal or external) that are offensive, defamatory, discriminatory or harassing in violation of Centerplate's EEO Policy or Non-Discrimination and Harassment Policy, or in any way reflect adversely on Centerplate, are not permitted. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law. Employees should exercise discretion and judgment with respect to frequency, distribution, and content of electronic

## 9.2 ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY

---

communication. The ease and informality of electronic communication may affect one's judgment about what is proper. As a general rule, one should apply the same standards of tone and content to electronic communication as to a letter or a memorandum.

***Specific Prohibitions.*** Internet connection shall be limited to those sites applicable to Centerplate business during normal business hours. Accessing sites containing sexually explicit or pornographic material, illegal activities, or gambling is prohibited at any time. Here are some examples of conduct that will get you in trouble and could result in discipline:

- Using Centerplate's time and resources for personal gain.
- Stealing, using, or disclosing someone else's code or password without authorization.
- Copying, pirating, or downloading software and electronic files without permission.
- Violating copyright and/or trademark law and/or failing to observe licensing agreements.
- Engaging in unauthorized transactions that may incur a cost to Centerplate or initiate unwanted Internet services and transmissions.
- Sending or posting messages or material that could damage Centerplate's image or reputation.
- Sending or posting messages through the Electronic Communication system that harass, intimidate, defame or slander other individuals, including co-workers.
- Attempting to break into the computer system of another organization or person
- Refusing to cooperate with a security investigation.
- Using encryption devices and software that have not been expressly authorized by Centerplate.
- Opening e-mail messages from unknown or unidentified external sources.
- Sending or posting chain letters, solicitations, communications, or advertisements not related to business purposes or activities.
- Jeopardizing the security of Centerplate's electronic communications systems.
- Passing off personal views as representing those of Centerplate.
- Sending anonymous e-mail messages.
- Engaging in any other illegal activities.

Centerplate has the capability, and reserves the right (without further notice), to monitor the use of its Electronic Communication systems, including e-mail and Internet access, to ensure compliance with this policy.

## 9.2 ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY

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***Passwords.*** Don't share your logons and passwords with others, but especially don't give them to anyone outside Centerplate. You are responsible for all activity that is performed under your logons and passwords.

***Cell Phone Usage.*** Centerplate provides cellular telephones to some employees as a business tool. They are provided to assist employees in communicating with management and other employees, their clients, associates, and others with whom they may conduct business. When using your cell phone outside the building, please take measures to keep confidential phone calls confidential. Cell phone use is intended for business-related calls and excessive personal calls are not permitted. Cell phone invoices may be regularly monitored. Cell phones equipped with cameras or other photo or video recording equipment may not be used for improper purposes, including acts which invade the privacy of others.

***Camera/Video.*** Photo and video recording equipment may not be used on Centerplate premises or at Centerplate events unless such use is within the scope of the employee's employment or is otherwise approved by Centerplate in writing.

***Confidential Information.*** Our policy regarding the privacy of confidential proprietary information about Centerplate, its products, processes, pricing, costs and customers also applies with regard to electronically stored data and electronic communications. You are reminded that you may not access or retrieve any confidential electronically stored information unless it is part of your job responsibilities or you are specifically authorized by your supervisor or by an officer of Centerplate to do so. For security reasons, no confidential information about Centerplate, its products, processes, pricing, costs, or customers may be sent outside of Centerplate unless it is necessary in connection with an employee's assigned responsibilities.

***Software Usage.*** Centerplate provides our employees and contractors with software that will enable you to carry out your job duties effectively. Centerplate requires that you use the software provided. Any duplication of licensed software, except for backup and archival purposes, is prohibited unless express advance written approval to make a copy is provided by the Corporate Legal Department in accordance with Centerplate's licensing agreements. Any person who illegally reproduces software is subject to civil and criminal penalties including fines and imprisonment.

You are not allowed to give copies of software to any outsiders including customers or others. If you believe there may be a misuse of software within the organization you are required to immediately notify the Corporate Legal Department or the manager of the department of human resources.

## 9.2 ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY

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### 2. Social Media and Networking

**Background.** Online Communication is currently defined as all forms of web-based commercial activities, communication and expression, such as blogs, micro blogs, link blogs, wikis, bookmark site, photo or video sharing sites, forums, mailing lists, discussion groups, chat rooms, and social network sites, including but not limited to YouTube, Facebook, Twitter, MySpace, and LinkedIn. While Online Communications can be an effective tool for sharing ideas and exchanging information, such communications must comply with Centerplate's need to maintain its brand identity, integrity, and reputation while minimizing actual or potential legal risks. The following procedures, therefore, must be followed concerning Centerplate staff usage of Online Communication.

**Scope.** Centerplate employees and contractors must follow this policy in all types of Online Communications using Centerplate computers, mobile devices, or other technology, and using non-Centerplate technology when linked to Centerplate systems; as well as in other contexts where the employee's or contractor's association with Centerplate is disclosed or where subject matter addressed is related to Centerplate or its services except as permitted by law. Nevertheless, even when engaged in social networking on non-Centerplate technology that is unrelated to Centerplate or the employees or contractors work with Centerplate, employees and contractors should bear in mind the issues addressed by this policy.

**Responsibility.** Regardless of what people tell you, anything you post is accessible to anyone with a browser. Despite some sites having a restricted content feature, the security levels guarding the included content are not to be relied upon with confidence. You should be careful that your Online Communications do not adversely impact or create problems for Centerplate, its employees, or its clients. You are personally responsible for all content you post online. Remember that it is difficult to delete content and impossible to remove all artifacts of its existence even when deleted once it is posted to a site, so be cautious when writing any posting. If you have a question about the propriety of any posting, you should consult the Corporate Legal Department.

**Use of Centerplate Name and Material.** Centerplate uses Online Communications as a means to conduct business. As a result, you are prohibited from discussing Centerplate-related matters in Online Communications without prior written approval from Centerplate except as permitted by law. When directed to do so, you must identify yourself as a Centerplate employee. You should not hold yourself out as a representative of Centerplate or that you are expressing the views of Centerplate, unless you are authorized in writing to do so.

## 9.2 ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY

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You are specifically prohibited from:

- Unless directed by Centerplate in writing, promoting, advertising or selling Centerplate products, programs or services using Online Communications.
- Recruiting your friends or family to promote Centerplate or any of its services.
- Discussing Centerplate-related matters in Online Communications without prior written approval from Centerplate except as permitted by law. (For example, do not discuss meetings you have attended or plan to attend, interviews you have conducted or other such events).
- Making use of Centerplate's name, logos or trademarks or the name, logo, or trademarks of any affiliate, contracting party, supplier, or vendor in any Online Communications.
- Including Centerplate-owned documents whether or not bearing Centerplate's name, trademark, or logo in Online Communications.
- Posting photographs of organization events, affiliates, or vendors, or any other entity doing business with Centerplate.
- Unless directed by Centerplate, issuing a link request, requesting recommendations or issuing friend request to Centerplate affiliates. (Employees may accept such requests from an affiliate, vendor or corporate partner but employees cannot accept any fees, commissions or other compensation for this activity. Managers should not issue friend requests to subordinates although managers can accept requests from subordinates.)
- Disclosing proprietary, non-public Centerplate information. (Examples of information include but are not limited to trade secrets, affiliate information, employees' personal information, strategic business plans, competitor intelligence, financial information, and business contacts).

As stated in this Electronic Communications Policy, Centerplate assets are not for personal usage. Unless directed by Centerplate in writing, you are prohibited from using Online Communications sites during work hours. Also, you are not permitted to use Centerplate computer equipment and telephones for Online Communications.

***Third-party Rights.*** Respect the rights of others. Do not post or transmit any material or information about another individual or entity. You are specifically prohibited from:

- Divulging any confidential or proprietary information of any other person or company in any Online Communications platform.
- Posting any photographs of other individuals unless you have obtained the individual's prior written consent to post the photograph.

## 9.2 ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY

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- Uploading, displaying, copying or distributing content that was not created by you or that was copied from another source unless you have the prior written consent of the author and owner of the material.
- Using Online Communications to defame, harass, bully, or intimidate. Behaviors that constitute harassment and bullying include, but are not limited to, comments that are derogatory with respect to race, religion, gender, sexual orientation, color, or disability; sexually suggestive, humiliating, or demeaning comments; and threats to physically injure another employee or affiliate.
- Posting personal information about another individual.
- Posting any pornographic, obscene, or profane material.
- Sending or posting messages that disparage another organization's products or services.

Centerplate may request at any time that you cease any Online Communications concerning Centerplate in a public or private online forum as permitted by law. Centerplate may request access to any private forums.

***Social Networking Site Terms of Use.*** Anyone participating in a social network for any reason is responsible for reading, understanding, and complying with the site's terms of use. Any concerns about the terms of use for a site should be discussed with the Corporate Legal Department. You should monitor your online profile to ensure material posted by others does not violate this policy. Any such material should be deleted.

***Procedure.*** If you discover Centerplate-related comments in Online Communications sites and you believe these comments should be addressed, contact Bob Pascal, 203-975-5900. Before responding to an inaccurate, accusatory, or negative comment about Centerplate, its employees, or its clients, inquiries from journalists on issues related to Centerplate, its employees, or its clients, please contact Bob Pascal, 203-975-5900. If there is inquiry generated by an outside party regarding Centerplate or its business, please direct them to Bob Pascal so their query can be handled properly.

### 3. Consequences of Violations/Disclaimers/Questions

**Violation of this policy may result in disciplinary action, up to and including termination. However, this policy is not intended to violate or impair any rights under the National Labor Relations Act. This policy does not prohibit and employees will not be subject to discipline for lawful off-duty discussions or activities involving employees' terms and conditions of employment, including wages, hours and working conditions, or matters relating to union activity. Any questions or issues associated with this policy should be directed to the Corporate Legal Department, 203-975-5900.**