BLOOMIN’ BRANDS, INC.
Establishing Delivery Zones Policy

PURPOSE
The purpose of this policy (“Policy”) is to establish a procedure for each Bloomin’ Brands (“Company”) concept location (“Location”) to determine its applicable delivery zone. The purpose of the Limited Delivery Service Standard (“Standard”) (Attachment A) is to establish the standards for limiting delivery service for each Location.

BACKGROUND
Violent crime is a reality in various geographic areas. Consequently, under certain circumstances a good business plan includes a procedure to investigate whether it may be unsafe or impractical to offer delivery service to every customer in the Location’s delivery area at all times the Location is open.

Being in the position of having to investigate the practicalities of limiting delivery service is a difficult one that should be made only by, or under the supervision of, upper level management. Appropriate policies and procedures for the investigation of the circumstances can be useful to assist management in promoting the safety of team members; further fair and ethical business practices; and, enhance good will in the communities. Above all, safety of team members must continue to be the top priority.

OBJECTIVES
Our primary mission is to safely deliver every order in such a way that we always exceed our Customer’s expectations for product, service, image and value. Ideally, we will accomplish this mission for every person who resides in our delivery areas. Realistically, we understand there may be situations where delivery service is not totally free of all limitations. However, arbitrary decisions to limit delivery service, without a legitimate basis for the decision, do not serve our best interest or those of the residents of our communities. We can establish objectives to assist us in accomplishing our mission; such as:

1. Identify areas within the delivery and service areas of Locations that may present an unreasonable risk of harm to team members making deliveries.
2. Create policies and procedures designed to help assess the degree of risk involved in making deliveries to a specific area.
3. Identify persons to be charged with the responsibility of investigating the circumstances pursuant to written policies and procedures.
4. Implement the policies and procedures in the Locations.
5. Enlist the support of the community in resolving the problems that cause the need for delivery limitations.
6. Monitor any limitations and be prepared for change.

COMPANY’S LIMITED DELIVERY SERVICE POLICY

1. Safety of team members must continue to be the top priority.
2. Only documented and legitimate concerns can serve as a reason for appropriately deciding to limit delivery service.
3. FACTORS SUCH AS RACE, COLOR, GENDER, NATIONAL ORIGIN, RELIGION, AGE, DISABILITY, MARITAL STATUS, PREGNANCY, SEXUAL ORIENTATION, GENETIC INFORMATION, VETERAN STATUS, GENDER IDENTITY OR EXPRESSION, OR ANY OTHER STATUS PROTECTED BY LAW, SHALL NEVER BE LEGITIMATE CONSIDERATIONS IN DECIDING WHETHER TO LIMIT DELIVERY SERVICE.
4. In the event the Manager in a Location operated by Company, or that person's supervisor, has a good faith reason to believe that conditions in the Location or the Location's delivery area are such that the workplace is no longer reasonably safe for team members to perform their duties of employment, or the Location becomes aware of a complaint by any person about the Location's delivery practices, the person running the shift is to immediately report the situation and/or complaint and request an investigation by submitting an “OPD Delivery Area Change” request (“Investigation Request”) to the BBI Support Center. Company will promptly investigate all Investigation Requests and determine whether delivery service should be suspended or limited to protect the safety and well-being of team members.
5. In the event of extraordinary circumstances that indicate immediate action is required to promote the safety and well-being of team members, the person running the shift may temporarily suspend or limit delivery service to the limited area presenting an unreasonable risk of harm to team members. Although it is impossible to identify every one of these circumstances, some examples of situations which indicate an immediate response include multiple security incidents at a specific location, a security-related injury to a team member, police action in response to an event in a delivery area, civil unrest, or serious threats of harm to team members. The person running the shift, or the supervisor, must still immediately report the situation to the Company by telephone at 1-800-555-5808.
6. Limitations on delivery service are to be reviewed under the direction of the Director of Risk Management on an annual basis, or more frequently as circumstances may warrant, to determine whether there has been a change in circumstances that will permit a reduction in or elimination of limitations on delivery service. The Delivery Service Committee, the members of which are defined in Step Four of Section III “Policies and Procedures”, shall determine whether to change or affirm the limitations.

7. Failure to follow this Policy and the procedures implementing the Policy may result in disciplinary action, up to and including immediate termination of employment.

**PROCEDURES**

Every area is different. Consequently, it is difficult to establish hard and fast rules for every set of circumstances. For example, how many incidents are too many to permit safe and unrestricted delivery service? What if there is a low frequency of incidents, but one serious incident occurs in an area? Does one serious incident warrant limiting delivery service? Suppose it becomes known that other businesses have been the victim of security incidents but Company team members have not experienced problems? Do those facts warrant limiting service? Finally, what kind of change in circumstances is needed before normal delivery service can be resumed? Those may be questions without a single right answer and that makes providing the best delivery service possible to all of our customers while keeping the safety of team members a top priority a difficult task.

**I. IDENTIFICATION OF AREAS**

Management cannot act if it is unaware of a situation. Our first step is to obtain information about the possibility that an area may not be reasonably safe at all times, or that an area that was once considered unsafe needs to be re-evaluated. Allow Location team members to report facts known to them. Location team members should build a cooperative relationship with local law enforcement officers and other businesses that make deliveries in the area. Generally, team members are to know their customers and the Location’s delivery area.

**II. POLICIES AND PROCEDURES**

**Step One: Request for Investigation.** A Manager must make a request to the Company for an investigation as to whether an area is reasonably safe to make deliveries at all times by submitting an Investigation Request to the BBI Support Center.
When submitting an Investigation Request, be prepared to give the following information:

- Name and telephone number of the person making the request;
- Date of request;
- Specific area in question;
- Detailed summary of the reason for the request; and,
- Any suggestions as to what measures could be taken to continue to make deliveries to the area.

**Step Two: Receipt of Request.** Upon receipt of an Investigation Request, the BBI Support Center will route the request to the Vice President of Operations, Off Premise Dining, who will generate a written report of the Investigation Request and deliver the report to the Director of Risk Management.

The reports and documents associated with each Investigation Request should be kept for the entire time that any limitation on delivery service is in effect and for a period of three (3) months from the date of receipt of the Investigation Request or for three (3) months following the removal of the limitation. If the documents are possibly needed for litigation or some other lawful purpose, the record retention policy is to be suspended for those documents and they are to be transferred to the safekeeping of corporate counsel.

**Step Three: Investigation.**

An investigation of the facts and circumstances surrounding an Investigation Request shall be conducted under the direction of the Director of Risk Management. The investigation shall include a prompt collection of such relevant information as is appropriate, considering the Request, and as is reasonably calculated to facilitate a well-informed consideration of all relevant factors. Appropriate action may include:

- Collection of relevant documents, which may include: Prior internal incident reports and complaints, Location delivery map, and information pertaining to the frequency and patterns of other deliveries being made from the Location;
- Collection of relevant information and statistics concerning the area under investigation, where available, which may include: Incident reports from the local police department, crime analysis of the area, and delivery policies of other delivery businesses in the area and their experience with deliveries;
Conducting a visit to the area under investigation. The Director of Risk Management and/or the Vice President of Operations, Off Premises Dining, will jointly identify the person to conduct the On-Site visit;

- Interviews with Location team members;
- Consultation with law enforcement personnel;
- Consultation with representatives from local businesses and community organizations that have a presence in the area under investigation;
- Obtaining advice from corporate counsel to ensure compliance with Federal, state and local laws and regulations;
- Observing the type of security measures being used by residents and businesses in the area and recording your observations by photographs and/or notes; and,
- Such other action as may be deemed necessary or useful to complete the Investigation.

**Step Four: Evaluation.** Promptly upon the completion of the investigation, the information collected is to be presented to the Delivery Service Committee, which shall include:

- Director of Risk Management;
- Representative of the Development Analytics team;
- Area JVP(s) responsible for the Location(s) affected by any change in a delivery service area;
- Vice President of Operations, Off Premises Dining

The Committee’s charge shall be to evaluate the results of the investigation as promptly as possible and to reach a determination as to whether deliveries can be made to all or a part of the area under investigation with reasonable safety to team members, based on the information gathered during the investigation. A reasonably safe work environment for team members shall remain the paramount consideration. FACTORS SUCH AS RACE, COLOR, GENDER, NATIONAL ORIGIN, RELIGION, AGE, DISABILITY, MARITAL STATUS, PREGNANCY, SEXUAL ORIENTATION, GENETIC INFORMATION, VETERAN STATUS, GENDER IDENTITY OR EXPRESSION, OR ANY OTHER STATUS PROTECTED BY LAW, WILL NEVER BE CONSIDERED IN THE EVALUATION.

Promptly upon completion of the evaluation, the Committee’s recommendations will be delivered to the Operations representative on the Committee for implementation.
Step Five: Other Actions. Simultaneous with the Investigation, the area supervisor (e.g., BBI Joint Venture Partner [JVP]) shall review the Location's training and hiring practices, and the role the Location and Company plays in the community.

Training. The supervisor should verify that Location team members are being properly trained in areas of safety and security. This undertaking is also to serve as an opportunity to heighten awareness of the absolute requirement that all team members must promote anti-discrimination policies and treat everyone with equal respect and courtesy, regardless of race, color, gender, religion, national origin, disability, marital status, pregnancy, sexual orientation, genetic information, veteran status, gender identity or expression or other characteristics protected by law.

Hiring Practices. The supervisor should verify that the Location is making reasonable efforts to recruit team members from the area and that all other aspects of the equal employment opportunity policy are being promoted.

Community Involvement. When possible, efforts are to be made to verify that Company, and the tradename under which it conducts business, is known in the community for participation in appropriate community programs and is a supporter of worthy causes. Meetings with community, religious and political leaders may provide an opportunity to identify problems in the community, such as crime, poor lighting, loitering, unemployment, lack of house numbers, and similar issues, and serve to become a part of the solution to these problems.

Step Six: Decision to Limit Delivery Service.

Once an area has been validly investigated and legitimate safety or other business concerns have been documented, a decision to depart from the standard practice of offering delivery service to all residents of the area during all times the Location is open for business may be appropriate. Once this decision is made, Operations shall do the following:

Communicate the Limitations

- Advise Location team members of the limitations
- Explain that the Company hopes the limitations are temporary and that it plans to re-evaluate the limitations at a time in the future
- Request assistance from Location team members in monitoring the circumstances
o Advise delivery drivers to not drive through an area where delivery service is limited, during times when service is not offered, to make a delivery in another area.

Adjust the Phone Message.

Consider the fact that in advising a customer that the Location does not deliver to their address, it may be taken to mean that the Location is implying that the customer is a security risk. Chances are, the person calling in to place an order is not the cause of the area's problem. The issue of declining to make a delivery can evoke a strong emotional response and Location team members should be trained to respond to the caller in an appropriate manner.

o Reinforce the importance for Location team members to exhibit sensitivity and courtesy to those customers not receiving full delivery service. All customers should be treated as we would like to be treated in a similar situation.

o Forbid the use of terms such as "red zone", "security area", "red lining" and the like. Those terms have negative connotations to some persons and may be considered inappropriate. Those terms should have no place in a Company Location. A better term is "limited delivery service area".

o From time to time consider offering an alternative such as a special carryout offer.

o Train Location team members to use the following phone message, or a similar message:

"We do not currently deliver to the address you have given. May I have your name and telephone number so that I may Have someone call you back to discuss our store's delivery policy in greater detail?"

o Train Location team members to remain polite and courteous even if the caller becomes excited or agitated. If the caller asks to speak to the manager or supervisor that request should be granted or an explanation should be given as to why the manager or supervisor cannot come to the phone. The Location team member should continue to explain that a return call will be made. In the event the caller remains unsatisfied with the circumstances, despite the Location team member's polite efforts, the Location team member should politely ask to be excused from the call-in order to have the opportunity to contact someone about the caller's concerns and should then immediately report the incident via
email to WeDeliver@bloominbrands.com, with the Subject: Concerned Customer.

**Step Seven:** Monitor the Area and The Decision.

Circumstances may change over time. Reasons once valid to support a decision may at some time become less valid. The decision to limit delivery service shall be reviewed under the direction of the Director of Risk Management on an annual basis, who will report to the Delivery Service Committee, to detect a substantial change in circumstances that may suggest modifying a delivery practice.

**Step Eight:** Emergency Response.

Unfortunately, situations may arise which indicate action is required sooner than can be expected from following the procedures outlined above. Although it is impossible to identify every one of these circumstances, some examples of situations which indicate an immediate response include multiple security incidents at a specific location, a security-related injury to a team member, police action in response to an event in a delivery area, civil unrest, or serious threats of harm to team members. Under these limited and extraordinary circumstances, the person running the shift in the Location at the time shall have the authority to suspend delivery to the area posing a risk of harm to team members. That action shall be limited to that which is required to promote the safety and well-being of team members.

However, the person making the emergency decision shall immediately contact an appropriate supervisor to report the emergency situation. Such a report should be made as soon as is possible, and by initiating a call to the supervisory person if necessary, but no later than 9:00 a.m. the morning following the initiation of the emergency response action. Additionally, by no later than 9:00 a.m. the following morning, an Investigation Request should be submitted via the BBI Support Center. At that time, a more formal investigation will be initiated in accordance with the Company’s policies. Simply initiating an emergency decision to limit delivery service and placing a call to a supervisory person does not mean that local law enforcement personnel should not be notified. Report all security incidents to local police.

**Step Nine:** Sanctions. Failure to follow the established procedures within the time allotted will result in disciplinary action, up to and including immediate termination of employment.
ATTACHMENT A

LIMITED DELIVERY SERVICE STANDARD

All Locations will at all times during approved hours of operation offer delivery service to all customers located within the Location's delivery and service area. All deliveries must be made in strict compliance with all laws, regulations, rules of the road and due care and caution in the operation of delivery vehicles. Delivery service may be limited in areas that might present a danger to team members, but only under limited circumstances, and only in accordance with the provisions of this Standard.

NO TEAM MEMBER IN ANY LOCATION SHALL EVER REFUSE OR LIMIT DELIVERY SERVICE BECAUSE OF FACTORS SUCH AS RACE, COLOR, GENDER, NATIONAL ORIGIN, RELIGION, AGE, DISABILITY, MARITAL STATUS, PREGNANCY, SEXUAL ORIENTATION, GENETIC INFORMATION, VETERAN STATUS, GENDER IDENTITY OR EXPRESSION OR ANY OTHER STATUS PROTECTED BY LAW.

A Limited Delivery Service Policy shall be implemented in each Location, and shall be communicated to all team members in the Location. The Limited Delivery Service Policy shall include, at a minimum, all of the following:

1. A conspicuous statement that NO TEAM MEMBER SHALL EVER REFUSE OR LIMIT DELIVERY SERVICE BECAUSE OF FACTORS SUCH AS RACE, COLOR, GENDER, NATIONAL ORIGIN, RELIGION, AGE, DISABILITY, MARITAL STATUS, PREGNANCY, SEXUAL ORIENTATION, GENETIC INFORMATION, VETERAN STATUS, GENDER IDENTITY OR EXPRESSION OR ANY OTHER STATUS PROTECTED BY LAW.

2. A procedure for the evaluation of the delivery and service area. This shall include obtaining objective information about the possibility that an area may not be reasonably safe at all times, and that an area that was once considered unsafe needs to be re-evaluated.

3. A procedure for the orderly and systematic investigation of an area that is suspected to be unsafe for deliveries at all times. Such a procedure may include directions for:
   
   • Collecting documents that establish the reason for limiting delivery service, which may include, but is not limited to, worker's compensation claim information; police reports; any internal reports or letters; any other information involving any incident in the delivery area; newspaper articles; and any other relevant information;
• Documenting discussions with local law enforcement personnel about safety and security incidents in an area;

• Preserving records of meetings with local business or community leaders about safety and security in an area;

• Consulting with Company’s Corporate Counsel to ensure compliance with Federal, state and local laws and ordinances;

• Obtaining information about the delivery business practices of other local businesses;

• Collecting any other information that may support the decision to limit delivery service;

• Training team members to courteously, politely, and efficiently handle concerns from customers;

• A procedure for reviewing annually, or more frequently as circumstances may warrant, any decision to limit delivery service to determine if the situation has changed to permit offering service to all customers;

• An emergency response procedure that provides for the immediate but temporary limitation or suspension of delivery service in an area if situations warrant;

• An outline of disciplinary actions which may be taken against team members who willfully violate this standard.