



## DISCLOSURE MATERIALS

Certified B Corporations must complete a Disclosure Questionnaire to identify potentially sensitive issues related to the company (e.g. historical fines, sanctions, material litigation, or sensitive industry practices).

This component does not affect the company's score on the B Impact Assessment. If the company answers affirmatively to any items in the Disclosure Questionnaire and B Lab deems them to be material, the company must:

- 1) Be transparent about the disclosure issues identified on the company's public B Impact Report
- 2) Describe how the company has addressed this issue.
- 3) Demonstrate that management systems are in place to avoid similar issues from arising in the future.

In all cases, the Standards Advisory council reserves the right to refuse certification if the company is ultimately deemed not to uphold the spirit of the community.

In addition to the voluntary indication of sensitive issues in the Disclosure Questionnaire, companies pursuing Certification also are subject to background checks by B Lab staff. Background checks include a review of public records, news sources, and search engines for company names, brands, executives/founders, and other relevant topics.

Sensitive issues identified through background checks may or may not be within the scope of questions in the Disclosure Questionnaire, but undergo the same review process and are subject to the same possible review by the Standards Advisory Council, including ineligibility for B Corp Certification, required remediation, or disclosure.

**This document contains a copy of the company's completed Disclosure Questionnaire and related disclosure documentation provided by the company.**



## DISCLOSURE QUESTIONNAIRE

Company Name: Elephants Delicatessen  
Date Submitted: March 19, 2022

Industries & Products	Yes	No
Please indicate if the company is involved in production of or trade in any the following. Select Yes for all options that apply.		
Animal Products or Services		√
Biodiversity Impacts		√
Chemicals		√
Company Explanation Of Disclosure Item Flags		√
Disclosure Alcohol	√	
Disclosure Firearms Weapons		√
Disclosure Mining		√
Disclosure Pornography		√
Disclosure Tobacco		√
Energy and Emissions Intensive Industries		√
Fossil fuels		√
Gambling		√
Genetically Modified Organisms		√
Illegal Products or Subject to Phase Out		√
Industries at Risk of Human Rights Violations		√
Monoculture Agriculture		√
Nuclear Power or Hazardous Materials		√
Payday, Short Term, or High Interest Lending		√
Water Intensive Industries		√
Tax Advisory Services		√

Supply Chain Disclosures	Yes	No
Please indicate if any of the following statements are true regarding your company's significant suppliers.		
Business in Conflict Zones		√
Child or Forced Labor		√
Negative Environmental Impact		√
Negative Social Impact		√
Other		√

Outcomes & Penalties	True	False
Please indicate if the company has had any formal complaint to a regulatory agency or been assessed any fine or sanction in the past five years for any of the following practices or policies. Check all that apply.		
Anti-Competitive Behavior		√
Breaches of Confidential Information		√
Bribery, Fraud, or Corruption		√
Company Explanation Of Disclosure Item Flags		√
Company has filed for bankruptcy		√
Consumer Protection		√
Financial Reporting, Taxes, Investments, or Loans		√
Hazardous Discharges Into Air/Land/Water (Past 5 Yrs)		√
Labor Issues		√
Large Scale Land Conversion, Acquisition, or Relocation		√
Litigation or Arbitration		√
On-Site Fatality		√
Penalties Assessed For Environmental Issues		√
Political Contributions or International Affairs		√
Recalls		√
Significant Layoffs		√
Violation of Indigenous Peoples Rights		√
Other		√

Practices	True	False
Please indicate if the following statements are true regarding whether or not the company engages in the following practices. Check all that apply. If the statement is true, select "Yes." If false, select "No."		
Animal Testing		√
Company/Suppliers Employ Under Age 15 (Or Other ILO Minimum Age)		√
Company Explanation Of Disclosure Item Flags		√
Company prohibits freedom of association/collective bargaining		√
Company workers are prisoners		√
Conduct Business in Conflict Zones		√
Confirmation of Right to Work		√
Does not transparently report corporate financials to government		√
Employs Individuals on Zero-Hour Contracts		√
Facilities located in sensitive ecosystems		√
ID Cards Withheld or Penalties for Resignation		√
No formal Registration Under Domestic Regulations		√
No signed employment contracts for all workers		√
Overtime For Hourly Workers Is Compulsory		√
Payslips not provided to show wage calculation and deductions		√
Sale of Data		√
Tax Reduction Through Corporate Shells		√
Workers cannot leave site during non-working hours		√
Workers not Provided Clean Drinking Water or Toilets		√
Workers paid below minimum wage		√
Workers Under Bond		√
Other	√	



## B Corp Certification - Disclosure Questionnaire Documentation

PROVIDED BY:

Elephants Delicatessen

UPDATED AS OF:

March 19, 2022

<b>DISCLOSURE QUESTIONNAIRE CATEGORY</b>	Zero hour contracts
<b>ISSUE DATE</b>	Ongoing
<b>TOPIC</b>	Company employs individuals on zero hour contracts
<b>SUMMARY OF ISSUE</b>	<p>Elephants Delicatessen is a specialty food store that also provides catering services. The company has the following employee and payment structure:</p> <p>Administration (Human Resources ("HR"), accounting, executive management, food &amp; beverage director, marketing &amp; communication, maintenance) is smallest group within company and is salaried and makes up around 10%. The other 90% of employees are paid on an hourly basis. These include operations trainer, retail, catering, production kitchen and several administrative staff.</p> <p>Part of pay for the majority of hourly employees, not including administrative employees, is base wage + pulled tips, pulled primarily through retail locations. Catering, retail and production kitchen employees may be on-call. There were a total of 67 on-call employees in the 2018-2019 fiscal year and 89 on-call employees in the 2019-2020 fiscal year. Most employees that fall under the zero hour category work under the company's catering operations.</p> <p>Catering includes management (oversees all aspects, menu development, long term planning), event planning (working directly with customers) and event execution (employees actively involved with events). The core managers are salaried. The other employees are paid through tips and service charges collected for catering. It depends on the position, since on-call employees work in various departments within our company. For the 2018-2019 fiscal year the average hourly rate was \$13.78 and the tip average was \$4.68 (avg. pay rate + avg. tips = \$18.46). For the 2019-2020 fiscal year the average hourly rate was \$13.96 and the tip average was \$6.10 (avg. pay rate + avg. tips = \$20.06).</p> <p>There is not a set pay rate/tip average for all positions listed on the company offer letters. Upon hire, their recruiter updates each offer letter individually for each role, so that the tip averages are correct. Retail positions usually include an average of \$4-\$7/hr., Full Serve (Full serves are on-call servers/bartenders that work at our catering events) positions usually include an average of \$10-\$14/hr., and production kitchen positions usually include an average of \$1-\$1.50/hr. for tips on the offer letters.</p>
<b>SIZE/SCOPE OF ISSUE</b> (e.g. \$ financial implication, # of individuals affected)	27 employees, which is 9% of Elephants Delicatessen workforce, is employed by zero hour contracts.
<b>IMPACT ON STAKEHOLDERS</b>	On-call work, according to the International Labour Organization, working arrangements may involve very short hours or no predictable fixed hours, and the employer has no obligation to provide a set number of hours of work. These arrangements, known as "on-call work", come under different contractual forms depending on the country and include so-called "zero-hours contracts." <a href="https://www.ilo.org/global/topics/non-standard-employment/WCMS_534825/lang--en/index.htm">https://www.ilo.org/global/topics/non-standard-employment/WCMS_534825/lang--en/index.htm</a>



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### IMPLEMENTED MGT PRACTICES

Elephants Delicatessen has hour ranges for full-time (25-40 hours per week on average) and part-time (1-24 hours per week on average). These hour ranges are communicated to the employee on hire and confirmed when they sign the New Hire Form. The employment contract is the offer letter.

The company audits full-time hours on a quarterly basis, and employees are switched to part-time if they are not working an average of 25 hours per week, as required to be enrolled in the company's medical plan. On-call employees are not eligible for benefits.

There are no hours requirement for on-call employees since no hours are guaranteed. The company tries its best to offer on-call employee's hours, when possible. However, hours are relative to demand and scope of resources, and therefore, the company cannot predict when hours will be available for on-call employees within its organization.. The nature of business within the company's on-call positions is ever changing and can be based on customer demand or staffing shortages, for example.

On-call employees can peruse other employment opportunities at any time by contacting their manager or even the recruiter within Elephants HR department. If the employee's home department does not have additional hours available, the manager will see if other departments within the company can offer any hours. There are no restrictions, so long as the employee has not exceeded 40 hours within the working week (Wednesday-Tuesday), if they will exceed 40 hours, supervisor approval is required for the overtime hours.

Employee wages are based on position, not employee status.

The company's policy is that all hourly employees, no matter their worker category (full-time, part-time, on-call, etc.), may accrue sick and vacation time and use it after they have been employed for 90 days. On-call employees are not assured a minimum earning, but they can use any accrued vacation or sick time after 90 days of employment.

Communication is performed by the manager. All managers of on-call employees communicate schedule changes to their employees by a predetermined form of communication. All employees, except for full serves, receive schedule change notifications by ADP scheduler. The full serves use email communication so that details of the event can be included in the scheduling notification.

On-call employees are contacted based on their availability for events if within the catering department or whenever there is a call out or PTO (Paid Time Off) request that needs covered. The manager of employees in this situation will offer shifts to whoever is available and has less hours compared to staff of comparable character.

Hours are offered to on-call employees several months in advance if it is a scheduled event to day-of if it is to cover at a retail location last minute. On-call employees are expected to be on-call for work shifts but they can decline a shift if unable to work it. If it is an unplanned/unexcused absence for a scheduled shift that an on call worker has agreed to, same for any other type of employee at Elephants, disciplinary action may be taken if the employee is not following the company's attendance policy.



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<p><b>IMPLEMENTED MGT PRACTICES CONT'D</b></p>	<p>Zero hour employees are allowed to turn down work, without penalty and without reason. Additionally, zero hour employees are allowed to pursue work outside of Elephants Delicatessen.</p> <p>For many zero hour workers, Elephants Delicatessen work provides supplemental income to other full or part-time positions held with other employers. And hence, the absence of penalties for turning down available work, as the work performed for Elephants is not their primary source of income.</p> <p>Elephants Delicatessen goes a long way to avoid stopping employment of employees. If an employee demonstrates a risk: safety, interpersonal safety, company and customer, then usually the first step is to have employee removed from position and counselled, instead of immediately terminated.</p>
<p><b>OTHER MANAGEMENT COMMENTS</b></p>	<p>Per BOLI, Oregon's labor regulatory agency: "Oregon is an at will employment state; with the exception of those industries that have certified upon agreements [those industries recognized by the state of Orgeon as being exempt from at-will employment], there is no prevention for employees if employer wants to stop employment." Elephants follows Oregon's "at will" employment law and is not in an industry that requires that we provide agreements that oppose this law- we are an "at will" employer.</p>
<p><b>RELATED INCIDENTS (YES/NO)</b></p>	<p>Yes, legal case(s) related to financial insecurity of workers.</p>



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UPDATED AS OF: March 19, 2022

<b>DISCLOSURE QUESTIONNAIRE CATEGORY</b>	Alcohol
<b>ISSUE DATE</b>	Ongoing
<b>TOPIC</b>	Company sells alcohol products
<b>SUMMARY OF ISSUE</b>	<p>Elephants Delicatessen is a specialty food store that earns a material amount of revenue from the sale of alcohol.</p> <p>The company sells alcohol through its retail locations. This revenue includes the sale of closed containers of beer, cider, wine and aperitifs, as well as alcohol served to customers on premises, which is the same as closed containers but includes spirits.</p> <p>The company also sells alcohol through its catering functions, which require active personnel for service. This revenue is limited to beer, cider and wine.</p>
<b>SIZE/SCOPE OF ISSUE</b> (e.g. \$ financial implication, # of individuals affected)	For the fiscal year ending June 2020, 4.7% of Elephants Delicatessen revenue was earned from the sale of alcohol.
<b>IMPACT ON STAKEHOLDERS</b>	Alcohol may have a negative impact on the health and well-being of individuals and their communities.
<b>IMPLEMENTED MANAGEMENT PRACTICES</b>	<p>Elephants Delicatessen complies with all regulations and laws related to the sale of alcohol in the jurisdictions where it operates. The company has an Oregon Liquor Control Commission ("OLCC") officer that makes sure the OLCC is followed. All employees that serve alcohol have licenses through the OLCC that are maintained by human resources and the OLCC officer.</p> <p>All employees serving/selling alcohol have to go through OLCC training and have their servers card on hand. In addition, Bartenders go through additional on-site training, specific to their location, regarding the service of alcohol. Bartenders in the company's catering department also go through this training.</p> <p>The OLCC training has a high level of focus on the dangers of over-serving clients. In addition, it is part of the on-site training with the bar manager/store manager/Food and Beverage director. Part of the training is tactics on cutting off customers who are showing signs of becoming visibly intoxicated and documenting it in an OLCC log book, which every bartender must fill out daily. This allows communication about potential high risk regulars. Catering bartenders also have a log book that they fill out for each event that they serve at.</p>