



## **Nashville Farmers' Market Food Truck Handbook**

*Updated February 2024*

### **About the Nashville Farmers' Market**

Farmers, artisans, and small businesses are the cornerstone of the Nashville Farmers' Market (the market). The market operates daily as a retail hub and small business incubation center for farmers, artisans and small businesses that desire to serve the region. Since its inception in the 1800s, the market offers these vendors the opportunity to sell their wares more than 350 days per year.

The market is a public facility located on a 12-acre property in the urban core of Nashville, within walking distance of many local neighborhoods, including Germantown, Salemtown, the Gulch and the downtown district. The NFM includes two outdoor sheds, a garden center and a food hall offering an international foods market, local artisans' shops, and a variety of dining options.

### **Benefits to Nashville Farmers' Market food truck vendors:**

- A welcoming, diverse community of vendors and supporters.
- Easy parking in a dedicated food truck zone.
- More than 1,500 surface parking spaces conveniently located within half a mile with dedicated vendor parking lots.
- Easy reservations! Sell once or multiple times weekly by selecting available dates when applying for vending space.
- Option to sell year-round or just for the season that your product is available.
- Opportunity to be featured in seasonal events, workshops, advertising, etc.
- Marketing support and assistance with permitting.

## **Table of contents**

Vendor application and rates – page 3

Approval and placement – page 5

Staff and services – page 6

Payment and cancellations – page 7

Vending at the market – page 8

Rules of conduct – page 13

Agreement and penalties – page 14

Appendix – page 15

## Vendor application and rates

### How to apply

Before applying, please read this handbook in full. By submitting your application means you agree to comply with all market policies.

1. Create a profile on [Marketspread.com](https://Marketspread.com).
2. Upload the required documents for your vendor type as listed in the application.
3. Answer all questions for approval.
4. Select the dates you want to serve.
5. Review your application (incomplete applications will not be considered).
6. Pay the \$25 non-refundable application fee to submit your application for approval.

Market management may request additional information, a meeting and/or product samples as part of the application process.

*Please note: The application process to sell at the Nashville Farmers' Market is competitive. The market receives dozens of applications every year, many of which include returning food trucks. Applications will be approved as needed by and at the discretion of market management based on criteria including, but not limited to:*

- The needs of the market, including product mix and menu offerings already in our market house;
- Product quality and fit;
- Market-readiness including marketing, branding and merchandising; and,
- For existing food trucks, track record with payment, attendance, marketing, etc.

The Nashville Farmers' Market functions primarily to serve farmers and artisans who grow, craft or otherwise produce their own wares, and the consumers who wish to support these producers. Farmers and artisans bringing their own products to market will be given priority consideration in the application process. Only applicants that meet the market's vendor standards and eligibility criteria will be considered for approval. For the market's purposes, a food truck vendor is defined as:

**Food truck vendor:** An individual cooking and selling food and/or beverages on a vehicle, trailer, or cart. Some food truck vendors, including ice cream trucks, sell frozen or prepackaged food; others have on-board kitchens and prepare food from scratch. The market offers limited availability for food trucks and street food carts to participate at the market. A food truck or cart must possess all required permits and or licenses and submit a vendor application specifying the menu and products that the applicant wishes to sell at the market. Once approved, all food truck vendors must tour the market to review day-of-event operations and ensure their mobile units will fit in the space allotted.

Market management reserves the right to deny the application of any vendor for any reason, including discrimination or harassment, as outlined in the Harassment-Free Workplace policy on page 14 of this document.

## **Required documents**

**Insurance:** All food trucks must carry insurance for general liability and property damage, as well as product liability coverage, at minimum of \$1 million. The policy shall name the Nashville Farmers' Market as additional insured and shall maintain all other coverage as required by law. A copy of the Certificate of Insurance must be provided with the application. If insurance expires during the season, the food truck owner must provide a copy of the renewed policy at the time of policy expiration. Failure to produce a copy of the renewed insurance policy shall be considered a violation of the market's rules and policies.

**Licenses and permits:** Food trucks must provide copies of business licenses, sales tax certificates, certificates of insurance with the market as additional insured, a health permit (from Metro Health Dept.), and health inspection. Food trucks are required to update market management on revisits or rescores from the health department. It is a requirement that all products are prepared in a health department approved kitchen facility. All products must comply with local, state, and/or federal health ordinances, and applying food trucks must provide documentation of compliance as required when submitting the application. Applications are not considered complete without all applicable permits.

## **Food truck rates for the 2024 season:**

\$25 application fee (to be paid in full each season at the time of application).

\$30 approval fee for new food truck vendors (once approved for vending).

\$85 vending fee per day for food trucks

Please contact the Farmers' Market Program Manager for more information on required documentation, assistance with permitting and questions about the application process.

## Approval and placement

**New food truck vendors:** New food truck vendors will be charged a one-time application approval fee (\$30.) New food truck vendors are subject to a 90-day probationary period upon approval as a vendor. During this probationary period, Food truck vendors must demonstrate an understanding of and adherence to the market's rules and policies. This includes, but is not limited to, attendance, payment and sales reporting, behavior, and marketing practices. New food truck vendors who violate the market's rules and policies will be removed from the schedule and will not be considered for future seasons.

**Scheduling:** Food truck vendors are approved on a rolling basis by market management. Market management is solely responsible for scheduling food trucks. Food trucks are scheduled on Friday, Saturday and Sunday each week, except on Thanksgiving, Christmas Eve, Christmas and the week of New Year's. Food trucks may be scheduled on other weekdays, depending on the season and with management approval. The food truck schedule for each month will be released by the first day of the previous month, e.g., a schedule for May will be released on or before April 1. Food truck vendors can confirm that their schedule request has been accepted on Marketspread, as any dates marked "assigned" (rather than "pending") are officially scheduled.

**Food truck placement:** All food trucks are located on the far-left side of the farm shed along the black iron fence (alongside Bicentennial Mall and farm shed 2). Food trucks should park in the permitted parking spaces, as designated by the signage next to the spaces (see map below). There will be a maximum of four food truck vendors on site at a time during peak and winter season. Food trucks are not permitted to park anywhere else on the premises without written permission of market management (including festivals). Food truck vendors are not permitted to park or store food truck essentials on-premises unless they have otherwise received written approval from management.

**Approved products:** Food truck vendors are only allowed to sell the products listed in their approved application for the current season. Seasonal items and menu specials are permitted, so long as the new items are in line with the food truck's approved menu. In addition to the products expressly outlined in a vendor's application, they may, however, include branded items to promote their individual business as a part of their booth offerings. Branded items are limited to t-shirts, stickers, magnets and hats and must prominently display the business' name and/or logo.

**Surrender of space:** At the end of each day, food truck vendors must surrender the rented space in the same condition and cleanliness (ordinary wear and tear excepted) as when they took possession and are responsible for the costs of any cleaning or repairs deemed necessary by market management. If vendors fail to surrender rental space at the end of the period in which it was rented, market management may consider all effects remaining therein as abandoned and act accordingly, as well as impose any associated penalties.

## Staff and services

**Nashville Farmers' Market management:** Market management is responsible for administering and enforcing all market rules, policies and procedures, as well as ensuring public safety, assigning food truck spaces, hosting market kitchen demonstrations and managing market events and festivals. Management is instructed to handle and resolve any issues that may arise during a market day, and all market staff members have authority to resolve issues in a civil and efficient manner.

Yolanda Manning, Farmers'. Market Program Manager: [yolanda.manning@nashville.gov](mailto:yolanda.manning@nashville.gov)

Heather Hoch, Program Manager: [heather.hoch@nashville.gov](mailto:heather.hoch@nashville.gov)

Darrell Lane, Executive Director: [darrell.lane@nashville.gov](mailto:darrell.lane@nashville.gov)

Charles Kizer, Facilities Manager: [charles.kizer@nashville.gov](mailto:charles.kizer@nashville.gov)

David Griffin, Finance Manager: [david.griffin@nashville.gov](mailto:david.griffin@nashville.gov)

Courtney Cotton, Marketing Manager: [courtney.cotton@nashville.gov](mailto:courtney.cotton@nashville.gov)

David Hornbeck, Facilities Coordinator: [david.hornbeck@nashville.gov](mailto:david.hornbeck@nashville.gov)

**Security:** Security personnel are on market property to provide public safety and regulate after-hours entrance to the premises. Call 911 if there is a medical emergency. If you need to report a safety or security concern, please contact a member of the security team immediately by calling (615) 710-3578.

Although the market has on-site security 24/7, securing individual property, including merchandise and cash, is the sole responsibility of each vendor. In the case you leave property on premises overnight, it is best practice to lock, rope off and otherwise obscure access to the items you've left, as our security team is tasked with overall market security and not that of individual property. If you believe something has been stolen from your space, it is up to you to file a police report if you believe the theft warrants it.

**Janitorial services:** Janitorial services are contracted to provide cleaning and sanitation of common areas, restrooms, waste receptacles and grounds. If there is a janitorial issue, please contact market management or security personnel to report the issue immediately.

**Marketing and social media** uses its marketing and social media to support the events and operations of the market as a whole. As independent businesses, Food truck vendors are expected to execute their own marketing and social media plans. Market management uses marketing funds and assets, ads, newsletters, blogs and social media at the discretion of market management. However, tagging the market's social media accounts and informing the market's marketing manager of special deals, events and products that vendors may have can increase inclusion in market-related media.

**Market communication:** Market management communicates with all vendors through a regular newsletter called the 411. These newsletters are used to inform vendors of upcoming events, promotional opportunities, scheduled meetings and policy updates/reminders. Vendors are responsible for reviewing these newsletters to stay informed regarding market happenings. Market management also communicates day-to-day updates and information via a communication channel called Slack. During onboarding, all food truck vendors must submit their preferred cell phone number (including employees/staff phone numbers) to market management to receive a Slack invitation to sign up for updates.

## Payment and cancellations

**Advance payment:** All vendors must have auto pay activated on their Marketspread accounts in order to vend. Food truck vendors will be auto charged at 6 a.m. the morning of their scheduled market day via Marketspread's secure payment portal. It is the vendor's responsibility to remain in good standing. Declined credit payments will result in a \$10 charge per occurrence. Any past due payments carried into a new month are subject to late fee charges (\$50/month) and can result in suspension of vending privileges on repeated offense. After three occurrences in a 12-month period will result in disciplinary action up to suspension. Any past due payments carried into a new month are subject to late fee charges (\$50/month) and can result in suspension of vending privileges on repeated offense.

**Payment types:** No cash payments will be accepted. Credit/debit payments can be made online or at the market's business office during payment hours. Checks and money orders can be mailed or dropped off in person at the market's business office during office hours or in the safe drop box outside the market's business office door. Checks are only acceptable from vendor accounts in good standing. Returned, (or "bounced,") checks are automatically sent to Metro Nashville Government's collections department.

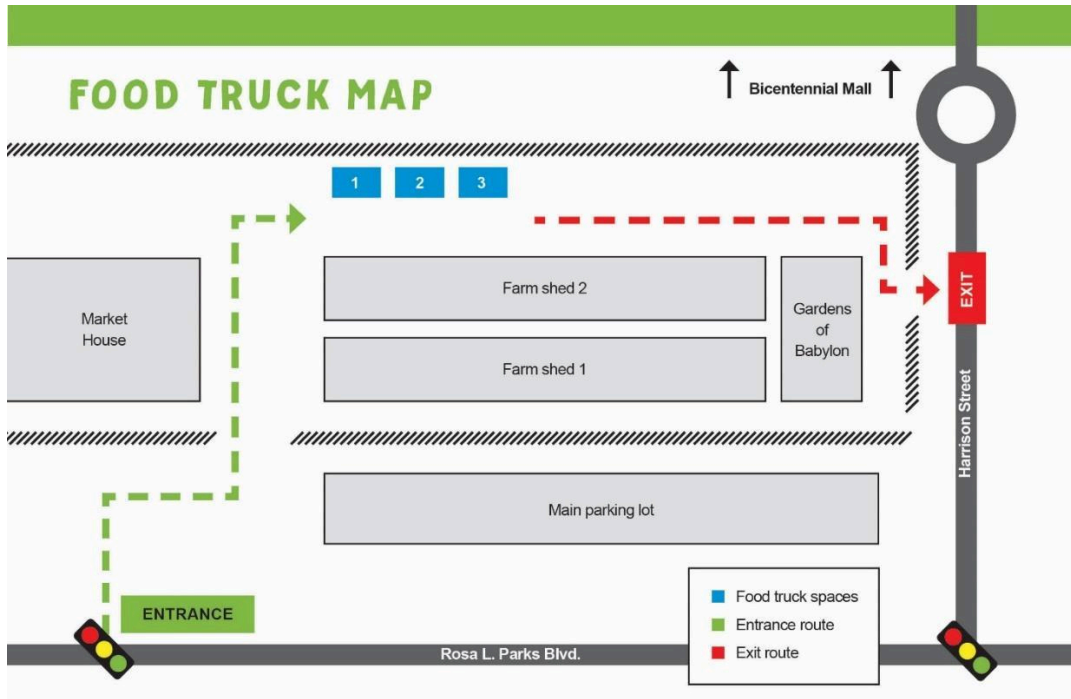
**Reservation cancellation, no-shows and refund requests:** Upon market approval of a food truck vendor's dates, the vendor accepts responsibility for each approved date. Market dates may be amended or cancelled by a written request to market management seven days in advance. Food truck vendors are responsible for all rental fees for dates cancelled in less than seven days. Requests for refunds or credits will not be provided unless accompanied by a written approval from market management. No-shows will forfeit vending fees and are subject to a no-show fee (\$50) for each occurrence. Three no-show offenses and/or eight cancelled dates in one year will result in season termination. Food Truck vendors are responsible for all unpaid or past due balances. Please contact the market's Finance Manager for payment information.

# Vending at the market

## Hours of operation

Peak season hours (March 1 - October 31): 8 a.m.- 4.p.m.

Winter season hours (November 1 - February 28): 9 a.m. - 2 p.m.



Food truck vendors must set up and be ready to serve for all scheduled vending dates by 11 a.m. Food trucks must arrive by 10:30 a.m. on any date they are scheduled and must stay open until at least 2 p.m. However, food trucks can vend during any of the market’s regular operating hours.

When arriving to the market, entrance to the food truck area will be blocked by barricades beginning at 9 a.m. Food trucks are expected to open and close the barricades to access their assigned parking space after that time. Any vendor desiring to close before the end of the market day due to product availability must seek approval in advance from market management. Repeated, unapproved late arrival or early departure constitutes a policy violation.

If you are operating a food trailer you must unhitch the trailer and immediately move your truck and any other vehicles into designated parking areas (see map below) unless otherwise approved by market management. Vehicles must be turned off while load in and out occurs, idling is not permitted on market premises. Parking in fire lanes, doorways or places not designated as parking or loading zones is always prohibited.



Food truck vendors must stay within boundaries of their rented, assigned space(s). The placement of merchandise or other items outside of the food truck space is permitted so long as it is not interfering with the flow of traffic and the outside space (sitting area, signage, concession items, etc.) is weighted or properly secured for wind and weather resistance (including A frame signage). Blocking a roadway with merchandise, equipment or for loading/unloading purposes is strictly prohibited. Changing spaces from assigned placements without written approval from market management constitutes a policy violation. Vendors who violate the parking policies of the market may be towed at the owner's expense.

# WHERE TO PARK

AT THE



## PARK FOR FREE ON THE WEEKENDS

at designated Farmers Markets' Lots on 6th Ave. or the corner of Rosa Parks and James Robertson

**Sales reporting:** The Nashville Farmers' Market requires net sales reporting for all vendors. Marketspread will send food truck vendors an email at the end of each scheduled vending day prompting them to submit net sales and transaction information for that day. If a vendor is unable to access Marketspread on a regular basis, the vendor will need to contact the market's finance manager so they can be provided an alternative method for submitting sales data. Repeated withholding of sales information constitutes a policy violation.

**Merchandising:** Food truck vendors should maintain professional merchandising by properly disposing of waste, displaying a menu with prices, and ensuring that their merchandise and decorations are secure (will not blow away, etc.). Food truck vendors may use TVs to display menus and other marketing elements. TVs can be no larger than 24" and must be muted. The market does not allow any vendor to use Styrofoam containers. Food truck vendors are permitted to use 10' x 10' tents with tables and chairs for customers. This set up would need to be near the food truck's operation to ensure customers and vendor vehicles can get through at the end of day. Food truck vendors will need to adjust or remove set up by 2 p.m., if it is obstructing the streetway.

**Customer service:** Food truck vendors are required to provide excellent customer service to all customers when serving at the market. Be ready on time; greet each customer (learn names when possible); be respectful, knowledgeable and positive when interacting with customers; acknowledge waiting customers; and be aware of how long they are waiting to be checked out (add staff to your food truck to speed up customer service if necessary).

**Sampling:** Vendors are permitted to serve product samples to visitors in single servings that can easily be grabbed individually. All food samples must be kept at proper food safety temperatures and abide by all applicable Metro Nashville Health Department guidelines.

**Cameras:** Although food truck vendors are generally responsible for the security of their stations, the market has security cameras placed throughout the farm sheds to monitor the property as a whole. If a vendor or patron requests to capture video in response to a crime and the request is timely brought to market management's attention, management will review relevant footage and release the footage to law enforcement at the discretion of market management. Food truck vendors may place cameras within their rented area only with written permission from market management after reviewing your camera placement and sample footage. Vendors are not permitted to place cameras on market columns or other market fixtures. Vendors may only record footage within their booth and may not record other booths or vendors. Vendors cannot leave cameras on once scheduled vending hours have ended. Violation of any of these policies will result in immediate removal of cameras and can result in suspension of vending season.

**Tents and shades:** Food truck vendors may use a 10' x 10' tent, weighted on each leg with at least 20 lb. tent weights, if desiring to set up a customer seating area in front of their truck space. Because tent weights must be attached to each leg, concrete blocks are not acceptable. Tents must be taken down and taken off site at the end of each day. Tents cannot be left up overnight even if you are booked for consecutive days. Tarps utilized as tents or tent walls are strictly prohibited.

**Market property:** No signs, banners, nails, screws or advertising material may be placed on any market building, walls, or doors without written approval from market management. Hanging or attaching anything to gutters and downspouts of the buildings or sheds is prohibited. Hanging or attaching anything to the rafters in sheds is prohibited unless the vendor has received written approval from market management.

**Electricity and water:** Food truck vendors must supply their own electrical and water sources. Generators must be angled away from the farm shed area to limit noise. Additionally, only generators considered "quiet" or "super quiet" by manufacturing standards are approved for use at the market. If a generator disrupts neighboring vendors, you will be asked to turn it off and will not be refunded for the day. Grey water disposal is not permitted on market premises.

**Garbage / refuse:** The market offers recycling, compost and landfill waste collection at the on-premises waste center. All recycling, compost and garbage must be removed from rented space to the appropriate bin at the end of each day. To keep the market area clean and presentable for customers, vendors must break down boxes, store trash in an orderly manner and bring any excessive refuse to the waste center as needed.

**After-hours entry:** Only authorized persons will be permitted to enter after hours. For after-hours entry to the premises, individuals must contact the market's security team for approval.

**Prohibited items:**

- Selling or displaying any of the following is strictly prohibited:
- Items that violate federal, state, or local laws;
- Stolen or counterfeit items;
- Medications of any type;
- Live animals;
- Weapons (anything manifestly designed, made or adapted for the purpose of inflicting death or serious bodily injury; or anything that in the manner of its intended use is capable of causing death or serious bodily injury); and
- Items, including signage and literature, that, at the sole determination of market management, are obscene or otherwise condone or display nudity, racism, sexism, etc. in violation of the Harassment-Free Workplace policy on page 14.

**Alcoholic beverages and other controlled substances:** At all times and in all instances, the sale and consumption of alcoholic beverages at the market shall be in accordance with the approval and regulations of all state and local government regulatory agencies charged with the oversight thereof. Additionally, no alcoholic beverages shall be kept, bought, or sold in any rental space or other market location except pursuant to a current lease or as may be approved for an event. Consumption of alcoholic beverages by any food truck vendor or food truck vendor's staff during their scheduled time of vending is prohibited. Management approval relating to alcoholic beverages shall not indicate or otherwise imply regulatory approval or compliance, which is not within the market's purview. No illegal substances shall be consumed, kept, bought, or sold in any rental space or other market location.

**Smoking and vaping:** Smoking and vaping are prohibited on market grounds (inside the iron gates, patio areas, farm sheds, garden center and market house).

**Pets:** Leashed pets and service animals are permitted inside the iron fence, in and between the sheds and within patio areas. Only licensed service animals are allowed inside the market house. Food truck vendors are not permitted to bring domestic pets to the market during vending hours, unless they are licensed service or therapy animals.

**Soliciting:** Soliciting is prohibited without written authorization from market management. This includes, but is not limited to, ambush marketing and petitioners. Individuals and organizations are not permitted to solicit outside of or without an assigned booth space.

**Inclement weather policy:** The market is open rain or shine. Failure to attend on poor weather days will count towards your total absences and impact decisions for future application approval. Market management will make decisions to alter market operations and hours based on weather reports and on-site market conditions. It is the authority of market management staff to close the market early, open the market late or cancel a market day due to severe or inclement weather.

During inclement weather events, it is up to the individual vendors to weigh factors and make a decision about whether or not to attend market that day. Absences due to severe or hazardous weather (not just rain) will not count against market attendance records. Refunds and credits will not be provided for inclement weather closure except with written approval from market management.

**Value-added commissary facility:** The market has established a rentable production facility on the south end of the market house called the Grow Local Commissary. This facility will provide farmers, artisans, and food truck vendors space and equipment for producing value-added products to limit food waste. It will include vegetable-washing spaces, ovens, a blast chiller, a tilt skillet, a steam kettle and more. The commissary is a scheduled facility. If you are interested in renting space at the commissary, contact the market's Program Manager.

**Events:** The market hosts many events annually, including weekend festivals and other promotional events. These events provide vendors with an opportunity to reach a large audience and market seasonal goods. Vendors can also sponsor music, activities and more for our festivals in exchange for special promotion in conjunction with the event. The 2024 festival schedule is as follows:

**Saturday, May 11:** Strawberry Jubilee Festival

**Saturday, June 15:** Peach Mini Festival

**Saturday, July 13:** Tomat-O-Rama Festival

**Saturday, August 17:** Watermelon Mini Festival

**Saturday, September 28:** Fall Ball, Y'all! Festival

**Saturday, October 19:** Pumpkin Mini Festival

**Saturday, November 2:** Turnip Green Festival

**Saturday, December 7:** Shop Local Saturday with Santa

Please contact the Farmers' Market Program Manager for information regarding on-site operations.

## Rules of conduct

**Vendor conduct:** Market management expects all food truck vendors and their staff to conduct themselves in a manner that contributes to a positive shopping experience for our customers. This includes but is not limited to: not idling your engine, not playing loud music, refraining from smoking, properly securing your tent/canopy/umbrella, rule compliance and customer service. Your staff should be well-versed in the products they are selling and provide positive customer service to ensure a pleasant shopping experience.

We ask that vendors not leave their food trucks unattended during market hours. If you are working alone and need a break, please ask a neighbor, staff member or security personnel to fill in for you. Children must stay within their parent/guardian's rented area and not disrupt neighboring vendors, unless under direct supervision by their parent/guardian. However, it is best practice to not bring children to vending days so you can focus on customer engagement. Courtesy and respect are essential to the success of the market and its vendors.

Market management expects food truck vendors and their employees/staff to be honest and to conduct themselves in a courteous and friendly manner with other market participants, staff, service providers and shoppers. Inappropriate conduct or language toward other vendors, customers, or management - whether in person or by electronic media - will not be tolerated and may be grounds for immediate termination and dismissal from the market.

**Harassment-free workplace:** The following is applicable to all vendors and their staff, market staff, service providers and board members. Anyone who experiences harassment is encouraged to report the incident to market management. Any vendor found to be violating this policy is subject to penalties, including possible suspension or expulsion from the market.

Nashville Farmers' Market is committed to a work environment in which all individuals are treated with respect and dignity. Everyone has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices including harassment. Therefore, Nashville Farmers' Market expects that all relationships among persons in the office and markets will be businesslike and free of bias, prejudice and harassment. It is the policy of the Nashville Farmers' Market to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, immigration status, age, disability, genetic information, marital status, amnesty or status as a covered veteran. Nashville Farmers' Market prohibits any such discrimination or harassment. Please see the appendix in this document for a full definition of harassment.

**Grievance policy:** If a food truck vendor has a grievance regarding the market, its staff or any member of the vending community, it must be submitted in written statement to market management within 48 hours of the occurrence so the claim can be properly investigated. If the grievance is related to market management in particular, please direct your written statement to the market's board chair within 48 hours of the occurrence. Nashville Farmers' Market prohibits retaliation against any individual reporting or participating in an investigation. The market seeks to foster a safe and inclusive environment for all, and grievance claims will be pursued with the utmost concern and promptness to insure resolution. Please contact the market's Executive Director if you have experienced a violation of any of these rules.

## Agreement and penalties

By submitting an application to vend at the Nashville Farmers' Market, food truck vendors agree that they have read this handbook in full and agree to adhere to all policies outlined in the document.

**Violations and penalties:** Violations or failure to comply with any market rules and policies will generally result in the following disciplinary action:

**First offense:** A verbal warning with documentation of the policy offense.

**Second offense:** A written warning and a \$50 policy violation fee.

**Third offense:** Suspension of vending or farm shed membership for a period of time designated by market management.

**Fourth offense:** Termination of remaining season with immediate removal of all equipment and merchandise from premises.

Penalties may vary depending on the severity of the offense, and market staff may apply such penalties at its discretion. All violations of any market rules, policies or directives constitute a breach of license to operate at the market. Extreme violations can result in the permanent loss of any or all Nashville Farmers' Market privileges and contract termination, as well as associated charges, fees, and damages.

**Amending policies:** Nashville Farmers' Market policies may be altered, amended, or replaced by a majority vote of the market's board at any regular or special meeting. Proposed changes to Nashville Farmers' Market rules and policies must be filed with the board chair in writing at least seven days before the meeting during which it is to be considered and before the notice of such meeting has been provided to the members.

**Indemnity agreement:** In consideration of the Nashville Farmers' Market granting a license to rent, occupy, and do business from assigned space at the Nashville Farmers' Market, each approved vendor shall indemnify and hold harmless the Nashville Farmers' Market from and against any and all claims, demands, actions, losses, obligations, costs, charges, expenses, judgments, damages, and liabilities whatsoever (including, without limitation, reasonable fees and expenses of attorneys, expert witnesses, and other consultants), which Nashville Farmers' Market may sustain, suffer, or incur by reason of, in connection with, or arising out of the activities or use of Nashville Farmers' Market facilities by each vendor or by its employees, family, agents, contractors, or invitees, and shall therefore assume any and all responsibility and liability. Each vendor understands that it is responsible for its own general and product liability insurance.

In the event that a vendor fails to indemnify and hold harmless as herein agreed, the Nashville Farmers' Market shall have full rights to defend, pay or settle said claim on its behalf without notice to that vendor and with full rights to recourse against that vendor for all fees, costs, expenses, and payments made or agreed to be paid to discharge said claim. In the event of default, such vendor further agrees to pay all reasonable legal fees and expenses necessary to enforce this agreement. This agreement shall be unlimited as to amount and duration.

# Appendix

## Definitions of harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment

Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals

Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different genders. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of their race, color, religion, gender, sexual orientation, national origin, immigration status or citizenship, age, disability, marital status, genetic information, veteran status, or any other characteristic protected by law or that of their relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

These policies apply to all applicants' employees and off-site markets where the Nashville Farmers' Market operates, whether related to conduct engaged in by fellow employees or someone not directly connected to the Nashville Farmers' Market (e.g., an outside vendor, consultant or customer). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.