

# SIMON PEARCE

## Restaurant Front of House Paid-Time-Off (PTO) Program POLICY & PROCEDURE

### PURPOSE

Simon Pearce recognizes the importance of providing employees the opportunity for work/life balance. Many of our locations are open weekends and holidays, so we combine our vacation, holiday, personal, and sick time into one category called Paid Time Off (PTO). We encourage all of our employees to use their paid time off for the rest and relaxation that is well deserved.

### ELIGIBILITY

The Company provides PTO to all *Regular Full-Time* and *Regular Part-Time 30-35* employees. Employees classified as *Part-Time <30* or *Temporary* status are not eligible for PTO. New employees are eligible to begin accruing PTO after the completion of one year of service.

### ACCRUAL

Employees will accrue PTO hours during each pay period for all regular, overtime, PTO, holiday, jury duty, and bereavement hours paid up to a maximum amount of 96 hours per pay period. The amount of PTO that each employee accrues is based on length of service. Employees will advance to the next tier in the pay period following their 3rd, 6th, and 14th anniversary. See tiers below.

PTO accumulates up to a maximum of 240 hours. When an employee reaches 240 hours, PTO will stop accumulating until hours are used and the total decreases below the maximum balance.

PTO Accrual Tiers and Rates of Pay			
Years of Service	Annual PTO Accrual Maximum	Accrual Rate per hour	Hourly Rate of Pay
<1	No Accrual	N/A	N/A
1 - 2	80	0.038	\$12.00
3 - 4	120	0.058	\$13.00
5 - 9	160	0.077	\$14.00
10 - 14	240	0.115	\$15.00
15+	260	0.125	\$15.00

### PROCEDURE

Employees are required to use PTO for any time absent from their work schedule due to illness, vacation, holiday or personal time, except as required by state law in connection with Family/Medical Leave\*. PTO may be used for individual days, week, or partial days as long as the time is approved by your supervisor. Every effort should be made to notify your supervisor in advance of any planned time off. Any planned time off greater than a week should be approved by your supervisor at least two weeks in advance. Your supervisor must approve all PTO requested.

*\* Use of PTO in conjunction with unpaid Family/Medical Leave is at the option of the employee and special rules apply. See Family/Medical Leave Policy and/or speak to an HR representative. Utilization of paid leave will not extend the period of job-protected FMLA leave.*

# SIMON PEARCE

## **PAY IN LIEU OF**

No payments will be made in lieu of taking PTO, except for remaining PTO balances at the time of separation or status change to a position that no longer qualifies for PTO.

## **STATUS CHANGE**

In the event that a Regular Full-Time or Part-Time 30-35 employee changes his/her status to Part-Time <30 or Temporary, he/she will have all of his/her PTO paid out. In the event an employee changes status from Part-time or Temporary status to Regular Full-Time or Part-Time 30-35 and becomes eligible for PTO, employees will begin to accrue at the rate from their original date of hire.

## **SEPARATION**

In the event that an employee leaves Simon Pearce either voluntarily or involuntarily, he/she will be paid out 100% of his/her unused, accrued PTO balance.

## **PTO and Leaves of Absence**

If an employee is on an approved Family/Medical Leave, Personal Leave of Absence, Military, Bereavement, or Civic Duty Leave, as described in our Employee Handbook, they will begin to accrue PTO when they return to work.

Effective 02.22.2021