

SIMON PEARCE

Paid-Time-Off (PTO) POLICY & PROCEDURE

**Restaurant, Front of the House (FOH) non-exempt employees have a separate program. Please refer to "Restaurant (Front of House) Paid-Time-Off (PTO) Program" document.*

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).

ELIGIBILITY

PTO is accrued upon hire or transfer into a benefits-eligible position. Eligible employees must be scheduled to work at least 30 hours per week on a regular basis. Employees working less than 30 hours per week on a regular basis and temporary employees are not eligible to accrue PTO.

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 80 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 (Based on 80 hours per pay period)			
Years of Service	Annual PTO Accrual*	Accrual Rate per hour	Hours Accrued Biweekly*
0 - 3 (completion of 3rd year)	160	0.077	6.16
4 - 6 (completion of 6th year)	200	0.096	7.68
7 - 14 (completion of 14th year)	240	0.115	9.20
15+	260	0.125	10.00

*Annual and biweekly accruals are based on an employee having 2,080 paid hours per year (40 hours per week).

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, weeks, or partial days, up to the employee's regularly scheduled hours (maximum of 40 hours per week), as long as the time is approved by the department manager/director. Every effort should be made to notify the manager of any time off needs in advance.

SIMON PEARCE

Paid-Time-Off (PTO)

POLICY & PROCEDURE

NOTE: 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 someone in HR. Utilization of paid leave will not extend the period of job-protected FMLA leave

All PTO must be approved by the employee's manager.

Non-Exempt Employees: Submit a request to your manager to be entered into ADP or Communicate number of hours used or to-be-used to your manager to be entered into the Time and Attendance system.

Exempt Employees: Submit a PTO request to your manager via ADP.

Employees may borrow up to 40 hours of benefit time before it is accrued, with the supervisor's approval. If an employee leaves before the PTO is earned back, the employee shall authorize the company to deduct the unpaid time from their final paycheck.

PAY IN LIEU OF:

No payments will be made in lieu of taking PTO, except for unused 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 Part-Time 30-35 or Full-time employee changes his/her status to Part-time (<30 hrs/wk) or Temporary, PTO will be paid out at 100% of the balance. In the event an employee moves from Part-time <30 or Temporary status to Regular Part-time 30-35 or Full-time and becomes eligible for PTO, he/she will begin accruing PTO as of the date of their status change based on years of service.

SEPARATION:

In the event an employee leaves Simon Pearce, he or she will be paid out 100% accrued, unused PTO; likewise, if they have used more PTO than accrued the difference will be deducted from the final paycheck. PTO cannot be used in lieu of a two-week notice.

Effective 02.22.2021