PAID SICK LEAVE POLICY

**(Oregon Only)**

(revised: 1.1.2023)

**IMPORTANT NOTE:  TEAM MEMBERS AND LEADERS ARE EXPECTED TO BE DILIGENT AND ASSIST IN THE PAYMENT OF SICK LEAVE TO WHICH THEY ARE ENTITLED UNDER THE LAW AND THIS POLICY BY NOTIFYING LEADERSHIP OF THEIR NEED TO USE SICK LEAVE. The Company may not know the reason for an absence or failure to work a shift by a Team Member or Leader. Team Members and Leaders must be familiar with their rights and submit the request form to be paid for their time away from work.** **THIS POLICY IS INTENDED TO COMPLY WITH THE OREGON PAID SICK LEAVE LAW (“OPSLL”).**

**Eligibility.**

Employees who work for the Company in Oregon accrue sick or safe leave under this policy (hereafter, “Paid Leave”). Employees of the Company who do not work in Oregon do not accrue any benefit under this policy.

**Accrual and Use Generally**.

Paid Leave began to accrue on January 1, 2016 and may be used at any time; provided, for employees hired after January 1, 2016, Paid Leave may not be used during the first ninety (90) calendar days of employment.

For hourly Team Members and Leaders, eligible hours include straight-time and overtime hours worked and does not include vacation time and any unpaid absences from work such as under the FMLA. Leaders who are paid a salary who work full-time will be considered to have worked forty (40) eligible hours in each scheduled work week in which they work their normal schedule and does not include vacation and any unpaid absences. Paid Leave accruals are pro-rated for part-time, exempt employees.

**Accrual/Carryovers**.

Employees accrue, use, and carryover Paid Leave as follows:

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| --- | --- | --- | --- | --- |
| Salary Leaders  Accrued Per 40 Hours | Hourly Team Members and Leaders – Accrued Per Hour | Maximum Annual Accrual (Cap) | Maximum Annual Use Allowed | Maximum Annual Carryover |
| 1.33 hours | 0.033 hour | 40 hours | 40 hours | 40 hours |

Once an employee uses the maximum amount of Paid Leave that is allowed to be used in any calendar year, the employee may not use any additional Paid Leave that year. At the end of each calendar year, up to 40 hours of accrued but unused Paid Leave may be carried over to the next year. Unused Paid Leave is not paid upon termination, resignation, retirement or other separation from employment.

**Use of Paid Leave.**

Paid Leave must be used in increments of at least one (1) hour. Paid Leave may be used for any permitted use under the OPSLL including without limitation (1) the employee’s own or any immediate family member’s non-serious illness or preventive health care; (2) absences resulting from workplace or school closures; (3) reasons related to domestic violence, sexual assault or staling that affect the employee or the employee’s family members, (4) parental leave; and (5) bereavement leave. The reasons set forth in the forgoing sentence are not intended to be exhaustive nor to provide a full explanation. Employees must ask their Store Leader any questions and are encouraged to review the OPSLL on their own time.

**Notice Absences/Verification**.

Employees who miss work for any reason to include any reason covered by OPSLL are required to notify their Store Leader or any leader on duty in accordance with normal policy for any absence from his/her shift. If the reason for Paid Leave is foreseeable, the employee must notify his/her Store Leader ten (10) or more days in advance of the foreseeable absence by submitting the Sick Leave Request form. If the leave was not foreseeable, employees should submit the Sick Leave Request form as soon as practical but within (10) days after returning to work.

The Company reserves the right as provided in the OPSLL to require documentation to support any request for Paid Leave to include any illness or injury that results in three (3) or more consecutive days of absence from work. The Company will pay the cost or out of pocket expense incurred in obtaining a healthcare provider’s documentation.

If FMLA –eligible and the reason for an absence qualifies as a covered absence under the FMLA, the employee will also be required to use his/her FMLA leave entitlement while using Paid Leave. When Paid Leave is used for three or more consecutive days of absence for domestic violence, reasonable documentation may be requested, such as a police report, court order, or a written statement from the employee.

**Sick Leave Request Form.**

IMPORTANT NOTE -  TEAM MEMBERS AND LEADERS ARE EXPECTED TO BE DILIGENT AND ASSIST IN THE PAYMENT OF PAID LEAVE TO WHICH THEY ARE ENTITLED UNDER THE LAW AND THIS POLICY BY NOTIFYING LEADERSHIP OF THEIR NEED TO USE PAID LEAVE.  To ensure that Paid Leave is paid correctly, Team Members and Leaders must complete the Sick Leave Request form in its entirety to include the shifts and/or hours subject of the confirmation.  The form is posted in the restaurant and additional copies are available by asking any leader in the restaurant or by calling the Home Office [(253.588.1788](tel:(253)%20588-1788)).  The Sick Leave Request form is also available to download on Ram Academy. Employees must notify leadership within ten (10) days of returning to work if they want to use Paid Leave if the absence was not foreseeable.  Employees must provide leadership notice ten (10) days prior to the leave if possible if the need for the leave was foreseeable.  Team Members and Leaders must understand their rights under the OPSLL and this policy and must ask any leader in the restaurant or call the Home Office if they have any questions.

**Important.**

This policy is only for employees who work in Oregon, and no other employee of the Company has any rights hereunder. In the event of a conflict between the policy set forth above and the OPSLL, the OPSLL shall control. The Company strives to obey the law in all respects, and it reserves the right to amend, modify, add or rescind this policy in its sole discretion and without notice to any person. This policy is not intended to be a complete statement of the Company’s compliance with the law.

**Retaliation.**

Employees will not be subject to retaliation for using or attempting to use Paid Leave under this policy. If any employee believes that he/she has incurred any retaliation, the employee must report it immediately to the Store Leader, to the Regional Leader or to the Home Office by contacting the Controller, HR or any owner. The phone number for the Home Office is 253.588.1788.

**Misuse of Paid Leave**.

Misuse of Paid Leave as provided in this policy or any violation hereof is strictly prohibited. The Company reserves the right to investigate any alleged violation of this policy and employees are subject to discipline up to and including termination of employment.