**WASHINGTON STATE**

* **All Washington Locations -**

**PAID LEAVE POLICY**

**(revised - 1/1/2023)**

IMPORTANT NOTE:  ALL TEAM MEMBERS AND LEADERS IN THE STATE OF WASHINGTON 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 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 under this policy and submit the Sick Leave Request form to be paid for their absences from work. This policy is intended to comply with the Washington State Paid Sick and Safe leave law and, as it concerns the Tacoma, WA locations (restaurant and brewery warehouse), the City of Tacoma ordinance.

 **Eligibility.**

Effective January 1, 2023, all employees of the Company in the state of Washington shall accrue paid sick and safe leave (hereafter, simply, “Paid Leave”) to include (A) all Team Members and hourly Leaders who are currently benefited by the existing policy, (B) all Leaders who were paid a salary but beginning January 1, 2023 are being paid hourly, and (C) all salaried Store Leaders to include the Store Leader of the restaurant in Tacoma, WA. Notwithstanding the forgoing, no employee of the Home Office of the Company shall benefit by or accrue any rights hereunder.

 **Accrual and Use Generally**.

The accrual and use of Paid Leave of Team Members and hourly Leaders described in (A) above employed by the Company on January 1, 2023 shall remain the same and are not affected hereby provided that they have worked for the Company for 90 days. For all Leaders described in (B) and (C) above, Paid Leave starts to accrue based on their eligible hours beginning January 1, 2023, and they may use accrued Paid Leave without any waiting period provided that they have worked the Company for 90 days. For Team Members and Leaders hired after January 1, 2023, or hired within 90 days prior to January 1, 2023, Paid Leave accrues beginning on their date of hire, and Paid Leave may only be used after 90 calendar days of employment.

For Team Members and hourly Leaders, eligible hours include straight-time and overtime hours worked. Team Members and hourly Leaders do not accrue Paid Leave when they are not working to include without limitation vacation time and time away from work under the Family and Medical Leave Act (FMLA). Store 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 and eligible hours do not include vacation time or any unpaid absences such as time away from work under the FMLA.

 **Accrual and Annual Carryovers**.

Team Members and Leaders accrue, use and carryover Paid Leave as follows:

|  |  |  |
| --- | --- | --- |
| Team Members and hourly Leaders – Paid Leave Accrued Per Hour | Store Leaders - Paid Leave Accrued Per 40 Hours | Maximum Annual Paid Leave Carryover |
|  .025 hours | 1.0 hours | 40 hours |

 There is no cap on the amount of Paid Leave that a Team Member or Leader may use in any calendar 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. Accrued but unused Paid Leave is not paid upon termination, resignation, retirement or other separation from employment. A statement of the amount of accrued Paid Leave is provided online by the Company’s payroll provider, Paylocity, and may be accessed by Team Members and Leaders with other wage information at any time.

 **Use of Paid Leave.**

Accrued Paid Leave may be used in any increment of time whenever a Team Member or Leader is absent from scheduled work for any of the following occurrences.

1. The Team Member’s or Leader’s mental or physical illness, injury, or health condition, including temporary medical disability (for example, associated with pregnancy or childbirth), or to accommodate the employee’s need for medical diagnosis, care or treatment of the Team Member’s or Leader’s mental or physical illness, injury or health condition, or need for preventative medical care.
2. To care for a family member with a mental or physical illness, injury or health condition; to care for a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or to care for a family member who needs preventative medical care. Family members for these types of absences include a minor child, an adult child incapable of self-care because of mental or physical disability, a parent, a grandparent, a parent-in-law, and a spouse or state-registered domestic partner.
3. If the Company’s business location in the Washington State, or a child’s school or place of care, is closed by order of a public official to limit exposure to an infectious agent, biological toxin or hazardous material.
4. Absences resulting from a family member being the victim of domestic violence, sexual assault or stalking, including absences to seek law enforcement assistance or participate in legal proceedings, seek treatment from a health care provider, obtain services from a social services agency assisting such victims, to obtain mental health counseling, or to participate in safety planning or relocation for safety reasons (collectively referred to in this policy as “domestic violence”). Family members for absences related to domestic violence include a child, spouse or state registered domestic partner, parent, parent-in-law, grandparent, a person whom the Team Member or Leader is dating, or anyone else defined as a covered family member in Washington State’s domestic violence leave law (RCW 49.76.020).
5. City of Tacoma only: For the restaurant and brewery warehouse locations in the City of Tacoma, any occurrence in TMC 18.10 not addressed above to include bereavement of a family member to include a domestic partner.

**Notice of Absences and Verification**.

Team Member and Leaderswho miss work for any reason to include any reason covered by Paid Leave are required to notify leadership (e.g. the Store Leader or the Home Office) in accordance with normal policy for any absence. If foreseeable, Team Members and Leaders must notify leadership as early as possible in advance of the foreseeable absence but no later than ten (10) days before the first day of absence.

A Leader may require verification of the stated purpose of any request for Paid Leave for any absence of three (3) or more consecutive missed shifts (or days). A Leader will outline the nature of the required documentation will provide a reasonable deadline for providing such documentation. The Team Member or Leader will be subject to discipline for failing to provide such documentation within the allotted time or failing to provide it in the required form (e.g. a signed doctor’s note). Any Team Member or Leader who believes that obtaining the requested documentation would be an unreasonable burden or expense, such Team Member or Leader must explain in a written statement directed to leadership why he or she can not comply with the verification request. In such event, leadership will work with the Team Member or Leader to identify alternative means to comply with the verification request. If the stated purpose of the Paid Leave is domestic violence, reasonable documentation may include a copy of a police report, a court order or a written statement from the Team Member or Leader.

If the stated purpose for the Paid Leave also qualifies as covered time away from work under the FMLA or similar law, the Team Member or Leader will also be required to use that time concurrently or at the same time as using Paid Leave. The Company may require documentation to verify the time away from work under the Company’s FMLA (or other form of leave) policy and, in such event, the documentation may also suffice as verification of the need for Paid Leave under this policy.

**Sick Leave Request Form.**

IMPORTANT NOTE -  TEAM MEMBERS AND LEADERS ARE EXPECTED TO BE DILIGENT AND ASSIST IN THE PAYMENT OF PAID SICK LEAVE TO WHICH THEY ARE ENTITLED UNDER THIS POLICY BY NOTIFYING LEADERSHIP OF THEIR NEED TO USE PAID SICK 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 request.  The Sick Leave Request 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).  The Sick Leave Request form is also posted on Ram Academy. Team Members and Leaders must notify leadership within ten (10) days of returning to work if they want to use Paid Leave for the absence if the absence was not foreseeable.  Team Members and Leaders must notify leadership 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 this policy and must ask any leader in the restaurant or call the Home Office (253.588.1788) if they have any questions.

**Important.**

This policy is only for Team Members and Leaders who work in the state of Washington and no other employee of the Company has any rights hereunder. In the event of a conflict between this policy and the Paid Sick Leave law in the state of Washington or, as it concerns the Tacoma locations, TMC 18.10, the law or ordinance as applicable shall control. This policy is not intended to be exhaustive and the Company will defer to the state law or to the City of Tacoma ordinance as applicable to supplement this policy as necessary. This policy replaces any prior version of it. The Company reserves the right to amend, modify, add or rescind this policy in its sole discretion and without notice to any person.

**Retaliation.**

 Team Members and Leaders will not be subject to retaliation for using or attempting to use Paid Leave under this policy. If any Team Member or Leader believes that he or she has incurred any retaliation, the Team Member or Leader must report it immediately to the Store Leader, to the COO 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 Team Members and Leaders are subject to discipline up to and including termination of employment.