



Military Leave Policy

The Fanatics Military Leave Policy (“Policy”) establishes uniform military leave treatment and allows eligible employees to fulfill their military obligations as required by law.

Definitions

For the purpose of this Policy, the following definitions apply:

- “Uniformed Services” include the armed forces (Army, Navy, Marine Corps, Air Force, Coast Guard, the Reserves, Army National Guard, Air National Guard, the Commissioned corps of the Public Health Service) and any other category of persons designated by the President in time of war or national emergency.
- “Service in the Uniformed Services” means duty, on a voluntary or involuntary basis including: active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, and period of absence for an examination to determine the fitness of the person to perform any such duty.

Eligibility

All regular full-time and regular part-time employees are eligible for a Military Leave. Seasonal employees are also eligible for participation. However, because a seasonal employee’s employment with the Company is brief or non-recurring, and there is no reasonable expectation that employment will continue indefinitely, the employee is not eligible for reinstatement.

Eligibility for re-employment and treatment under the conditions and provisions of the Military Leave Policy is extended for leaves not exceeding five years. The five-year maximum does not include certain periods of time (e.g., service required beyond five years to complete an initial period of obligated service, active duty during a war or declared national emergency, etc.) as exempted under the Uniformed Services Employment and Re-employment Rights Act of 1994 (“USERRA”).

Eligibility in this Policy does not extend to anyone whose military service terminates due to:

- A dishonorable or bad conduct discharge;
- A discharge for other than honorable conditions;
- Dismissal; or
- A dropping of such person from military rolls.

Compensation during Military Leave

Leave Less Than or Equal to Two Years

Employees on Military Leaves of less than two years shall receive Offset Pay to make up any shortfall between Military Pay and Company Pay. The amount of Offset Pay an employee receives during a leave of less than or equal to two years is determined by the following considerations:

- The employee's "Military Pay, Daily Base Rate" shall be determined by dividing the employee's monthly military base pay rate by thirty.
- Offset Pay is determined by first multiplying the number of regularly scheduled Company workdays which occur during the tour of duty; this amount is then subtracted from the employee's Company Pay for the same time period.
- Military Pay is deducted from Company Pay only for regularly scheduled workdays.
- For purposes of this Policy, Designated Company Holidays are considered regularly scheduled workdays. Military Pay received for service on such days will be deducted from Company Pay to determine the amount of any Offset Pay to which an employee is eligible.

Examples to Aid in Interpretation:

Employee's monthly military base pay rate is \$2307.00. The employee's Military Pay, Daily Base Rate is \$76.90 (2307/30). Employee earns \$18 per hour with Fanatics, which equates to \$144 per day assuming an eight-hour shift. Employee would be eligible for up to \$67.10 in Offset Pay for each day spent on Military Leave.

If an employee were called for duty three days only, Friday Saturday and Sunday, and the employee is not scheduled to work on Saturday or Sunday, then the employee would be eligible for Offset Pay for Friday, but not for Saturday or Sunday. If the employee is scheduled to work Friday, Saturday and Sunday, the employee will be eligible to receive Offset Pay for all three days.

Leave of More than Two Years

Employees on Military Leaves that exceed two years in length are not ordinarily eligible for Offset Pay.

Benefit Status During Military Leave

Benefit plan status while an employee is on Military Leave is governed by the terms and conditions of each respective plan. Specific provisions governing the status of each benefit can be found in the respective plan document.

Other Employment While on Military Leave

Employees are not permitted to perform in any position of employment with another employer while on Military Leave, except as employed by the US Government for which the Military Leave has been granted.

Job Reinstatement Rights

Employees returning from Military Leave are eligible for reinstatement so long as they make a timely application and are otherwise qualified for reinstatement in accordance with USERRA.