



## Time-Off Policy for Full-Time Non-Seasonal Hourly Employees

Fanatics recognizes that employees benefit from time away from work for a variety of reasons, all of which contribute toward a positive work-life balance. We provide the following programs to full-time non-seasonal hourly employees. This Policy replaces and supersedes the Policy dated all prior PTO policies for full-time non-seasonal hourly employees. If you have questions or concerns about this new program or your prior time off program, please contact local HR or your manager.

### **Paid-Time-Off (PTO)**

PTO can be used for a variety of reasons, such as vacation, absences due to illness or injury and for personal needs such as medical appointments and school activities. The choice about how to use your PTO time is up to our employees, with their manager's approval. PTO should not be used for leaves that are otherwise paid under other programs, such as jury duty or approved bereavement leave. However, employees may request to use PTO for leaves that would otherwise be unpaid.

### **PTO Accrual Non-California**

New employees become eligible for a PTO accrual beginning on their hire date. PTO is accrued in hourly increments based on employees' years of service as defined in the accrual schedule below. PTO is added to employees' PTO banks on the pay date following the end of the pay period.

An employee who has been separated from the Company for more than 90 days will accrue PTO as a new hire; that is, the PTO accrual will be based on the most recent rehire date. Employees rehired within 90 days after separation will be eligible for the same accrual schedule they had on their date of termination.

Yrs of Service	Bi-Weekly Hours Accrued	Full Year Accrual: Hours	Maximum Year to Year Carryover: Hours
< 5 yrs	4.62	120	40
5-10 yrs	6.15	160	40
10+ yrs	7.69	200	40

## PTO Accrual California

California Employees accrue PTO in accordance with the chart below. Once an employee's balance reaches the maximum, accrual of time will stop. Accrual will resume once PTO is used and the balance drops below the maximum accrual.

Yrs of Service	Bi-Weekly Hours Accrued	Full Year Accrual: Hours	Maximum Balance: Hours
< 5 yrs	4.62	120	180
5-10 yrs	6.15	160	240
10+ yrs	7.69	200	300

## Procedure

PTO must be requested a minimum of 48 hours in advance and must be approved by your manager. You must record PTO within the pay period in which it is taken. Every effort will be made to accommodate your PTO request. However, managers have the discretion to approve or deny a PTO request depending on the business and operational needs of the Company, including but not limited to how many other employees in your department or work location have already been approved for time off during the same time period. PTO can be used in 30-minute increments and will be deducted from an employee's PTO bank.

Unscheduled PTO, such as absences due to illness, injury or emergency situations, must be communicated to a manager or HR before the scheduled work day begins or, if that is not feasible, as soon as possible. A failure by employees to return to work following approved PTO without consulting with your manager or HR may be considered a voluntary resignation of employment. In the event of an unscheduled absence when UPT & PPT is exhausted, the Company will deduct PTO from the employee's available PTO balance in 30-minute increments to cover all other time off work regardless of whether it was approved in advance, unless other paid leave such as Short Term Disability applies. In any case, all time missed from work for any reason must be reported to the employee's manager or HR. NOTE: Exceptions may be granted for COVID-19 exposure and testing.

PTO cannot be "borrowed" or used before it is accrued.

## PTO Accrual While on Leave

Employees continue to accrue PTO while on paid leave of absence for any reason up to 12 weeks. However, employees on unpaid leave, including those receiving Workers' Compensation benefits, do not accrue PTO during such leave.

## Separation of Employment

Employees who separate from the Company will be paid for any accrued but unused PTO. Unused, accrued PTO will be paid out no later than one pay period following the termination date unless otherwise mandated to be paid sooner under applicable state law. When calculating PTO payments,

the employee's hourly rate in effect at the time of separation is used in the calculation; incentive payments are not included in the calculation.

### **Paid Personal Time (PPT):**

In addition to PTO, the Company also provides Full-Time Non-Seasonal Hourly Employees with 24 hours of PPT to use for things that come up in life, planned or unplanned. PPT hours are added to your time off bank at the beginning of the year or when hired.

#### **Procedure**

- PPT may only be used in 30 minute increments.
- PPT hours do not roll-over from year-to-year so they must be used in the same calendar year they are granted. These hours **will not** be paid out upon termination unless required by applicable state law.
- While we recognize that you may need to use PPT for emergencies such as a flat tire or an unexpected illness, we ask that you schedule PPT as far in advance as possible. Additionally, an employee who will be late to or absent from work must still call in each day unless they have pre-arranged PPT with their Supervisor or Human Resources.
- PPT hours will not be included in the calculation of Overtime.
- **Peak Sites and Flagship Retail:** Paid Personal Time should not be used from Thanksgiving through Christmas in the absence of an emergency.
- Managers have the discretion to approve or deny a PPT request depending on the business and operational needs of the Company.
- PPT is not paid out upon termination in the absence of state or local law requiring otherwise.
- New hires will be granted PPT in accordance with the following schedule:
  - Hired between January 1 and April 30: 24 Hours
  - Hired between May 1 and July 31: 16 Hours
  - Hired between August 1 and October 31: 8 Hours
  - Hired between November 1 and December 31: 0 Hours

\*California based employees: Please refer to the California addendum for the California PPT Policy

### **Unpaid Personal Time (UPT):**

Our UPT program gives eligible employees 30 **unpaid** hours to use for things that come up in life, whether planned or unplanned.

#### **Procedure**

- UPT is just that—unpaid time.
- UPT may only be used in 30 minute increments.
- UPT hours do not roll-over from year-to-year so they must be used in the same calendar year they are granted.
- While we recognize that you may need to use UPT for emergencies such as a flat tire or an unexpected illness, we ask that you schedule UPT as far in advance as possible. Additionally, an employee who will be late to or absent from work must still call in each day unless they have pre-arranged UPT with their Supervisor or Human Resources.

- Overtime: UPT **will not be** included in the calculation of OT.
- **Peak Sites and Flagship Retail:** Unpaid Personal Time should not be used from Thanksgiving through Christmas. Managers have the discretion to approve or deny a UPT request depending on the business and operational needs of the Company.
- New hires will be granted UPT as follows:
  - Hired between January 1 and June 30: 30 Hours
  - Hired between July 1 and October 31: 20 Hours
  - Hired between November 1 and December 31: 10 Hours

**Tardiness**

Employees will be given a 5-minute grace period at the start of their shift, however any time missed after this 5-minute grace period will be deducted from the Paid Personal Time or Unpaid Personal Time rounded up to the next 30 minutes. If both of these Time Off buckets are at zero, the time missed beyond the 5-minute grace period will be deducted from the PTO bucket. For example, if an employee’s scheduled shift begins at 7:00 and the employee arrives at 7:15, the employee will be paid for time worked beginning at 7:15 and 30 minutes will be deducted from one of the available time off buckets.

**Holiday Pay**

Full-Time Non-Seasonal Hourly employees are eligible to be paid for six (6) Company-recognized Holidays with the exception of years with Presidential elections for which you will be given an extra day:

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|--|------------------|
| New Year’s Day                                     | Labor Day        |
| Memorial Day                                       | Thanksgiving Day |
| Independence Day                                   | Christmas Day    |
| Election Day for Years with Presidential Elections |                  |

Any employee with an unexcused absence on the last scheduled workday before the holiday or the first scheduled workday after the holiday will be ineligible for Holiday Pay.

Holidays that fall on a weekend may be observed on a normal work day falling in close proximity to the Holiday if you are not regularly scheduled to work on the Holiday. The Company shall identify the day which the Holiday is observed in accordance with Business needs and communicate it to Employees in advance. If your regularly scheduled shift during a holiday week does not include the day on which the Holiday falls, Fanatics will pay out the holiday for that week (shift is Wednesday-Sunday, Holiday is Monday: you will get paid for your shift and you will get holiday hours in an amount consistent with your regularly scheduled work shift). If your regularly scheduled shift during a holiday week does include the day on which the Holiday falls, Fanatics will pay out the holiday for that week along with hours works (see below for more information on holiday’s worked).

Overtime: Holiday pay **will not be** considered time worked for the purpose of overtime calculations. Holiday pay is computed at the individual employee’s base rate of pay, and scheduled work hours. If an hourly employee is scheduled to work on a company holiday, he or she will be paid one and half times the regular rate of pay plus the holiday pay. The Holiday Premium will not be considered for the purpose of overtime calculations. However, if you work on a holiday, the actual hours worked will be

considered time worked for the purpose of overtime calculations.

Holiday paid hours is based on regularly scheduled shifts. Holidays will be paid to those on short-term disability and certain other approved paid leaves. Holidays are not paid to those on long-term disability leave. Holidays falling within an approved, scheduled time off will be recorded as holiday pay (you save a PTO day!).

### **Exhaustion of Available PTO/PPT/UPT**

If an employee uses all of their PTO, PPT and UTO under this Policy, is not on an approved leave (including leaves not mentioned here) and misses a day's work, the employee will be subject to discipline, up to and including separation of employment. Exceptions include time off for disability, situations in which a reasonable accommodation is required (approved by both your manager and HR), your leave is approved under the Family and Medical Leave Act, or if the absence is for a Covered Purpose allowed under a Sick and Safe Time local law that applies to you.

#### NOTES:

- Seasonal and Part-Time Employees are managed under a separate policy.
- CA-based employees covered by this policy must use Personal Days prior to PTO Days.