



Sick Pay Benefits for Restaurant Management, Administrative and Clerical Employees

Policy

To provide income by paying certain employees during periods of approved absence from work due to illness, injury, bereavement, maternity related conditions and family care. Family care consists of care by the employee for his or her ill spouse, child or parent, or as otherwise provided by law.

1. Eligibility

All regular full time and part time employees in a restaurant management, administrative or clerical position are eligible to accumulate sick pay benefits.

2. Approval of Absence

Employees are entitled to receive sick pay benefits only during approved absences from work. Approvals are considered on an individual basis and are not granted automatically (exception: work-related illness or injury, legal requirement). Guidelines for approval and documentation are outlined in the Leave of Absence policy, number 3008. Refer to the Leave of Absence policy for Sick Pay in excess of Five (5) days.

3. Accrual of Sick Pay Benefits

Sick pay hours accrue bi-weekly from the employee's hire date (Six (6) days, based on 1/10 normal bi-weekly hours, divided by 26 bi-weekly pay periods). Any absence for any reason in excess of two pay periods during a calendar year suspends the accrual of sick pay hours during the remaining time off. Accumulated sick pay hours shall not exceed 60 days (based on normal bi-weekly hours), and no sick pay hours will accrue when 60 days is accrued but unused.

4. Sick Pay Rate

Sick pay hours will be paid at the employee's regular rate of pay, exclusive of incentive or other pay, for each hour of regular work lost. Sick pay hours will be reduced by the amount, if any, payable under State Disability Insurance or Workers' Compensation. Payment of benefits under SDI and/or the Workers' Compensation combined with pay from the Company in no case will exceed 100% of the employee's regular rate of pay.

This applies to Company operated Jack in the Box and Qdoba facilities only.

CORPORATE POLICY



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5. Extended Sick Pay

In the event of an extended, approved leave of absence and all sick pay hours have been used, up to ten (10) working days (based on the employee's normal bi-weekly hours) of extended sick pay hours may be granted upon approval of the employee's supervisor and the Vice President of Human Resources. Additional extended sick pay may be granted to employees on an approved leave of absence in unusual and exceptional circumstances with the approval of the appropriate Corporate Vice President and the Vice President of Human Resources.

Sick pay hours may be taken in no less than 1/4 hour increments, as allowed by law.

For purposes of calculating overtime, sick pay hours will not be counted as hours worked.

An employee who has used all available sick pay hours has the option to use any earned and available vacation hours for approved absences under this policy.

7. Supervisor/Employee Responsibility

It is a supervisor's responsibility to approve all sick pay hours and to submit appropriate documentation to the Payroll Department. This also applies to a work-related illness or injury. Additional approval must be submitted each time there is an extension or a change in the absence or sick pay hours requested.

It is the employee's responsibility to provide notice to his or her supervisor, if the employee is unable to report to work, no later than fifteen (15) minutes after the start of the workday and to provide documentation as required by the Company.

8. State Disability Payments

Employees in the following states may be eligible for disability insurance payments:

- California
- Hawaii
- New Jersey
- New York
- Rhode Island

Employees should contact their doctor's office or State Disability office to obtain information, instructions and an application. If the employee would like to use sick pay to supplement their disability pay and bring them to 100% of the regular rate of pay, the employee should contact the Payroll Department.

9. Documentation

The Company reserves the right in its discretion and consistent with applicable law to require such medical documentation or other evidence concerning an absence of any length as it deems necessary.

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