



**JAY PEAK PACIFIC
STANDARD POLICY AND PROCEDURE**

Implementation Date: 10/1/14

Revision date: 1/26/2024

Paid Time Off (PTO) Benefits

The PTO policy and procedures information listed below are effective as of December 1, 2018 and supersedes any previous versions of these policies or procedures.

Jay Peak has implemented two different PTO policies. A Group 1 & 2 policy and a Group 3 policy.

Benefit Eligible Policy

Group 1 & 2 Salary and Hourly employees, as defined in the Jay Peak, Inc. Employee Handbook, are eligible to accrue “Paid Time Off” (PTO) that may be used for vacation, holiday or personal time. Eligible employees accrue PTO at a rate based on the corresponding accrual tier for hours of service with the Company as a benefitted employee as of their benefit eligibility date. The accrual rates are listed below:

**Group 1 Salary Employees
Accrues by Pay Period**

**Group 2 Hourly Employees
Accrues per hour worked**

Group 1 Tier A Accrual		Group 2 Tier A Accrual	
0-2080 hours	15 days per year	0-2080 hours	14 days per year
(0- .99 year)	120 hours-annual	(0- .99 year)	112 hours-annual
of Service	4.62 hours-bi-weekly	of Service	0.0538 hour per hour worked
Group 1 Tier B Accrual		Group 2 Tier B Accrual	
2081-10,379 hours	20 days per year	2081-10,379 hours	19 days per year
(1- 4.99 years)	160 hours-annual	(1- 4.99 years)	152 hours-annual
of Service	6.15 hours-bi-weekly	of Service	0.0731 hour per hour worked
Group 1 Tier C Accrual		Group 2 Tier C Accrual	
10,380-20,779 hours	25 days per year	10,380-20,779 hours	24 days per year
(5- 9.99 years)	200 hours-annual	(5- 9.99 years)	192 hours-annual
of Service	7.69 hours-bi-weekly	of Service	0.0923 hour per hour worked
Group 1 Tier D Accrual		Group 2 Tier D Accrual	
20,780 & greater	30 days per year	20,780 & greater	29 days per year
(10 + years)	240 hours-annual	(10 + years)	232 hours-annual
of Service	9.23 hours-bi-weekly	of Service	0.1115 hour per hour worked

Note A: Hours paid for PTO and Sick Pay usage are included in the service hours' calculations. Unpaid hours classified as Family Medical Leave, and any state or federally regulated leave will also count in service hours calculation.

Note B: Hours/years of service will be calculated from date of hire. If an employee was not classified as a Group 1 or 2 FTYR employee at date of hire, the "benefit effective date" or the date that the employee was classified into a Group 1 or 2 status will be used to calculate the hours/years of service.

Note C: Once an employee attains the hours/years of service to move up to a new accrual tier as defined above, the change will be effective at the start of the next full pay period.

PTO Accrual Policies:

1. PTO will be accrued based on the Company's pay cycles. Eligibility will be determined on a bi-weekly basis. Employees must work 64 hours per bi-weekly pay period to earn the pay period PTO accrual. Payroll will perform the eligibility analysis during the pay cycle, and adjustments will be made when applicable. PTO time used will count for the purposes of these calculations. Family Medical Leave and any other state or federally regulated leave will also count for purposes of these calculations.
2. PTO can be used in advance of accrual (an employee can hold a negative PTO balance) up to 16 hours. In the event that an employee leaves Jay Peak Resort, any negative PTO balance will need to be paid back to the company through the employee's final paycheck.
3. PTO accruals are never pro-rated within a pay period.
4. PTO does not accrue during periods of layoff, Time Away, or any unpaid leave of absence.
5. Unused balances of PTO will expire at the end of the PTO year. PTO does not carry forward from one year to the next without prior approval by the General Manager, on an individual basis, for extenuating circumstances only.
6. If a break in service occurs that extends beyond six (6) consecutive months, the employee loses any prior seniority regarding the years in service calculation and must start again at the beginning accrual rate tier.

PTO Usage Policies:

7. Approval from the employee's manager for planned time off is required to ensure there is not a conflict with business needs or other staffing requirements.
8. Time-Off must be authorized and approved by your supervisor the week prior to the dates requested for planned time off or based on the department requirements.
9. PTO time for salaried staff should be taken in full day increments, barring any State law parameters. Hourly (non-exempt) employees will be able to use PTO in any increment.

10. Business periods vary by department; there may be business periods where requested PTO time is denied due to high business volumes or required due to low business volumes.
11. The PTO policy is an accrual of hours. PTO usage is always paid at the current rate of pay when PTO hours are used. Tipped employees will be paid PTO at the current VT state minimum wage rate at the time of payout.
12. Employees may not work and earn a regular paycheck while they are collecting pay for time off. PTO cannot be paid that would result in a paid workweek in excess of 40 hours, or 48 hours during the winter season (November 1 through April 30) for hourly Group 2 employees.
13. Employees may be required to use PTO during any leave of absence including FMLA, Military, Personal, Maternity leave or resort layoffs / shutdowns, except where prohibited by State or Federal law.

Other General PTO Policies:

14. PTO is paid on the regularly scheduled pay dates, barring any State or local law exceptions. PTO will not be paid in advance of its usage.
15. Termination: Upon termination of employment, an employee will be paid out all accrued PTO at their regular rate of pay at the date of termination in accordance with state and federal laws.
16. Break in Service: PTO balances will not be paid out to employees that have a break in service. Employees would be encouraged to use accrued PTO balances during any break in service period.
17. Employees do not accrue PTO time on the final PTO hours paid out following termination of employment.
18. Earned PTO will not be paid out for any Group 1 or Group 2 employee who transfers from one Group 1 or Group 2 position to another (unless a termination of employment occurs.) Any Group 1 or Group 2 employee who transfers to a Group 3 or 4 has the option to be paid out their PTO balance, or carry it through to the expiration date.

Exhibit A

Grandfathered Accrual Tier for PTO Policy

Tier GF Accrual

35 days per year
 280 hours – annual
 10.77 hours – bi-weekly or 0.1346 per hour worked

- a. Employees in this category are defined as those who have been employed by Jay Peak, Inc for 35 or more years as of September 30, 2014. Employees that attain 35 years of service after October 1, 2014 will not move into the grandfathered tier. They will remain in Tier 4 (reference above).

- b. At the time of transition to the PTO policy (10/1/2014), employees that are accruing in a higher accrual tier that was reflected above in this policy based on their hours/years of service with Jay Peak, Inc., will be allowed to remain in the higher of the two tiers.

Group 3 Policy

Group 3 Hourly employees, as defined in the Jay Peak, Inc. Employee Handbook, are eligible to accrue "Paid Time Off" (PTO) that may be used for vacation, holiday or personal time.

PTO Accrual:

PTO is earned by calculating the hours an employee worked prior to the week of a recognized holiday. An employee must work at least 160 hours in the 4 weeks prior to the holiday week (not including the week of the holiday).

Recognized Holidays include:

- New Year's Day
- Memorial Day
- Fourth of July
- Labor Day
- Thanksgiving
- Christmas

PTO Usage Policies:

1. PTO cannot be used in advance of accrual (an employee cannot hold a negative PTO balance)
2. PTO accruals are never pro-rated within a pay period.
3. Approval from the employee's manager for planned time off is required to ensure there is not a conflict with business needs or other staffing requirements.
4. Time-Off must be authorized and approved by your supervisor the week prior to the dates requested for planned time off or based on the department requirements.
5. Business periods vary by department; there may be business periods where requested PTO time is denied due to high business volumes or required due to low business volumes.
6. The PTO policy is an accrual of hours. PTO usage is always paid at the current rate of pay when PTO hours are used.
7. Employees may not work and earn a regular paycheck while they are collecting pay for time off. PTO cannot be paid that would result in a paid workweek in excess of 40 hours, or 48 hours during the winter season (November 1 through April 30) for hourly Group 2 employees.
8. Employees may be required to use PTO during any leave of absence including FMLA, Military, Personal, Maternity leave or resort layoffs / shutdowns, except where prohibited by State or Federal law.

9. PTO is paid on the regularly scheduled pay dates, barring any State or local law exceptions. PTO will not be paid in advance of its usage.
10. Termination: Upon termination of employment, an employee will be paid out all accrued PTO at their regular rate of pay at the date of termination in accordance with state and federal laws.
11. Break in Service: PTO balances will not be paid out to employees that have a break in service. Employees would be encouraged to use accrued PTO balances during any break in service period.



**JAY PEAK PACIFIC
STANDARD POLICY AND PROCEDURE**

Implementation Date: 10/1/14
Latest Revision date: 4/5/2024

Sick Pay

The Company has established a sick time policy to help bridge employees pay during times that work cannot be performed due to unexpected illness or injury. Although the Company expects all employees to show up on time and fulfill all scheduled hours, we do understand that unexpected illness or injury may prevent them from performing these duties. The information listed below describes the parameters of the Jay Peak, Inc. sick pay policy.

Sick Pay Accrual

Group 1 & 2 Employees	4 hours per month	Max balance = 240.00 hrs
	Max usage each calendar year = none	
Group 3 Employees	.0192 per hour worked	Max balance = 80.00 hrs
	Max usage each calendar year = 40.00 hrs	

1. All employees are eligible to accrue sick pay.
2. Sick Pay can roll over from year to year.

3. Sick Pay usage is viewed as hours worked for purposes of determining benefit eligibility status. Sick Pay usage will also be viewed as hours worked for purposes of performing weekly or bi-weekly PTO accrual eligibility tests.
4. Sick time may be used for the purpose for which it was intended. Examples may include but are not limited to recuperation from illnesses, injury, doctor's appointments, and care of family members. Sick Pay is not to be used for "personal" absences. For additional information regarding approved uses of Sick Pay, please check with your Human Resources department.
5. Sick Pay will not be paid in advance of accrual (an employee cannot hold a negative Sick Pay balance).
6. Sick Pay for salaried staff should be taken in full hour increments, barring any State law parameters.
7. Sick Pay does not accrue during periods of layoff, or any unpaid leave of absence.
8. Employees may not work and earn a regular paycheck while they are collecting Sick Pay. Sick Pay cannot be paid that would result in a paid workweek in excess of 40 hours, or 48 hours during the winter season (November through April) for hourly employees.
9. Employee's supervisor must approve all usage of sick time. Should circumstances warrant, supervisors may ask employees to obtain a doctor's statement regarding the covered illness.
 - a. All information contained in a doctor's statement submitted by a staff member is to remain strictly confidential and shared only between supervisor and the Human Resources department on a "need to know" basis. Failure to maintain confidentiality will result in disciplinary action including possible termination of employment.
10. Sick Pay is not vesting and will not be included in final PTO payouts following separation of employment.
11. The Sick Pay policy is an accrual of hours. Sick Pay usage is always paid at the current rate of pay when Sick Pay hours are used.
12. If a Group 1 or Group 2 employee transfers to a Group 3 or Group 4, their Sick Pay balance will remain, and their Sick Pay accrual policy will change for the next pay period.
13. Any dishonest use of the sick pay policy outside of the parameters discussed in this policy may result in disciplinary action up to and including termination.