

## 7.2 VACATION

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**THIS VACATION POLICY IS SOLELY FOR THE CONVENIENCE AND GUIDANCE OF CENTERPLATE, INC. AND ITS OFFICER AND EMPLOYEES. IT IS NOT A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, BETWEEN THE COMPANY AND ANY EMPLOYEE OR ANY OTHER PERSON. THE COMPANY IS FREE TO CHANGE OR TERMINATE ANY OF ITS POLICIES AT ANY TIME FOR ANY REASON. EMPLOYMENT WITH THE COMPANY IS AT WILL. ANY EMPLOYEE IS FREE TO QUIT AT ANY TIME FOR ANY REASON, OR FOR NO REASON, AND LIKEWISE THE COMPANY MAY TERMINATE THE EMPLOYMENT OF ANY EMPLOYEE AT ANY TIME FOR ANY REASON OR FOR NO REASON. NO MANAGER, REPRESENTATIVE OR EMPLOYEE OTHER THAN THE CHIEF EXECUTIVE OFFICER OR OTHER OFFICER HAS AUTHORIZATIUON TO ENTER INTO AN AGREEMENT FOR EMPLOYMENT FOR ANY SPECIFIED PERIOD OF TIME TO MAKE PROMISES OR VERBAL COMMITMENTS CONTRARY TO THE FOREGOING. ANY CONTRACT STATING OTHERWISE MUST BE IN WRITING AND SIGNED BY AN OFFICER OF THE COMPANY. THIS VACATION POLICY SUPERCEDES ALL PRIOR VACATION POLICIES OF THE COMPANY, AND IS EFFECTIVE DECEMBER 31, 2007. THIS LEGEND IS BEING PUBLISHED IN ACCORDANCE WITH S.C. CODE ANNOTATED SECTION 41-1-110 (2004).**

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*This policy applies only to full-time exempt and non-exempt employees, except those covered under a collective bargaining agreement or other contract. To the extent that applicable state law provides for greater vacation eligibility or use, the state law will control for employees in that state.*

1. **Accrual.** Employees who are full-time employees as defined in the Centerplate Human Resources Policies and Practice Manual are eligible for paid vacation time. Employees begin to accrue vacation according to the following schedules based upon their completed years of service as a vacation eligible employee as of their anniversary each year:

### Exempt Full-Time Employees

Completed Years of Service	Potential Days per year	Maximum Accumulation	Potential Accrual Rate Per Month
Less than 5 years	10	15	0.833
5 years but less than 10 years	15	20	1.250
10 years or more	20	25	1.667

### Non-Exempt Full -Time Employees

Completed Years of Service	Potential Days per year	Maximum Accumulation	Potential Accrual Rate Per Month
Less than 2 years	5	7.5	0.417
2 years but less than 6 years	10	15	0.833
6 years or more	15	20	1.250

Vacation days are accrued based on hours worked by the eligible employee. Vacation days are earned through service on a pro-rata basis according to the above schedule, which is based on a 40-hour week.

2. **Use of Accrued Vacation; Carry Over.** Full-time employees may use accrued vacation after they have been employed by the Company for six months. Vacation time earned is available for use one week after each pay period. Vacation time must be used in two hour increments. Vacation time does not count toward total hours for overtime purposes, unless state law requires otherwise.

Centerplate provides paid vacation for eligible employees to take time for rest and recuperation and encourages employees to use their available vacation time in a timely manner each year. If an employee has not used his or her vacation, Centerplate reserves the right to designate when accrued vacation time will be used.

Any accrued vacation time not taken by the end of the year is lost, unless applicable law requires otherwise\*\*\*\*. Exceptions to this rule may be permitted at the discretion of the Company in unusual circumstances by advance written authorization from the Corporate Human Resources Department only.

\*\*\*\* For 2015 only, a maximum of 10 days accrued at the end of 2015 will roll over into 2016 unless otherwise required by applicable law.

3. **Break in Service.** If an employee has a break in service of employment from Centerplate for a period of six months or more, the return date is treated as the employee's start date and the prior period of employment is not counted for purpose of benefit entitlements, including, but not limited to, vacation. No exceptions to this practice are permitted without the written authorization from the Corporate Human Resources Department.
4. **Maximum Accumulation.** Unless otherwise required by applicable law, vacation accrues daily until the "Maximum Accumulation" set forth in the above schedule is reached. Once the Maximum Accumulation is reached, accrual of vacation will temporarily stop unless otherwise required by applicable law. When vacation is taken and the total accrued amount falls below the Maximum Accumulation, vacation accrual will begin again although it will not be earned retroactively.
5. **No Vacation Accrual During Periods of Absence.** Vacation time does not accrue during periods of layoff of 30 days or more, leaves of absence, FMLA leave and non-work related disability, unless otherwise required by applicable law.
6. **Holiday.** If a recognized holiday falls within the employee's vacation, the holiday is not counted as a vacation day.
7. **Vacation Request Forms.** All vacation eligible employees, including EVPs, SVPs, VPs, GMs, Regional Executive Chefs, Directors and Regional or Area Controllers, must use the most recent Vacation Request Form available to make vacation requests and submit the form to their manager for approval and processing. The vacation requests must be pre-approved by the respective manager, generally three weeks before the requested vacation. The manager may deny vacation requests if he or she determines that they interfere with the business of Centerplate or are untimely submitted. Managers also may cancel an employee's previously approved vacation due to unforeseen business demands. Employees must designate on the Vacation Request Form a This Manual and its contents are subject to modification or termination by the Company at any time without notice and do not create an express or implied contract. 3

company contact who will respond to business inquiries during their absence. Contact the Corporate Human Resources Department if you have any questions.

8. **Seasonal Operations.** Employees involved with seasonal operations should schedule vacations during off-season periods. Centerplate reserves the right to require an employee to take unused vacation during off-season periods or any other time. Centerplate reserves the right to designate when accrued vacation time will be used.
9. **Personnel Files.** Vacation requests for Greenville Office, Stamford Office, Corporate, Regional Overhead Employees and General Managers should be sent via email to Corporate Payroll (payroll.department@centerplate.com) and Corporate HR (hr.department@centerplate.com) for recording keeping and administration purposes. All other requests for vacation should be approved and kept at the unit level. All copies of the approved form must be placed in the employee's personnel file.
10. **Payment for Accrued and Unused Vacation.** Centerplate believes that vacation is important to the health and well-being of our employees and encourages all employees to utilize their vacation days. Therefore, Centerplate will not carry over unused vacation days at the end of the year or pay for unused vacation days at the end of the year or upon an employee's separation of employment, regardless of the reason for separation, unless otherwise required by applicable law.
11. **Accrual for Rehires.** If a terminated employee is rehired, prior service with the Company is only considered in determining vacation accrual if the employee has been rehired within six months of termination.

\* Effective date is January 1, 2016 unless otherwise required by applicable law.