

# **MRB HOLDINGS / MRB FOODS BURGER KING®**

## **Meal and Rest Period Policy**

MRB Holdings / MRB Foods (The Company) complies with federal and state legal requirements concerning meal and rest periods. The Company recognizes that employees perform at their best when they have the rest and nourishment they need. This policy explains when the Company expects employees to take meal and rest periods.

### **Meal Periods**

California: The Company provides at least a 30-minute meal period to employees who work more than five hours, unless they work six or fewer hours total and elect in writing to waive the first meal period. The Company provides a second 30-minute meal period to employees who work more than 10 hours in a workday, unless they work twelve or fewer hours total, did not waive the first meal period, and elect in writing to waive the second meal period. Employees should take their first meal period before the end of the fifth hour of work and should take their second meal period before the end of the tenth hour of work. Meal periods cannot be taken at the beginning or end of shifts. Employees will be relieved of all of their duties during meal periods and are allowed to leave the restaurant (unless they have agreed to an on duty, paid meal period). Nevada: The Company provides at least a 30-minute meal period to employees who work a shift that is eight continuous hours.

The Company does not pay non-exempt employees for meal periods (unless they have agreed to an on duty, paid meal period), and consequently, non-exempt employees must record the start and stop times of their meal periods. Employees must record the start and stop time of the meal period by clocking in and out on the POS system at the restaurant or time clock (if provided).

Any non-exempt employee who is required to work through some or all of a 30-minute meal period should complete a meal period premium form and submit it to his/her manager to ensure s/he is properly compensated. *Otherwise, the Company will assume that any non-exempt employee who fails to record a timely meal period, or who records a less-than-30-minute meal period, did so voluntarily.*

### **Rest Periods**

Non-exempt employees are authorized and permitted to take a 10 minute paid rest period for every four (4) hours worked, or major fraction thereof. Whenever practicable, non-exempt employees should take their rest periods near the middle of each four-hour work period. Non-exempt employees may not accumulate rest periods or use rest periods as a basis for starting work late, leaving work early, or extending a meal period. Non-exempt employees also may not leave work premises during a rest period. Because rest periods are paid, non-exempt employees should not clock out for them.

Any non-exempt employee who is not authorized and permitted to take a rest period pursuant to the terms of this policy should complete a rest period premium form and submit it to his/her manager to ensure s/he is properly compensated.

*If non-exempt employees do not submit a rest period premium form, the Company will assume they either took their rest period or voluntarily decided to waive it.*

### **Responsibilities**

Non-exempt employees are expected to take their meal and rest periods in accordance with the applicable guidelines set forth in this policy. Management is expected to make meal and rest periods available to their employees in accordance with this policy. Supervisors can schedule meal and rest periods for their employees, taking into account their department's operational requirements and employee needs. Supervisors may stagger employees' meal periods so ongoing operational responsibilities are not compromised, so long as the applicable guidelines in this policy are met. Supervisors are responsible for administering their department's meal and rest periods in a fair and uniform manner.

## **Discipline**

Any employee, supervisor, or manager who fails to observe meal and rest periods policies will be subject to discipline, up to and including termination of employment. Violations of this policy should be reported to the Restaurant General Manager, District Manager, Director of Operations (775) 742-1883 or the Corporate office (775) 996-1160. Every report will be fully investigated and corrective action will be taken where appropriate.

In addition, the Company will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the Company's investigation of such reports. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.

I agree that I have read and understood the meal and rest period policy. I have received a copy of the meal and rest period premium authorization form and clearly understand the following: ***If non-exempt employees do not submit a meal rest period premium form, the Company will assume they either took their rest period or voluntarily decided to waive it. The Company will assume that any non-exempt employee who fails to record a timely meal period, or who records a less-than-30-minute meal period, did so voluntarily.***