

JAMES PERSE LOS ANGELES

VACATION, HOLIDAY AND SICK TIME POLICY

VACATION POLICY

James Perse Enterprises LLC ("James Perse" or the "Company") has established a vacation policy to provide employees with a period of rest and relaxation without loss of pay or benefits. This policy applies to (a) all non-exempt full-time regular employees (i.e., employees who are normally scheduled to work at least 30 hours per week); (b) all full-time regular employees not covered under the Company Responsible Time Off ("RTO") Policy or employees hired/promoted since 2020 with RTO eligible offer/promotion letters; and (c) all part-time and temporary employees working in West Hollywood. Part-time, seasonal, and temporary employees outside of West Hollywood are not eligible to accrue vacation or participate in the RTO program.

Paid vacation may also be used for holidays not generally observed by the Company, personal obligations, military reserve duty (subject to state and federal law), and leaves where sick pay is exhausted or does not apply. (Time off for sickness is addressed in the Paid Sick Time Policy below.)

Vacation Accrual

Beginning on date of hire, full-time regular employees not under the RTO policy accrue vacation as follows:

Length of Service	Days Accrued / Year	Monthly Accrual Rate	Maximum Accrual Cap (1.5x accrual rate)
Up to 3 years completed	Up to 10 days	0.83 days	15 days
More than 3 years completed — 5 years completed	Up to 15 days	1.25 days	22.5 days
More than 5 years completed — 10 years completed	Up to 18 days	1.50 days	27 days
More than 10 years completed	Up to 20 days	1.67 days	30 days

Part-time, seasonal, and temporary West Hollywood employees shall accrue vacation on a pro-rata basis proportional to the amount accrued by full-time employees. For example, a part-time employee in West Hollywood in their first 3 years of service working 15 hours per week will accrue vacation at half the rate of full-time regular employees, i.e., 0.415 days per month or up to 5 days per year.

For any full-time regular employees serving in a Regional, Director, or Vice President or above position outside of California will accrue vacation as follows:

Length of Service	Days Accrued / Year	Monthly Accrual Rate	Maximum Accrual Cap (1.5x accrual rate)
All	Up to 20 days	1.67 days	30 days

Unused vacation may be carried over from year to year, up to the applicable maximum accrual cap specified above.

Once your unused vacation accrual reaches the applicable maximum accrual cap, you will cease to accrue additional vacation until you use vacation time and your balance falls below the applicable maximum accrual cap. Vacation accrual will resume once you use enough vacation to fall below the maximum accrual cap, up to the applicable maximum accrual cap.

If you take or are placed on a leave of absence for any reason, you will not accrue vacation during the unpaid portion of any leave of absence, unless otherwise required under applicable law. Vacation accrual will resume when you return to work.

Scheduling And Using Your Vacation

Employees not under the RTO policy may use vacation after completing 90 days of continuous service.

If you leave the Company and are re-employed within one year of your departure, you are not subject to the waiting period to take newly-accrued vacation if you completed the waiting period during the term of your

most recent prior employment. If you leave the Company and are re-employed after more than one year of your departure, you are subject to the waiting period to take newly-accrued vacation.

If you become a full-time regular employee after completing 90 days of service as an employee regularly scheduled to work less than 30 hours per week, there will be no waiting period to take vacation.

Every effort will be made to grant your vacation requests, consistent with the needs of the business. However, if too many employees request the same period of time off, or for other business reasons, the Company reserves the right to coordinate who may take time off and when. Further, certain departments in the Company (including the Retail Division, Corporate Division, Ecommerce and Fulfillment Services) are subject to blackout periods during which time to ensure adequate staff coverage, vacation may not be taken. Blackout dates are determined and communicated by management. Employees should confirm the blackout periods for their department/store with their supervisor before planning vacation.

Please note the following rules regarding scheduling and using vacation:

- **All vacation requests must be submitted to your supervisor for approval, and managers must submit all approved requests directly to the Payroll Department; via request form or UKG.** Any requests submitted to Payroll without manager approval will be returned to you and your manager.
- If you wish to use three or more full days of vacation consecutively, you must submit a request to your manager at least two weeks in advance of your requested time off. Similar notice should be provided for planned vacation time of shorter duration.
- Vacation approvals are strictly in management's discretion. Taking vacation that has not been approved **and** submitted to Payroll will be considered an unexcused absence and will subject you to discipline, up to and including termination.
- If you will be out of work due to an emergency for which notice could not be provided, you must make a reasonable effort to call in and notify your supervisor as early as possible, but at least by the start of your workday unless otherwise required by law.
- Vacation days may be taken in one hour or whole day increments except as otherwise provided by law (such as when vacation is used for certain types of leave after paid sick leave is exhausted). Your vacation pay is based on your base rate of pay at the time of absence.
- Vacation hours are not counted as hours worked when computing overtime pay.
- If a paid holiday falls during your scheduled vacation, you will be paid for that day as a holiday; it will not be considered a vacation day.
- You may not take vacation before you have earned it, and no employee will receive a payout of unused vacation in lieu of using vacation except on termination of employment when required by state law.
- **Employees in Connecticut, Florida, New York, New Jersey, Nevada, and Texas: unused vacation is forfeited upon separation from employment.** Accrued vacation is not cashed out at any time during employment or upon separation of employment for the listed states. If an employee is rehired within 12 months, accrued, unused vacation time as of the date of termination is reinstated and the employee need not re-satisfy the 90-day waiting period. If an employee separates from the Company and is rehired more than one (1) year later, then previously accrued, unused paid vacation time is not reinstated, and the employee is treated as a new hire under this policy.

PAID HOLIDAYS POLICY

Corporate

For all Corporate employees, the Company currently observes national holidays each year depending on the

published company calendar. The Corporate Holiday calendar is published on an annual basis, typically at the end of the year for the following year.

Full-time regular employees will receive holiday pay at their normal rate of pay. Employees who call out before and/or after a holiday may be asked to provide documentation supporting the absence(s), subject to applicable law, in order to be eligible for holiday pay. Holiday pay is not considered "hours worked" for purposes of computing overtime pay. Employees regularly scheduled to work less than 30 hours a week are not entitled to holiday pay. Employees on approved leaves of absence during a holiday are not entitled to holiday pay.

The Company may, in its discretion, require you to work on scheduled holidays, in which case you will be compensated at your normal rate of pay in lieu of time off. Non-exempt employees who work on holidays will be compensated for hours actually worked at one and half times their regular rate of pay, plus any overtime, plus eight hours of holiday pay at the applicable hourly rate.

Retail

The Retail Holiday calendar is as follows:

New Year's Day
Martin Luther King Day
President's Day
Memorial Day
Juneteenth
Independence Day
Labor Day
Thanksgiving Day
Christmas Day

The policies governing compensation for work on Retail Holidays are as follows:

- **Full-Time Regular Non-Exempt Employees**

You are entitled to receive eight (8) hours of holiday pay if you are scheduled off on a holiday or your store is closed. Holiday pay is not considered "hours worked" for purposes of computing overtime pay.

If you work on a holiday, you will be paid time and a half your regular hourly rate for all hours worked on the holiday. Any additional premium or overtime pay that is due will be paid according to applicable law.

Non-exempt employees who call out before and/or after a Retail Holiday may be asked to provide documentation supporting the absence(s), subject to applicable law, in order to be eligible for holiday pay.

Holiday "comp" days are not available to non-exempt employees.

- **Exempt Employees**

"Comp" days are available only for exempt employees who work on a holiday between Thanksgiving and New Year's Day. (This policy also applies to exempt employees approved by management to work a Sample Sale on a sixth workday in a work week.) All requests to earn a comp day must be submitted to your manager **at least one week in advance** of the holiday or sample sale. Requests must be made using the Comp Day Request Form.

Sample sale “comp” days must be used within four (4) weeks of the sale. December sample sale and holiday “comp” days must be used by the end of the immediately following February.

- **Part-time Employees / Seasonal or Temporary Employees**

Employees regularly scheduled to work less than 30 hours per week and temporary employees are not eligible for holiday pay.

Employees regularly scheduled to work less than 30 hours per week and temporary employees who work on a holiday will be paid at time and a half their regular rate of pay for all hours worked on the holiday. Any additional premium or overtime pay that is due will be paid according to applicable law.

FLOATING HOLIDAYS

The Company provides Full-time Regular Corporate Employees not subject to the RTO policy an additional two days of paid time off, called “floating holidays,” which may be used at your discretion, subject to the vacation approval process described above. (Retail Division employees are not granted floating holidays.) Floating holidays are granted at the beginning of each year. Full-time Regular Employees not subject to the RTO policy who start work on or after July 1 will receive one (1) floating holiday for that year. Unused floating holidays may be carried over from year to year, up to a maximum accrual of three (3) floating holidays. If an employee has reached the maximum accrual at the beginning of a year, the employee will not be eligible to receive any additional floating holidays for that calendar year; if the employee subsequently uses floating holiday time, then at the beginning of the following year, up to two additional floating holidays will be added until the maximum cap is reached.

PAID SICK TIME POLICY

The amount of paid sick time available and other policy terms vary by location due to state and local laws as well as by an employee’s classification and hours worked. For specific COVID-related sick days please contact HR.

City of Santa Monica and City of West Hollywood Employees: please see additional and/or superseding terms in the location specific sections below.

Annual Grant

All employees in New York State	Upon hire and afterwards on every first day of the calendar year, all employees in New York State will receive a grant of 56 hours / seven (7) days of paid sick time for use each calendar year.
All employees in San Diego, Nevada, Texas, Florida, and New Jersey, and part-time, seasonal, and temporary employees in California (not in the localities listed above or below)	Upon hire and afterwards on every first day of the calendar year, all employees in San Diego, Connecticut, Nevada, Texas, Florida, and New Jersey, and part-time, seasonal, and temporary California employees (not listed in the localities above) will receive a grant of 40 hours / five (5) days of paid sick time for use each calendar year.
All West Hollywood, City of Los Angeles, and Colorado employees and all other full-time regular employees, including California (not in the states or cities listed above)	Upon hire and afterwards on every first day of the calendar year, all West Hollywood, City of Los Angeles, and Colorado employees and all other full-time regular employees, including California (other than those in the locations enumerated above) will receive 48 hours / six (6) days of paid sick time for use in that calendar year (unless state or local law requires a different accrual or number of days). This annual grant may be reduced such that one’s available balance does not exceed 48 hours in some locations, including

	Colorado, West Hollywood and City of Los Angeles employees may carry over a maximum of 72 hours of accrued, unused compensated sick time to the following calendar year, and the amount of the annual grant will be reduced such that one's available balance does not exceed 72 hours. City of Los Angeles employees are limited to using 48 hours of paid sick time in the calendar year.
All other employees	Upon hire and afterwards on every first day of the calendar year, all other employees (other than those in the locations enumerated above) will receive a grant of 24 hours / three (3) days of paid sick time upon hire for use in that calendar year (unless state or local law requires a different accrual or number of days). This annual grant may be reduced by carry over in some locations.

Waiting Period

Paid sick time may be used beginning on the ninetieth (90th) day of continuous employment with the Company unless applicable state or local laws mandate different waiting period times.

Increments Of Use

Paid sick time may be used in increments as short as one (1) hour.

Reasons For Use And Notice

Requests for sick leave may be made verbally or in writing:

- for an employee's own mental or physical health care needs, including diagnosis, treatment of an existing health condition and/or preventative care; or
- for the mental or physical health care needs of a family member, including an employee's child (including biological, foster, step, adopted, and guardian relationships, regardless of age or dependency status) or the child of an employee's spouse or registered domestic partner; sibling; spouse; registered domestic partner; parents; parents-in-law; grandparents; grandchildren; an individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship; or a "Designated Person" whom the employee identifies at the time of the request for paid sick days (employees are limited to one Designated Person per 12-month period for paid sick days); or
- by employees who are victims (or have family members who are victims) of domestic violence, sexual assault, or stalking to seek aid, treatment, or related assistance; or
- if, by order of a public official because of a public health emergency, there is a closure of the workplace or of the employee's child's school or childcare provider; or
- other reasons required by state or local law with mandatory sick leave laws for eligible employees in that jurisdiction.

Employees should provide reasonable advance notice for foreseeable sick leave and notice as soon as practicable for unforeseeable sick leave. Employees giving notice of unforeseen sick leave may leave a message for their supervisor but must follow-up and speak directly with the supervisor later in the day, absent extenuating circumstances.

In the event an employee utilizes all of his or her sick days and is subsequently absent from work due to illness in the same calendar year, the employee's accrued, unused vacation (if the employee is eligible for vacation) will be applied to the additional days out from work, subject to applicable law.

Paid sick time will be paid at the same rate as the employee earns from the employee's employment at the time the employee uses such time, unless otherwise required by applicable law, but no less than the applicable minimum wage. Sick leave hours are not counted as hours worked when computing overtime pay.

Carry Over / No Cash Out / Reinstatement

In general, accrued sick leave does not carry over from year to year, but this varies by location (see below). Note that sick days are to be used only in accordance with this policy and applicable law; no attempt should be made to "use up" available sick time. However, employees are protected from discriminatory or retaliatory action or from being subject to any adverse personnel action for exercising or attempting to exercise their rights to sick leave in good faith under this policy.

Accrued sick leave is not cashed out at any time during employment or upon separation of employment. If an employee is rehired within 12 months, accrued, unused sick time as of the date of termination is reinstated and the employee need not re-satisfy the 90-day waiting period. If an employee separates from the Company and is rehired more than one (1) year later, then previously accrued, unused paid sick time is not reinstated, and the employee is treated as a new hire under this policy.

Documentation

Except as otherwise provided by applicable law, after an employee has used 24 hours or three (3) days of sick time, the Company may require documentation substantiating the need for additional absences such as a doctor's note (without diagnosis), or a doctor's release to return to work. Documentation will generally be required when: (a) an employee is taking sick time on days when his/her request for vacation has been denied; (b) there is a pattern of taking paid sick time on days when the employee is scheduled to work a shift that may be perceived as undesirable; or (c) there is a pattern of taking sick time on Mondays or Fridays or immediately before or after a holiday or vacation. However, employees will not be required to describe or explain the illness or condition necessitating the leave.

CITY OF SANTA MONICA PAID SICK TIME

Annual Grant / Carry Over / Cap / Use Limit

In Santa Monica, all employees are eligible for an annual grant of 72 hours of paid sick time. The annual grant will be made initially on hire, and on the first day of the calendar year thereafter. Santa Monica employees may carry over a maximum of 72 hours of accrued, unused sick time to the following calendar. The amount of the annual grant will be reduced such that one's available balance does not exceed 72 hours.

CITY OF WEST HOLLYWOOD UNCOMPENSATED LEAVE

Annual Grant / Carry Over / Cap / Use Limit

In addition to the compensated sick time off set forth above, all full-time employees working in West Hollywood, California will receive 80 hours of uncompensated time off on their first day of hire and at the beginning of each calendar year for sick leave. Part-time and temporary West Hollywood employees shall accrue uncompensated leave on a pro-rata basis proportional to the amount accrued by full-time employees.

Unused uncompensated time will carry over to the following calendar year up to a maximum of 80 hours.

Use of Uncompensated Leave

Uncompensated leave may be used beginning on the ninetieth (90th) day of continuous employment with the Company unless applicable state or local laws mandate different waiting period times, and only after an employee fully exhausts all compensated sick time and vacation. Uncompensated leave shall only be used for sick leave for the illness of an employee or family member as defined by the California Family Rights Act ("CFRA").

Separation from Employment and Rehire

For the avoidance of doubt, uncompensated time off has no value and employees will not receive any payment for unused uncompensated time off upon termination.

If an employee is rehired by the employer within one (1) year of the date of separation from employment, any unused uncompensated leave will be reinstated.

CONCLUSION

The information contained in this policy supersedes any conflicting provision in the Employee Handbook or any other Company policy or understanding regarding vacation, holiday pay, and paid sick time. While the Company intends to maintain these employee benefits, it reserves the right to modify, amend, or terminate these benefits at any time and for any reason, subject to applicable law.

If you have any questions regarding your benefits, please contact the Human Resources Department.