Setting the example for all employees

Salaried exempt employees are essential to Wynn’s success and vital to its efficient operation. Accordingly, salaried exempt employees often have work schedules that are modified and adjusted to meet the unique business demands of their respective departments. Such employees are called upon to be examples of consummate professionalism, including in the areas of attendance and punctuality, which are central to establishing the core goal of dependability.

Thus, while salaried exempt employees are not subject to the point-based attendance policy used with hourly employees, Wynn does have established attendance and punctuality standards that they are expected to maintain.

The following attendance standards and punctuality expectations will apply to all salaried exempt employees:

Unexcused Absences

- If salaried exempt employees are absent from work on two (2) separate occasions without the approval of their supervisor during any twelve (12) month rolling period they will be verbally counseled by their direct supervisor and a memo to file will be issued to document the verbal counseling. Documentation will be maintained in the salaried exempt employee’s departmental file.

- If salaried exempt employees are absent from work on three (3) separate occasions without the approval of their supervisor during any twelve (12) month rolling period they will be counseled and issued a disciplinary Management Memo 1 cautioning them on their attendance. This memo should be signed by the salaried exempt employee and the manager.

- If salaried exempt employees are absent from work on four (4) separate occasions without the approval of their supervisor during any twelve (12) month rolling period they will be counseled and issued a disciplinary Management Memo 2 advising them they are being given a last and final notice for attendance. This memo will mandate immediate improvement of the employee’s attendance and state that continued absences may result in termination of employment. This memo should be signed by the salaried employee and the manager.

- If salaried employees are absent from work on five (5) separate occasions without the approval of their supervisor during any twelve (12) month rolling period they will be placed on a paid Suspension Pending Investigation (“SPI”) and given a prompt due process meeting with their management to discuss their excessive absences. If no extenuating circumstances or compelling reasons for the absences exist, the employee will be discharged.

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1 As used herein, the use of the term “Wynn” refers to Wynn Resorts, Limited, Wynn Las Vegas, LLC (which includes Wynn Las Vegas and Encore at Wynn Las Vegas), Wynn Design and Development, LLC and their affiliated companies with operations based in the United States.
Management must obtain approval of their Divisional Vice President and the Employee Relations department before determining what constitutes extenuating circumstances or compelling reasons.

In addition to the discipline above, the Department may require the exempt employee to make up any missed time.

Occasion is defined as one (1) to three (3) consecutive day(s) an employee is scheduled to work.

**Tardiness**

Salaried exempt employees are expected to arrive at work prior to the start of their scheduled shift. In the event an employee is going to be late for work without the approval of their supervisor, the employee is expected to call the Wynn Absence Notification Call-In Line (1-855-562-WYNN) as well as follow their Department’s call-in procedures policy. Salaried exempt employees who are habitually late (defined as four (4) or more times within a rolling twelve (12) month period) for their scheduled shift without the approval of their supervisor shall be counseled regarding the importance to the Department that the employee arrive for work on time. In the event the employee fails to improve their performance, the Department may utilize the progressive discipline process up to and including termination, with the exception that unpaid suspensions are not to be utilized.

The schedules of certain salaried exempt employees are more flexible than other salaried exempt employees. Each Department shall have the right (but not the obligation) to excuse an employee’s tardiness provided the Department has received prior notice of the tardiness, the employee’s tardiness does not adversely impact the operation of the Department and the employee makes up the time associated with the tardiness.

These guidelines do not apply to an approved leave covered under the Family and Medical Leave Act of 1993 (referred to as “FMLA Leave”) and leave to care for a registered domestic partner (referred to as “FMDP Leave”). For more information regarding this, please see the Family and Medical Leave policy on the WIRE.

**Notification of Absence or Tardiness by Employee**

- Employees must notify the Company by calling the Wynn Absence Notification Call-In Line (1-855-562-WYNN).

- Employees must follow their Department’s call-in procedures policy in conjunction with this Company policy.

- When calling the Wynn Absence Notification Call-In Line an employee must complete the call in its entirety for the absence to be recorded. If the employee hangs up prior to receiving a confirmation number the call is considered incomplete and the absence will not be recorded which could result in disciplinary action.
Genetic Information

- The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, employees are asked to not provide any genetic information when addressing the reasons for an absence, an incident of tardiness, or the need for leave. ‘Genetic information’ as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

RESPONSIBILITIES

Absences due to conditions and circumstances covered by the Family and Medical Leave policy is not treated as an absence or an incident of tardiness under the disciplinary guidelines of this policy and cannot be used as the basis for any negative job related action, including but not limited to performance reviews.