OPT OUT NOTICE TO CURRENT AND FORMER GRILL'D PTY LTD EMPLOYEES

ISSUED BY ORDER OF THE FEDERAL COURT OF AUSTRALIA

GRILL'D 10-MINUTE REST BREAKS CLASS ACTION

You are receiving this notice because you might be a group member in a class action being run in the Federal Court of Australia on behalf of current and former employees of Grill'd Pty Ltd (**Grill'd**).

If you want to remain in the class action, you do not need to do anything. If you want to remove yourself from the class action, you **must opt out by 4pm on 12 February 2027.** These options are further explained at (6) below.

1. What is this notice?

A class action has been commenced in the Federal Court of Australia by Mia Troy, a former Grill'd employee, alleging that Grill'd did not provide employees 10-minute rest breaks on shifts of 4 hours or more. Grill'd denies the allegations and is defending the class action.

The Federal Court has ordered that this notice be published for the information of persons who might be members of the class. You have been identified as a potential group member. You should read this notice carefully – the choice that you make in response to this notice is important as it may affect your legal rights.

If you have further questions after reading this notice, please refer to the FAQ page **here**. You may also contact Gordon Legal on 9603 3000 or seek independent legal advice.

2. What is a class action?

A class action is an action that is brought by one or more persons (**Applicant(s)**) on their own behalf and on behalf of a class of people (**group members**) against other persons or companies (**Respondent(s)**) where the Applicant(s) and the group members have similar claims against the Respondent(s).

You can be a group member in a class action even if you have not signed up or taken any steps to join it. If you are a group member, you will remain part of the class action unless you choose to opt out.

3. What is this class action?

In this class action the applicant alleges that, during the period 17 December 2019 to 17 December 2025:

(a) she and other Grill'd employees were entitled to 10-minute rest breaks on shifts of 4 hours or more under the *Grill'd Enterprise Agreement 2015* and the *Grill'd Enterprise Agreement 2020* (**Agreements**);

(b) Grill'd did not comply with the Agreements because it did not provide those 10-minute rest breaks on shifts of 4 hours or more.

The class action claims:

(a) monetary compensation to be paid to the Applicant and group members; and

(b) penalties against Grill'd for not providing the 10-minute rest breaks. Penalties are like a fine. A union, the Shop Distributive and Allied Employees Association (**SDA**), who is funding the class action, is seeking that any penalties against Grill'd be paid to the SDA. The Court will decide if Grill'd has to pay any penalties and who they should be paid to.

Grill'd denies the allegations and is defending the class action.

4. Who are the group members?

You likely to be a group member if you worked at a restaurant operated by Grill'd Pty Ltd between 17 December 2019 and 17 December 2025 and:

i. you were covered by the Agreements;

ii. you worked a shift of 4 hours or more; and

iii. you did not get a 10-minute rest break on one or more shifts of 4 hours or more.

Importantly, this class action does not cover employees who worked at Grill'd restaurants operated by franchisees. If you worked at a Grill'd-branded restaurant but your employer was not *Grill'd Pty Ltd* you are **not** included in the class action and you do not need to take any action in response to this notice.

You can view a list of the stores operated by Grill'd Pty Ltd that are covered by the class action on the next page.

5. What are my options?

Option 1: do nothing and remain in the class action

If you are a group member and do nothing, then your compensation claim will continue to be dealt with in the class action. You will be bound by any decision made by the Court. You will not be able take individual legal action to pursue to your claim.

If you do nothing and the class action proceeds and is successful, you may be eligible for monetary compensation. However, if the class action fails then you will not be able to raise your claims in other legal proceedings.

There are no out-of-pocket or upfront costs.

If the class action is unsuccessful, you won't have to pay anything. If you are awarded compensation, it is likely that the Court will order that you pay part of it towards lawyers' fees and to the SDA, which is providing funding to run the case.

Option 2: opt out of the class action

If you opt out of the class action, you will cease to be a group member and you will no-longer be covered by the class action.

In that case, <u>you will not be eligible</u> for any monetary compensation if the class action is successful.

If you opt out you will be able to bring your own legal claim if you wish. If you opt out and later decide that you wish to be part of the class action, you will have to apply to the Court to reinstate you as a group member.

If you are considering opting out under Option 2, you should seek independent legal advice promptly, as time limits may apply to any claim you may have.

6. How do I opt out?

To opt out, complete the form at this **link** and submit it to Gordon Legal at grilld@gordonlegal.com.au by no later than 4pm on 12 February 2027.

7. What about registration?

If you choose to remain in the class action, then you may consider registering with Gordon Legal. Registering will help ensure that you get future communications about the class action. You can register via the Gordon Legal website. Registering is optional and whether or not you do so will not affect your rights as a group member at this stage.

LIST OF STORES OPERATED BY GRILL'D PTY LTD

VICTORIA:

1. Melbourne Airport
2. South Yarra
3. Degraves
4. Highpoint
5. Frankston
6. Carlton
7. Balaclava
8. QV
9. Hawthorn
10. Burwood
11. Windsor
12. Collingwood
13. Glen Waverley
14. South Melbourne
15. Plenty Valley
16. Chirnside Park
17. Woodgrove
18. Melbourne Central
19. Eastland
20. Swan Street
21. Victoria Point
22. Casey
23. Southern Cross
24. Doncaster
25. Northland
26. Flinders Lane
27. Melbourne Emporium
28. Chadstone
29. Malvern
30. Little Bourke Street
31. Southgate
32. Bundoora
33. Heatherton
34. Hampton
35. Eltham
36. Mornington
37. Croydon
38. Tunstall Square
39. Karingal
40. Chadstone Village
41. Fountain Gate
42. Chadstone Centre
43. Coburg North
44. Altona North
45. Melbourne

QUEENSLAND:

46. Cairns Esplanade
47. North Lakes
48. Noosa
49. Camp Hill
50. Southbank
51. Surfers Paradise
52. Eatons Hill
53. Carindale
54. Wintergarden
55. Emporium
56. Albert Street
57. Eagle Street Pier
58. Browns Plains
59. Nobby Beach
60. Springfield Orion
61. Newmarket
62. Pacific Fair
63. Fairfield Gardens
64. Kawana
65. Tweed City
66. Chermside
67. Garden City
68. Bulimba
69. Toowong
70. Indooroopilly
71. Toowoomba
72. Harbour Town
73. Everton Park
74. Victoria Point
75. Robina
76. Robina
77. Burpengary
78. Logan
79. Cannon Hill
80. Kenmore
81. Coolangatta
82. Cairns Central
83. Upper Coomera
84. Mt Ommaney
85. Benowa Gardens
86. Byron Bay
87. Ascot
88. Rosalie

NEW SOUTH WALES:

89. Kotara
90. Chatswood
91. Macquarie Park
92. Bondi Junction
93. Erina
94. Darlinghurst - Crown
95. Tuggerah
96. Broadway
97. Harbourside
98. Penrith
99. Westfield Sydney
100. World Square
101. Westfield Parramatta
102. Leichhardt
103. Neutral Bay
104. Crows Nest
105. Wetherill Park
106. Kirrawee
107. Rouse Hill
108. Miranda
109. Macarthur Square
110. Galeries
111. Dee Why
112. Parramatta (Church St)
113. Balgowlah
114. Narellan
115. West Gosford
116. Newcastle - Charlestown
117. Lane Cove
118. Blacktown
119. Baulkham Hills
120. Drummoyne
121. Bondi Beach
122. Top Ryde
123. Barangaroo

WESTERN AUSTRALIA:

124. Rockingham
125. Fremantle
126. Shafto Lane
127. Mt Lawley
128. Applecross
129. Mandurah
130. Cockburn
131. Joondalup
132. Carousel
133. Great Eastern Highway (Ascot)
134. Cottesloe
135. Midland
136. Victoria Park
137. Subiaco
138. Ocean Keys
139. Brookfield Place
140. Hillarys
141. Claremont
142. Casuarina
143. Leederville
144. Scarborough
145. Whitford City

146. Fremantle
147. Karrinyup
148. Madeley (Kingsway SC)
149. 140 William St Perth
150. Currambine
151. Harrisdale
152. Baldivis
153. Innaloo
154. Waterford Plaza

SOUTH AUSTRALIA:

155. Rundle St
156. Tea Tree Plaza
157. Marion
158. Unley

AUSTRALIAN CAPITAL TERRITORY:

159. Woden
160. Canberra Centre
161. Belconnen
162. Manuka
163. Gungahlin

TASMANIA:

164. North Hobart

NORTHERN TERRITORY:

165. Casuarina