

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON D.C. 20549

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## FORM 11-K

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- ANNUAL REPORT PURSUANT TO SECTION 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the Fiscal Year Ended December 31, 2021

OR

- TRANSITION REPORT PURSUANT TO SECTION 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the transition year from \_\_\_\_\_ to \_\_\_\_\_

Commission File No. 1-10275

- A. Full title of the plan and the address of the plan, if different from that of the issuer named below:



### BRINKER INTERNATIONAL 401(K) SAVINGS PLAN

- B. Name of issuer of the securities held pursuant to the plan and the address of its principal executive office:

**Brinker International, Inc.**  
3000 Olympus Blvd.  
Dallas, Texas 75019

**BRINKER INTERNATIONAL  
401(K) SAVINGS PLAN**

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\* All other schedules required by Department of Labor Rules and Regulations for Reporting and Disclosure under ERISA have been omitted because they are not applicable.

## **REPORT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM**

To the Participants, Plan Administrator and Savings Plan Administrative Committee of the  
Brinker International 401(k) Savings Plan

### **Opinion on the Financial Statements**

We have audited the accompanying statements of net assets available for benefits of the Brinker International 401(k) Savings Plan (the "Plan") as of December 31, 2021 and 2020, and the related statements of changes in net assets available for benefits for the years then ended, and the related notes and schedules (collectively referred to as the financial statements). In our opinion, the financial statements present fairly, in all material respects, the net assets available for benefits of the Plan as of December 31, 2021 and 2020, and the changes in net assets available for benefits for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

### **Basis for Opinion**

These financial statements are the responsibility of the Plan's management. Our responsibility is to express an opinion on the Plan's financial statements based on our audits. We are a public accounting firm registered with the Public Company Accounting Oversight Board (United States) ("PCAOB") and are required to be independent with respect to the Plan in accordance with the U.S. federal securities laws and the applicable rules and regulations of the Securities and Exchange Commission and the PCAOB.

We conducted our audits in accordance with the standards of the PCAOB. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether due to error or fraud.

Our audits included performing procedures to assess the risks of material misstatement of the financial statements, whether due to error or fraud, and performing procedures that respond to those risks. Such procedures included examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements. Our audits also included evaluating the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that our audits provide a reasonable basis for our opinion.

### **Supplemental Information**

The supplemental information in the accompanying schedules of Form 5500, Schedule H, Line 4a – Schedule of Delinquent Participant Contributions for the Year Ended December 31, 2021 and Form 5500, Schedule H, Line 4i – Schedule of Assets (Held at End of Year) as of December 31, 2021, has been subjected to audit procedures performed in conjunction with the audit of the Plan's financial statements. The supplemental information is the responsibility of the Plan's management. Our audit procedures included determining whether the supplemental information reconciles to the financial statements or the underlying accounting and other records, as applicable, and performing procedures to test the completeness and accuracy of the information presented in the supplemental information. In forming our opinion on the supplemental information, we evaluated whether the supplemental information, including its form and content, is presented in conformity with the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974. In our opinion, the supplemental information is fairly stated, in all material respects, in relation to the financial statements as a whole.

/S/ WHITLEY PENN LLP

We have served as the Plan's auditor since 2007.

Plano, Texas  
May 26, 2022

**BRINKER INTERNATIONAL  
401(K) SAVINGS PLAN****Statements of Net Assets Available for Benefits  
December 31, 2021 and 2020**

	<b>2021</b>	<b>2020</b>
<b>ASSETS</b>		
Investments - at fair value (Note 3)	\$ 391,479,826	\$ 353,981,718
Receivables:		
Employer contributions	137,193	—
Participants' contributions	442,152	330,130
Notes receivable from participants	9,960,351	11,261,788
Total receivables	<u>10,539,696</u>	<u>11,591,918</u>
Total assets	<u>\$ 402,019,522</u>	<u>\$ 365,573,636</u>
<b>LIABILITIES</b>		
Excess contributions payable	\$ —	\$ 2,305,128
Total liabilities	<u>\$ —</u>	<u>\$ 2,305,128</u>
Net assets available for benefits	<u>\$ 402,019,522</u>	<u>\$ 363,268,508</u>

See accompanying Notes to Financial Statements.

**BRINKER INTERNATIONAL  
401(K) SAVINGS PLAN**

**Statements of Changes in Net Assets Available for Benefits  
Years Ended December 31, 2021 and 2020**

	2021	2020
<b>Additions:</b>		
Contributions:		
Participants	\$ 21,095,358	\$ 16,671,295
Rollovers	4,273,999	1,956,114
Employer	10,363,754	3,424,319
Total contributions	<u>35,733,111</u>	<u>22,051,728</u>
Investment income:		
Net appreciation in fair value of investments	24,327,682	55,700,952
Interest and dividends	20,271,466	9,518,251
Total investment income	<u>44,599,148</u>	<u>65,219,203</u>
Interest on notes receivable from participants	599,612	650,224
Total additions	<u>80,931,871</u>	<u>87,921,155</u>
<b>Deductions:</b>		
Benefits paid to participants	41,721,805	52,512,735
Administrative fees	459,052	411,406
Total deductions	<u>42,180,857</u>	<u>52,924,141</u>
Net increase	38,751,014	34,997,014
Net assets available for benefits at beginning of year	363,268,508	328,271,494
Net assets available for benefits at end of year	<u>\$ 402,019,522</u>	<u>\$ 363,268,508</u>

See accompanying Notes to Financial Statements.

**BRINKER INTERNATIONAL  
401(K) SAVINGS PLAN****Notes to Financial Statements****1. DESCRIPTION OF THE PLAN**

The following description of the Brinker International (the “Company” or “Brinker”) 401(k) Savings Plan (the “Plan”) is provided for general information purposes only. Participants should refer to the plan document for a more complete description of the Plan’s provisions. The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 (“ERISA”), as amended.

***General***

The Company originally adopted the Plan effective January 1, 1993. The Plan is a qualified defined contribution retirement plan covering eligible employees as defined below. The Plan was most recently amended and restated in its entirety effective June 4, 2021, primarily for the purpose of adopting a new pre-approved plan document as required by the Internal Revenue Service (“IRS”). The Plan was also amended and restated effective January 1, 2021 in order to reinstate the safe harbor matching employer contributions which restored its safe harbor status. The Plan previously lost its safe harbor status when it removed the safe harbor matching employer contributions effective May 10, 2020.

The Coronavirus Aid, Relief and Economic Security Act (“CARES Act”) was passed by the U.S. Senate on March 26, 2020. In April 2020, the Plan adopted certain changes to participant distributions and loans as permitted by the CARES Act, discussed further in Payment of Benefits and Notes Receivable from Participants.

The investments of the Plan are maintained in a trust (the “Trust”) by Fidelity Management Trust Company (the “Trustee”) and the recordkeeping functions are performed by Fidelity Workplace Services LLC (the “Recordkeeper”).

***Eligibility***

An employee may become a participant on the first of the month following the date the employee has both attained the age of twenty-one and completed 90 days of eligible service. Employees who were previously employed by certain franchisees whose restaurants were acquired by Brinker may become eligible for participation based on their service with the franchisee.

Leased employees, non-US citizens and union employees without specific contract provisions are not eligible to participate in the Plan.

***Contributions***

Contributions are subject to IRS limitations on total annual contributions, as well as plan limitations which stipulate that up to 50% of eligible base compensation including tips and 100% of eligible bonuses, as defined in the Plan, may be contributed to various investment funds on a tax-deferred basis. Eligible participants age 50 or older by the end of a calendar year are permitted to make catch-up contributions to the Plan up to the deferral amount allowed by the Internal Revenue Code (“IRC”). Participants may also roll over eligible amounts from other qualified retirement plans, as defined in the plan document, into the Plan.

Effective January 1, 2021, the Company reinstated the safe harbor matching employer contributions. The Company matches in cash at a rate of 100% of the first 3% of pay and 50% of the next 2% of pay for a participant’s compensation, as defined in the Plan, up to the maximum deferrable amount allowed by the IRC. As a result of the amendment and restatement, discretionary employer contributions are no longer permitted. The Plan previously lost its safe harbor status when it removed the safe harbor matching employer contributions effective May 10, 2020. Prior to May 10, 2020, the safe harbor matching employer contributions were at the same rate that is currently in effect.

## **BRINKER INTERNATIONAL 401(K) SAVINGS PLAN**

Active hourly-tipped participants may elect to make voluntary after-tax contributions for each pay period under the Plan. The employee contributions may be made only from the participant's compensation representing tip income that is not paid through the Company's payroll and may contribute up to 100% of such tip income. An active participant may not make contributions for any period in which such person is not accruing hours of service with the Company.

Amounts payable to participants of \$2.3 million for contributions in excess of amounts allowed by the IRS and the attributable earnings are recorded as a liability at December 31, 2020, with a corresponding reduction to contributions and investment income for the year ended December 31, 2020. The Plan distributed the 2020 excess contributions to the applicable participants by March 15, 2021.

### ***Participants' Accounts***

Participant and Company matching contributions are invested in accordance with participants' elections. Participants may invest in various instruments including money market funds, mutual funds and Brinker common stock. Participants' accounts are adjusted with the proportionate share of gains or losses generated by their elected investments.

### ***Vesting***

Participants are immediately vested in both employee and employer matching contributions, rollover contributions and the earnings thereon.

### ***Payment of Benefits***

Distributions under the Plan may be made upon a participant's death, disability, retirement or termination of employment. Actively employed participants may withdraw a portion of their vested account balance due to a financial hardship under certain circumstances as defined in the plan document and in accordance with IRS regulations. Actively employed participants may also take a withdrawal from their rollover and after-tax account types within the Plan without meeting one of the hardship criteria. Actively employed participants may withdraw all, or any portion, of the vested balance in their accounts after reaching age 59½. Benefit payments may be made in the form of a single lump sum payment, a direct rollover into an Individual Retirement Account or another qualified plan, or periodic payments, as applicable.

In accordance with the CARES Act, the Plan permitted eligible Plan participants to request penalty-free distributions of up to \$100,000 for qualifying coronavirus-related reasons. These reasons include adverse financial consequences due to being quarantined, furloughed, laid off, having work hours reduced or being unable to work due to a lack of childcare due to COVID-19. The Plan made \$16.3 million of CARES Act distributions during the year ended December 31, 2020.

### ***Forfeited Accounts***

If a participant has terminated service and the Recordkeeper is unable to locate the participant or beneficiary to whom an account is distributable, then the Recordkeeper may move the unclaimed balance into the forfeiture account. Forfeited accounts for the years ended December 31, 2021 and 2020 were not significant.

### ***Notes Receivable from Participants***

Participants may borrow from their fund accounts a minimum of \$1,000 up to a maximum amount equal to the lesser of \$50,000 or 50% of their vested account balance. A participant may have up to two loans outstanding at a time; however, the total outstanding balance of all loans may not exceed the lesser of \$50,000 or 50% of the participant's vested account balance. Loan terms range from six months to 5 years or up to 15 years for the purchase of a primary residence. Maturities range from 2022 through 2036 as of December 31, 2021. The loans are secured.

**BRINKER INTERNATIONAL  
401(K) SAVINGS PLAN**

by the participant's account and bear interest at a rate of 1% above the prime lending rate which is determined at the end of the month prior to the month in which the loan request is made. Interest rates on outstanding loans ranged from 4.25% to 6.50% as of December 31, 2021 and from 4.25% to 9.25% as of December 31, 2020. Principal and interest payments are made through bi-weekly payroll deductions.

In accordance with the CARES Act, the Plan permitted qualifying participants to delay loan repayments that were due between March 27, 2020 and December 31, 2020.

**Administrative Expenses**

The Company shares the cost of administrative expenses related to the Plan with actively employed participants, except for transactional fees related to participant-directed actions on their account which are paid by the participant. Non-employee participants are responsible for the annual administration fees for their accounts.

**2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

***Basis of Accounting***

The financial statements are prepared under the accrual method of accounting in accordance with accounting principles generally accepted in the United States of America ("U.S. GAAP").

***Use of Estimates***

The preparation of financial statements in conformity with U.S. GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and changes therein, and disclosure of contingent assets and liabilities. Actual results could differ from those estimates.

***Investment Valuation and Income Recognition***

The Plan's money market funds, mutual funds and Company common stock fund are stated at fair value using quoted market prices. Refer to Note 3 for additional disclosures.

Purchases and sales of securities are recorded on a trade-date basis. Dividends are recorded on the ex-dividend date. Income from investments is recorded as earned on an accrual basis.

***Notes Receivable from Participants***

Notes receivable from participants are valued at the outstanding principal balance, which represents the exit value upon collection, either by repayment or by deemed distribution if not repaid.

***Payment of Benefits***

Benefits are recorded when paid.

***Contributions***

Participant and employer contributions are accrued in the period that payroll deductions are made from plan participants in accordance with salary deferral agreements and as such, become obligations of the Company and assets of the Plan.

***Reclassifications***

Certain prior year amounts have been reclassified to conform to the current year presentation. These reclassifications had no impact on the Plan's change in net assets available for benefits or net assets available for benefits as previously reported.

**BRINKER INTERNATIONAL  
401(K) SAVINGS PLAN**

### **3. FAIR VALUE MEASUREMENTS**

Fair value is the price that would be received for an asset or paid to transfer a liability, or the exit price, in an orderly transaction between market participants on the measurement date. Fair value measurements are categorized in three levels based on the types of significant inputs used, as follows:

- Level 1 – unadjusted quoted prices in active markets for identical assets or liabilities
- Level 2 – observable inputs available at the measurement date other than quote prices included in Level 1
- Level 3 – unobservable inputs that cannot be corroborated by observable market data

The methodologies used to measure the fair value of each major category of investments are as follows:

- Money market funds are valued based on the short-term cash component as of the measurement date and are classified within Level 1.
- Mutual funds are valued at the total market value of the underlying assets based upon the publicly quoted price of each fund multiplied by the respective number of shares held as of the measurement date and are classified within Level 1.
- Brinker common stock fund is valued at the combined market value of the underlying stock based upon the closing price of the stock on its primary exchange times the number of shares held and the short-term cash component as of the measurement date and is classified within Level 1.

These methodologies were consistently applied as of December 31, 2021 and 2020.

The following tables present the fair value of financial instruments as of December 31, 2021 and 2020 by type of asset. The Plan has no investments that are classified as Level 2 or Level 3 as of December 31, 2021 and 2020.

	As of December 31, 2021			
	Fair value of assets	Quoted prices in active markets for identical assets (Level 1)	Significant other observable inputs (Level 2)	Significant unobservable inputs (Level 3)
Money market	\$ 11,173,356	\$ 11,173,356	\$ —	\$ —
Mutual funds	365,276,815	365,276,815	—	—
Brinker common stock fund	15,029,655	15,029,655	—	—
Total investments at fair value	<u>\$ 391,479,826</u>	<u>\$ 391,479,826</u>	<u>\$ —</u>	<u>\$ —</u>

	As of December 31, 2020			
	Fair value of assets	Quoted prices in active markets for identical assets (Level 1)	Significant other observable inputs (Level 2)	Significant unobservable inputs (Level 3)
Money market	\$ 13,235,925	\$ 13,235,925	\$ —	\$ —
Mutual funds	316,423,237	316,423,237	—	—
Brinker common stock fund	24,322,556	24,322,556	—	—
Total investments at fair value	<u>\$ 353,981,718</u>	<u>\$ 353,981,718</u>	<u>\$ —</u>	<u>\$ —</u>

**BRINKER INTERNATIONAL  
401(K) SAVINGS PLAN**

**4. RELATED-PARTY AND PARTY-IN-INTEREST TRANSACTIONS**

Certain Plan investments consist of money market and mutual funds managed by the Trustee, Fidelity Management Trust Company. As a result, these transactions qualify as party-in-interest transactions. The Plan also invests in common stock of Brinker. Transactions involving Brinker common stock qualify as party-in-interest and related-party transactions because Brinker is the sponsor of the Plan. All of these party-in-interest transactions are exempt from the prohibited transaction rules. Notes receivable from participants are also considered to be exempt party-in-interest transactions.

**5. CONCENTRATION**

At December 31, 2021 and 2020, the Brinker common stock fund approximated \$15.0 million and \$24.3 million, respectively, and represented approximately 3.8% and 6.9%, respectively, of the Plan's total investments at fair value.

**6. PLAN TERMINATION**

Although it has no present intention to do so, the Company may terminate the Plan at any time subject to the provisions of ERISA.

**7. INCOME TAX STATUS**

In June 2021, the Plan was restated and adopted a pre-approved plan document. The sponsor of the pre-approved plan document received an opinion letter from the IRS dated June 30, 2020, stating that the form of the underlying pre-approved plan document is qualified under Section 401 of the IRC and that any employer adopting this form of the plan will be considered to have a plan qualified under Section 401(a) of the IRC. Once qualified, the Plan is required to operate in conformity with the IRC to maintain its qualified status. The Plan administrator believes the Plan is being operated in compliance with the applicable requirements of the IRC and, therefore, believes the Plan is qualified and the related Trust is tax-exempt as of the financial statement date.

U.S. GAAP requires Plan management to evaluate tax positions taken by the Plan and recognize a tax liability if the Plan has taken an uncertain position that more likely than not would not be sustained upon examination by the IRS. The Plan administrator has analyzed the tax positions taken by the Plan and has concluded that as of December 31, 2021, there are no uncertain tax positions taken or expected to be taken. The Plan is subject to routine audits by taxing jurisdictions; however, there are currently no audits for any tax periods in progress.

**8. RISKS AND UNCERTAINTIES**

The Plan invests in various investment securities. Investment securities are exposed to various risks such as interest rate, market and credit risks, and global events. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in the values of investment securities will occur in the near term and that such changes could materially affect participants' account balances and the amounts reported in the Statements of Net Assets Available for Benefits. It is not possible at this time to reasonably estimate the possible loss or range of loss, if any. Management further cautions that it is not possible to see all such factors, and financial statement users should not consider the identified factors as a complete list of all risks and uncertainties.

**BRINKER INTERNATIONAL  
401(K) SAVINGS PLAN****9. RECONCILIATION OF FINANCIAL STATEMENTS TO FORM 5500**

The following is a reconciliation of Total deductions per the Financial Statements at December 31, 2021 to Form 5500:

Total deductions per the Financial Statements	\$ 42,180,857
Add: Excess contributions paid to participants	2,305,128
<u>Total expenses per the Form 5500</u>	<u>\$ 44,485,985</u>

The following is a reconciliation of Net assets available for benefits per the Financial Statements at December 31, 2020 to Form 5500:

Net assets available for benefits per the Financial Statements	\$ 363,268,508
Excess contributions payable to participants	2,305,128
<u>Net assets available for benefits per the Form 5500</u>	<u>\$ 365,573,636</u>

The following is a reconciliation of Total additions per the Financial Statements at December 31, 2020 to Form 5500:

Total additions per the Financial Statements	\$ 87,921,155
Add: Excess contributions payable to participants	2,305,128
<u>Total income per the Form 5500</u>	<u>\$ 90,226,283</u>

The reconciling items noted above are due to the difference in the method of accounting used in preparing the Form 5500 as compared to the Plan's Financial Statements.

**10. SUBSEQUENT EVENTS**

In preparing the accompanying Financial Statements, management of the Plan has evaluated all subsequent events and transactions for potential recognition or disclosure through May 26, 2022, the date the Financial Statements were available for issuance.

EIN: 75-2354902  
PLAN # 001

**BRINKER INTERNATIONAL  
401(K) SAVINGS PLAN**

**Form 5500 Schedule H, Line 4a — Schedule of Delinquent Participant Contributions  
Year Ended December 31, 2021**

Participant Contributions Transferred Late to Plan	Total that Constitute Nonexempt Prohibited Transactions			
Check here if Late Participant Loan Repayments are Included:	Contributions Not Corrected	Contributions Corrected Outside VFCP	Contributions Pending Correction in VFCP	Total Fully Corrected Under VFCP and PTE 2002-51
<input type="checkbox"/>	\$2,738	\$—	\$—	\$—

See accompanying Report of Independent Registered Public Accounting Firm.

**EIN: 75-2354902**  
**PLAN # 001**

**BRINKER INTERNATIONAL  
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**Form 5500 Schedule H, Line 4i — Schedule of Assets (Held at End of Year)**  
**December 31, 2021**

(a)	(b)	(c)	(d)	(e)
	Identity of issue, borrower, lessor or similar party	Description of investment including maturity date, rate of interest, collateral, par or maturity value	Cost	Current Value
<b>Money market:</b>				
* Fidelity Investments Money Market Government Portfolio-Class I		11,173,356 shares	\$	11,173,356
<b>Mutual funds:</b>				
* Fidelity Contrafund K6		2,494,457 shares		58,220,628
* Fidelity 500 Index Fund		212,447 shares		35,121,685
American Funds 2040 Target Date Retirement Fund Class R-6		1,585,896 shares		32,859,773
American Funds 2035 Target Date Retirement Fund Class R-6		1,474,824 shares		28,936,053
American Funds 2045 Target Date Retirement Fund Class R-6		1,183,316 shares		25,251,962
American Funds 2050 Target Date Retirement Fund Class R-6		1,059,780 shares		22,350,765
American Funds 2030 Target Date Retirement Fund Class R-6		1,222,608 shares		21,847,997
Neuberger Berman Genesis Fund Class R6		272,121 shares		20,338,291
American Funds EuroPacific Growth Fund Class R-6		267,521 shares		17,316,604
* Fidelity Small Cap Growth K6 Fund		965,237 shares		16,264,240
American Funds 2055 Target Date Retirement Fund Class R-6		532,232 shares		14,152,059
PIMCO Total Return Fund Institutional Class		1,341,289 shares		13,775,038
American Beacon Large Cap Value Fund R5 Class		466,138 shares		13,159,076
American Funds 2025 Target Date Retirement Fund Class R-6		803,284 shares		12,989,094
BNY Mellon Small Cap Value Fund Class I		318,810 shares		7,374,076
* Fidelity Extended Market Index Fund		70,336 shares		6,134,004
American Funds 2060 Target Date Retirement Fund Class R-6		291,672 shares		5,215,099
American Funds 2020 Target Date Retirement Fund Class R-6		332,747 shares		4,764,943
American Funds 2015 Target Date Retirement Fund Class R-6		300,868 shares		3,941,364
Vanguard Inflation-Protected Securities Fund Admiral Shares		138,227 shares		3,931,181
* Fidelity Total International Index Fund		92,949 shares		1,332,883
				365,276,815
* Brinker Common Stock Fund		411,084 shares		15,029,655
* Participant Loans		Interest rates from 4.25% to 6.50% and maturity dates from 2022 through 2036	\$ —	9,960,351
Total				\$ 401,440,177
* Party-in-interest				

See accompanying Report of Independent Registered Public Accounting Firm.

## SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the trustees (or other persons who administer the employee benefit plan) have duly caused this annual report to be signed on its behalf by the undersigned hereunto duly authorized.

BRINKER INTERNATIONAL  
401(K) SAVINGS PLAN

Date: May 26, 2022

By: /S/ JASON LANDRY  
Jason Landry,  
Plan Administrator

**CONSENT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM**

We consent to the incorporation by reference in Registration Statement No. 333-42224 and No. 333-105720 on Form S-8 of Brinker International, Inc. of our report dated May 26, 2022, with respect to the statements of net assets available for benefits of the Brinker International 401(k) Savings Plan as of December 31, 2021 and 2020, the related statements of changes in net assets available for benefits for the years then ended, and the related supplemental schedules of Form 5500, Schedule H, Line 4a – Schedule of Delinquent Participant Contributions for the Year Ended December 31, 2021 and Form 5500, Schedule H, Line 4i – Schedule of Assets (Held at End of Year) as of December 31, 2021, which report appears in the December 31, 2021 annual report on Form 11-K of the Brinker International 401(k) Savings Plan for the year ended December 31, 2021.

/S/ WHITLEY PENN LLP

Plano, Texas  
May 26, 2022

**CERTIFICATION**

In connection with the Annual Report of the Brinker International 401(k) Savings Plan (the “Plan”) on Form 11-K for the year ended December 31, 2021, as filed with the Securities and Exchange Commission on the date hereof (the “Report”), I, Jason Landry, Plan Administrator of the Plan, who performs the equivalent to a chief executive officer and chief financial officer of the Plan, hereby certifies, pursuant to 18. U.S.C. Section 1350, that, on the date hereof, (a) the Report fully complies with the requirements of Section 13(a) or 15(d), as applicable, of the Securities Exchange Act of 1934 and (b) that the information contained in the Report fairly presents, in all material respects, the financial condition and results of operations of the Plan.

Date: May 26, 2022

By: /S/ JASON LANDRY  
Jason Landry,  
Plan Administrator  
Brinker International 401(k) Savings Plan