



Family and Medical Leave (FMLA)

Last Review Date: March 2026

The Company will grant family and medical leave in accordance with the requirements of applicable federal and state law in effect at the time the leave is granted. Although the federal and state laws sometimes have different names, the Company refers to these types of leaves collectively as “FMLA Leave.” In any case, employees will be eligible for the most generous benefits available under applicable law.

Eligible employees are entitled to job protection under the FMLA and similar state leave laws. This means that, upon returning from approved leave, employees are generally entitled to be reinstated to their original position or to an equivalent role with the same pay, benefits, and working conditions. Job protection applies for the duration of the leave period as defined by applicable federal and state regulations. Once that entitlement expires, additional protections may apply under other laws or company policies, depending on the circumstances.

Employee Eligibility

To be eligible for FMLA Leave benefits, employees must: (1) have worked for the Company for a total of at least 12 months; (2) have worked at least 1,250 hours¹ over the previous 12 months as of the start of the leave; and (3) work at a location where at least 50 employees are employed by the Company within 75 miles, as of the date the leave is requested. Eligibility requirements may differ for employees who are caregivers for a servicemember who has a serious injury or illness. If employees are unsure whether they qualify, they should contact Lincoln Financial, our third party leave administrator.

Employees who do not meet the eligibility requirements for FMLA may still request leave under other applicable company policies or as a reasonable accommodation under state/federal laws, such as the Americans with Disabilities Act and the Pregnant Workers Fairness Act. The Company will review such requests on a case-by-case basis.

Reasons for Leave

Federal and state laws allow FMLA Leave for various reasons. Because employees’ legal rights and obligations may vary depending upon the reason for the FMLA Leave, it is important to identify the purpose or reason for the leave. FMLA Leave may be used for one of the following reasons, in addition to any reason covered by an applicable state family/medical leave law:

- The birth, adoption or foster care of an employee's child within 12 months following birth or placement of the child (Childbirth and Bonding Leave);
- To care for an immediate family member (spouse, child, or parent) with a serious health condition (Family Care Leave);

¹ Special hours of service requirements apply to airline flight crew employees.

- An employee's inability to work because of a serious health condition (Serious Health Condition Leave);
- A "qualifying exigency," as defined under the FMLA, arising from a spouse's, child's, or parent's "covered active duty" (as defined below) as a member of the military reserves, National Guard or Armed Forces (Military Emergency Leave); or
- To care for a spouse, child, parent or next of kin (nearest blood relative) who is a "Covered Servicemember," as defined below (Military Caregiver Leave).

Definitions

- **"Child"** for purposes of Childbirth and Bonding Leave and Family Care Leave, means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that Family and Medical Leave is to commence. "Child," for purposes of Military Emergency Leave and Military Caregiver Leave, means a biological, adopted or foster child, stepchild, legal ward, or a child for whom the person stood in loco parentis, and who is of any age.
- **"Parent"** for purposes of this policy, means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the person. This term does not include parents-in-law. For Military Emergency leave taken to provide care to a parent of a deployed military member, the parent must be incapable of self-care as defined by the FMLA.
- **"Covered Active Duty"** means (1) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and (2) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation as defined by applicable law.
- **"Covered Servicemember"** means (1) a current member of the Armed Forces, including a member of a reserve component of the Armed Forces, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred or aggravated in the line of duty while on active duty that may render the individual medically unfit to perform their military duties, or (2) a person who, during the five (5) years prior to the treatment necessitating the leave, served in the active military, Naval, or Air Service, and who was discharged or released therefrom under conditions other than dishonorable (a "veteran" as defined by the Department of Veteran Affairs), and who has a qualifying injury or illness incurred or aggravated in the line of duty while on active duty that manifested itself before or after the member became a veteran.
- **"Spouse"** means the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into, or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one State. This includes common law marriage and same sex marriage in places where these marriages are recognized.
- **"Key employee"** means a salaried FMLA-eligible employee who is among the highest paid 10 percent of all the employees employed by the employer within 75 miles of the employee's worksite.

Length of Leave

The maximum amount of FMLA Leave will be 12 workweeks in any 12-month period when the leave is taken for: (1) Childbirth and Bonding Leave; (2) Family Care Leave; (3) Serious Health Condition Leave; and/or (4) Military Emergency Leave. However, if both spouses work for the Company and are eligible for leave under this policy, the spouses will be limited to a total of 12 workweeks off between the two of them when the leave is for Childbirth and Bonding Leave or to care for a parent using Family Care Leave. The applicable "12-month period" utilized by the Company is the rolling 12-month period measured backward from the date an employee seeks to use FMLA leave. However, for Military Caregiver Leave only, an employee is entitled to a combined leave total of 26 workweeks in a single 12-month period, which begins on the date of the employee's first use of such leave and ends 12 months after that date.

If both spouses work for the Company and are eligible for leave under this policy, the spouses will be limited to a total of 26 workweeks off between the two when the leave is for Military Caregiver Leave only or is for a combination of Military Caregiver Leave, Childbirth and Bonding Leave and/or Family Care Leave taken to care for a parent.

To the extent required by law, some extensions to leave beyond an employee's FMLA entitlement may be granted when the leave is necessitated by an employee's work-related injury or illness, by a "disability" as defined under the Americans with Disabilities Act, by a condition related to pregnancy and childbirth, as set forth in the Pregnant Workers Fairness Act and/or applicable state or local law. Certain restrictions on these benefits may apply.

**If you are currently on an approved FMLA leave as of December 24, 2025, the shutdown period will not count against your FMLA allotment. Your FMLA leave balance will remain unchanged during the shutdown.*

Intermittent or Reduced Schedule Leave

Under some circumstances, employees may take FMLA Leave intermittently, which means taking leave in blocks of time, or by reducing the employee's normal weekly or daily work schedule. An employee may take leave intermittently whenever it is medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work.

Leave taken intermittently may be taken in increments of no less than one hour. Employees who take leave intermittently or on a reduced work schedule basis for a planned medical treatment must make a reasonable effort to schedule the leave so as not to unduly disrupt the Company's operations. Please contact Human Resources and Lincoln Financial, our third party leave administrator, prior to scheduling planned medical treatment. If FMLA Leave is taken intermittently or on a reduced schedule basis due to foreseeable planned medical treatment, we may require employees to transfer temporarily to an available alternative position with an equivalent pay rate and benefits, including a part-time position, to better accommodate recurring periods of leave.

If employees have been approved for intermittent leave and they request leave time that is unforeseeable, they must specifically reference either the qualifying reason for leave or the need for FMLA leave at the time they call off.

If an employee's request for intermittent leave is approved, the Company may later require employees to obtain recertification of their need for leave. For example, the Company may request recertification if it receives information that casts doubt on an employee's report that an absence qualifies for FMLA Leave.

To the extent required by law, some extensions to leave beyond an employee's FMLA entitlement may be granted when the leave is necessitated by an employee's work-related injury/illness or a "disability" as defined under the Americans with Disabilities Act, or by a condition related to pregnancy and childbirth as set forth in the Pregnant Workers Fairness Act, and/or by an applicable state or local law. Certain restrictions on these benefits may apply.

If you are on an approved intermittent FMLA leave, you are **not required to request FMLA time off for the shutdown period (Dec 24-31).*

Notice and Certification

Childbirth, Bonding, Family Care, Serious Health Condition and Military Caregiver Leave Requirements

Employees are required to provide:

- When the need for the leave is foreseeable, 30 days advance notice or such notice as is both possible and practical if the leave must begin in less than 30 days (normally this would be the same day the employee becomes aware of the need for leave or the next business day);
- When the need for leave is not foreseeable, notice within the time prescribed by the Company's normal absence reporting policy, unless unusual circumstances prevent compliance, in which case notice is required as soon as is otherwise possible and practical;
- When the leave relates to medical issues, a completed Certification of Health-Care Provider form within 15 calendar days (for Military Caregiver Leave, an invitational travel order or invitational travel authorization may be submitted in lieu of a Certification of Health-Care Provider form);
- Periodic recertification (upon request); and
- Periodic reports during the leave.

At our expense, we may require a second or third medical opinion regarding the employee's own serious health condition or the serious health condition of the employee's family member. In some cases, we may require a second or third opinion regarding the injury or illness of a Covered Service Member. Employees are expected to cooperate with the Company in obtaining additional medical opinions that we may require.

When leave is for planned medical treatment, employees must try to schedule treatment so as not to unduly disrupt the Company's operation. Please contact Lincoln Financial, our third party leave administrator, prior to scheduling planned medical treatment.

Employer Responsibilities

As a covered employer, we will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required by law, as well as the employees' rights and responsibilities. If an employee is not eligible, we will provide a reason for ineligibility. We will also inform employees if leave is designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If we determine that a leave is not FMLA protected, we will notify the employee.

Recertification After Grant of Leave

In addition to the requirements listed above, if an employee's FMLA Leave is approved, the Company requires periodic medical recertification as permitted by the FMLA. For example, the Company may request recertification if (1) the employee requests an extension of leave; (2) the circumstances of the employee's condition as described by the previous certification change significantly (e.g., employee absences deviate from the duration or frequency set forth in the previous certification; employee's condition becomes more severe than indicated in the original certification; employee's encounter complications); or (3) the Company receives information that casts doubt upon the employee's stated reason for the absence. In addition, the Company may request recertification in connection with an absence after six months have passed since the employee's original certification, regardless of the estimated duration of the serious health condition necessitating the need for leave. Any recertification requested by the Company will be at the employee's expense.

Military Emergency Leave Requirements

Employees are required to provide:

- As much advance notice as is reasonable and practicable under the circumstances;
- A copy of the covered military member's active-duty orders (or other official documentation issued by the military) when the employee requests leave and/or documentation (such as Rest and Recuperation leave orders) issued by the military setting forth the dates of the military member's leave; and
- A completed Certification of Qualifying Exigency form within 15 calendar days, unless unusual circumstances exist to justify providing the form at a later date

Failure to Provide Certification and to Return from Leave

Absent unusual circumstances, failure to comply with these notice and certification requirements may result in a delay or denial of FMLA leave. If an employee fails to return to work at at FMLA leave's expiration and has not obtained an extension of the leave, the Company may presume that the employee does not plan to return to work and has voluntarily terminated their employment.

Compensation During Leave

Generally, FMLA Leave is unpaid. However, employees may be eligible to receive benefits through state-sponsored programs or the Company's sponsored wage-replacement leave of absence programs. Employees may also choose to use available Sick & Safe Time if they are otherwise ineligible or denied for a Company sponsored wage-replacement leave of absence program, and to the extent permitted by law and under the Company's policy. All payments of wage-replacement benefits will be integrated so that employees will receive no greater compensation than their regular compensation during this period. The use of paid benefits will not extend the length of a FMLA Leave.

Benefits During Leave

The Company will continue making contributions to employee group health benefits during their leave on the same terms as if employees had continued to actively work. This means that if employees want their benefits coverage to continue during their leave, they must also continue to pay the employee portion of premium payments. .. Employees taking Childbirth and Bonding Leave, Family Care Leave, Serious Health Condition Leave, and Military Emergency Leave will generally be provided with group health benefits for a 12-workweek period. Employees taking Military Caregiver Leave may be eligible to receive group health benefits coverage for up to a maximum of 26 workweeks. In some instances, the Company may recover premiums it paid on the employee's behalf to maintain health coverage if the employee fails to return to work following a FMLA Leave. The employee's length of service as of the leave will remain intact.

** For all other leaves, if the end of year closure falls during your leave and you have any paid leave available, that time will be deducted from your available leave balance during the shutdown period. Please note that leave balances will not be extended
Beyond the standard duration specified in your leave policy, and payments will be processed according to your leave type.*

End of Job Protection Under FMLA

Once an employee's entitlement to job protection under applicable family and medical leave laws, such as the federal Family and Medical Leave Act (FMLA) or similar state statute, has expired, either due to the exhaustion of the leave period or other qualifying limits, the following provisions apply:

Return to Work

The Company will make reasonable efforts to reinstate the employee to the same or an equivalent position, consistent with FMLA requirements. However, once FMLA job protection ends, reinstatement is no longer guaranteed.

Extended Leave Requests

If the employee is unable to return to work after FMLA leave ends, they may request an extension of leave under other applicable policies, such as personal leave. These requests will be evaluated on a case-by-case basis.

Employees with a medical condition that limits their ability to perform the essential functions of their job may be eligible for additional leave or other accommodations under the Americans with Disabilities Act (ADA), the Pregnant Workers Fairness Act (PWFA) or similar laws. In such cases, employees may request a reasonable accommodation to support their ability to return to work. Lincoln Financial Group, the Company's third-party administrator for leave and accommodation claims, will guide the employee through an interactive process to determine whether a suitable accommodation can be arranged.

Failure to Return If the employee does not return to work and no additional leave has been approved, the Company may consider the employee to have voluntarily resigned. In such cases, employment may be terminated.

Benefits Continuation

Health benefits provided during FMLA leave may end when the leave entitlement expires. Employees will be notified of their rights under COBRA or other applicable continuation coverage options.

Communication Requirement

Employees are expected to maintain regular communication with their manager and/or Human Resources regarding their return-to-work status. Failure to do so may impact reinstatement eligibility.

Job Reinstatement

Under most circumstances, employees will be reinstated to the same position they held at the time of the leave or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment. However, employees have no greater right to reinstatement than if they had been continuously employed rather than on leave. For example, if an employee would have been laid off if they had not gone on leave or, if the employee's position was eliminated during the leave, then the employee will not be entitled to reinstatement.

Prior to being allowed to return to work, an employee wishing to return from a Serious Health Condition Leave must submit an acceptable release from a health care provider that certifies the employee can perform the essential functions of the job as those essential functions relate to the employee's serious health condition. For an employee on intermittent FMLA leave, such a release may be required if reasonable safety concerns exist regarding the employee's ability to perform their duties, based on the serious health condition for which the employee took the intermittent leave.

Key employees may be subject to reinstatement limitations in some circumstances. If employees are considered a "key employee," those employees will be notified of the possible limitations on reinstatement at the time the employee requests a leave of absence.

Confidentiality

Documents relating to medical certifications, recertifications or medical histories of employees or employees' family members will be maintained by our leave administrator, Lincoln Financial, and treated by the Company as confidential medical records, except that in some legally recognized circumstances, the records (or information in them) may be disclosed to supervisors and managers, first aid and safety personnel or government officials.

Nondiscrimination

The Company takes its FMLA obligations very seriously and will not interfere, restrain or deny the exercise of any rights provided by the FMLA. We will not terminate or discriminate against any individual for opposing any practice, or because of involvement in any proceeding related to the FMLA. If an employee believes their FMLA rights have been violated in any way, they should immediately report the matter to Human Resources.

Family and Medical Leave

Employees may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement, which provides greater family or medical leave rights.

Additional Information Regarding FMLA

Employees should contact Lincoln Financial, our third party leave administrator, as to any FMLA questions they may have.

State Law

A number of states have family leave laws that provide leave benefits which exceed those available to employees under the FMLA. Employees should contact Lincoln Financial, our third party leave administrator, for additional information (800) 523-0428 or www.mylincolnportal.com.

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Version Control

Month 2026: Policy reviewed; updates made to provide information about End of Job Protection under FMLA.

December 2024: Policy reviewed; updates made to clarify EOY closure

December 2023: Policy reviewed; updates made to reflect current legislation