

## Leave of Absence Information

### Purpose

This policy identifies the leave of absence policies for all of Arcwood Environmental and its affiliates and subsidiaries. In the event of a conflict between the terms of this policy and applicable law, applicable law will govern and supersede the relevant provisions of this policy. This notice details certain rights and responsibilities that you have regarding leave of absences under the Family and Medical Leave Act of 1993 (FMLA).

### Family Medical Leave Act

The Family Medical Leave Act (FMLA) is a federal law that provides eligible employees with unpaid job-protected leave for qualifying family and medical reasons. Eligible employees can take up to 12 work weeks of FMLA in a rolling 12 month period of the adoption, birth, or foster placement of a child with you; your own serious mental or physical health condition that makes you unable to work; care of your spouse, child or parent with a serious mental or physical health condition; and certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An employee who is the spouse, child, parent, or next-of-kin of a covered servicemember with a serious illness or injury *may* take up to 26 work weeks of FMLA leave in a single 12-month period to care for the service member.

To be deemed eligible for the FMLA, you must have at least 12 months of service and 1,250 hours worked within the 12 months immediately preceding your requested leave.

If eligible and certified, leave may be taken continuously, as a reduced schedule, and/or intermittently, if needed. For bonding purposes, leave may be taken continuously, but multiple continuous segments may be used if each segment is two weeks in duration or greater. If you and your spouse are both eligible employees of the company and request leave to care for a child's health condition, a parent's health condition and/or to bond, you will only be permitted to take a combined total of 12 weeks of FMLA during a rolling 12-month period for those leave reasons.

Special limitations on FMLA apply to certain key employees of the company. If you are a key employee, the company will provide you with separate notice describing these limitations.

If any state leave law also applies to your absence, these plans will run concurrently with FMLA, unless the specified state law indicates otherwise. If the state leave indicates non-concurrency, the state law will supersede this policy. More information regarding FMLA and/or your responsibilities to obtain FMLA can be found on the Total Rewards Portal as well as [dol.gov/fmla](http://dol.gov/fmla).

### Coordination of PTO with FMLA

Generally, leave under the FMLA is unpaid. However, if an employee has unused PTO available, and the leave request is approved, an employee must use their PTO balance unless another benefit takes over for payment. If PTO is used during a FMLA qualified leave of absence, the FMLA hours will run concurrent with any paid time off during leave.

### Disability Insurance

If an employee experiences a non-work-related illness or injury preventing them from working for greater than 3 consecutive days, Arcwood Environmental's injury/illness disability wage continuation may apply.

To be eligible for this benefit, an employee must be a regular, full-time employee scheduled to work 30+ hours per week, you are eligible for this benefit beginning on the first of the month following your date of hire. If eligible, you are automatically enrolled in this benefit, paid for by your employer. Benefits begin immediately with no elimination period, as long as certified by a medical provider. You may receive 100% of your current weekly earnings during the benefit period of day 1 through week 13, if approved. Weeks 14 through 26 may be paid at 80% of your current weekly earnings.

For disability leaves extending beyond 26 weeks (180 days), benefits will transition to long-term disability. Full time, regular employees scheduled 30+ hours per week are eligible for these benefits once the short-term disability period ends. This benefit has a waiting period of 180 consecutive days within a 360-calendar day period. Any days that an employee is able to work after the start of disability will not count toward the elimination period. Coverage amounts under this policy are 60% of your monthly earnings, up to \$15,000 per month. The coverage minimum is >\$100 of your monthly earnings and coverage maximum is \$17,500. This benefit is administered by our partner, Voya.

These benefits will run concurrently with FMLA, as well as any other applicable state-benefits. If your state has enacted a law which provides wage replacement for a leave-qualified reason, these benefits will also run concurrently with any other paid time off and may reduce your company-paid benefit. Your total benefits cannot exceed 100% of your regular wages.

For more information about these disability benefits, please visit our Total Rewards page or visit Voya at [voya.com/claims](http://voya.com/claims).

### **Benefits While on Leave**

While on FMLA and/or employee illness/injury wage continuation for disability, Arcwood Environmental will maintain your coverage under the company health plan on the same conditions as if you had been employed continuously during the leave period. These deductions will be withheld from your benefit payments. However, per the rule governing our benefit plans, benefit coverage for employees on a leave of absence will be terminated after 6 months (180 days) from the start date of the leave of absence.

If your employment ends in conjunction with your six-month benefit termination, your benefits will terminate at midnight on the last day of the month in which you reach the 180<sup>th</sup> day of your leave. You will be eligible to continue your current benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA) for up to 36 months after your employment terminates.

While not as common, if your benefit and employment termination dates do not coincide, you may be eligible to continue participating in the health plan. The Patient Protection and Affordable Care Act (ACA) states that healthcare coverage may continue if you have an average of 30 hours or more per week during a given measurement period (12-month look back period). Your employer grants hours for the time you are on an approved health leave of absence. If you meet the ACA hours requirement, you are eligible to continue participating in your current health plan election. This plan would include base dental and critical illness coverage. If you are enrolled in enhanced dental or vision plans, these benefits will terminate at midnight on the last day of the month in which you reach the 180<sup>th</sup> day of your absence. All other benefit coverages will terminate at midnight on your termination date.

### **Birth Parent Leave**

Regular, full-time employees are eligible to request Birth Parent Leave beginning the first day of the month following hire. Employees may utilize up to 12 weeks of company-paid time off – 8 weeks for recovery and 4 weeks of bonding time.

The birth parent leave must be used immediately following birth and includes 8 weeks of recovery time and 4 weeks of bonding time. During this period, the employee will receive 100% of their current wages paid via payroll. All taxes and benefit deductions will be withheld from payment, including 401(k) contributions.

If your state has enacted a law which provides wage replacement and/or job protection for a leave-qualified reason, these benefits will also run concurrently with any other paid time off and may reduce your company-paid benefit. Your total benefits cannot exceed 100% of your regular wages.

Birth Parent, Parental Bonding, and Family Care leave plans are available to utilize only once in a rolling 52-week period. These leave reasons share entitlement, therefore only 4 weeks can be utilized total for any combination of these leaves. A birth parent who has taken 12 weeks of paid leave is not eligible for additional bonding or family leave in the same rolling 52-week rolling period.

### **Parental Bonding Leave**

Regular, full-time employees are eligible to request Parental Leave beginning the first day of the month following hire. Leave under this policy is associated with the birth of an employee's own child (non-birth parent), or for placement of a child with an employee in connection with adoption or foster care. Entitlement time under this leave plan is shared with the Family Care plan.

Under this policy, employees may utilize up to 4 weeks of company-paid time off at 100% of their current weekly wages. Leave time must be taken in a minimum of 2-week increments and must be fully used within 12 months of the birth, adoption or foster care placement. Additional unpaid (or paid with available PTO) under FMLA may be taken.

For foster parents, bonding leave is the shorter of 4 weeks or the time the foster child resides with the foster parent. A lifetime maximum of 12 weeks of paid time off for this reason is available.

If your state has enacted a law which provides wage replacement and/or job protection for a leave-qualified reason, these benefits will also run concurrently with any other paid time off and may reduce your company-paid benefit. Your total benefits cannot exceed 100% of your regular wages.

Birth Parent, Parental Bonding, and Family Care leave plans are available to utilize only once in a rolling 52-week period. These leave reasons share entitlement, therefore only 4 weeks can be utilized total for any combination of these leaves. A birth parent who has taken 12 weeks of paid leave is not eligible for additional bonding or family leave in the same rolling 52-week rolling period.

### **Family Care Leave**

Regular, full-time employees are eligible to request the Family Care Leave beginning the first day of the month following hire. Leave under this policy is intended to provide the employee with up to 4 weeks of 100% company-paid time off to care for a qualified family member with a serious illness or injury. Intermittent usage is permitted for this leave, but time must be taken in no-less than 1-hour increments. Entitlement time under this leave plan is shared with parental bonding leave plan.

The serious illness/injury of a family member is limited to those conditions of a family member that would qualify as a serious health condition under the FMLA's definition. A qualified family member is defined as those listed under the FMLA's family member eligible relationships (parent, spouse, child), unless state law specifies otherwise. If state law definition of an eligible family member exceeds that defined by the FMLA, then the state law will supersede.

Birth Parent, Parental Bonding, and Family Care leave plans are available to utilize only once in a rolling 52-week period. These leave reasons share entitlement, therefore only 4 weeks can be utilized total for any combination of these leaves. A birth parent who has taken 12 weeks of paid leave is not eligible for additional bonding or family leave in the same rolling 52-week rolling period.

## **Military Leave**

The company complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable state law pertaining to military leave. Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the necessary time off and reinstated in accordance with applicable law.

Up to 14 days within a 12-month period will be paid at 100% of the employee's current weekly wages for National Guard and Military Reserve absences, however accrued paid time off may be used for this leave if the employee chooses.

If your state has enacted a law which provides wage replacement and/or job protection for a military-related reason, these benefits will run concurrently with any other applicable leave plan and may reduce your company-paid benefit. Your total benefits cannot exceed 100% of your regular wages or the maximum duration of the most generous leave-protected plan available.

Notice should be given to Human Resources and arrangements for leave made as early as possible before departure. Employees must notify Human Resources of their intent to return to employment as required by applicable law. No attempt is made in this policy to cover all possible situations and circumstances that may arise in connection with the military service of an employee. Therefore, as military leave situations arise, employees should consult with Human Resources for complete details regarding their military leave rights.

## **Other Leave**

This policy is not intended to cover all possible leave plans that may be applicable or available for all situations. Many states may have job protected or funded policies that could apply to a reason for leave not included in this document. If you have questions regarding time out of work on a leave of absence, please reach out to Human Resources so that available options and programs can be discussed.

## **Requirements and Information for All Leave**

Employees must always provide their supervisor and Human Resources a written request for leave within 30 days of the request, or as much notice as practicable if leave is not foreseeable. All leaves above also require submission of documentation for approval. If a leave is requested, you must submit completed certification and/or other applicable documentation within 15 calendar days. A leave of absence will not be granted until required certification is provided. Failure to submit necessary documentation within the 15-calendar day timeframe (or any extension requested during that timeframe and granted by HR due to extenuating circumstances) may result in the denial of leave and may result in unauthorized leave subject to disciplinary action, up to and including termination.

Leave of Absence documentation and/or Parental and Family Leave Request forms are located on the Total Rewards portal. Forms completed in entirety, along with required documentation, must be submitted to [leave@arcwoodenviro.com](mailto:leave@arcwoodenviro.com). It is important to note that Human Resources must receive all medical certifications and physician's notes. All information will be kept confidential and on file and separate from the employee's personnel file. Please reach out to Human Resources if you have any questions regarding the requirements for leave.

Leave is required to be recertified each year if the need for leave is expected to continue beyond the initially certified 12-month period. This annual certification is subject to eligibility requirements continuing to be met.

The employer may require an employee to provide recertification of the medical necessity for intermittent leave in any event, every six months. Except as provided above, the employer may request recertification no more than once every 30 days in conjunction with an employee's absence unless: the employee requests an extension of leave, circumstances described by the previous certification have changed, or the employer receives information that casts doubt upon the validity of the certification. Recertifications are at the employee's expense. No second or third opinion on recertification may be required. Only a second or third opinion may be requested on the annual certification form. Recertifications are not required for leave to care for a covered servicemember or because of a qualifying exigency arising out of the fact that the employee's spouse, child or parent is on active duty or call to active-duty status in support of a contingency operation.

If the need for intermittent or reduced schedule applies, leave must be taken in no less than one-hour increments. You must make reasonable efforts to schedule your leave so that it is the least disruptive to your work schedule or company's operations. In addition, if you request intermittent or reduced schedule leave, the company may require that you transfer temporarily to an available alternative position, with equivalent pay and benefits, for which you are qualified, and which better accommodates intermittent or reduced schedule leave. You must comply with normal call-in procedures and time limits for each day of absence unless you become incapable of providing notice in that manner and/or within those timeframes.

Upon return from FMLA (within the 12 week leave period), employees will be restored to their same or an equivalent position with equivalent benefits, pay and other terms and conditions of employment. Certain salaried, key employees of the company may be denied restoration if their reinstatement would cause substantial and grievous economic injury to the company. If, during FMLA leave, a layoff or other event occurs that would have changed or even eliminated your job had you not taken leave, you will have no greater rights than if you had been continuously working during the FMLA leave. If the employee does not return to work at the end of the FMLA period, their position will no longer be protected, and the company has the right to fill your position based on business need.

If your state has enacted a law which provides wage replacement and/or job protection for a leave-qualified reason, these benefits will also run concurrently with any other paid time off and may reduce your company-paid benefit. Your total benefits cannot exceed 100% of your regular wages. Employees in states with such benefits should follow the state's guidance for qualification and claim administration. If applicable, see your state's government website for details.

If your employment terminates prior to using the full leave benefit, the unused portion is forfeited.

Use of the benefits described in this policy other than for its intended purpose, if substantiated, will result in the revocation of benefits and disciplinary action up to and including termination.