

THE INFORMATION BELOW SUPPLEMENTS THE NATIONAL POLICIES CONTAINED IN  
THE EMPLOYEE HANDBOOK FOR EMPLOYEES WHO WORK IN THE RELEVANT STATES

---

## DISTRICT OF COLUMBIA SUPPLEMENT

### I. ACCOMMODATIONS FOR PREGNANCY, CHILDBIRTH AND BREASTFEEDING

The Company will endeavor to provide reasonable accommodations to employees working in the District of Columbia whose ability to perform job functions is limited by pregnancy, childbirth, related medical conditions, or breastfeeding as required by law, unless such accommodations would result in an undue hardship to the Company. We will engage in a good faith and timely interactive process to determine whether a reasonable accommodation can be provided for such employees. We may request necessary medical certification, to the extent permitted by applicable law. Reasonable accommodations may include: more frequent or longer breaks, time off to recover from childbirth, equipment modification, seating, temporary transfer to a less strenuous job, job restructuring or light duty, and having the employee refrain from heavy lifting, relocating the employee's work area, as well as accommodations for lactation such as providing private (non-bathroom) space for expressing breast milk as described in more detailed below.

In accordance with D.C. law, the Company will provide reasonable daily break periods to accommodate an employee who is a nursing mother desiring to express breast milk for the employee's child. The break time, if possible, will run concurrently with any rest and meal periods already provided to the employee. If the break time cannot run concurrently with rest and meal periods already provided to the employee, the break time will be unpaid. The Company must provide a sanitary location so that breastfeeding mothers are able to express breast milk for their children. This location may be the employee's private office, if applicable.

We will not interfere with, restrain or deny an employee's right to request or receive an accommodation under this policy including reasonable break time for lactation purposes under this policy. Employees will be protected from retaliation for requesting or receiving an accommodation under this policy including reasonable break time for lactation purposes, raising a complaint or concern about this policy, or filing or cooperating in the investigation of a complaint under this policy.

If employees have questions regarding this policy, would like to request a reasonable accommodation pursuant to this policy or believe they have been retaliated against in violation of this policy, they should contact Human Resources.

### II. D.C. ACCRUED SICK AND SAFE LEAVE

**Eligibility.** The Company provides paid leave to all D.C. employees pursuant to the D.C. Accrued Sick and Safe Leave Act, as amended. For employees who work in D.C. who are

eligible for sick and safe leave under the general Paid Sick Leave policy, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Paid Sick Leave policy.

**Accrual.** Employees begin to accrue paid leave at the start of employment. Employees accrue paid leave at a rate of one (1) hour for every 87 hours worked, up to a maximum of 3 days per calendar year. Exempt employees do not accrue paid leave for hours worked beyond a forty (40) hour workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1st and ending on December 31st.

**Usage.** An employee may not use more than 3 days of accrued paid leave per calendar year. Employees may begin using paid leave under this policy after the 90th day of employment. Paid sick leave may be used in 1-minute increments for non-exempt employees and in minimum increments of 1 hour for exempt employees.

An employee may use paid leave under this policy for the following reasons:

- 1) An absence resulting from a physical or mental illness, injury, or medical condition of the employee;
- 2) An absence resulting from obtaining professional medical diagnosis or care or preventive medical care for the employee; or
- 3) An absence for the purpose of caring for a family member who has any of the conditions or needs for diagnosis or care described in (1) and (2) above.

An employee may also use paid leave for an absence if the employee or the employee's family member is a victim of stalking, domestic violence, or sexual abuse and the absence is directly related to medical, social, or legal services pertaining to the stalking, domestic violence, or sexual abuse for the purposes of:

- 1) Seeking medical attention for the employee or the employee's family member to treat or recover from physical or psychological injury or disability caused by the stalking, domestic violence, or sexual abuse;
- 2) Obtaining services for the employee or the employee's family member from a victim services organization;
- 3) Obtaining psychological or other counseling services for the employee or the employee's family member;
- 4) Temporary or permanent relocation of the employee or the employee's family member;
- 5) Taking legal action, including preparing for or participating in a criminal or civil proceeding related to or resulting from stalking, domestic violence, or sexual abuse; or
- 6) Taking other actions that could be reasonably determined to enhance the physical, psychological, or economic health or safety of the employee or the employee's family member or the safety of those who work or associate with the employee.

For purposes of this policy, family member includes a spouse; domestic partner; the parents of a spouse; children (including foster children and grandchildren); spouses of children; parents; siblings; spouses of siblings; a child who lives with an employee and for whom the employee permanently assumes and discharges parental responsibility; and a person with whom the

employee shares or has shared, for not less than the preceding 12 months, a mutual residence and with whom the employee maintains a committed relationship, as defined in D.C. Code § 32-701(1)).

Unless the employee advises the Company otherwise, we will assume, subject to applicable law, that employees want to use available paid leave for absences for reasons set forth above and employees will be paid for such absences to the extent they have paid leave available.

**Notice & Documentation.** Employees are required to make a reasonable effort to schedule paid leave in a manner that does not unduly disrupt the Company's operations. If paid leave is requested in a non-emergency situation, the employee must consult with the Company regarding the date and time of the paid leave to be taken. If possible, employees must provide at least ten (10) days prior notice of the planned use of paid leave under this policy. Where the need is unforeseeable (i.e., ten (10) days prior notice is not possible), the employee must provide notice prior to the start of the workday/shift for which the paid leave is requested, ideally in writing (but oral notice is permitted). In the case of an emergency, employees must notify the Company of need to use paid leave prior to the start of the employee's next workday/shift or within twenty-four (24) hours of the onset of the emergency, whichever occurs sooner.

When the requested leave under this policy is for three (3) or more consecutive days, employees are required to provide reasonable certification of the reason for leave no later than one (1) day after they return from leave. A reasonable certification may include:

- 1) A signed document from a health care provider affirming the illness of the employee or the employee's family member;
- 2) A police report or court order indicating that the employee or the employee's family member was the victim of stalking, domestic violence, or sexual abuse;
- 3) A signed written statement from a victim/witness advocate, domestic violence counselor, attorney, or other similar professional affirming that the employee or employee's family member (1) is involved in legal action or proceedings related to stalking, domestic violence, or sexual abuse (including only the name of the employee or employee's family member who is a victim and the date on which services were sought) or (2) sought services to enhance the physical, psychological, economic health or safety of the employee or employee's family member.

**Payment.** Paid leave under this policy will be calculated based on the employee's base pay rate at the time of absence, unless otherwise required by applicable law, which is no event will be less than minimum wage. It does not include overtime or any special forms of compensation such as incentives, commissions, or bonuses. Use of paid leave is not considered hours worked for purposes of calculating overtime.

**Carryover & Payout.** An employee may carry over accrued, unused paid leave under this policy. Accrued but unused paid leave under this policy will not be paid at separation.

**Enforcement & Retaliation.** The Company prohibits retaliation against any employee who

asserts their rights to receive paid leave under this policy. The Office of Wage-Hour of the DC Department of Employment Services can investigate possible violations. To request full text of the Act, to obtain a copy of the rules associated with this Act, or to file a complaint, contact the Office of Wage-Hour at (202) 671-1880, 4058 Minnesota Avenue, N.E., 4th Floor, Washington, D.C. 20019, or visit [www.does.dc.gov](http://www.does.dc.gov).

Employees with questions regarding this policy can contact Human Resources.

### **III. D.C. PAID LEAVE BENEFITS**

Employees may be eligible for paid leave benefits for covered events pursuant to the D.C. Universal Paid Leave Amendment Act ("UPLA"). The UPLA is a D.C. paid leave benefit administered by the Office of Paid Family Leave ("OPFL") at the DC Department of Employment Services. Benefits are funded through an employer payroll tax, not deducted from employees' pay. The District of Columbia (the "District") is solely responsible for determining whether an employee is eligible for paid leave benefits under the UPLA.

To be eligible for paid leave benefits, an employee must have been a covered employee during some or all of the 52 calendar weeks immediately preceding the qualifying event for which paid leave is being taken. A covered employee is someone who: (a) spends more than 50% of the employee's work time for the Company working in the District; or (b) whose employment for the Company is based in the District, who regularly spends a substantial amount of the employee's work time for the Company in the District, and who does not spend more than 50% of the employee's work time for the Company in another jurisdiction.

Paid leave benefits are available for the following covered events:

- Family Leave – to care for a family member with a serious health condition;
- Medical Leave – for an employee's own serious health condition (including the occurrence of a stillbirth and the medical care related to a miscarriage);
- Parental Leave – to bond with the employee's child after the child's birth, placement of a child with an employee for adoption or foster care, or placement of a child with an employee who will legally assume and discharge parental responsibility ("Parental Leave Event"); and
- Pre-natal Leave – for covered pre-natal medical care following the diagnosis of pregnancy by a health care provider and prior to the occurrence of a Parental Leave Event.

For purposes of paid leave benefits, a family member includes the employee's: biological, adopted, or foster child, a stepchild, a legal ward, a child of a domestic partner, or a person to whom an employee stands in loco parentis; biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child; a person to whom the employee is related by domestic partnership or marriage; grandparent, which means the biological, foster, adoptive, or step parent of the employee's biological, foster, adoptive, or step parent; or a sibling, which means the biological, half-, step-, adopted-, or foster-sibling or sibling-in-law of the employee.

Parental leave benefits must be used within fifty-two (52) calendar weeks of the qualifying parental leave event.

The amount of paid leave benefits that may be payable varies depending on the covered event as follows:

- Family Leave – up to 12 workweeks within a fifty-two (52) calendar week period
- Medical Leave – up to 12 workweeks within a fifty-two (52) calendar week period
- Parental Leave – up to 12 workweeks within a fifty-two (52) calendar week period
- Pre-natal Leave – up to 2 workweeks within a fifty-two (52) calendar week period

The maximum amount of paid leave benefits that may be received in the aggregate, for any number of combination of leave events, within a fifty-two (52) calendar week period is 12 workweeks, except when an employee receives both prenatal and parental leave, the employee can receive both prenatal and parental leave for a total leave time of up to 14 workweeks.

The amount of benefits will be calculated by the District and will depend in part on an employee's average weekly wage as reported by the Company to the Department of Employment Services, subject to a maximum weekly benefit amount which is adjusted annually by the District.

Employees may elect to receive paid leave benefits either intermittently or continuously in increments of no less than one (1) day.

Employees that have experienced an event that may qualify for paid leave benefits may contact Human Resources for information about the District's paid leave benefits program and how to apply for benefits. Employees also can learn more about applying for benefits with the OPFL at [dcpaidfamilyleave.dc.gov](http://dcpaidfamilyleave.dc.gov).

Employees must, to the extent practicable, provide written notice of the employee's need for the use of paid leave benefits to Human Resources before taking leave. If the need is foreseeable, the eligible employees must provide written notice at least ten (10) business days in advance. If the need is not foreseeable, the eligible employees must provide notice in writing, or orally in exigent circumstances, before the start of the work shift for which the individual intends to first take time off work for a covered event. In the case of an emergency that prevents an employee from providing notice before the start of the work shift for which the employee intends to first take time off work for a covered event, the eligible employee, or another individual on behalf of the eligible employee, must notify the Company in writing, or orally in exigent circumstances, within forty-eight (48) hours after the emergency occurs. The eligible employee, or another individual on behalf of the eligible employee, must supplement oral notice with written notice as soon as practicable. The eligible employee's written or oral notice to the Company should include: (i) the type of covered event; (ii) the expected duration of the time off work for the covered event; (iii) the expected start and end dates of the time off work for the covered event; and (iv) whether the paid leave benefits sought will initially be used continuously or intermittently.

The UPLA does not provide job protection to employees when they take time off work and receive paid leave benefits unless they qualify for such reinstatement under federal or D.C. family and medical leave laws. Any time off for events that qualify for paid leave benefits will run concurrently with other leaves of absence, such as Family and Medical Leave/D.C. Family and Medical Leave, if applicable. Please see the Family and Medical Leave/ D.C. Family and Medical Leave policies for eligibility requirements.

The Company prohibits retaliation against an employee for requesting or using paid leave benefits or otherwise exercising or attempting to exercise any right provided in this policy or the UPLA.

Employees with questions regarding these benefits can contact Human Resources.

#### **IV. PARENTAL LEAVE**

Employees who work in D.C. and are parents are entitled to a total of twenty-four (24) hours of leave during any 12-month period to attend or participate in school-related events for their children. The term "parent" for purposes of this policy includes a father or mother, a person with legal custody of a child, a guardian of a child, an aunt, uncle or grandparent, or someone who is married to any of the above.

School-related events may be sponsored by either the school or an associated organization, such as a parent-teacher association. Examples of school-related events include a concert, play or rehearsal, a sporting event, or a meeting with a teacher or counselor. A school-related event must involve the employee's child directly as either a participant or a subject, but not as a spectator.

The Company may deny a request for leave under this policy if the granting of the leave would disrupt the Company's business and make the achievement of production or service delivery unusually difficult. The leave provided by this policy is unpaid unless the parent elects to use any paid time off or other leave (not including sick leave) that has been provided by the Company. Employees who desire to take leave under this policy must notify Human Resources at least ten (10) calendar days prior to the leave, unless the need to attend the event is unforeseeable.