

## MARYLAND SUPPLEMENT

### I. PREGNANCY ACCOMMODATIONS

In compliance with Maryland law, if a pregnant employee requests an accommodation for a disability caused or contributed to by pregnancy, the Company will explore reasonable accommodations with the pregnant employee, and it will endeavor to provide a reasonable accommodation unless doing so would impose an undue hardship on the Company. Such accommodations may include changing the employee's job duties; changing the employee's work hours; relocating the employee's work area; providing mechanical or electrical aids; transferring the employee to a less strenuous or less hazardous position; or providing leave.

The Company may require certification from the employee's health care provider concerning the medical advisability of a reasonable accommodation to the same extent a certification is required for other temporary disabilities. A certification should include: (1) the date the reasonable accommodation became medically advisable; (2) the probable duration of the reasonable accommodation; and (3) an explanatory statement as to the medical advisability of the reasonable accommodation.

Employees with questions or concerns regarding this policy or who would like to request an accommodation should contact Human Resources

### II. MARYLAND EARNED SICK AND SAFE LEAVE

**Eligibility.** The Company provides paid earned sick and safe leave (ESSL) to eligible employees who regularly work at least twelve (12) hours per week in Maryland pursuant to the Maryland Healthy Working Families Act (the "Act"). For employees who work in Maryland 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 ESSL pursuant to this policy at the start of employment. Employees accrue ESSL at a rate of one (1) hour for every thirty (30) hours worked, up to a maximum accrual of forty (40) hours of paid ESSL per calendar year, and sixty-four (64) hours of paid ESSL at any time. Exempt employees are assumed to work forty (40) hours in each workweek unless their normal workweek is less than forty (40) hours, in which case ESSL accrues based upon that normal 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 sixty-four (64) hours of accrued ESSL per

calendar year. Employees may begin using ESSL under this policy after the one hundred and sixth (106th) calendar day of employment. ESSL may be used in 1-minute increments.

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

- 1) To care for or treat the employee's mental or physical illness, injury, or condition or obtain preventive medical care;
- 2) To care for a family member with a mental or physical illness, injury, or condition, or obtain preventive medical care for a family member;
- 3) For maternity or paternity leave; or
- 4) If the absence from work is due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is used either during the time that the employee has temporarily relocated due to domestic violence, sexual assault, or stalking or to obtain (for the employee or the employee's family):
  - a) medical or mental health attention that is related to the domestic violence, sexual assault, or stalking;
  - b) services from a victim services organization related to the domestic violence sexual assault or stalking; or
  - c) legal services or proceedings related to the domestic violence sexual assault or stalking.

For purposes of this policy, family member means (1) a biological, adopted, foster, or step child of the employee; a child for whom the employee has legal or physical custody or guardianship; or a child for whom the employee stands in loco parentis, regardless of child's age; (2) a biological, adoptive, foster, or step parent of the employee or the employee's spouse; legal guardian of the employee; or an individual who acted as a parent or stood in loco parentis to the employee or the employee's spouse when the employee or the employee's spouse was a minor; (3) spouse of the employee; (4) a biological, adoptive, foster, or step grandparent of the employee; (5) a biological, adoptive, foster, or step grandchild of the employee; or (6) a biological, adopted, foster, or step sibling of the employee.

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

Employees will be notified of available ESSL each time wages are paid on itemized wage statement.

**Notice & Documentation.** To use ESSL, an employee must request leave from the Company as soon as practicable after determining the need for leave and provide notification of the anticipated duration of the leave. When requesting ESSL that is foreseeable, employees must provide advance notice of seven (7) days before the date the ESSL will begin to their manager. When requesting ESSL that is not foreseeable, employees must provide notice as soon as practicable to their manager. Failure to provide such notice may result in denial of the employee's request for ESSL if the absence will cause a disruption to the Company.

The Company may require an employee to provide verification that the leave was used in accordance with applicable law when the employee uses ESSL:

- For more than two (2) consecutive scheduled shifts; or
- Between the first one hundred and seven (107) and one hundred and twenty (120) calendar days of employment and the employee agreed to provide verification at the time of hire.

If an employee fails to provide such verification, the Company may deny any subsequent request from the employee to take ESSL for the same reason.

An employee's use of ESSL will not be conditioned upon searching for or finding a replacement worker.

**Payment.** ESSL under this policy will be calculated based on the employee's wage rate at the time of absence. Use of ESSL is not considered hours worked for purposes of calculating overtime.

**Carryover & Payout.** An employee may carry over up to forty (40) hours of accrued, unused ESSL under this policy. Accrued but unused ESSL under this policy will not be paid at separation.

**Enforcement & Retaliation.** The Company prohibits retaliatory or adverse action against any employee who exercises their rights under the Act. However, an employee is prohibited from filing a complaint, bringing an action, or testifying in an action alleging violations of the Act in bad faith. If so, they may be subject to criminal penalties and fines. Employees have the right to file a complaint with the Commissioner of Labor and Industry (1100 North Eutaw Street, Room 607 | Baltimore, MD 21201; [ssl.assistance@maryland.gov](mailto:ssl.assistance@maryland.gov)), or bring a civil action to enforce an order against the Company if their rights are restrained under the Act.

Employees with questions regarding this policy can contact Human Resources.

### **III. MONTGOMERY COUNTY EARNED SICK AND SAFE LEAVE (FOR EMPLOYEES ALSO COVERED UNDER THE MARYLAND HEALTHY WORKING FAMILIES ACT)**

**Eligibility.** The Company provides paid earned sick and safe leave (ESSL) to eligible employees who regularly work at least eight (8) hours per week in Montgomery County pursuant to the Montgomery County Earned Sick and Safe Leave Law and the Maryland Healthy Working Families Act (the "Act"). For employees who work in Montgomery County 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 ESSL pursuant to this policy at the start of employment. Employees accrue ESSL at a rate of 1 hour for every 30 hours worked, up to a maximum accrual of 56 hours of paid ESSL per calendar year. Exempt employees are assumed to work forty (40) hours in each workweek unless their normal workweek is less than forty (40) hours,

in which case ESSL accrues based upon that normal 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 80 hours of accrued ESSL per calendar year. Employees may begin using ESSL under this policy after the 90th calendar day of employment. Paid sick leave may be used in 1-minute increments.

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

- 1) To care for or treat the employee's mental or physical illness, injury, or condition or obtain preventive medical care;
- 2) To care for a family member with a mental or physical illness, injury, or condition, or obtain preventive medical care for a family member;
- 3) If the employer's place of business has closed by order of a public official due to a public health emergency;
- 4) If the school or child care center for the employee's family member is closed by order of a public official due to a public health emergency;
- 5) To care for a family member if a health official or health care provider has determined that the family member's presence in the community would jeopardize the health of others because of the family member's exposure to a communicable disease; or
- 6) If the absence from work is due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is used either during the time that the employee has temporarily relocated due to domestic violence, sexual assault, or stalking or to obtain (for the employee or the employee's family):
  - a) medical or mental health attention related to the domestic violence, sexual assault, or stalking;
  - b) services from a victim services organization related to the domestic violence sexual assault or stalking; or
  - c) legal services, including preparing for or participating in a civil or criminal proceeding related to the domestic violence sexual assault or stalking;
- 7) For the birth of a child, or for the placement of a child with an employee for adoption or foster care; or
- 8) To care for a newborn, newly adopted, or newly placed child within one year of birth, adoption, or placement.

For purposes of this policy, family member means (1) a biological, adopted, foster, or step child of the employee; a child for whom the employee has legal or physical custody or guardianship; a child for whom the employee stands in loco parentis, regardless of the child's age; or a child for whom the employee is the primary caregiver; (2) a biological, adoptive, foster, or step parent of the employee or the employee's spouse; legal guardian of the employee; or an individual who acted as a parent, stood in loco parentis, or served as the primary caregiver of the employee or employee's spouse when the employee or employee's spouse was a minor; (3) spouse of the employee; (4) a biological, adoptive, foster, or step grandparent of the employee or spouse of the grandparent; (5) a biological, adoptive, foster, or step grandchild

of the employee; or (6) a biological, adopted, step, or foster sibling of the employee, or the spouse of a biological, adopted, or foster sibling of the employee.

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

Employees will be notified of available ESSL each time wages are paid on itemized wage statement.

**Notice & Documentation.** To use ESSL, an employee must request leave from the Company as soon as practicable after determining the need for leave and provide notification of the anticipated duration of the leave. When requesting ESSL that is foreseeable, employees generally must provide advance notice to their manager at least five (5) days prior to the absence. When requesting ESSL that is not foreseeable, employees must provide notice to their manager within two (2) hours of their scheduled start time or as soon as practicable under the circumstances.

The Company may require an employee who uses more than three (3) consecutive days of ESSL to provide reasonable document to verify that the leave was used in accordance with this policy.

An employee's use of ESSL will not be conditioned upon searching for or finding a replacement worker.

**Payment.** ESSL 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 in no event will be less than minimum wage. Use of ESSL is not considered hours worked for purposes of calculating overtime.

**Carryover & Payout.** An employee may carry over up to fifty-six (56) hours of accrued, unused ESSL under this policy. Accrued but unused ESSL under this policy will not be paid at separation.

**Enforcement & Retaliation.** The Company prohibits retaliation against any employee who asserts their rights to receive ESSL. Employees also have the right to file a complaint with the Director of the Montgomery County Office of Human Rights for a violation of any rights granted by the Montgomery County Earned Sick and Safe Leave Law. Employees also have the right to file a complaint with the Maryland Commissioner of Labor and Industry (1100 North Eutaw Street, Room 607 | Baltimore, MD 21201; [ssl.assistance@maryland.gov](mailto:ssl.assistance@maryland.gov)), or bring a civil action to enforce an order against the Company if their rights are restrained under the Act. However, an employee is prohibited from filing a complaint, bringing an action, or testifying in an action alleging violations of the Act in bad faith. If so, they may be subject to criminal penalties and fines.

Employees with questions regarding this policy can contact Human Resources.

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

Eligible employees are entitled to take unpaid leave, not to exceed six (6) workweeks in any 12-month period for the birth of a child of the employee or the placement of a child with the employee for adoption or foster care. However, the Company may deny leave if: (1) the denial is necessary to prevent substantial and grievous economic injury to the Company's operations; and (2) the Company notifies the employee of the denial before the employee begins taking leave.

To be eligible for parental leave, an employee must have been employed by the Company for at least (1) a 12-month period and (2) 1,250 hours during the previous twelve (12) months. Additionally, an employee is not eligible if the employee is employed at a worksite at which the Company employs less than fifteen (15) employees if the total number of employees employed by the Company within 75 miles of the worksite also is less than fifteen (15).

While parental leave is unpaid, employees may substitute accrued paid time off or other paid leave for unpaid leave provided pursuant to this policy.

Employees must provide thirty (30) days written notice of the intention to take parental leave, except no prior notice is required for a premature birth, an unexpected adoption, or an unexpected foster care placement.

While on parental leave, the Company will maintain coverage of a group health plan for the duration of the parental leave in the same manner that coverage would have provided if the employee had not taken parental leave. If an employee fails to return to work after the parental leave has expired, the Company may recover any premiums paid by the Company for maintaining coverage while the employee was on parental leave and such recovery may occur by deducting the amount of premiums paid from the wages paid to the employee on termination of employment.

An eligible employee who returns to work after taking parental leave generally will be restored to the position held when the leave began or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment. The Company may deny restoration of employment if: (i) the denial is necessary to prevent substantial and grievous economic injury to the Company's operations; (ii) the Company notifies the employee of the intent to deny restoration of employment at the time the Company determines that economic injury would occur; or (iii) in a case of parental leave that has already begun, the employee elects not to return to employment after receiving notice of the Company's intent to deny restoration of employment. Additionally, the Company may, during the parental leave period, terminate an eligible employee's employment for cause.