

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

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## WISCONSIN SUPPLEMENT

### I. WISCONSIN FAMILY AND MEDICAL LEAVE (ADDENDUM TO FMLA POLICY)

Like the Family and Medical Leave Act (“FMLA”) Policy described elsewhere in this Manual, the Wisconsin Family and Medical Leave Act (“WFMLA”) may require employers to provide family and medical leaves of absence for eligible employees. Either or both of these laws may apply to a leave. Where both laws apply, any leave taken will be counted under both laws at the same time. This policy will be interpreted to comply with the law(s) that apply to a particular leave. This policy provides employees information concerning any WFMLA entitlements and obligations that differ from the FMLA entitlements and obligations that are set forth elsewhere in this Manual. If employees have any questions concerning WFMLA leave, they should contact Human Resources.

**Eligibility.** WFMLA leave is available to “WFMLA eligible employees.” To be a WFMLA eligible employee, an employee must:

- 1) Have worked for the Company for at least fifty-two (52) consecutive weeks;
- 2) Have worked at least 1,000 hours in the fifty-two (52) weeks preceding the commencement of leave; and
- 3) Be employed by an employer that has fifty (50) or more employees.

**Basic Family and Medical Leave Entitlement.** The FMLA provides eligible employees up to twelve (12) workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The WFMLA provides eligible employees up to six (6) workweeks of unpaid leave in a 12-month period for the birth or adoption of a child and up to two (2) workweeks in a 12-month period of leave for an employee’s own serious health condition or to care for a covered family member with a serious health condition. For FMLA purposes, the 12-month period is determined based on a rolling 12-month period measured backwards from the date the employee’s leave will be taken. For WFMLA the 12-month period is measured by a calendar year from January 1st to December 31st. The total leave will not exceed twelve (12) weeks in any 12-month period (FMLA) or ten (10) weeks in any 12-month period (WFMLA) except for leave to care for an injured Servicemember which will not exceed twenty-six (26) weeks of leave during a single 12-month period as described in more detail below. It is the Company’s policy to provide the greater leave benefit provided under the FMLA or WFMLA and to run leave under concurrently under the FMLA and WFMLA whenever possible.

In addition to the entitlements outlined in the FMLA policy, under the WFMLA, an employee may also take leave to care for a domestic partner or parent-in-law who has a serious health condition. Unlike FMLA, WFMLA does not include leave for certain qualifying exigencies or to care for the employee’s child after placement for foster care.

The WFMLA has special rules that affect the amount of leave an eligible employee may take for a particular reason in the applicable 12-month period. Eligible employees under the WFMLA may take:

- 1) Six (6) workweeks of leave for birth or adoption of a child;
- 2) Two (2) workweeks of leave for an employee's own serious health condition; and
- 3) Two (2) workweeks of leave to care for a covered family member with a serious health condition.

**Spouses Employed by the Same Company.** Unlike the FMLA, which provides that spouses employed by the same Company are limited to a combined total of twelve (12) workweeks in a 12-month period, no such limitation applies to WFMLA if the leave is taken for: (1) birth and care of a newborn child; (2) placement of a child for adoption or foster care, or (3) care for a parent who has a serious health condition.

**Leave Because of The Birth or Placement of a Child.** Under the WFMLA, leave because the birth of a child or placement of a child with the employee for adoption must commence within sixteen (16) weeks before or after the birth or adoption. Under the FMLA, leave because of the birth of a child or placement of a child with the employee for adoption (or foster care) must be concluded within the 12-month period beginning on the date of birth or placement.

**Restoration of Employment and Benefits.** As with FMLA leave, at the end of WFMLA leave, subject to some exceptions, employees generally have the right to return to the same or equivalent position with equivalent pay, benefits and other terms. There is no key employee exception under WFMLA.

**Substitute Paid Leave for Unpaid FMLA and WFMLA Leave.** Employees generally must use any accrued paid time off while taking unpaid FMLA leave. Employees may elect to use any accrued paid time off while taking unpaid WFMLA leave. The substitution of paid time for unpaid FMLA and/or WFMLA leave time does not extend the length of FMLA and/or WFMLA leaves and the paid time will run concurrently with an employee's FMLA and/or WFMLA entitlement.