

Important Information About Cozen O'Connor's Family and Medical Leave Policy

Who Is Eligible for FMLA Leave?

An employee must be employed by the Firm for at least one year, have worked at least 1,250 hours over the past 12 months and work at an office location where there are 50 or more employees within 75 miles of that office location to be eligible for leave under the federal Family and Medical Leave Act ("FMLA"). The Firm does provide otherwise eligible employees in offices that do not have 50 employees within 75 miles the same amount of leave and any paid benefits that they would be entitled to under the Cozen O'Connor non-eligible locations leave.

Employees working in some states may be eligible for state family and/or medical leave benefits which may run concurrently with or be in addition to FMLA benefits. Please contact the Firm's Benefits Department for state specific information.

For What Reasons May I Take FMLA Leave?

Under the FMLA, eligible employees will be granted up to 12 weeks of unpaid, job protected leave in a rolling 12-month period for:

- (i) an employee's own serious health condition that prevents the employee from performing the employee's job;
- (ii) incapacity due to pregnancy, prenatal medical care or childbirth;
- (iii) the care of a newborn child;
- (iv) the placement with the employee of a child for adoption or foster care;
- (v) the need to provide care for an immediate family member (spouse, child or parent) who has a serious health condition; and/or
- (vi) to address a qualifying exigency arising out of a spouse, child's or parent's active duty or call to active duty in support of a contingency operation if such spouse, child or parent is currently serving in the National Guard or Reserves or is a retired member of the Regular Armed Forces or the Reserves.

The FMLA also provides for military caregiver leave. Eligible employees will be granted up to 26 weeks of unpaid FMLA leave in a single 12-month period (combined with any other FMLA leave), beginning on the first day that the employee takes FMLA leave to care for a spouse, son, daughter or next of kin who is a covered service member and who has a serious injury or illness related to active duty service, as defined by the FMLA's regulations (known as military caregiver leave). For purposes of the FMLA, a covered service member is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, 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; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

What Role Does UNUM Play in Administering FMLA Leave?

UNUM has been retained by the Firm to record all requests for FMLA leave, provide notices to employees regarding such leaves, and determine eligibility for FMLA leave.

Who Pays for Any Paid FMLA Leave?

FMLA leave is generally unpaid leave. In certain circumstances, employees may be eligible for pay continuation, pursuant to other Firm policies, Firm insurance plans, and/or state disability payment laws, for some or all of the period of their FMLA leave. The Firm, not UNUM, administers pay continuation, when applicable, under applicable policies, plans and laws, although certain notices about an employee's pay continuation rights and responsibilities may come from UNUM.

How is the "Rolling" 12-Month Period Calculated?

The "rolling" 12-month period is measured backward from the date of any FMLA leave usage. This means that any time an employee takes FMLA leave, the remaining leave entitlement would be the balance of the 12 weeks which has not been used during the immediately preceding 12 months.

How Is the Single 12-Month Period Calculated?

For military caregiver leave, the single 12-month period begins on the first day that the eligible employee takes military caregiver leave and ends 12 months after that date, regardless of the fact that the Firm uses the rolling 12-month period for other FMLA leave entitlements.

What if I Need Additional Leave?

If you need an extension of your previously approved FMLA leave, you should notify UNUM immediately. You generally will be required to provide additional documentation to support the request for an extension of FMLA leave. You also must notify the Firm's Benefits Department of any request for additional leave, and of UNUM's approval of any additional FMLA leave, so that the Firm can assess departmental needs. Additionally, we recommend that you stay in communication with your department regarding any extension of FMLA leave.

How Do I Notify UNUM and My Department of My Return to Work Plans?

If you are able to return to work sooner than your current estimated return to work date, you must notify UNUM and the Firm's Benefits Department as soon as practicable. Additionally, we recommend that you stay in communication with your department regarding your return to work plans.

If your leave is for your own serious health condition, you will be required to present to the Firm's Benefits Department a fitness-for-duty certificate completed by your health care provider before you can return to work. The certificate is provided to you in UNUM's initial mailing. To obtain a replacement certificate, please contact the Firm's Benefits Department. You should provide your health care provider with the certificate in time to allow for its completion and return to the Firm's Benefits Department prior to your planned return to work date.

If your leave request is for your own serious health condition and you need an accommodation to return to work and perform the essential functions of your position, you must contact the Firm's Benefits Department.

How Should I Report Intermittent FMLA Absences to UNUM?

If you have been approved for intermittent FMLA leave, you must report each intermittent absence from work in the same manner as you would report other absences from work. You also must contact UNUM as soon as possible each time you take intermittent FMLA leave so that your FMLA usage may be tracked properly. Failure to provide notification may result in your leave under the FMLA and/or state leave law, where applicable, being delayed/denied.

Do I Need to Use Paid Time Off (PTO) While on FMLA Leave?

If you have accrued, unused PTO, then you must use that accrued PTO during any otherwise *unpaid* FMLA leave and/or state leave unless such mandated use is not permitted by your state law.

Any PTO used during FMLA leave does not extend your FMLA leave; use of PTO runs concurrently with your available leave under the FMLA and/or state leave law. For Staff: contact your supervisor/manager regarding how much PTO time you have accrued. For Attorneys: contact your department chair to discuss the amount of PTO to be used during FMLA leave and send the agreed-upon arrangements to the Firm's Benefits Department. If you do not qualify for any Firm-paid leave, your entitlement to take unpaid FMLA leave will not be affected.

After you have exhausted any paid leave, the remainder of your FMLA leave, if any, will be without pay.

If you are receiving workers' compensation or short-term disability benefits during FMLA leave, then you may not use your accrued PTO simultaneously.

Will My Benefits Continue While I Am on FMLA Leave?

Health/Prescription/Vision/Dental Insurance:

During your approved FMLA leave, the Firm will continue to pay its portion of your group health insurance premiums and you must pay your share, if any, of the health insurance premiums.

- During paid leave, your share of the health insurance premiums will continue to be paid through payroll deductions.
- During unpaid leave, the Firm's Benefits Department will provide you with information regarding how you need to pay for your share of the health insurance premiums.

Firm Provided Life/Disability Insurance

- The Firm will continue your benefits group firm provided life insurance and disability insurance while you are on approved FMLA leave, even if your leave is unpaid.

Other Benefits – Supplemental/Voluntary Plans:

- During paid leave, your cost for supplemental life/AD&D and pretax flex plan will continue to be paid through payroll deductions.
- During unpaid leave, the Firm Benefits Department will provide you with information regarding how you need to pay for your share of supplemental life/AD&D benefits.
- Because pre-tax flex plan payments may only be made through payroll deduction, these deductions will cease during an unpaid FMLA leave.
- With regard to pretax accounts (including commuter benefits) during an unpaid FMLA leave, please contact the Firm's Benefits Department for information regarding your options.

Are There Other Types of Leave Available?

For information regarding other types of leave possibly available, please review the Firm's Employment Policies and contact the Firm's Benefits Department.

Contact Information
UNUM Policy #471867
Phone: 866-779-1054
Fax: 800-447-2498

Benefits Department
Andrea Killeen
akilleen@cozen.com
Fax: 215-372-2416
Phone: 215-665-4758