US Military Leave of Absence Policy

This document aims to provide an overview of Military leave benefits & process for employees as outlined by USERRA law. It is not comprehensive of all leave guidelines and details are subject to change at any time.

I. Policy Overview

a. Current follows the guidelines established by the Uniformed Services Employment and Reemployment Rights Act (USERRA) regarding military leave.
b. The Uniformed Services Employment and Reemployment Rights Act of 1994 is a federal law intended to ensure that persons who serve or have served in the Armed Forces, Reserves, National Guard or other "uniformed services:" (1) are not disadvantaged in their civilian careers because of their service; (2) are promptly reemployed in their civilian jobs upon their return from duty; and (3) are not discriminated against in employment based on past, present or future military service.

II. Eligibility

a. USERRA applies to all employers, regardless of size, and job candidates and to all regular employees, regardless of position, length of service, or full- or part-time status.
b. USERRA's definition of "service in the uniformed services" covers all categories of military training and service, including duty performed on a voluntary or involuntary basis, in time of peace or war. Although most often understood as applying to Guard and Reserve military personnel, USERRA also applies to persons serving in the active components of the armed forces and the National Disaster Medical System (NDMS).

III. Compensation During Military Leave

a. If the employee's documented military pay is less than his/her base pay at Current, the business will pay the difference for up to 90 calendar days (voluntary leave) or 180 days (involuntary leave) while the Employee is engaged in military training and/or on active duty, referred to as "Differential Pay." Current will follow USERRA guidelines to determine what is/is not considered Base Military Pay. Employees will be required to submit their military paystubs to Current as they receive them. Current will then calculate the differential amount and pay out in the subsequent biweekly pay cycle. Due to varying pay cycles, employees are encouraged to submit military paystubs in a timely manner to minimize differential pay delays. Differential pay will be paid only once military pay stubs have been successfully submitted and processed. Please expect a gap in payment timing (paid in arrears). Regular pay stops while on a military leave of absence.

b. For periods of temporary military leave not exceeding 2 weeks/10 working days, Current will pay the employee's full base salary for a period not to exceed 10 working days, for a maximum of 2 cycles of temporary leave per calendar year. Employees are still required to submit a Military Leave Action Form for temporary leave, including required documentation.

IV. Benefits During Military Leave

a. Vacation/Paid Time Off
    i. Employees do not accrue vacation, personal leave, or sick leave while on military leave of absence status.
    ii. Non-Exempt Employees: Employees on temporary or extended military leave may, at their option, use any or all accrued paid vacation or personal leave during their absence. Please indicate on the Military Leave Action Form if you would like to use accrued time. Accrued time will be paid in substitution of Differential Pay.
    iii. Exempt Employees: Permissive Time Off cannot be used during a military leave of absence. This benefit will resume when the employee returns to active employment status.

b. Health Insurance (Medical, Dental, Vision)
    i. An employee on military leave may elect to continue group health insurance coverage for the employee and covered dependents under the same terms and conditions for a period of up to 12 months. Employee premiums will be deducted from differential pay in the normal Current biweekly pay cycle. After a period of 12 months, the employee and covered dependents can continue group health insurance as provided under COBRA. Current will engage with its 3rd party COBRA administrator, WageWorks, as the 12-month milestone approaches. WageWorks will provide the employee with enrollment information and instructions to continue coverage. The employee will make all payments to WageWorks directly. It is important that the employee enrolls in COBRA with WageWorks in a timely manner to continue their coverage.
    ii. If employee premiums cannot be deducted from differential pay, the employee will be charged for the missed payments upon return to active duty, at a rate to be determined at the time of return to work.
    iii. If an employee would prefer to suspend their Group Health Insurance benefits during their military leave, please contact the ADP MyLife Advisors: Toll Free Number: 855-547-8508 (Mon-Fri 8 AM-11:30 PM EST) or
    Email: MyLifeAdvisor@ADP.com

c. Health Savings Accounts
    i. Flexible Spending Account
        1. Pre-tax contributions can continue so long as you are receiving differential pay in the normal Current biweekly pay cycle.
    ii. Health Savings Account
        1. If you contribute to your HSA, your contributions can continue so long as you are receiving differential pay in the normal Current biweekly pay cycle. You can submit changes to your pre-tax HSA contribution at any time through ADP.

d. Basic Life/AD&D/Short Term Disability/Long Term Disability/Voluntary Supplemental Life/Voluntary AD&D
    i. Employees will continue to receive basic group benefits through Metlife during their periods of Military Leave. Please reference summary plan descriptions to understand the types of claims that would be covered while on leave. Premiums for voluntary coverage will be deducted from differential pay in the normal Current biweekly pay cycle.
    ii. If an employee who has been previously grandfathered into a 70% Long Term Disability benefit elects to discontinue their LTD benefit while on leave, he/she will, upon return to work, be eligible for either a 50% or 60% benefit.

e. Retirement Plan/401(k)
    i. Employees may continue to make 401(k) deferrals from their paychecks, so long as the employee is receiving differential pay from Current.
    ii. Current will not automatically adjust 401(k) contribution elections when an employee begins or returns from military leave. Employees can adjust their contributions at any time on the Fidelity website, www.401k.com
    iii. Upon reemployment, employees who have taken military leave may, at the employee's election, increase their biweekly contribution to "make up" for the time their plan was terminated during his/her military leave.

f. Current Profit-Sharing Plan/Sales Incentive Compensation Plan
    i. Plan participants on an approved military leave may be paid out at the regular payout date, on a prorated scale based on their active employment status during the Plan calendar year, provided the participant was actively employed in an eligible role for at least 6 months during the Plan Year.

V. Reemployment

a. Upon an employee's prompt application for reemployment (as defined below), an employee will be reinstated to a position that the employee would have attained if employment had not been interrupted by military service or a position of like seniority, status and pay, the duties of which the employee is qualified to perform; or, if proved not qualified after reasonable efforts by Current, in the position the employee left, or a position of like seniority, status and pay, the duties of which the employee is qualified to perform.

b. *Employee with a service-connected disability* - if after reasonable accommodation efforts by the employer, an employee with a service-connected disability is not qualified for employment in the position he or she would have attained or in the position that he or she left, the employee will be employed in another position of similar seniority, status and pay for which the employee is qualified or could become qualified with reasonable efforts by Current; or, if no such position exists, in the nearest approximation consistent with the circumstances of the employee's situation. The employee must be qualified to perform the duties of this position or be able to become qualified to perform them with reasonable efforts by Current.

VI. **Application for Reemployment**

a. To be eligible for protection under USERRA, the employee must report back to work or apply for reemployment within the following guidelines:
    i. If the employee served fewer than 31 days or for the purpose of taking an examination to determine fitness for service- the employee must report for reemployment at the beginning of the first full regularly scheduled working period on the first calendar day following completion of service and the expiration of eight hours after a time for safe transportation back to the employee's residence.
    ii. If the employee served more than 30 days but fewer than 181 days, the employee must notify HR of his/her intention to return to work within 14 days after completion of service.
    iii. If the employee served more than 180 days, the employee must notify HR of his/her intention to return to work within 90 days after completion of service.
    iv. If the employee is hospitalized or convalescing from a service-connected injury - the employee must contact HR no later than two years following completion of service.
    v. Upon notification of intent to return to work, the employee must provide military discharge documentation to HR that establishes timeliness of application for reemployment and length and character of the staff member's military service.

VII. **Exceptions to Reemployment**

a. In addition to the employee's failure to apply for reemployment in a timely manner, an employee is not entitled to reinstatement as described above if any of the following conditions exist:
    i. Current's circumstances have so changed as to make reemployment impossible or unreasonable.
    ii. Reemployment would pose an undue hardship upon Current.
    iii. The employee's employment prior to military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would continue indefinitely or for a significant period.
    iv. The employee did not receive an honorable discharge from military service.

VIII. **Benefits Upon Reemployment**

a. Employees reemployed following military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits based on seniority that the employee would have attained, with reasonable certainty, had the individual remained continuously employed.

An employee's time spent on active military duty will be counted toward their eligibility for FMLA leave once they return to their job at Current Additionally, upon reemployment, a covered employee will not be discharged except for cause for up to one year following reemployment.

b. Reemployment following Military Leave is considered a Qualifying Life Event (QLE). Employees who have cancelled their Health Insurance and/or Group Benefits coverage will have 30 days to reenroll upon return to active employment status.

IX. Process

a. When an employee is called to military service, USERRA requires the employee in the uniformed services to give advance written or verbal notice of service to their employer, unless such notice is precluded by military necessity.
   i. Complete the Military Leave Action Form and return to your manager and HR Manager as early as possible prior to your impending leave.
   ii. Contact MetLife www.metlife.com (800-438-6388) to request military leave and provide any requested documentation.
   iii. Advise your manager and HR Manager as early as possible prior to your impending Return to Work.

X. U.S. Benefits – Provider Contact Information

MyLife Advisors - Call and connect with a MyLife Advisor to help guide you through your workplace and personal needs. MyLife Advisors are here to:

- Help you navigate through the benefits and payroll system
- Uncharted moments in life (marriage, divorce, adoption, etc.)
- Planning for the future (retirement, wealth management services)
- Enhancing your overall experience at work

Email: MyLifeAdvisor@ADP.com
Toll Free Number: 855-547-8508 (Mon-Fri 8 AM-11:30 PM EST)

Provider/Benefit	Group No.	Contact
Anthem Medical and Prescription		www.anthem.com 833-592-9954
MetLife Dental insurance, Life Insurance, A&D Insurance	220341	www.metlife.com 800-438-6388
MetLife Employee Assistance Program	Username: **metlifeeap** Password: **eap**	MetlifeEAP.lifeworks.com 888-319-7819
VSP Vision Insurance		www.vsp.com 800-877-7195
Fidelity 401k	32367	www.401k.com 800-835-5097
OptumRX Pharmacy (Prescription Medication)	917111	www.optumrx.com 844-669-0884
Wage Works COBRA Administration	87450	
AIG Workers Compensation		877-802-5246