



## **Military Leave of Absence**

### **Purpose:**

This policy has been developed to provide general guidance pertaining to leave of absence, compensation, health benefits and reinstatement of employment for employees and team members requesting a military leave of absence.

### **Eligibility**

Employees and team members who perform service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)) are entitled to a military leave of absence, subject to the limitations and restrictions set forth in federal and state laws, as well as Company policies. Upon receiving an assignment for military service, employees/team members should promptly provide notice to their manager prior to going on military duty, unless precluded by military necessity.

### **Notice Period**

Unless precluded by military necessity or circumstances under which the giving of notice is otherwise impracticable or unreasonable, the employee/team member (or an appropriate officer of the uniformed service in which the employee/team member is to serve) must give as much advance written or oral notice as possible of the need for military leave. It is the employee's/team member's responsibility to request a Military Leave of Absence and submit a copy of his/her military orders in a timely manner. Requests for leave of absence must be made through the Absence app in Workday by clicking on Menu > Absence > Request Absence.

### **Compensation**

Eligible employees/team members who perform service in the uniformed services (as those terms are defined by USERRA) will be placed on military leave status for days that they are engaged in such military service. The Company will help to protect employees/team members against loss of pay by reimbursing them for regular working hours missed, less all compensation earned from their military service, for up to three (3) months. Employees/team members must provide written verification of all compensation received from their military service before differential can be paid.

Any active 401K, Non-Qualified Plan (NQP) and CB Cares deductions will continue to be taken from Military differential pay, if monies are available. However, no health benefit deductions will be taken from Military differential pay. Please see the Health Benefits section below for further details.

If the employee/team member has direct deposit, then the differential pay will be processed via direct deposit as well.

For hourly employees/team members, the average pay over the most recent 12 weeks will be used when calculating the amount of differential pay.

## **Health Benefits**

If the employee/team member is enrolled and chooses to cancel their benefits while on military leave of absence, they must contact the Benefits Call Center within 30 days of the beginning of their leave. Documentation of the military leave of absence will be required.

If the employee/team member chooses to continue their benefits while on military leave, they must continue to pay their portion of any benefit contributions/premiums. If contributions/premiums are not paid in accordance with the Company's current arrears process, coverage will be subject to cancellation retroactive to the date the coverage is paid through.

If benefits are cancelled, the employee/team member may re-enroll upon return to work by contacting the Benefits Call Center within 30 days of returning to work. Otherwise, the next opportunity for re-enrollment would be during the next Open Enrollment period or within 30 days of a Qualifying Change in Status, if eligible at that time.

## **Credit for Time Spent on Military Leave**

Time spent on eligible military leave counts as time served on the job for any calculation, determination or other decision that is dependent upon length of employment.

## **Reemployment Rights**

Under USERRA, as amended, an employee/team member may be entitled to reemployment by the Company upon separation from military service, provided they:

- Gave advance written or verbal notice of service;
- Was separated from service with an honorable or qualifying discharge;
- Was employed in a position for which there was an expectation of continued employment;
- Has not been absent for duty in the Uniformed Services for longer than a cumulative period of five years, unless involuntarily retained in the Uniformed Service; and
- Reported to work or notified his or her manager of an intention to return to work, at the proper time, as indicated below:

### **Period of Military Service**

|               |                                                                                                     |
|---------------|-----------------------------------------------------------------------------------------------------|
| 1 – 30 days   | Must report to work on the next regular full work day after safe transport back home.               |
| 31 – 180 days | Must notify manager of the intent to return to work within 14 days after the completion of service. |
| 181 + days    | Must notify manager of the intent to return to work within 90 days after the completion of service. |

An eligible employee/team member will be reinstated to his or her former position and benefits, the position and benefits he/she would have attained if he/she had not been absent due to military service, or in some cases, a comparable position.

Reinstatement/reemployment may not be offered if:

- The Company's circumstances have so changed as to make reemployment impossible or unreasonable;
- Where reemployment may impose an undue hardship on the Company;
- The employment from which the employee/team member leaves to serve in the uniformed services is for a brief, non-recurrent period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period.

If the Company engages in a mass layoff or eliminates the job function while away, the Company would not be required to reemploy the employee/team member.

***Please Note: This policy may not address all issues concerning your rights during military leave. If issues arise that are not addressed in this policy, the Company will abide by USERRA and any controlling state law.***