

# Tesla, Inc.

## Leave and Attendance Policy Manual

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# 1. Introduction and Purpose

## 1.1 Company Mission Statement

Tesla's mission is to accelerate the world's transition to sustainable energy. Our success depends on the dedication, creativity, and reliability of our team members. This Leave and Attendance Policy is designed to support work-life balance while maintaining operational excellence and ensuring fair treatment for all employees.

## 1.2 Policy Objectives

This policy establishes guidelines for:

- Maintaining consistent attendance standards across all Tesla locations
- Providing comprehensive leave benefits that support employee well-being
- Ensuring compliance with federal, state, and local employment laws
- Creating transparent processes for requesting and managing leave
- Supporting managers in making fair and consistent decisions
- Protecting both employee rights and business continuity

## 1.3 Tesla's Commitment

Tesla is committed to providing a supportive work environment that recognizes the importance of personal and family needs while maintaining our high standards of innovation and productivity. We believe that well-rested, healthy employees are essential to our continued success in revolutionizing sustainable transportation and energy.

## **2. Scope and Applicability**

### **2.1 Coverage**

This policy applies to all Tesla employees in the United States, including:

- Full-time employees (regularly scheduled to work 30+ hours per week)
- Part-time employees (regularly scheduled to work less than 30 hours per week)
- Temporary employees on assignments exceeding 90 days
- Interns and co-op students (where applicable)

### **2.2 Exclusions**

This policy does not apply to:

- Independent contractors
- Consultants
- Temporary agency workers on short-term assignments
- Board members and external advisors

### **2.3 Location-Specific Variations**

While this policy provides the framework for all U.S. operations, specific provisions may vary by state or local jurisdiction to comply with applicable laws. Employees should consult with their local HR representative for location-specific details.

### **2.4 Collective Bargaining Agreements**

Where collective bargaining agreements exist, the terms of those agreements may supersede portions of this policy. In case of conflict, the collective bargaining agreement provisions will prevail.

## **3. General Attendance Requirements**

### **3.1 Attendance Standards**

Regular and punctual attendance is essential to Tesla's operations and is a fundamental job requirement for all employees. Employees are expected to:

- Report to work as scheduled and be ready to begin work at their designated start time
- Remain at work for their entire scheduled shift, except for authorized breaks and meal periods
- Notify their supervisor as soon as possible when unable to report to work or when expecting to be late
- Follow proper procedures for requesting time off in advance
- Maintain acceptable attendance levels as defined in this policy

### **3.2 Punctuality Requirements**

Employees must arrive at their assigned work location and be ready to begin work at their scheduled start time. This includes:

- Completing any required security procedures
- Changing into required work attire or safety equipment
- Attending required shift briefings or team meetings
- Being at their designated workstation or area

### **3.3 Early Departure**

Employees who need to leave work early must:

- Obtain prior approval from their direct supervisor
- Complete appropriate timekeeping documentation
- Ensure proper coverage for their responsibilities
- Use available PTO or take unpaid time if no PTO is available

### **3.4 Break and Meal Period Requirements**

All employees must adhere to scheduled break and meal periods:

- Short breaks (typically 15 minutes) are paid time and should not be missed or extended
- Meal periods (typically 30-60 minutes) are generally unpaid and must be taken as scheduled
- Manufacturing employees must follow specific shift schedules for breaks to maintain production continuity
- Office employees have flexibility within their department's guidelines

## **4. Work Schedules and Flexible Work Arrangements**

### **4.1 Standard Work Schedules**

Tesla operates various work schedules depending on business needs:

#### **Manufacturing Operations:**

- Standard shift: 8 hours per day, 5 days per week
- Alternative schedules: 10-hour shifts, 4 days per week (where applicable)
- 12-hour continental shifts for continuous operations
- Weekend and holiday coverage as required

#### **Office and Professional Staff:**

- Standard schedule: 40 hours per week, typically Monday-Friday
- Core business hours: 9:00 AM - 4:00 PM (local time)
- Flexible start and end times within department guidelines

### **4.2 Remote Work and Hybrid Arrangements**

Tesla recognizes that certain roles may benefit from flexible work arrangements:

#### **Eligibility Criteria:**

- Role must be suitable for remote work
- Employee must demonstrate consistent performance and reliability
- Minimum 6 months of satisfactory employment
- Approval from direct manager and HR

### **Remote Work Requirements:**

- Maintain regular communication with team and supervisor
- Attend required in-person meetings and events
- Ensure secure home office setup meeting Tesla IT standards
- Available during core business hours in assigned time zone

## **4.3 Compressed Work Weeks**

Where operationally feasible, Tesla may offer compressed work week options:

- 4/10 schedule: Four 10-hour days per week
- 9/80 schedule: Nine days over two weeks with alternating Fridays off
- Subject to business needs and supervisor approval

## **4.4 Job Sharing**

Limited job sharing opportunities may be available for certain positions:

- Must be approved by department head and HR
- Requires comprehensive transition planning
- Both employees must meet all job requirements
- Performance standards remain unchanged

# **5. Time Tracking and Recording**

## **5.1 Timekeeping System**

All employees must accurately record their work time using Tesla's approved timekeeping system:

- Badge in/out for manufacturing and hourly employees
- Electronic time tracking for all employees
- Manual time sheets only when system is unavailable

## **5.2 Time Recording Requirements**

Employees are responsible for:

- Recording actual time worked, including start and stop times
- Documenting break and meal periods as required
- Submitting time records by established deadlines
- Ensuring accuracy of all time entries
- Reporting system issues immediately to IT support

### **5.3 Overtime Recording**

Non-exempt employees must record all time worked over 40 hours per week:

- Overtime must be pre-approved by supervisor
- Accurate recording is required for proper compensation
- Unauthorized overtime may result in disciplinary action

### **5.4 Time Record Corrections**

Corrections to time records must be:

- Requested in writing with supervisor approval
- Submitted within one pay period of the error
- Documented with reason for correction
- Approved by HR for corrections exceeding one week

## **6. Vacation and Paid Time Off (PTO)**

### **6.1 PTO Philosophy**

Tesla believes in the importance of rest, relaxation, and personal time for maintaining high performance and job satisfaction. Our PTO program is designed to provide flexibility while ensuring adequate staffing levels.

### **6.2 PTO Accrual Rates**

Full-time employees accrue PTO based on length of service:

#### **Years 0-2:**

- 15 days (120 hours) annually

- Accrual rate: 4.62 hours per pay period

#### **Years 3-7:**

- 20 days (160 hours) annually
- Accrual rate: 6.15 hours per pay period

#### **Years 8+:**

- 25 days (200 hours) annually
- Accrual rate: 7.69 hours per pay period

**Part-time employees** accrue PTO on a pro-rated basis based on regularly scheduled hours.

### **6.3 PTO Usage Guidelines**

- Minimum usage: 4-hour increments (half-day)
- Maximum carryover: 40 hours to the following calendar year
- Excess hours above 40 are forfeited on December 31st
- PTO may be used for vacation, personal time, or sick leave

### **6.4 PTO Request Process**

#### **Advance Notice Requirements:**

- 1-2 days: Same-day approval possible, subject to coverage
- 3-5 days: Minimum 48 hours advance notice
- 1-2 weeks: Minimum 2 weeks advance notice
- 3+ weeks: Minimum 4 weeks advance notice

#### **Request Procedure:**

1. Submit request through HR information system
2. Obtain supervisor approval
3. Ensure adequate coverage for responsibilities
4. Receive written confirmation before making final plans



## 6.5 PTO Scheduling Priority

When multiple employees request the same time period:

1. Business operational requirements take priority
2. Date of request submission (first-come, first-served)
3. Seniority consideration for tie-breaking
4. Previous year's vacation allocation fairness

## 6.6 Holiday Scheduling

Tesla observes the following paid holidays:

- New Year's Day
- Martin Luther King Jr. Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve (half day)
- Christmas Day
- New Year's Eve (half day)

**Floating Holidays:** Two additional days may be designated as floating holidays, subject to supervisor approval and advance scheduling.

# 7. Sick Leave

## 7.1 Sick Leave Provision

Tesla provides sick leave to ensure employees can recover from illness without financial hardship and to prevent the spread of contagious conditions in the workplace.

## 7.2 Sick Leave Accrual

### Full-time employees:

- Accrue 8 hours of sick leave per month
- Maximum accrual: 480 hours (12 weeks)
- Unused sick leave carries over to the following year

### Part-time employees:

- Accrue sick leave proportionate to hours worked
- Same maximum and carryover provisions apply

## 7.3 Acceptable Use of Sick Leave

Sick leave may be used for:

- Personal illness or injury
- Medical, dental, or optical appointments
- Care for immediate family member's illness
- Domestic violence, stalking, or sexual assault related needs
- Mental health and wellness appointments

### Immediate family members include:

- Spouse or registered domestic partner
- Children (biological, adopted, step, foster, or legal guardian relationship)
- Parents (biological, adoptive, step, or legal guardian)
- Grandparents and grandchildren
- Siblings

## 7.4 Sick Leave Notification Requirements

### Same-day notification:

- Contact supervisor at least 2 hours before scheduled start time
- Use designated communication method (phone, text, email)
- Provide expected duration of absence when known

### Extended illness:

- Update supervisor every 3 days on status
- Provide medical documentation after 5 consecutive days
- Coordinate with HR for extended leave options

## **7.5 Medical Documentation**

Medical certification may be required:

- After 3 consecutive sick days
- For patterns of sick leave usage
- When reasonable suspicion of abuse exists
- For return-to-work clearance after extended illness

## **8. Family and Medical Leave (FMLA)**

### **8.1 FMLA Overview**

Tesla complies with the Family and Medical Leave Act, providing eligible employees with up to 12 weeks of unpaid, job-protected leave for qualifying reasons.

### **8.2 Employee Eligibility**

To be eligible for FMLA leave, employees must:

- Have worked for Tesla for at least 12 months
- Have worked at least 1,250 hours during the 12-month period immediately before the leave
- Work at a location where Tesla employs at least 50 employees within 75 miles

### **8.3 Qualifying Reasons for FMLA Leave**

- Birth of a child and bonding with the newborn
- Adoption or foster care placement of a child
- Caring for spouse, child, or parent with serious health condition
- Employee's own serious health condition
- Military family leave for covered servicemember care
- Qualifying military exigency for families of deployed servicemembers

## 8.4 Leave Duration and Usage

### Standard FMLA:

- Up to 12 weeks in a 12-month rolling period
- May be taken continuously or intermittently
- Intermittent leave subject to business needs approval

### Military Caregiver Leave:

- Up to 26 weeks in a single 12-month period
- Combined with other FMLA usage cannot exceed 26 weeks

## 8.5 FMLA Application Process

### Employee Responsibilities:

1. Provide 30-day advance notice when foreseeable
2. Complete FMLA application forms
3. Provide medical certification within 15 calendar days
4. Submit periodic recertification as required
5. Provide fitness-for-duty certification before returning

### Employer Responsibilities:

1. Provide eligibility and rights notice within 5 business days
2. Designate leave as FMLA-qualifying
3. Maintain group health insurance during leave
4. Restore employee to same or equivalent position

## 8.6 Benefits During FMLA Leave

- Continuation of group health insurance (employee pays normal premium share)
- Accrual of seniority and service credit
- Protection of job position or equivalent role
- Use of accrued PTO/sick leave (may be required)

## 9. Personal Leave of Absence

### 9.1 Personal Leave Overview

Tesla may grant unpaid personal leave of absence for compelling personal reasons not covered by other leave types. Personal leave is discretionary and based on business needs and employee circumstances.

### 9.2 Eligibility Requirements

- Minimum 12 months of continuous employment
- Satisfactory performance record
- Exhaustion of other applicable leave types
- Compelling personal circumstances requiring extended absence

### 9.3 Qualifying Circumstances

Personal leave may be considered for:

- Extended family care beyond FMLA coverage
- Personal health issues not qualifying for FMLA
- Educational opportunities aligned with business needs
- Other exceptional personal circumstances

### 9.4 Application Process

#### Required Documentation:

1. Written request detailing reason for leave
2. Proposed duration and return date
3. Supporting documentation as applicable
4. Plan for work coverage during absence

#### Approval Process:

1. Submit request to direct supervisor
2. HR review and recommendation
3. Department head approval required
4. Final approval by regional HR director

## 9.5 Leave Conditions

- Maximum duration: 90 days in a 12-month period
- No guarantee of position or benefits continuation
- Employee responsible for full benefits premiums
- Return contingent on available positions
- May be required to sign agreement outlining terms

## 10. Bereavement Leave

### 10.1 Bereavement Leave Purpose

Tesla recognizes the need for time to grieve and attend to necessary arrangements following the death of a family member or loved one.

### 10.2 Immediate Family Bereavement

#### Eligible family members:

- Spouse or domestic partner
- Children (all types of parent-child relationships)
- Parents (all types of parent-child relationships)
- Siblings
- Grandparents and grandchildren

#### Leave Provision:

- Up to 5 consecutive workdays of paid leave
- Additional unpaid time may be requested
- Flexible scheduling for funeral arrangements

### 10.3 Extended Family and Close Personal Relationships

#### Eligible relationships:

- Aunts, uncles, nephews, nieces
- In-laws (same categories as immediate family)

- Close personal friends (at supervisor discretion)

**Leave Provision:**

- Up to 3 days of paid leave for funeral attendance
- One additional day for travel if required
- Additional time may be unpaid or use accrued PTO

## **10.4 Bereavement Leave Process**

**Notification:**

- Inform supervisor as soon as possible
- Provide expected duration of absence
- Submit appropriate documentation when requested

**Documentation:**

- Death certificate or obituary notice may be requested
- Funeral service program or memorial information
- Relationship verification if questioned

## **10.5 Additional Considerations**

- Leave may be taken non-consecutively for memorial services
- Travel time for distant services will be considered
- Counseling resources available through Employee Assistance Program
- Manager flexibility encouraged for individual circumstances

# **11. Jury Duty and Court Appearances**

## **11.1 Civic Duty Support**

Tesla supports employees' civic responsibilities and will provide leave for jury duty and required court appearances.

## 11.2 Jury Duty Leave

### Compensation:

- Full salary continuation during jury service
- No reduction in benefits or employment status
- Time served counts as time worked for all purposes

### Employee Responsibilities:

- Provide jury summons to supervisor immediately upon receipt
- Report to work when dismissed early from jury service
- Provide documentation of service completion
- Return any jury pay to Tesla (salary continuation provided)

## 11.3 Court Appearances as Witness

### Subpoenaed appearances:

- Paid leave for court-ordered testimony
- Travel time included when necessary
- Documentation required (subpoena or court order)

### Voluntary appearances:

- Generally unpaid unless using accrued PTO
- Advance approval required from supervisor
- May impact employment if excessive or disruptive

## 11.4 Court Appearances as Defendant

### Criminal proceedings:

- Unpaid leave (may use accrued PTO)
- Employment protection varies by circumstances
- HR consultation required for extended proceedings

### Civil proceedings:

- Generally unpaid leave (may use accrued PTO)



- Reasonable accommodation for necessary appearances
- Business needs considered for scheduling

## **12. Military Leave**

### **12.1 Military Service Support**

Tesla fully supports employees who serve in the United States Armed Forces and complies with all federal and state military leave laws.

### **12.2 Types of Military Leave**

#### **Training and Drill:**

- Annual training periods (typically 2 weeks)
- Monthly drill weekends
- Special training assignments
- Military schools and career development

#### **Active Duty Deployment:**

- Combat deployments
- Humanitarian missions
- Peacekeeping operations
- Emergency activations

### **12.3 Leave Provisions and Benefits**

#### **Short-term leave (less than 31 days):**

- Full salary continuation for first 2 weeks annually
- Subsequent time unpaid (may use accrued PTO)
- Full benefits continuation

#### **Extended leave (31+ days):**

- Unpaid leave with job protection rights
- Option to continue health insurance (employee pays premiums)

- Accrual of seniority and service credit

## 12.4 Notification Requirements

### Advance notice:

- Provide copy of military orders as soon as received
- Minimum notice as required by law
- Work with supervisor on coverage planning

### Return notification:

- Notify HR of expected return date
- Provide documentation of honorable completion
- Report for work within specified timeframes

## 12.5 Reemployment Rights

Tesla guarantees reemployment rights under USERRA:

- Same position if absence was less than 91 days
- Same or equivalent position for longer absences
- Reasonable accommodation for service-connected disabilities
- Full restoration of benefits and seniority

# 13. Parental Leave

## 13.1 Parental Leave Philosophy

Tesla recognizes the importance of bonding time for new parents and supports families during this significant life transition.

## 13.2 Birth Mother Leave

### Immediate leave provisions:

- Up to 6 weeks paid leave for normal delivery
- Up to 8 weeks paid leave for cesarean delivery

- Additional unpaid FMLA time available (up to 12 weeks total)

**Extended bonding time:**

- Additional 6 weeks of paid bonding leave
- May be taken any time within first year after birth
- Can be combined with partner's leave for family planning

### **13.3 Non-Birth Parent Leave**

**Bonding leave:**

- Up to 6 weeks of paid leave for bonding
- Available to fathers, adoptive parents, and same-sex partners
- Flexible scheduling within first year

**Support leave:**

- Up to 2 weeks paid leave immediately after birth/placement
- Assist with immediate family needs and care

### **13.4 Adoption and Foster Care**

**Same benefits as birth parents:**

- 6 weeks paid bonding leave per parent
- 2 weeks immediate support leave
- Additional unpaid FMLA time available

**Placement considerations:**

- Leave may begin before placement for legal proceedings
- Flexible return if placement disruption occurs
- Support for multiple placements or siblings

### **13.5 Parental Leave Coordination**

**With FMLA:**

- Parental leave counts toward FMLA entitlement

- Medical portion separate from bonding time
- State disability benefits may apply

**With partner employers:**

- Coordinate timing to maximize family time
- Share information to prevent benefit conflicts
- Plan coverage for both parents' absences

## **14. Educational Leave**

### **14.1 Educational Leave Purpose**

Tesla encourages continuous learning and may provide educational leave for courses that enhance job performance or advance career development aligned with company needs.

### **14.2 Eligibility Requirements**

- Minimum 2 years of satisfactory employment
- Course or program related to current role or career path within Tesla
- Supervisor and HR approval required
- Commitment to remain with Tesla post-completion

### **14.3 Types of Educational Leave**

**Degree Programs:**

- Undergraduate or graduate degrees
- Professional certification programs
- Technical training programs

**Short-term Training:**

- Industry conferences and seminars
- Professional development workshops
- Vendor-specific training programs

## 14.4 Leave Conditions

### **Paid educational leave:**

- Up to 40 hours annually for job-related training
- Conference attendance with business justification
- Vendor training required for job duties

### **Unpaid educational leave:**

- Extended programs requiring time away from work
- Maximum 6 months over 2-year period
- Position held when possible, but not guaranteed

## 14.5 Educational Assistance Integration

- Coordinate with Tesla's tuition reimbursement program
- May require repayment agreement for extensive programs
- Performance standards maintained during and after leave

# 15. Sabbatical Leave

## 15.1 Sabbatical Program Overview

Tesla offers sabbatical opportunities for senior employees to pursue projects that provide mutual benefit to the employee and the company.

## 15.2 Eligibility Requirements

- Minimum 7 years of continuous employment
- Consistent high performance ratings
- Approved sabbatical proposal with clear objectives
- Department head and executive approval

## 15.3 Sabbatical Types

### **Research and Development:**

- Industry research projects
- Technology innovation initiatives
- Sustainability and environmental projects

**Educational and Professional:**

- Advanced degree completion
- Teaching or lecturing assignments
- Professional exchange programs

**Community Service:**

- Non-profit leadership roles
- Charitable organization work
- Environmental or social cause involvement

**15.4 Sabbatical Terms****Duration:**

- Typically 3-12 months
- Longer periods considered for exceptional proposals

**Compensation:**

- Generally unpaid with benefits continuation option
- Partial pay may be provided for company-beneficial projects
- Position guarantee upon return

**15.5 Application and Approval Process**

1. Submit detailed proposal 6 months in advance
2. HR and management review and recommendation
3. Executive committee approval required
4. Signed agreement outlining terms and expectations
5. Preparation and transition planning phase

## 16. Religious Observances

### 16.1 Religious Accommodation Policy

Tesla respects religious diversity and will reasonably accommodate employees' religious observances and practices.

### 16.2 Types of Religious Accommodations

- Time off for religious holidays and observances
- Flexible scheduling for religious practices
- Workplace modifications for religious requirements
- Dietary accommodations in company facilities

### 16.3 Request Process

#### **Advance Notice:**

- Submit requests as early as possible
- Annual calendar of regular observances preferred
- Minimum 2 weeks notice for known dates

#### **Documentation:**

- Written request describing accommodation needed
- Religious organization verification if requested
- Discussion with supervisor and HR

### 16.4 Accommodation Examples

#### **Time off:**

- Religious holidays not included in company calendar
- Weekly observances (Sabbath, Friday prayers, etc.)
- Religious festivals and special occasions

#### **Schedule modifications:**

- Earlier start/end times for observances

- Break times for prayer or meditation
- Meal period adjustments for fasting

## **16.5 Undue Hardship Considerations**

Tesla will provide accommodations unless they create undue hardship:

- Significant cost or operational disruption
- Safety concerns in manufacturing environments
- Essential business functions during coverage gaps

## **17. Domestic Violence Leave**

### **17.1 Support for Affected Employees**

Tesla is committed to supporting employees who are victims of domestic violence, stalking, or sexual assault.

### **17.2 Leave Entitlements**

#### **Paid leave:**

- Up to 3 days annually for qualifying reasons
- Additional unpaid time available as needed
- Use of accrued PTO for extended time

#### **Flexible scheduling:**

- Modified work schedules for safety
- Remote work options when available
- Relocation assistance within Tesla facilities

### **17.3 Qualifying Activities**

Leave may be used for:

- Legal proceedings and court appearances
- Medical treatment and counseling



- Relocation activities for safety
- Childcare arrangements due to safety concerns
- Safety planning and protective measures

## **17.4 Confidentiality and Support**

### **Privacy protection:**

- Information kept confidential to extent possible
- Limited disclosure only to necessary personnel
- No discrimination or retaliation for requesting leave

### **Additional resources:**

- Employee Assistance Program referrals
- Security consultation for workplace safety
- HR partnership for ongoing support needs

## **17.5 Documentation**

- Police reports, court orders, or legal documentation
- Medical or counseling professional statements
- Victim services organization verification
- Self-certification allowed in certain circumstances

# **18. Attendance Management and Progressive Discipline**

## **18.1 Attendance Standards**

Tesla maintains attendance standards to ensure operational efficiency and fairness among all employees.

## **18.2 Attendance Tracking**

### **Occurrence-based system:**

- Each absence or tardiness counts as one occurrence

- FMLA and other protected leave do not count as occurrences
- Consecutive days of absence for same reason count as one occurrence

**Rolling 12-month calculation:**

- Occurrences tracked over rolling 12-month period
- Older occurrences drop off automatically
- Fresh start after 12 months of perfect attendance

## **18.3 Progressive Discipline Steps**

**Step 1: Verbal Counseling (3 occurrences)**

- Informal discussion with supervisor
- Review of attendance expectations
- Identification of potential barriers or issues
- Documentation in employee file

**Step 2: Written Warning (5 occurrences)**

- Formal written warning issued
- Review of previous counseling
- Clear expectations and consequences outlined
- Employee acknowledgment and signature required

**Step 3: Final Written Warning (7 occurrences)**

- Final warning before termination consideration
- Detailed improvement plan with timeline
- Manager and HR involvement required
- Clear statement of termination possibility

**Step 4: Termination (9 occurrences)**

- HR review and approval required
- Documentation review for compliance
- Final termination decision
- Exit interview and final pay processing

## **18.4 Mitigating Circumstances**

Consideration given for:

- Documented medical conditions
- Family emergencies and crises
- Transportation issues beyond employee control
- Weather-related absences
- Other extraordinary circumstances

## **18.5 Tardiness Management**

**Tardiness thresholds:**

- 1-15 minutes: Counseling and coaching
- 16-30 minutes: Formal occurrence
- 31+ minutes: Absence occurrence

**Chronic tardiness:**

- Pattern of frequent tardiness addressed separately
- May result in schedule modification or discipline
- Business impact consideration for team coverage

# **19. Return to Work Procedures**

## **19.1 Return to Work Requirements**

Employees returning from leave must follow proper procedures to ensure smooth transition and workplace safety.

## **19.2 Medical Leave Returns**

**Fitness for duty certification:**

- Required after any medical leave over 5 days
- Must specify ability to perform essential job functions
- Work restrictions clearly documented

- Return date and any limitations specified

**Accommodation assessment:**

- Review of any ongoing restrictions or limitations
- Reasonable accommodation evaluation
- Job modification possibilities
- Alternative position consideration if needed

## **19.3 FMLA Return Procedures**

**Timely return:**

- Return by date specified in leave approval
- Contact HR if return date changes
- Provide updated medical certification if extended

**Position restoration:**

- Same position if available
- Equivalent position with same pay and benefits
- Cannot be better or worse than original position

## **19.4 Extended Leave Returns**

**Position availability:**

- Good faith effort to place in similar position
- May require waiting for suitable opening
- Bumping rights based on seniority where applicable

**Reintegration support:**

- Orientation to any changes during absence
- Updated training if job duties modified
- Gradual return to full duties when appropriate

## **19.5 Conditional Returns**

**Probationary period:**

- 90-day evaluation period for extended medical leaves
- Regular check-ins with supervisor and HR
- Medical follow-up as required
- Accommodation effectiveness assessment

## **20. Manager Responsibilities**

### **20.1 Manager Role in Leave Administration**

Managers play a critical role in ensuring fair and consistent application of leave policies while maintaining operational effectiveness.

### **20.2 Key Responsibilities**

#### **Policy knowledge and application:**

- Understand all leave policy provisions
- Apply policies consistently across all employees
- Consult HR when uncertain about procedures
- Stay updated on policy changes and legal requirements

#### **Leave request management:**

- Review requests promptly and fairly
- Consider business needs and coverage requirements
- Communicate decisions clearly and timely
- Document approval/denial reasons

#### **Employee communication:**

- Discuss leave options with employees in need
- Provide clear expectations and requirements
- Maintain regular contact during extended leaves
- Support return-to-work transitions

### **20.3 Documentation Requirements**

#### **Maintain records of:**

- Leave requests and approval/denial decisions
- Attendance tracking and patterns
- Performance discussions related to attendance
- Accommodation requests and implementations
- Medical documentation handling (confidentially)

## **20.4 Avoiding Discrimination and Retaliation**

### **Best practices:**

- Treat all employees equally regardless of protected status
- Do not discourage legitimate leave usage
- Focus on job performance, not leave usage
- Consult HR before any disciplinary action

### **Warning signs to avoid:**

- Comments about pregnancy, disability, or family status
- Questioning legitimacy of protected leave
- Retaliatory actions after leave return
- Inconsistent policy application

## **20.5 Manager Training and Support**

- Annual training on leave policies and legal compliance
- Regular updates on policy changes
- HR consultation availability
- Resources for difficult situations and employee support

# **21. Employee Rights and Resources**

## **21.1 Employee Rights Under This Policy**

Employees have the right to:

- Request and use leave in accordance with policy provisions
- Receive equal treatment regardless of protected status

- Privacy and confidentiality of medical information
- Return to same or equivalent position after protected leave
- File complaints about policy violations without retaliation

## **21.2 Complaint and Grievance Process**

### **Internal complaint procedure:**

1. Discuss concerns with direct supervisor
2. Contact HR if supervisor involvement inappropriate
3. Formal complaint investigation process
4. Appeal rights through management hierarchy
5. External agency filing rights preserved

## **21.3 Employee Resources**

### **Human Resources Department:**

- Policy interpretation and guidance
- Leave request processing and tracking
- Accommodation coordination
- Complaint investigation and resolution

### **Employee Assistance Program (EAP):**

- Confidential counseling services
- Work-life balance resources
- Legal and financial consultation
- Referral services for various needs

### **Tesla Benefits Team:**

- Health insurance continuation during leave
- Disability benefits coordination
- Retirement plan impact of leave
- Flexible spending account management

## 21.4 Legal Rights and Protections

### Federal laws:

- Family and Medical Leave Act (FMLA)
- Americans with Disabilities Act (ADA)
- Uniformed Services Employment and Reemployment Rights Act (USERRA)
- Title VII of the Civil Rights Act
- Pregnancy Discrimination Act

### State and local laws:

- California Family Rights Act (CFRA)
- New York Paid Family Leave
- State-specific sick leave requirements
- Local ordinances and regulations

## 21.5 External Resources

### Government agencies:

- Department of Labor (DOL) for FMLA questions
- Equal Employment Opportunity Commission (EEOC)
- State labor departments
- Veterans' Administration for military service members

### Legal assistance:

- Employee legal aid organizations
- Bar association referral services
- Union representation where applicable

## 22. Policy Violations and Consequences

### 22.1 Types of Policy Violations

#### Employee violations:



- Abuse or misuse of leave benefits
- Falsification of leave documentation
- Failure to follow proper notification procedures
- Unauthorized absence from work
- Time recording fraud or inaccuracies

**Management violations:**

- Inconsistent policy application
- Discrimination in leave approvals
- Retaliation against employees using leave
- Failure to maintain confidentiality
- Inadequate documentation of decisions

## **22.2 Investigation Process**

**Complaint investigation:**

1. Prompt response to all reported violations
2. Thorough and impartial investigation
3. Documentation of findings and evidence
4. Appropriate corrective action implementation
5. Follow-up to ensure resolution

**Due process protections:**

- Right to respond to allegations
- Representation rights where applicable
- Appeal process for disciplinary actions
- Protection against retaliation for reporting

## **22.3 Disciplinary Actions**

**Progressive discipline for violations:**

- Verbal counseling and retraining
- Written warning with improvement plan
- Suspension (paid or unpaid as appropriate)
- Termination for serious or repeated violations

**Immediate termination offenses:**

- Falsification of medical documentation
- Time theft or fraud
- Harassment or discrimination related to leave usage
- Serious safety violations during leave abuse

## **22.4 Corrective Measures**

**For management violations:**

- Additional training and education
- Performance improvement plans
- Reassignment of leave administration duties
- Disciplinary action up to and including termination

**System improvements:**

- Policy clarification and updates
- Enhanced training programs
- Better tracking and monitoring systems
- Regular audit and compliance reviews

## **23. Appendices**

### **Appendix A: Leave Request Forms**

**Standard Leave Request Form**

- Employee information section
- Type of leave requested
- Dates and duration
- Reason for leave (if required)
- Supervisor approval section
- HR processing section

**FMLA Certification Forms**

- Notice of Eligibility and Rights & Responsibilities
- Certification of Health Care Provider (Family Member)
- Certification of Health Care Provider (Employee)
- Certification of Qualifying Exigency for Military Family Leave

### **Return to Work Forms**

- Fitness for Duty Certification
- Work Restriction Documentation
- Accommodation Request Form

## **Appendix B: State-Specific Provisions**

### **California Employees:**

- California Family Rights Act (CFRA) provides additional protections
- Pregnancy Disability Leave separate from CFRA
- Paid Family Leave through state disability insurance
- Kin Care allows use of sick leave for family members

### **New York Employees:**

- Paid Family Leave benefits available
- Safe Leave Law for domestic violence situations
- Extended family definition for sick leave usage

### **Texas Employees:**

- No state-mandated paid sick leave
- Federal FMLA provisions apply
- Military family leave protections

## **Appendix C: Contact Information**

### **Human Resources Contacts:**

- Corporate HR: 1-800-TESLA-HR
- Benefits Team: [benefits@tesla.com](mailto:benefits@tesla.com)
- Leave Administration: [leave@tesla.com](mailto:leave@tesla.com)

- Employee Relations: [employeerelations@tesla.com](mailto:employeerelations@tesla.com)

### **Emergency Notification:**

- 24/7 Attendance Hotline: 1-800-TESLA-TIME
- Manager Escalation Line: 1-800-TESLA-MGMT

## **Appendix D: Frequently Asked Questions**

**Q: Can I use PTO for sick leave?** A: Yes, PTO can be used for any reason including illness. However, if you have specific sick leave accrued, you may be required to use that first for illness-related absences.

**Q: What happens to my benefits during unpaid leave?** A: During FMLA leave, group health insurance continues with your normal premium contribution. For other unpaid leaves, you may continue benefits by paying full premiums or elect COBRA coverage.

**Q: Can my manager deny my FMLA request?** A: If you meet eligibility requirements and have a qualifying reason with proper medical certification, FMLA leave cannot be denied. However, the timing may be delayed for non-emergency situations if it would cause undue business disruption.

**Q: How does military leave affect my seniority?** A: Military leave is considered continuous service for seniority purposes. You will receive credit for the time as if you had been continuously employed.

**Q: What if I need more time than my approved leave allows?** A: Contact HR immediately to discuss options. Depending on circumstances, you may be eligible for additional FMLA time, personal leave, or other accommodations.

**Q: Can I work for another employer during my leave?** A: Generally, no. Working for another employer during medical leave may violate the terms of your leave and could result in disciplinary action. Consult HR before accepting any outside employment.

**Q: What documentation do I need for bereavement leave?** A: You may be asked to provide a death certificate, obituary, or funeral program. The relationship to the deceased may need verification in some cases.

**Q: How does leave affect my performance review?** A: Time spent on protected leave (FMLA, military, etc.) cannot negatively impact your performance evaluation. However, actual work performance during time worked can be evaluated normally.

## **Appendix E: Legal Compliance References**

- 29 CFR Part 825 (FMLA Regulations)
- 38 USC Chapter 43 (USERRA)
- 42 USC 12101 (Americans with Disabilities Act)
- State labor code references by jurisdiction
- Local ordinance compliance requirements

## **Appendix F: Policy Revision History**

### **Version 3.2 - January 1, 2025**

- Updated parental leave benefits
- Added domestic violence leave provisions
- Enhanced military family leave coverage
- Clarified remote work eligibility during leave

### **Version 3.1 - June 1, 2024**

- Added sabbatical leave program
- Updated state compliance requirements
- Enhanced manager training requirements
- Improved return-to-work procedures

### **Version 3.0 - January 1, 2024**

- Major restructure for improved clarity
- Added educational leave provisions
- Enhanced religious accommodation procedures
- Updated progressive discipline framework

## Acknowledgment and Agreement

By signing below, I acknowledge that I have received, read, and understand Tesla's Leave and Attendance Policy. I understand that this policy may be modified at any time with appropriate notice, and that it is my responsibility to stay informed of any changes. I agree to comply with all provisions of this policy and understand that violations may result in disciplinary action up to and including termination.

**Employee Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Employee Name (Print):** \_\_\_\_\_

**Manager Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Manager Name (Print):** \_\_\_\_\_

**HR Representative:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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