

## **Parental Leave Policy**

### **Effective January 1, 2024**

ArentFox Schiff (the “Firm”) has established a Parental Leave Policy that provides paid leave for employees relative to the birth, adoption<sup>1</sup>, placement<sup>2</sup>, or surrogacy<sup>3,4</sup> of a child in accordance with the provisions of this policy.

Parental Leave allows you to take paid time off to welcome your new child into your home, to bond with your child and to assist with his or her caretaking.

### **Eligibility**

You are eligible to apply for Parental Leave if the qualifying event occurs after you have successfully completed 180 days of service with the Firm and you are:

- a full-time regular employee; or
- a regular employee with reduced hours, but working at least 28 hours per week.

### **Determining Length of Service**

Continuous service as a regular employee with the Firm (as defined by the Firm) counts toward length of service.

For those with a previous employment period with the Firm, if the absence was two years or less, the prior employment period counts towards length of service. If the absence from the Firm was greater than two years, the prior employment period will not count towards length of service.

### **Qualifying Events**

Qualifying events for Parental Leave include becoming a new parent due to the:

- birth;
- adoption;
- placement (temporary or permanent); or
- completion of a Valid Surrogacy Contract<sup>5</sup>.

<sup>1</sup> Adoption for purposes of this Policy is defined as a child under the age of 18 and who is not the child of a spouse or a partner.

<sup>2</sup> Placement for purposes of this Policy is defined as foster care placement of a child on either temporary or permanent basis with a person who is not the child’s relative, parent or guardian and who is willing to undertake the care and maintenance of the child.

<sup>3</sup> Surrogacy for purposes of this Policy is defined as gestational surrogacy--a process where a woman carries and delivers a child conceived of the egg and sperm of two other individuals and is therefore not biologically related to the child.

<sup>4</sup> Gestational carriers who carry and deliver a baby for another couple or individual are not eligible for Parental Leave.

<sup>5</sup> A Valid Surrogacy Contract is one that is legal in the U.S. state in which the parties enter into the surrogacy contract and is between the party who has agreed to become impregnated, carry and give birth to the child and the intended parent(s) of the child. Gestational carriers who carry and deliver a baby for another couple or individual are not eligible for Adoption and Surrogacy Leave. A Valid Surrogacy Contract will be “completed” when it results in the employee being recognized as the parent of the child on a birth certificate, court order of adoption, post-birth court order, or other court order recognizing the employee’s parental rights under applicable law.

### **Leave Start Date**

Parental Leave may begin after the expiration of Short-Term Disability or Adoption and Surrogacy Leave, as appropriate and subject to the provisions of the Time Limit for Use section.

### **Pay During Leave**

Parental Leave is paid leave provided by the Firm. The percentage of pay received depends on length of service and classification, as outlined below.

<b>Length of Service</b>	<b>Percentage of Pay</b>
180 days or less	0%
181 days and longer	100%

### **Amount of Leave**

Employees may take up to a total of twelve (12) weeks of Parental Leave in a rolling 12-month period of time. For example, an individual who adopts a child and then later gives birth to a child will receive a total of 12 weeks of combined leave within applicable rolling 12-month period.

### **Interaction with Short-Term Disability Leave and Adoption and Surrogacy Leave**

New mothers who experience childbirth are generally granted a standard Short-Term Disability Leave of eight (8) weeks (unless a medical condition requires an additional period of disability as approved by The Standard). In most cases, the Parental Leave period will begin upon conclusion of the Short-Term Disability Leave.

New parents who welcome a child via adoption or surrogacy may take an Adoption and Surrogacy Leave of up to eight (8) weeks. The Parental Leave period will generally begin upon conclusion of the Adoption and Surrogacy Leave.

All benefits will be paid in accordance with the applicable leave policy (e.g., Short-Term Disability, Adoption and Surrogacy, or Parental).

### **Time Limit for Use**

Parental Leave entitlement expires 12 months after the birth, adoption, placement or surrogacy of the child. Any Parental Leave taken must be used within the 12 months subsequent to the birth, adoption, placement or surrogacy of the child. The potential disruption of workloads and the effect on others in the department will be considered when reviewing and approving requests for Parental Leave.

### **Time Basis for Leave**

Parental Leave is available on a continuous basis and in blocks of time. Each block of time must be at least four (4) weeks. Intermittent use of Parental Leave will not be allowed.

### **Reporting Leave Taken**

Employees must contact the Firm's Benefits Team to advise the team of the request for and period of Parental Leave. Parental Leave needs to be reported promptly to our third party leave administrator to ensure continuation of pay in a timely manner.

### **Leave FLEX Program - Ramp Down/Ramp Up Period (For Non-Partner Attorneys Only)**

This program provides eligible individuals who take a foreseeable Parental or Disability Leave of at least one month with a reduction in their work schedule both prior to and after returning from leave. For more information, refer to the ArentFox Schiff Leave FLEX Program document.

### **Coordination with Federal, State or Jurisdictional Family and Medical Leave or Paid Family Leave**

The Firm shall administer this Parental Leave policy in a manner consistent with applicable federal, state or local law governing leaves. All Firm-provided Parental Leaves will run concurrent with leave available under both the federal FMLA and any applicable state or jurisdiction family and medical leave law, provided that the reason for the Firm-provided leave is a qualifying reason under FMLA and/or any applicable state or jurisdiction family and medical leave law. In the event an individual applies for and receives paid leave from a state or jurisdiction, the amount paid by the Firm will be offset by amounts received from the state or jurisdiction, subject to applicable state or jurisdictional regulations regarding offsets. Employees are required to apply for any available paid leave available to them from a state or jurisdiction in connection with requesting paid leave from the Firm. For leaves to run concurrently, the individuals must meet the eligibility requirement for the federal, state or jurisdictional leave.

## Extension of Leave

Upon conclusion of the Firm-paid Parental Leave, you may extend your period of absence on an unpaid basis in accordance with applicable federal, state and local family and medical leave laws or if such leave has been exhausted, with permission from the Chief Human Resources Officer, Chief Legal Talent Officer and the Firm-wide Managing Partner(s). Please note that if you have an unpaid period of leave, there may be an impact on your benefits, as discussed in the Impact section below.

## Impact of Leave on Paid Time-Off and Benefits

*Paid Time Off.* Employees on Parental Leave will not accrue sick or vacation leave or annual leave, as applicable.

*Medical, Dental and Vision Benefits.* The health care coverage in force for you and your dependents at the time of Parental Leave will continue during periods covered under FMLA and applicable state laws or approved paid leave through the Firm, including the period of your paid Parental Leave. Any contributions you normally make toward coverage costs will continue to be deducted from your pay while on Parental Leave.

*Group Basic Life and Long Term Disability Benefits.* The Firm will continue to provide coverage under the life and long term disability insurance plans during periods covered under FMLA and applicable state laws or approved paid leave through the Firm. Extensions of leave beyond this time could result in a gap of coverage. Should this occur, you will be re-instated upon return to active duty with no wait period or requirement of evidence of insurability. Regular payroll deductions for Supplemental Life Insurance or Individual Disability Insurance will continue to be taken from your pay while on Parental Leave.

*Other Voluntary Benefits (Accident, Hospital, Critical Illness).* Regular payroll deductions for these benefits will continue to be taken from your pay while on Parental Leave.

*Flexible Spending Accounts.* While you are on paid Parental Leave, you have the option to continue or to cease making contributions toward the flexible spending accounts. You may only receive reimbursement for eligible expenditures incurred during periods in which you are contributing to the plan. If you return from leave within the same plan year, you may resume making contributions.

*Retirement Plan Participation.* If you are a participant in the Firm's 401(k) Plan you may continue the same salary deferral percent during your paid Parental Leave.

*Loan Repayments.* During your Parental leave, you will need to continue making payments on any retirement loans according to the amortization schedule. These payments will be deducted from your pay while on leave.

*Unpaid Leave.* In the event you extend your period of leave from the Firm on an unpaid basis, you will be responsible for paying the applicable cost of coverage to the Firm while on leave.

There also may be benefits implications depending on the length of your absence. Please contact the Benefits Team for more information prior to taking an unpaid leave of absence.

### **Requesting a Parental Leave**

**Notice.** Please notify your Manager/Practice Group Leader and the Benefits Team within 30 days of your need to take leave of absence for a foreseeable event. In situations where advance notice is not practicable, notify the Firm as soon as possible. “As soon as possible” would ordinarily mean verbal notice to the Firm within two (2) business days and subsequent submission of the appropriate documentation.

Note that if you are also requesting Short-Term Disability Leave or Adoption or Surrogacy Leave, you may provide notice for these leaves at the same time you notify the Firm of your need for Parental Leave.

**Initiating a Request for Leave.** When you provide notice to the Benefits Team, a Team member will outline and assist you with the leave process. That process will include contacting The Standard, the Firm’s third-party leave administrator, and also providing documentation to substantiate your need for leave.

**Certification and Documentation.** You must provide certification or documentation to substantiate your need for leave. The Benefits Team will advise you of the information required and the timeframe in which to return the information so that the leave request may be reviewed. There is time sensitivity surrounding providing the necessary information (generally 15 days) so we ask that you follow the process in a timely manner. Doing so will help to ensure that your leave is reviewed and that you minimize any period of time for which you may be unpaid while your leave request is being reviewed.

**Periodic Reporting.** While on leave, please provide periodic reports on your status and return to work date to both the Benefits Team and your Manager/Practice Group Leader. If possible, please advise the Firm at least five (5) days prior to your return to work date.

### **Modification or Termination**

The Firm regularly reviews its benefits, policies and programs and reserves the right to modify or terminate this policy at any time.

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