

**Parental Leave FAQ
For Associates and Attorneys
January 2024**

General Information

1. What is parental leave?

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.

2. Who is eligible for parental leave?

Associates and attorneys with 180 days of service with ArentFox Schiff who are working full-time or a reduced schedule of at least 28 hours per week are eligible for 100% firm-paid parental leave if the qualifying event occurs after 180 days of service with ArentFox Schiff.

3. What is a qualifying event for parental leave purposes?

Qualifying events for parental leave include becoming a new parent due to the birth, adoption, placement or surrogacy of a child. See the Parental Leave policy for more information on adoption and surrogacy.

4. What is the amount of parental leave?

Associates and attorneys may take up to a total of 12 weeks of parental leave in a rolling 12-month period of time. Parental leave must be used within the 12 months subsequent to the birth, adoption, placement or surrogacy of the child.

5. Can I begin my parental leave before the baby arrives (i.e., prior to birth or prior to adoption)? What if I have a medical issue that requires me to stop work before the baby arrives?

Parental Leave begins when the child arrives.

If you need to take a leave of absence before the baby arrives due to a medical issue related to pregnancy, please contact the Benefits Team to discuss initiating a Short-Term Disability Leave and the process for applying for Short-Term Disability benefits. All claims for Short-Term Disability benefits are subject to review and approval by the Firm's third-party disability administrator, The Standard.

If you wish to take time away from work for a non-medical reason before Parental Leave begins, you may use vacation time.

6. Do I have to take parental leave all at once?

You do not have to use all of your allowable parental leave at once. Parental leave is available on a continuous basis or blocks of time. Each block of time must be at least four (4) weeks. Intermittent use of parental leave will not be allowed. Remember, parental leave must be used within the 12 months subsequent to the birth, adoption, placement or surrogacy of the child.

**Parental Leave FAQ
For Associates and Attorneys
January 2024**

7. Can I take partial days of parental leave?

No. Parental leave must be taken on a continuous basis or in the required blocks of time and on a full-day basis.

8. Do I have to use the leave in the same evaluation period?

No. Since new parents have a 12-month period to use parental leave, the leave can span two evaluation periods.

9. Is additional leave available for those individuals who give birth, adopt or have a child through surrogacy?

Yes. 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. New parents who welcome a child via adoption or surrogacy may take an Adoption and Surrogacy Leave of up to 8 weeks.

When combined with parental leave, the period of absence may be up to 20 weeks.

10. How does firm-paid parental leave coordinate with federal, state or jurisdictional family and medical leave or paid family leave?

All firm-paid parental leaves run concurrently with leave available under federal and applicable state or jurisdictional family and medical leave and paid leave laws, provided the reason for the firm-provided leave is a qualifying reason under the federal, state or jurisdictional laws.

11. Do I need to apply for state or jurisdictional family and medical leave or paid family leave if I am eligible for paid leave from The Firm?

Yes. For leaves beginning on or after July 1, 2023, employees eligible for state or jurisdictional paid family and medical leave or disability leave benefits must apply for these benefits in connection with applying for paid leave from the Firm.

The amount of leave benefit paid by the Firm will be offset by the gross benefit amount you are eligible to receive from the state or jurisdiction. This means that you will receive in total (from multiple sources) the amount of leave benefit provided for under the Firm's policy, but not more than 100% of pay while on leave.

You are highly encouraged to start the state or jurisdictional leave application process immediately upon going out on leave, or in advance, if allowed by your state.

**Parental Leave FAQ
For Associates and Attorneys
January 2024**

12. Do I need to provide the Firm and/or The Standard with a copy of my benefit amount determination from any state or jurisdictional leave that I am required to apply for?

Yes. You will need to provide both the Firm and The Standard with a copy of your benefit amount notification letter. When filing your claim with your state or jurisdiction, you should also allow the state or jurisdiction to notify ArentFox Schiff of your benefit amount.

13. How will my firm-paid benefit be determined and paid until I receive leave approval from my state or jurisdiction?

Our leave administrator, The Standard, will calculate your firm-paid benefit and apply the offset. Your offset amount will be based on an estimate calculated by The Standard, if your actual state or jurisdictional approved gross benefit is not yet available to The Standard. Note that the offset will be applied from the first benefit payment made to you by the Firm. Once you provide a copy of your benefit amount notification letter to both the Firm and The Standard any necessary adjustment, if applicable, will be made on a subsequent benefit payment.

Requesting a Leave

14. Who do I notify of my need for leave and when?

Please notify the Chief Legal Talent Officer, your 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.

15. What forms or documentation do I need to submit to formally request my 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.

16. Who do I contact to report my leave dates, including any date changes?

Please notify the Chief Legal Talent Officer and the Benefits Team of leave days taken or if your dates change. It is important to keep us updated since the dates will be used for mid-year and year-end hours calculation/reporting purposes and leave tracking with The Standard.

Preparing for Leave

17. How do I transition my work matters before I go on leave and when I return?

You should work with your Practice Group Leader and assigning partners to develop a transition plan for all matters on which you are staffed. This includes drafting an out-of-office memorandum and keep it updated as your leave approaches. It is prudent to have a well-developed draft several weeks before you expect your leave to begin.

**Parental Leave FAQ
For Associates and Attorneys
January 2024**

18. What other administrative items do I need to complete before I go on leave?

Change your outgoing voicemail message no later than the start date of your leave.
Turn on your Outlook “Out of Office” alert no later than the start date of your leave.
Prepare an out-of-office memo indicating who will be responsible for your matters and how you can be contacted if there is an emergency during your leave.

While on Leave

19. Do I need to record my time while out on leave?

Yes. Time must be entered for each day of your leave in the firm’s timekeeping system using client/matter number 909999.00000. We recommend that you ask your assistant to enter your time while you are on leave.

20. What if I perform work while on leave?

The firm expects that attorneys on leave will not be performing work (billable or otherwise) for the firm or its clients. If you choose to engage in billable or non-billable work during parental leave, please notify the Chief Legal Talent Officer. You will not receive any additional hours of parental leave to make up for any time that you performed work.

Impact of Leave on Hours and Benefits

21. How does parental leave affect my hours annualization? What is the calculation?

Hours taken for parental leave are subject to annualization. Your hours are annualized over the period of time that you are out based on your full-time equivalency (FTE) for the evaluation period.

Example: John is out for 26 business days of parental leave during the 250 business day evaluation period

Step	Formula	Calculation
<i>Determine FTE for evaluation period</i>	1 - (# of days on leave divided by total number of business days in evaluation period*)	1 – (26/250) 1 - .104 = .896 .896 FTE
<i>Determine Leave FLEX benefit FTE adjustment, if any</i>	# of days on leave, rounded to nearest # of weeks	26 days round to 5 weeks 6 days pre and 9 days post benefits (15 business days) 15-(15*.80)/250 = .012
<i>Determine FTE for evaluation period including any Leave FLEX benefit</i>	FTE – FTE adjustment	.896-.012 = .884 FTE
<i>Determine annualized hours total</i>	Total number of hours recorded for the evaluation period divided by the FTE	1,765/.884 = 1,996.6 annualized hours

** Number of business days in the evaluation period can vary from year to year.*

**Parental Leave FAQ
For Associates and Attorneys
January 2024**

22. If I extend the period of absence after my parental leave ends, how does that affect my hours annualization?

Only days taken in accordance with firm-provided parental leave are subject to annualization. If you extend your period of absence by using vacation or unpaid leave, this period of time is not subject to annualization.

23. If I take a parental leave(s), am I still eligible for a bonus and/or advancement?

Absolutely. You remain eligible for a bonus in any year you take leave(s), so long as you have met the firm's performance and productivity standards for bonuses. Similarly, you are eligible for associate advancement and partnership consideration in the year of your leave. Please note, however, that a bonus payout in that given bonus year will be prorated to reflect your leave of absence.

24. Is there an impact on my benefits while on parental leave(s)?

Your benefits will continue while you are on leave in accordance with the terms of the applicable benefit plans. All payroll deductions will be taken from your pay during leave. However, if you take unpaid leave, you will be responsible for paying the Firm for your share of the cost of your benefit coverage. For more detailed information on the impact of leave on paid-time off and benefits, please refer to the Parental Leave Policy.

25. How do I add my new child to the firm's benefit plans?

If you add a new child to the family, you may change your coverage elections for certain benefits, such as medical, dental, vision, and more. To do so, you will need to process a Qualifying Life Event (QLE) within 30 days of the life event. You will receive information on how to process a QLE from the Benefits Team when your parental leave begins.

Returning from Leave

26. Who do I need to contact when my leave is almost over and I am returning to work?

Please contact us at least five (5) days prior to your return to work date. Birth mothers will need to provide a copy of a medical release to return to work completed by their physician.

27. How do I integrate back in to work matters when I return from leave?

When you return, you should plan to catch up on the status of your matters with attorneys who worked on them during your leave. If you want to discuss any of your matters before you return so that you can hit the ground running, reach out to your assigning partners. Remember, you can always contact the Chief Legal Talent Officer with any workflow or integration questions or concerns.

28. How does the Firm support the transition to and from leave?

The firm supports your transition to and from leave with various programs, such as Mindful Return and the Parent Fox Leave Flex Program, summarized below.

Parental Leave FAQ
For Associates and Attorneys
January 2024

Mindful Return

New parents returning from parental leave have the opportunity to enroll in a 4-week online program designed to navigate the transition back to work. The Benefits Team can provide you with more information on the program, including registration information. To learn more about the program and what it offers, visit www.mindfulreturn.com.

Parent Fox Leave FLEX Program

This program (also known as “ramp down/ramp up”) provides associates, attorneys, and patent agents and other professionals working at least 30 hours per week with a reduction in their work schedule both prior to and after returning from leave of one (1) month or more without a corresponding reduction in compensation. Eligible individuals will automatically be enrolled in this program unless an opt-out request is received.

Below is a summary of pre-leave and post-leave benefits. For more detailed information, refer to the Parent Fox Leave FLEX Program document.

Pre-Leave

For the month immediately preceding parental and/or disability leave, eligible individuals may work at the rate of 80% of a full-time schedule but will receive 100% of their pre-leave compensation. Benefits will be pro-rated based on the amount of time out of the office, as outlined in the chart below.

Post-Leave

Upon return from parental and/or disability leave, eligible individuals may work at the rate of 80% of a full-time schedule for the 3-month period immediately following return to work. Benefits will be pro-rated based on the amount of time out of the office, as outlined in the chart below.

Time Out on Leave (weeks)	Pre-Leave Benefit (business days)	Post-Leave Benefit (business days)
4	5	5
8	10	20
12	20	40
16 or more	20	60

Please note that rounding rules will apply and that the benefit can be used more than one time if splitting leave into blocks of time that are a minimum of one month each.

**Parental Leave FAQ
For Associates and Attorneys
January 2024**

29. If I am interested in changing my arrangement with the firm, does the firm offer options for alternative work arrangements for attorneys?

The firm supports many different types of alternative work arrangements. Attorneys have successfully worked various arrangements, including reduced hours (part-time hours expectation), alternative schedules (full-time hours expectation on a nontraditional schedule), and remote work on certain days. If you are interested in an alternative arrangement, consult your Practice Group Leader. The Chief Legal Talent Officer can discuss options with you and help you and your Practice Group Leader develop an arrangement that works for you and for your practice.

It is important to also consult with the Benefits Team since a change in your arrangement may impact your eligibility for and cost of benefits, including but not limited to medical, dental, vision and long-term disability.

Other Questions

30. Does the Firm provide any emergency back-up child care?

Yes. The Firm has contracted with Bright Horizons to provide center-based child care close to all Firm locations or avenues for you to find in-home care on a short-term basis.

Registration is required. Information regarding Bright Horizons can be at <https://arentfox.sharepoint.com/sites/BenefitsAndRetirement>.

31. I am nursing and need to travel, how does the Milk Stork program work?

You arrange for services directly with Milk Stork by visiting www.milkstork.com. You pay for the cost of services and then submit a request for reimbursement. See the Pumping and Traveling Guide for more information.

32. If I am nursing and not able to pump in my office, where can I go?

All offices have one or more lactation rooms available. Some offices are able to provide temporary relocation to a private office or a privacy screen to allow for pumping in an individual office. Mini fridges are also located in lactation rooms for your convenience.

33. My childcare solution is not flexible, and I must stop working at a set time due to child care obligations. How could I manage this situation?

If you will be regularly unavailable at a time when attorneys in your practice typically are available, you should discuss your schedule with your Practice Group Leader. Together you can discuss ways to make sure that your matters and clients are covered when you are unavailable.

Further, everyone is occasionally unavailable due to family or other personal obligations. When that happens, please act as you usually would and provide as much advance notice to

**Parental Leave FAQ
For Associates and Attorneys
January 2024**

your colleagues as possible and take necessary steps to make sure that colleagues' and clients' needs are met.

34. I need to adjust my schedule to accommodate my family member's care. What should I do?

When any situation significantly impacts your schedule and /or availability, you should let the Chief Legal Talent Officer and your Practice Group Leader know. Depending on the situation, the firm can work with you relative to a short-term accommodation, a reduced hours arrangement or a leave of absence, if you qualify.

Benefits may be modified from time to time, and at any time, at the discretion of the firm. If there is any discrepancy between the terms of the official plan documents, the official policy and this FAQ sheet, the terms of the official plan documents and policies will prevail.

SHDOCS:220646443.1