

SMC NYS Paid Family Leave Policy

The Company will provide eligible employees with leave to care for a newborn or newly adopted or placed child; to care for a family member with a serious health condition; or for qualifying exigencies arising from the service of a family member in the armed forces of the United States, in accordance with New York's Paid Family Leave ("PFL").

Eligibility

To be eligible for PFL, employees must:

- (1) regularly work 20 or more hours per week and be employed for at least 26 consecutive workweeks preceding the first full day family leave is taken,
- or,
- (2) regularly work less than 20 hours per week and be employed for at least 175 days preceding the first full day leave is taken.

Time out on approved disability leave does not count toward an employee's qualification period.

Permissible Purposes for Leave

Eligible employees may receive paid family leave for the following reasons:

- to bond with their child during the first 12 months after the child's birth; or, to bond with an adopted child or foster child during the first 12 months after placement
- to provide care for a family member because of the family member's serious health condition. "Family member" means a family member as defined under the law, and includes:
 - spouse/domestic partner
 - child/grandchild
 - parent/ parent-in-law
 - grandparent
- because of any qualifying exigency arising from the fact that an employee's spouse, domestic partner, child or parent is on active duty (or has been notified of an impending call or order to active duty) in the armed forces of the United States.

Length of Leave / Amount of Benefit

Paid Family Leave benefits will be phased in over the course of four years, with gradually increasing benefit amount and duration as determined by New York State. The Company will provide employees with paid family leave benefits as required by law.

The following is the anticipated phase-in scheduled:

Benefit Stage Effective Date	Maximum Length of Paid Leave	Maximum Benefit Amount	
		Payable % of Employee's Average Weekly Wage	Maximum % of NY Average Weekly Wage
Jan. 1, 2018	8 weeks	50%	50%
Jan. 1, 2019	10 weeks	55%	55%
Jan. 1, 2020	10 weeks	60%	60%
Jan. 1, 2021	12 weeks	67%	67%

The benefit amount that is in effect at the time an employee's leave began will apply to the full duration of paid leave for that event, even if a new calendar year with increased benefits falls within that period.

Intermittent Leave

Employees are permitted to take paid leave in daily increments. The maximum benefit duration for those employees will be based on the average number of days worked per week, with a maximum of 60 days per year for employees working at least 5 days per week.

Interplay with Other Leaves

Employees may elect to charge all or part of their paid family leave time to accrued but unused paid time off.

Employees will not be permitted to receive disability benefits and family leave benefits for the same period of time.

An employee who is eligible for both disability benefits and family leave during the same period of 52 consecutive calendar weeks shall not receive more than 26 total weeks of disability and family leave benefits during that period of time.

If an employee's reason for taking Paid Family Leave also qualifies as a reason for taking Family Medical Leave ("FMLA" leave), the Paid Family Leave and Family Medical Leave shall run concurrently. In such cases, the employee's leave shall run consistent with the Company's FMLA leave policies. In any event, the 12-month period in which

weeks of leave may be taken is the 12-month period measured rolling backward from the date leave begins.

Deductions from Wages

In accordance with the law, the Company will fund Paid Family Leave through payroll deductions at an amount prescribed by law from each employee. Employees who are ineligible for paid family leave will be given the option of filing a waiver of benefits, exempting them from payroll deductions, as permitted by law.

Request for Paid Family Leave

Monetary PFL benefits will be administered through the Company's NYS Disability Insurance carrier. Eligible employees who wish to take paid leave are responsible for submitting information to the carrier in order for his/her claim for monetary PFL benefits to be processed. Specifically, employees must submit a Request for Paid Family Leave and Certification to the carrier. Additional certification and documentation requirements may be applicable, depending upon the reasons for leave. Failure to submit this information may result in the carrier's denial of the claim.

Employee Notice Requirements

Employees must give the Company at least 30 days' advance notice before leave is to begin if the qualifying event is foreseeable. If 30 days' advance notice is not practicable, notice must be given as soon as practicable. Failure to provide timely notice may result in leave being delayed or denied.

Job and Benefits Protection

Leave taken under this policy is job protected. Thus, the Company will generally restore an employee who returns from leave to the same or a comparable position.

While on leave, employees will continue to receive existing health insurance coverage, provided that they continue to pay their share of health insurance premiums. You may lose coverage retroactively to the date an unpaid premium was due if you fail to pay your portion of the premium in a timely fashion.

No Discrimination or Retaliation

The Company prohibits discrimination or retaliation against any employee for requesting or for receiving paid family leave benefits.