

NOTICE: TEMPORARY LEAVE POLICY CHANGES

Due to the continuing effects of the COVID-19 pandemic and pursuant to a recently enacted federal Families First Coronavirus Response Act (“FFCRA”), and revised guidance from the Department of Labor (“DOL”), Atrium Health has added temporary provisions (“Temporary Leave Policy”) to its current leave policies. In addition to the leave policies outlined in policies located on PeopleConnect, Atrium Health will now offer the following additional leave programs for eligible teammates from September 16, 2020, through December 31, 2020, under the FFCRA. Atrium Health will fully comply with all applicable requirements of the FFCRA and this Policy will be applied in a way that is consistent with such requirements.

I. Emergency Paid Sick Leave

Teammates are eligible for emergency paid sick leave (“EPSL”) to be taken if the teammate is not a health care provider* or emergency responder* and the teammate:

1. Is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
2. Has been advised by a healthcare provider to self-quarantine due to COVID-19 concerns;
3. Is experiencing COVID-19 symptoms and seeking a medical diagnosis;
4. Has to care for an individual subject to an order described in (1) above or has been advised to self-quarantine as described in (2) above;
5. Must care for his or her child if the child’s school or place of care is closed or unavailable due to COVID-19; or
6. Is experiencing any other substantially similar condition specified by the federal Secretary of Health and Human Services.

*Please refer to the [DOL FAQs](#) for definitions, including the definitions of “health care provider” and “emergency responder” located at Questions No. 56 and No. 57. Teammates in these roles are ineligible for EPSL or Public Health Emergency Leave (“PHEL” as described below) under the FFCRA but may be eligible for similar benefits offered by Atrium Health.

Full-time teammates (which, for purposes of this policy, means teammates who are normally scheduled to work 40 or more hours per week) may receive up to 80 hours of EPSL. Part-time teammates (which, for purposes of this policy, means teammates who are normally scheduled to work fewer than 40 hours per week) are eligible for a number of EPSL hours equal to the number of hours they work, on average, over a two-week period. Teammates on a variable schedule will be provided an amount of EPSL equal to the average number of hours that the teammate was scheduled per day over the previous six-month period, for a total of up to 80 hours worth of EPSL. The amount of leave is generally calculated based on the hours teammates are working at the time the leave is sought.

The rate that EPSL is paid out on depends on the reason for the EPSL:

Teammate's Own Condition: For leave taken for a teammate's own condition, EPSL is paid at a rate that is the greater of the teammate's regular rate of pay or the minimum wage rate that applies to the location where the teammate works, up to \$511 per day and \$5,100 in the aggregate, for any of the reasons identified in items 1, 2, or 3 above, and at a rate equal to two-thirds of the applicable EPSL rate, up to \$200 per day and \$2,000 in the aggregate, for any reason identified in item 6 above.

Teammate's Care for an Individual or for Childcare Reasons: For teammates using EPSL to care for another individual (item 4 above) or for childcare reasons (item 5 above), EPSL is paid at a rate that is equal to two-thirds of the applicable EPSL rate, up to \$200 per day and \$2,000 in the aggregate.

EPSL may only be taken in full-day increments. The only exception is if a teammate is teleworking or taking EPSL due to COVID-19 childcare reasons (reason 5 above). Please contact HR Leave Administration through the HR Service Center for further information regarding potential leave increments for EPSL.

Unless a teammate is teleworking, once the teammate begins taking EPSL for one or more of the above qualifying reasons, the teammate must continue to take EPSL each day until the teammate has either (1) used the full amount of EPSL or (2) no longer has a qualifying reason for taking EPSL.

If a teammate no longer has a qualifying reason for taking EPSL before exhausting EPSL, the teammate may take any remaining EPSL at a later time, until December 31, 2020, if another qualifying reason occurs.

Unused EPSL does not carry over from one year to the next, and unused EPSL is not paid out at termination of employment.

Teammates requesting EPSL must complete and submit the FFCRA Leave Request Form, located on the Leave of Absence webpage on PeopleConnect.

Please also note that all existing certification requirements under the Family and Medical Leave Act ("FMLA") remain in effect if teammates are taking leave for one of the existing qualifying reasons under the FMLA. For example, if a teammate needs leave beyond the available hours of EPSL because the teammate's COVID-19 related medical condition rises to the level of a serious health condition under the FMLA, the teammate must comply with Atrium Health's current FMLA policy located on PeopleConnect.

II. Public Health Emergency Leave

A teammate who has worked for Atrium Health for at least 30 days, and who is not a health care provider or emergency responder, is eligible for up to 12 weeks of job-protected public health emergency leave ("PHEL") if the teammate is unable to work (**or telework**) due to a need to care

for a child under 18 years of age if the child's school or place of care has been closed, or the childcare provider is unavailable, due to a public health emergency. PHEL may also be available in these same circumstances to care for a child who is over the age of 18 if the child has (1) a mental or physical disability, and (2) is incapable of self-care because of that disability.

*Please refer to the [DOL FAQs](#) for additional information about the meaning of "closed" when schools are offering virtual and/or hybrid virtual and in-person attendance learning. See Questions No. 98 and No. 99. Teammates in these roles are ineligible for EPSL under the FFCRA but may be eligible for similar benefits offered by Atrium Health.

The first 10 days of PHEL are unpaid, and a teammate may elect to substitute PTO or another form of paid leave, *including EPSL*, for those days. The remaining 10 weeks of PHEL will be paid at a rate no less than two-thirds of the teammate's usual pay based on the teammate's regular work schedule, up to \$200 per day and \$10,000 total. Teammates on a variable schedule will be eligible for an amount of PHEL equal to the average number of hours that the teammate was scheduled per day over the previous six-month period. The amount of leave is generally calculated based on the hours teammates are working at the time the leave is sought.

Please contact HR Leave Administration through the HR Service Center for information regarding potential leave increments.

Documentation and Certification

Teammates requesting PHEL must complete and submit the FFCRA Leave Request Form.

Benefits while on PHEL

Teammates who are on PHEL will retain their same teammate benefits at the same coverage level and under the same conditions that applied before the leave began, provided that the teammate continues to pay all required premiums and contributions. Please contact the HR Service Center for more information.

Return to Work from PHEL

Teammates who wish to return to work at the expiration of their PHEL leave are entitled to return to their same or an equivalent position, with equal pay, benefits, and other terms and conditions of employment, subject to any applicable exceptions. This entitlement applies only if the teammate would have continued to be employed had PHEL not been taken. Thus, a teammate is not entitled to reinstatement if, because of a layoff, reduction in force, or other business reason, the teammate's position is no longer available at the time job restoration is sought by the teammate.

Intersection with FMLA

A teammate's eligibility for the expanded family and medical leave (PHEL) depends on how much FMLA leave an eligible teammate has already taken during the applicable 12-month period. An

eligible teammate may take a total of 12 workweeks of leave during a 12-month period under the FMLA, including any time taken as PHEL. If a teammate has taken some, but not all of the 12 workweeks of leave available under FMLA during the current 12-month FMLA period, that teammate may take the remaining portion of leave available. If a teammate has already taken 12 workweeks of FMLA leave during this 12-month period, that teammate may not take additional FMLA as PHEL. Please contact HR Leave Administration through the HR Service Center about FMLA-related questions.

III. PTO or Reduced Pay Under PHEL and EPSL Leave

Subject to Atrium Health's approval and compliance with applicable law, teammates may elect to use existing PTO or advanced PTO, if any, in lieu of a reduced pay rate under PHEL or EPSL. However, teammates may not use PTO at the same time as receiving a reduced pay rate. That is, teammates can choose between PTO and reduced pay, but may not use partial PTO to supplement reduced pay.

IV. Anti-Retaliation

Discrimination and retaliation against teammates who exercise their right to take PHEL and EPSL under this policy will not be tolerated. Please see Atrium Health's Policy HR-5.07 (Protection from Discrimination) located on PeopleConnect for how to report any complaints.

A teammate's use of PHEL and/or EPSL leave will not affect a teammate's rights under any other law, policy, contract, or collective bargaining agreement.