The 2022 Guide to **Absence Management**



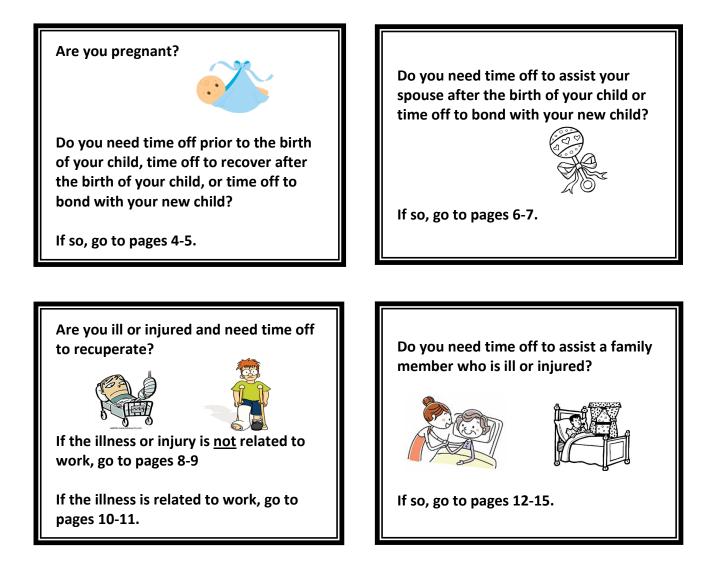




At Brookhaven Science Associates, LLC we realize that you may need time off from work due to your own or a family member's illness or injury, birth or adoption of a child, or bonding with a child. The information in this booklet will help you to understand the benefits you may be eligible to receive and the process to obtain those benefits.

This booklet provides an overview of the various laws and benefits applicable to such absences from work. Additional information can be found on the BSA Benefits Office website at https://www.bnl.gov/hr/benefits/absence-mgmt.php and in SBMS.

Let's start by looking at some examples of common absences along with the benefits that are available in various situations.



This booklet does not include all information, terms, conditions, or exceptions to each law or program. These programs are subject to change. Refer to the "Laws and BSA Programs" section for information on eligibility for each benefit.

The information in this booklet is only a summary. Nothing contained in this booklet should be construed as a promise of employment or continued employment, or to constitute contractual obligations. If questions arise, applicable laws and regulations will govern. Program eligibility and provisions for employees covered under a collective bargaining agreement are based on the terms of the collective bargaining agreement.

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Are you pregnant? Do you need time off prior to the birth, time off to recover after the birth, or time off to bond with your new child (this includes adoption)? If you answered yes to any of these questions, then here are the benefits that may be available to you...

- Family and Medical Leave (FMLA) see pages 17-18
- BSA Sick Leave/BSA Sick Family Member Benefits see page 19
- New York State Disability Insurance (NYSDI) see page 19
- BSA Paid Parental Leave (PPL) see page 23
- New York State Paid Family Leave (NYSPFL) see page 20
- BSA Vacation

Here's an example of how this works.

Meet Carol. Carol is pregnant and due to give birth soon. She expects to be away from work for 6 weeks (30 workdays) after the birth of her child for her own recuperation. She also wants time off from work to bond with her child for 10 weeks (50 workdays) after she recuperates. Carol has 50 sick days accumulated and 15 vacation days accrued. (Although Carol will accumulate additional sick and vacation days while she is away from work, we will not include that so we can simplify this example.)

What does Carol need to do?



- Carol needs to notify her supervisor and the Occupational Medicine Clinic (OMC) as soon as possible that she will be out of work for 16 weeks (80 workdays).
- Carol then needs to apply for FMLA, New York State Disability Insurance, BSA Paid Parental Leave, and New York State Paid Family Leave (for both her own recuperation and for bonding with her child) by calling Lincoln Financial Group at 888-969-2472 or going online at www.mylincolnportal.com. They're available year-round, 24 hours a day. If Carol is eligible to apply for the benefits, Lincoln Financial Group will send her paperwork that needs to be completed by her and her physician. The completed paperwork needs to be returned to Lincoln Financial Group who will determine if she is approved for FMLA (which is unpaid time off), the New York State Disability Insurance benefit, and/or New York State Paid Family Leave (which is paid time off). She will also receive BSA Paid Parental Leave paperwork from Lincoln Financial Group that she needs to complete and return to them. Based on this information, the BSA Benefits Office will determine if she is approved for BSA Paid Parental Leave.
- Carol needs to keep in contact with her supervisor during her absence.

How can Carol be paid for her time off during her absence from work?



Carol wants to be paid for the 6 weeks (30 workdays) she is away from work due to her recovery from childbirth and for the 12 weeks (60 workdays) she will be bonding with her child. What are her options?

- Carol uses her <u>BSA Sick Leave</u> for the first 6 weeks (30 workdays) of her recuperation period.
- If Carol did not have sufficient Sick Leave accumulated to cover her recuperation period, then she could use <u>New York State Disability</u> Insurance benefits if she was approved for such benefits by Lincoln Financial Group.

Carol has now recuperated and wants to be away from work for 12 more weeks (60 workdays) to bond with her child and wants to be paid. What are her options?

• Carol can use up to 1 week (5 workdays) from her BSA Sick Leave to care for her child. This will be <u>BSA Sick Family Member</u> time. The maximum amount of BSA Sick Family Member time that can be used is 40 hours per payroll year.

Carol decides not to use BSA Sick Family Member time and instead will save it for use at another time to care for her child if the child gets sick. What are her other options?

• If Carol was approved for <u>BSA Paid Parental Leave</u>, she can receive 6 weeks of pay (30 workdays) through this benefit. Carol decides to use 6 weeks (30 workdays) of BSA Paid Parental Leave.

Carol wants to be away from work and be paid for 6 more weeks (30 workdays) to bond with her child. What are her options?

- If Carol was approved for <u>New York State Paid Family Leave (NYSPFL</u>), she can receive the remaining 6 weeks (30 workdays) through the NYSPFL benefit. The NYSPFL benefit is 67% of her average weekly wage.
- Carol can, instead, use 1 week (5 workdays) of <u>BSA Vacation</u> time which is at 100% pay and 5 week (25 workdays) of NYSPFL.
- Carol decides to use 6 weeks (30 workdays) of NYSPFL.

Carol then returns to work with a return-to-work note from her physician. She needs to first check in through the Occupational Medicine Clinic (OMC) to determine if she will be cleared to return to work. Carol receives a clearance slip from OMC, and goes to Human Resources to continue the check-in process. She then provides the clearance slip to her supervisor and returns to work.

Do you need time off to assist your spouse or partner after the birth of your child or time off to bond with your new child (this includes adoption)? If you answered yes, then here are the benefits that may be available to you...

- Family and Medical Leave (FMLA) see pages 17-18
- BSA Sick Family Member Benefit see page 19
- BSA Paid Parental Leave (PPL) see page 23
- New York State Paid Family Leave (NYSPFL) see page 20
- BSA Vacation

Here's an example of how this works.



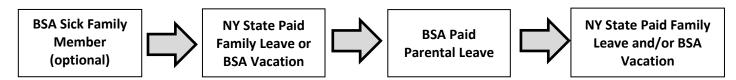
Meet Federico. Federico's spouse is pregnant and due to give birth soon. He expects to be away from work for 1 week (5 workdays) after the birth of his child to assist his spouse with her recuperation. He also wants time off from work to bond with his child for 11 weeks (55 workdays) after assisting his wife with her recuperation. Federico has 40 sick days accumulated and 25 vacation days accrued. (Although Federico will accumulate additional sick and vacation days while he is away from work, we will not include that so we can simplify this example.)

What does Federico need to do?



- Federico needs to notify his supervisor as soon as possible that he will be out of work for 12 weeks (60 workdays).
- Federico then needs to apply for FMLA, BSA Paid Parental Leave, and New York State Paid Family Leave (for both care of his spouse and bonding with his child) by calling Lincoln Financial Group at 888-969-2472 or going online at www.mylincolnportal.com. They're available year-round, 24 hours a day. If Federico is eligible to apply for the benefits, Lincoln Financial Group will send him paperwork that needs to be completed by him and his spouse's physician and returned to Lincoln Financial Group who will determine if he is approved for FMLA (which is unpaid job-protected time off) and/or New York State Paid Family Leave (which is paid time off). He will also receive BSA Paid Parental Leave paperwork from Lincoln Financial Group that he needs to complete and return to them. Based on this infromation, the BSA Benefits office will determine if he is approved for BSA Paid Parental Leave.

How can Federico be paid for his time off during his absence from work?



Federico wants to be paid for the 1 week (5 workdays) he is away from work and assisting his spouse with her recuperation from childbirth and for the 13 weeks (65 workdays) he will be bonding with his child. What are his options?

• Federico can use up to 1 week (5 workdays) from his BSA Sick Leave to care for his spouse. This will be <u>BSA Sick Family Member</u> time. The maximum amount of BSA Sick Family Member time that can be used is 40 hours per payroll year.

Federico decides not to use this time and instead will save it for use at another time to care for the child if the child gets sick. What are his other options?

- If Federico was approved for the <u>New York State Paid Family Leave (NYSPFL)</u> to care for his spouse, he can use 1 week (5 workdays) of NYSPFL to care for his spouse. The NYSPFL benefit is 67% of his average weekly wage.
- Federico can, instead, use 1 week (5 workdays) of his <u>BSA Vacation</u> time which is at 100% pay.
- Federico decides to use 1 week (5 workdays) of NYSPFL.

Next, Federico wants to bond with his child for 13 weeks (65 workdays) and be paid for this time. What are his options?

• If Federico was approved for <u>BSA Paid Parental Leave</u>, he can receive 6 weeks of pay (30 workdays) through this benefit. Federico decides to use 6 weeks (30 workdays) of BSA Paid Parental Leave.

Federico wants be away from work and be paid for 7 more weeks (35 workdays) to bond with his child. What are his options?

If Federico was approved for the <u>New York State Paid Family Leave</u> for bonding with his child, he can receive 5 weeks (25 workdays) of NYSPFL while he is away from work to bond with his child. The maximum NYSPFL benefit is 12 weeks in 2021 and is offset by time paid through BSA Paid Parental Leave and the time Federico already used to care for his spouse. This gets Federico to 11 weeks (55 workdays) of bonding time.

Federico wants 2 additional weeks (10 workdays) of paid time off for bonding. What are his options?

• Federico should discuss the use of his <u>BSA Vacation</u> time with his supervisor. If his supervisor approves, he can use 2 weeks (10 workdays) of his vacation time.

Are you ill or injured and need time off to recuperate? Is the illness or injury <u>not related to work</u>? If you answered yes to both of these questions, then here are the benefits that may be available to you...

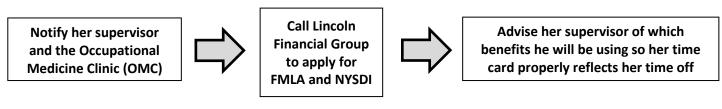
- Family and Medical Leave (FMLA) see pages 17-18
- BSA Sick Leave see page 19
- BSA Vacation
- BSA Vacation Donation see page 22
- New York State Disability Insurance (NYSDI) see page 19
- BSA Long Term Disability see page 24

Here's an example of how this works.

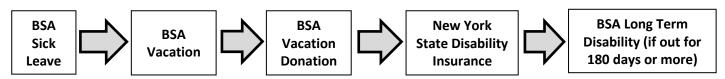


Meet Maria. Maria requires surgery due to a serious health condition and realizes that she will need to be away from work for 9 weeks (45 workdays). Maria has 20 sick days accumulated and 5 vacation days accrued. (Although Maria will accumulate additional sick and vacation days while she is away from work, we will not include that so we can simplify this example.)

What does Maria need to do?



- Maria needs to notify her supervisor and the Occupational Medicine Clinic (OMC) as soon as possible that she will be out of work for 9 weeks (45 workdays).
- Maria then needs to apply for FMLA and New York State Disability Insurance benefits by calling Lincoln Financial Group at 888-969-2472 or going online at www.mylincolnportal.com. They're available year-round, 24 hours a day. If Maria is eligible to apply for the benefits, Lincoln Financial Group will send her paperwork that needs to be completed by her and her physician. The completed paperwork needs to be returned to Lincoln Financial Group who will determine if she is approved for FMLA (which is unpaid job-protected time off) and/or New York State Disability Insurance benefits (which is paid time off).
- Maria needs to keep in contact with both her supervisor and the OMC during her absence.



Maria wants to be paid for the 9 weeks (45 workdays) she is away from work due to the surgery and recovery. What are her options?

• Maria uses her <u>BSA Sick Leave</u> for the first 4 weeks (20 workdays) and then has no BSA Sick Leave remaining.

Maria is expecting to be away from work for 5 more weeks (25 workdays) and wants to be paid. What are her options?

 Maria may use her <u>BSA Vacation</u> time. She has 5 days available and decides to use all of them. She needs to send a note/email to Payroll requesting that her BSA Vacation time be converted to BSA Sick Leave.

Maria needs to be away from work for 4 more weeks (20 workdays). What are her options?

 Maria can discuss with her supervisor the possibility of opening a <u>BSA Vacation Donation</u> account. Maria has to first use up all of her available BSA Sick Leave and BSA Vacation time before she can request that a BSA Vacation Donation account be opened for her. If her supervisor approves this, then the supervisor needs to complete a Vacation Donation account request form and submit it to the BSA Benefits Office (Bldg. 400B). The BSA Benefits Office will review the form, check to see that Maria was approved for FMLA, and provide the supervisor with an email to send out to employees requesting the donation of vacation time for Maria. Maria receives 3 weeks (15 workdays) of donated vacation time, so she uses BSA Vacation Donation time for 3 weeks (15 workdays).

Maria needs to be away from work for 1 more week (5 workdays) and wants to be paid. What are her options?

• If Maria was approved for <u>New York State Disability Insurance</u> benefits, she can receive the remaining 1 week (5 workdays) of pay while she is away from work through New York State Disability Insurance benefits and will be placed on a Leave of Absence.

Maria then returns to work with a return-to-work note from her physician. She needs to first check in through the Occupational Medicine Clinic (OMC) to determine if she will be cleared to return to work. Maria receives a clearance slip from the OMC, and goes to Human Resources to continue the check-in process. She then provides the clearance slip to her supervisor and returns to work.

If, instead, Maria needed to be away from work for more than 180 calendar days, the BSA Benefits Office would contact her to discuss BSA Long Term Disability benefits and the process to apply for such benefits.

Are you ill or injured and need time off to recuperate? Is the illness or injury <u>related to work</u>? If you answered yes to both of these questions, then here are the benefits that may be available to you...

- Family and Medical Leave (FMLA) see pages 17-18
- BSA Sick Leave see page 19
- Workers' Compensation see page 21
- BSA Vacation
- BSA Long Term Disability see page 24

Here's an example of how this works.



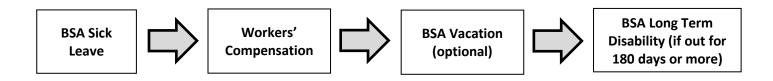
Meet Adam. Adam was injured at work. He immediately notified his supervisor and went to the Occupational Medicine Clinic (OMC). Adam then went to his physician who indicated that Adam needs to be out of work for 9 weeks (45 workdays). Adam has 30 sick days accumulated and 25 vacation days accrued. (Although Adam will accumulate additional sick and vacation days while he is away from work, we will not include that so we can simplify this example.)

What does Adam need to do?



- When Adam notified his supervisor of his injury and went to the OMC, BSA's Workers' Compensation Office reported the accident/injury to Gallagher Bassett, the Workers' Compensation claims administrator. Gallagher Bassett then contacted Adam by telephone and provided paperwork that he and his physician need to complete and return to Gallagher Bassett. Gallaher Bassett also assigned him a claim number to give to his healthcare providers and pharmacy so that he has coverage through Workers' Compensation for the costs of his healthcare due to his injury.
- Adam then needs to apply for FMLA by calling Lincoln Financial Group at 888-969-2472 or going online at www.mylincolnportal.com. They're available year-round, 24 hours a day. If Adam is eligible to apply for the benefit, Lincoln Financial Group will send him paperwork that needs to be completed by him and his physician. The completed paperwork needs to be returned to Lincoln Financial Group who will determine if he is approved for FMLA (which is unpaid job-protected time off).
- Since Adam's physician has indicated that he needs to be out of work for 9 weeks. Adam needs to notify his supervisor and OMC of this length of absence.
- There are specific procedures to follow regarding how to obtain pre-approval for tests, procedures, etc., so Adam should call ext. 3750 for additional information.
- Adam needs to keep in contact with both his supervisor and the OMC during his absence.

How can Adam be paid for his time off during his absence from work?



Adam wants to be paid for the 9 weeks (45 workdays) he is away from work due to his injury and recovery.

• Adam uses his <u>BSA Sick Leave</u> for the first 6 weeks (30 workdays) and then has no BSA Sick Leave remaining.

Adam is expecting to be away from work for 3 more weeks (15 workdays) and wants to be paid. What are his options?

- Adam can receive the remaining 3 weeks (15 workdays) while he is away from work through <u>Workers' Compensation</u> and will be placed on a Leave of Absence. The Workers' Compensation benefit is not 100% pay.
- Adam can, instead, use 3 weeks (15 workdays) of <u>BSA Vacation</u> time which is at 100% pay.
- Adam decides to use 3 weeks (15 workdays) of BSA Vacation time.

Adam then returns to work with a return-to-work note from his physician. He needs to first check in through the Occupational Medicine Clinic (OMC) to determine if he will be cleared to return to work. Adam receives a clearance slip from the OMC, and goes to Human Resources to continue the check-in process. He then provides the clearance slip to his supervisor and returns to work.

If, instead, Adam needed to be away from work for more than 180 calendar days, the BSA Benefits Office would contact him to discuss BSA Long Term Disability benefits and the process to apply for such benefits.

Do you need time off to assist a family member who is ill or injured? If you answered yes, then here are the benefits that may be available to you...

- Family and Medical Leave (FMLA) see pages 17-18
- BSA Sick Family Member see page 19
- BSA Vacation
- New York State Paid Family Leave (NYSPFL) see page 20



This example <u>does not</u> include the use of the BSA Vacation Donation benefit.

Here's an example of how this works.

Meet Sonya. Sonya's mother will be returning home after surgery due to a serious health condition and needs assistance from Sonya. Sonya wants to assist her mother for the first 2 weeks (10 workdays) when she brings her home from the hospital. After the first 2 weeks, she wants to bring her mother to physician appointments once a week for 8 weeks. Sonya expects to be away from work for 10 days (on a continuous basis) and then 8 days (on an intermittent basis – one time per week). Sonya has 50 sick days accumulated and 20 vacation days accrued. (Although Sonya will accumulate additional sick leave and vacation days while she is away from work, we will not include that so we can simplify this example.)

What does Sonya need to do?

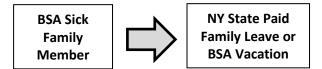


• Sonya needs to notify her supervisor as soon as possible that she will need to be out of work continuously for 2 weeks (10 workdays) and then once a week for 8 more weeks (8 workdays). This will be a total of 18 workdays.

Sonya then needs to apply for FMLA and New York State Paid Family Leave by calling Lincoln Financial Group at 888-969-2472 or going online at www.mylincolnportal.com. They're available year-round, 24 hours a day. If Sonya is eligible to apply for the benefits, Lincoln Financial Group will send her paperwork that needs to be completed by her and her mother's physician and returned to Lincoln Financial Group who will determine if she is approved for FMLA (which is unpaid time off) and/or New York State Paid Family Leave (which is paid time off).

• Sonya needs to keep in contact with her supervisor during her absence.

How can Sonya be paid for her time off during her absence from work?



Sonya wants to be paid for the 28 workdays she is away from work while assisting her mother with her recuperation. What are her options?

 Sonya can use up to 1 week (5 workdays) from her BSA Sick Leave to care for her mother. This will be <u>BSA Sick Family Member</u> time. The maximum amount of BSA Sick Family Member time that can be used is 40 hours per payroll year. Sonya may decide not to use this time and instead use it at another time to care for a family member. Let's assume Sonya decides to use BSA Sick Family Member for the first week (5 workdays) to assist her mother.

Sonya is expecting to be away from work to continue to assist her mother for 1 more continuous week (5 workdays) and then 1 day each week thereafter for 10 weeks and wants to be paid. What are her options?

- If Sonya was approved for the <u>New York State Paid Family Leave (NYSPFL</u>), she can use 1 continuous week (5 workdays) of NYSPFL to care for her mother and then 1 day each week of NYSPFL for 10 more weeks to bring her mother to the physician. The NYSPFL benefit is 67% of her average weekly wage.
- Sonya can, instead, use her <u>BSA Vacation</u> time but decides not to do so.
- Sonya decides to use 1 continuous week (5 workdays) of NYSPFL to care for her mother and then 1 day each week of NYSPFL for 10 more weeks to bring her mother to the physician.

Do you need time off to assist a family member who is ill or injured? If you answered yes, then here are the benefits that may be available to you...

- Family and Medical Leave (FMLA) see pages 17-18
- BSA Sick Family Member Benefit see page 19
- BSA Vacation
- BSA Vacation Donation see page 22
- New York State Paid Family Leave (NYSPFL) see page 20

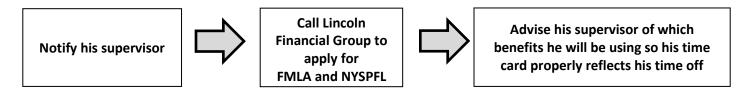


This example includes the use of the BSA Vacation Donation benefit.

Here's an example of how this works.

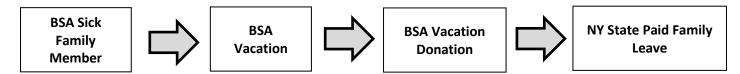
Meet Joseph. Joseph's wife will be returning home after surgery due to a serious health condition and needs assistance from Joseph. Joseph wants to assist his wife for the first 8 weeks (40 workdays) when he brings her home from the hospital. Joseph has 100 sick days accumulated and 15 vacation days accrued. (Although Joseph will accumulate additional sick leave and vacation days while he is away from work, we will not include that so we can simplify this example.)

What does Joseph need to do?



- Joseph needs to notify his supervisor as soon as possible that he will need to be out of work continuously for 12 weeks (60 days).
- Joseph then needs to apply for FMLA and New York State Paid Family Leave by calling Lincoln Financial Group at 888-969-2472 or going online at www.mylincolnportal.com. They're available year-round, 24 hours a day. If Joseph is eligible to apply for the benefits, Lincoln Financial Group will send him paperwork that needs to be completed by him and his wife's physician and returned to Lincoln Financial Group who will determine if he is approved for FMLA (which is unpaid time off) and/or New York State Paid Family Leave (which is paid time off).
- Joseph needs to keep in contact with his supervisor during his absence.

How can Joseph be paid for his time off during his absence from work?



Joseph wants to be paid for the 12 weeks (60 workdays) he is away from work while assisting his wife with her recuperation. What are his options?

 Joseph can use up to 1 week (5 workdays) from his BSA Sick Leave to care for his wife. This will be <u>BSA Sick Family Member</u> time. The maximum amount of BSA Sick Family Member time that can be used is 40 hours per payroll year. Joseph may decide not to use this time and instead use it at another time to care for a family member. Let's assume Joseph decides to use BSA Sick Family Member for the first week (5 workdays) to assist his wife.

Joseph is expecting to be away from work to continue to assist his wife for 11 more weeks (55 workdays) and wants to be paid. What are his options?

• Joseph may use his <u>BSA Vacation</u> time. He has 15 days available and decides to use all of them to assist his wife.

Joseph still wants 8 more weeks (40 workdays) to assist his wife and wants to be paid. What are his options?

 Joseph can discuss with his supervisor the possibility of opening a <u>BSA Vacation Donation</u> account. Joseph has to first use up all of his available BSA Sick Family Member and BSA Vacation time before he can request that a BSA Vacation Donation account be opened for him. If his supervisor approves this, then the supervisor needs to complete a Vacation Donation account request form and submit it to the BSA Benefits Office (Bldg. 400B). The BSA Benefits Office will review the form, check to see that Joseph was approved for FMLA, and provide the supervisor with an email to send out to employees requesting the donation of vacation time for Joseph. Joseph receives 2 weeks (10 workdays) of donated vacation time, so he uses BSA Vacation Donation time for 2 weeks (10 workdays).

Joseph wants to be away from work for 6 more weeks (30 workdays) and wants to be paid. What are his options?

 If Joseph was approved for the <u>New York State Paid Family Leave (NYSPFL</u>), he can use 6 weeks (30 workdays) of NYSPFL to care for his wife. The NYSPFL benefit is 67% of his average weekly wage.

LAWS AND BSA PROGRAMS

Family and Medical Leave Act (FMLA)

What is the benefit?

An eligible employee may take up to 12 weeks of <u>unpaid</u> job-protected leave during a 12-month period for the employee's own illness or injury, to care for an ill spouse (or significant other sharing a residence), child or parent, for the birth or adoption of a child or placement of a child into the employee's home for foster care, or for certain exigent circumstances associated with the employee's spouse, son, daughter, or parent who is a member of a regular or reserve component of the Armed Forces and who is being deployed to a foreign country ("basic leave entitlement").

If BSA employs both FMLA-eligible spouses, they may take up to a combined total of 12 workweeks of FMLA Leave in a 12-month period for the birth of a child or placement for adoption or foster care.

If an employee is the spouse, son, daughter, parent, or next of kin of a covered servicemember who is recovering from a serious illness or injury sustained in the line of duty on active duty ("covered servicemember leave entitlement"), he/she may receive up to 26 weeks of unpaid leave in a single 12-month period.

Employees must receive approval from Lincoln Financial Group for use of FMLA. FMLA Leave can be used as either a single continuous period of time (such as 2 weeks of leave for surgery and recovery) or in multiple periods of time (such as occasional follow-up appointments after surgery). It can also be used on a part-time basis if medically necessary (such as if after surgery you are able to return to work only 4 hours a day for a period of time). Employees must report to Lincoln Financial Group the dates and hours of each absence within 3 business days of such absence, even if they have not yet received approval for FMLA.

Employees may have more than one FMLA Leave at a time (such as a leave for your spouse's illness and another for your mother's injury), but such combined leaves cannot exceed the 12-week maximum. Absences from work that are approved for FMLA leave are not considered "chargeable absences" under the BSA Discipline Policy.

Who is eligible for this benefit?

To be eligible for FMLA Leave an employee must:

- have worked for BSA for at least 12 months but they do not need to be 12 months in a row as break in service rules apply (for clarification, refer to the Department of Labor website at: https://www.dol.gov/whd/fmla/fmla-faqs.htm) and
- have worked for BSA for at least 1,250 hours during the 12 months prior to the start of the leave. The 1,250 hours include only those hours actually worked vacation, holiday, sick leave, paid and unpaid leave, etc. are excluded and
- work at a location that has at least 50 BSA employees within 75 miles of your worksite.

How to apply for this benefit

The employee must notify his/her supervisor of the need for a leave and then, no more than 30 days in advance of the requested leave, call Lincoln Financial Group at (888) 969-2472 or apply online at <u>www.mylincolnportal.com</u> (use company code "BROOKHAVEN"). If the employee, due to incapacity, is unable to do this, the supervisor must notify Lincoln Financial Group or the BSA Benefits Office. After notification, if the employee is eligible for FMLA, Lincoln Financial Group will provide paperwork that needs to be completed by the employee and the physician. This must be returned to Lincoln Financial Group by the applicable deadline. Lincoln Financial Group will determine if the employee is approved for FMLA. The employee must notify Lincoln Financial Group of each occurrence of intermittent time off within 3 business days of such leave. The employee must call Lincoln Financial Group if there will be any change in the period of time off, including frequency. Lincoln Financial Group may, from time to time, require an employee to recertify the need for the leave and will send the applicable paperwork for completion. Additional physician's opinions may also be requested. Throughout the process, the employee will receive several letters from Lincoln Financial Group including whether or not they are eligible for FMLA, the applicable forms that require completion, a request for additional information (if necessary), approval or denial of FMLA, etc.

Family and Medical Leave Act (FMLA) (continued)

Definitions:

<u>12-Month Period</u>: BSA uses a "rolling" 12-month period measured from the date the FMLA Leave is used.

<u>Child/Son/Daughter</u>: Biological, adopted, or foster child, step child, legal ward or child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence.

In Loco Parentis: A person stands in loco parentis if that person provides day-to-day care or financial support for a child.

<u>Parent</u>: Biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child.

<u>Spouse</u>: A husband or wife as defined or recognized in the state where the individual was married and includes individuals in a common law marriage or same-sex marriage.

Additional Information

- The employee must coordinate with his/her supervisor a mutually acceptable schedule to stay in contact with each other, so that the employee can provide status updates for a potential return to work date and schedule.
- The employee must maintain regular contact with the Occupational Medicine Clinic if the leave is due to their own illness or injury and provide updates on his/her status and potential return to work date and schedule.
- If an employee is exhausting paid time off, the employee should contact the BSA Benefits Office to discuss available options.
- The employee must discuss with his/her supervisor the proper time card coding to be used for the period of the leave.
- Absences that are approved for and recorded as FMLA time are not considered chargeable absences in the BSA Discipline Policy.
- Contact the BSA Benefits Office at ext. 7516 for additional information.

BSA Sick Leave and Sick Family Member Benefits

What are the benefits?

An eligible employee accrues sick leave, up to a maximum of 108 days. The accrual depends on the employee's employment category (full time regular or term appointment, part-time regular or term appointment, or full-time temporary).

An eligible employee may use such sick leave to receive <u>paid</u> time off if the employee is unable to work due to their own illness or injury. An eligible employee may use up to 40 hours of their sick leave per payroll year to receive <u>paid</u> time off if an employee needs to care for an ill or injured family member and is unable to work. Employees cannot receive the BSA Sick Family Member benefit at the same time as the New York State Paid Family Leave benefit. Use of the BSA Sick Family Member benefit does not reduce the benefit available under New York State Paid Family Leave.

Who is eligible for these benefits?

To be eligible for these benefits, an employee's regular work schedule must be 20 hours or more per week.

How to apply for these benefits

Employees do not need to apply for these benefits.

How do these benefits interact with the Family and Medical Leave Act (FMLA)?

If applicable, any available Family and Medical Leave Act (FMLA) time will be administered concurrently with BSA Sick Leave and BSA Sick Family Member benefits.

Definitions:

Family member includes:

<u>Parent</u>: Biological, adoptive, step or foster father or mother.

<u>Dependent Child</u>: Biological, adopted, or foster child, step child up to the end of the calendar month of his/her 26th birthday. Such children who are over age 26 are included if mentally or physically incapable of earning their own living.

Spouse: legally married or same-sex domestic partner if not living in an area that provides for same-sex marriage.

<u>Same-sex domestic partner</u>: only if you live in a jurisdiction that does not recognize same-sex marriage and you provide the required proof of domestic partnership to BSA.

Additional Information:

- Contact the BSA Benefits Office at ext. 7516 for additional information.

New York State Disability Insurance

What is the benefit?

An eligible employee may receive a monthly benefit if the employee is unable to work due to their own illness or injury that did not arise out of or in the course of employment. BSA's sick leave benefit provides pay that meets the New York State Disability Insurance benefit unless the employee exhausts his/her sick leave balance. In such cases where an employee has exhausted his/her sick leave balance, the employee may be eligible for one-half the employee's normal earnings up to the maximum of \$170 per week for up to a maximum of 26 weeks, including the period of sick leave used. There is a seven-day waiting period during which no benefits are paid.

Employees must receive approval from Lincoln Financial Group for the New York State Disability Insurance benefit.

Who is eligible for this benefit?

To be eligible for this benefit, an employee must be employed by a covered employer, such as BSA, and have worked at least four consecutive weeks.

How to apply for this benefit

The employee must call Lincoln Financial Group at (888) 969-2472 or apply online at <u>www.mylincolnportal.com</u> (use company code "BROOKHAVEN"). Lincoln Financial Group will provide paperwork that needs to be completed by the employee and the physician. This must be returned to Lincoln Financial Group by the applicable deadline. Lincoln Financial Group will determine if the employee is approved for New York State Disability Insurance (NYSDI). Claims for NYSDI must be filed within 30 days from the date of the illness or injury.

How does this benefit interact with the Family and Medical Leave Act (FMLA)?

If applicable, any available Family and Medical Leave Act (FMLA) time will be administered concurrently with New York State Disability Insurance benefits.

Additional Information:

- Contact the BSA Benefits Office at ext. 7516 for additional information.

New York State Paid Family Leave

What is the benefit?

In 2021, an eligible employee may take up to 12 weeks of <u>paid</u> job-protected leave (at 67% of an employee's average weekly wage) during a 52-week period to care for a family member who has a serious health condition, for bonding with a child during the first year after birth, adoption or foster placement, or for any qualified emergency under FMLA (where the covered family member is on active duty or has been notified or an order to resume active duty in the military). The maximum benefit in 2022 is \$1,068.36 per week and is paid to the employee directly from the insurance company, Lincoln Financial Group, after offset by any applicable BSA benefits. This benefit is paid for by the employee through after-tax payroll deductions of 0.511% of an employee's average weekly wage up to the New York State maximum.

New York State Paid Family Leave can be used as either a single continuous period of time or in multiple periods of time, and must be used in one-day increments.

Employees must receive approval from Lincoln Financial Group for New York State Paid Family Leave. This benefit is offset by BSA Paid Parental Leave. This benefit cannot be received at the same time as the BSA Vacation Donation benefit or the BSA Sick Family Member benefit.

Who is eligible for this benefit?

To be eligible for New York State Paid Family Leave:

- an employee's regular work schedule must be 20 hours or more per week if the employee has been employed for at least 26 weeks or
- if an employee's regular work schedule is less than 20 hours per week, eligibility begins after 175 days of employment.

If an employee's work schedule is 20 or more hours per week (or if an employee's work schedule is less than 20 hours per week and is employed for less than 175 days), the employee may contact the BSA Benefits Office at ext. 7516 to request a waiver of New York State Paid Family Leave benefits.

How to apply for this benefit

The employee must notify his/her supervisor of the need for a leave and then, no more than 30 days in advance of the requested leave, call Lincoln Financial Group at (888) 969-2472 or apply online at <u>www.mylincolnportal.com</u> (use company code "BROOKHAVEN"). Lincoln Financial Group will provide paperwork that needs to be completed by the employee and the physician. This must be returned to Lincoln Financial Group by the applicable deadline. Lincoln Financial Group will determine if the employee is approved for New York State Paid Family Leave. The employee must notify Lincoln Financial Group of each occurrence of intermittent time off within 3 business days of such leave. The employee must call Lincoln Financial Group if there will be any change in the period of time off, including frequency. Lincoln Financial Group may, from time to time, require an employee to recertify the need for the leave and will send the applicable paperwork for completion. Additional physician's opinions may also be requested.

How does this benefit interact with the Family and Medical Leave Act (FMLA)?

If applicable, any available Family and Medical Leave Act (FMLA) time will be administered concurrently with the New York State Paid Family Leave.

Definitions:

Family member includes:

<u>Child/Son/Daughter</u>: Biological, adopted, or foster child, step child, legal ward or child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that New York State Paid Family Leave is to commence.

In Loco Parentis: A person stands in loco parentis if that person provides day-to-day care or financial support for a child.

<u>Parent</u>: Biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This includes parents-in-law.

<u>Spouse</u>: A husband or wife as defined or recognized in the state where the individual was married and includes individuals in a common law marriage or same-sex marriage.

Domestic Partners

Grandparents and grandchildren

Additional Information:

- Absences that are approved for and recorded as NY State Paid Family Leave time are not considered chargeable absences in the BSA Discipline Policy.

- Contact the BSA Benefits Office at ext. 7516 for additional information.

Workers' Compensation

What is the benefit?

An eligible employee may receive cash benefit payments and/or medical care if he/she is injured or becomes ill as a direct result of his/her employment. The weekly cash benefit for temporary total disability is typically two-thirds of the worker's average weekly wage for the previous year times the percentage he/she is disabled. It may not, however, exceed the state-established maximum weekly rate in effect on the date of the injury/illness. Benefits will include coverage for medical care and prescription medications. Compensation for long-term disabling conditions will be determined by the Workers' Compensation Board. There is a seven-day waiting period during which no cash benefits are paid, unless such disability extends beyond 14 days.

Who is eligible for this benefit?

To be eligible for this benefit, an employee must be employed by a covered employer, such as BSA, and must have provided notice of an injury/illness at work to that employer.

How to apply for this benefit

In the case of an emergency, if an employee is injured or becomes ill on the job, he/she must call ext. 2222 or 911 from a BNL phone or (631) 344-2222 from a cell phone to report the incident. If the employee is unable to do so, another employee must make this call. The employee's supervisor must also be notified.

If the injury or illness is not an emergency, the employee must immediately notify his/her supervisor of the incident, and the supervisor should bring the employee to the Occupational Medicine Clinic (OMC) for medical evaluation/treatment. The OMC is available Monday through Friday, 8:15 a.m. to 4:30 p.m.

The OMC will notify the BSA's Workers' Compensation Office (WCO) of the illness/injury. The Workers' Compensation Claims Administrator will file a First Report of Injury or Employer's Report of Work-Related Injury/Illness (C-2) with Gallagher Bassett, the Workers' Compensation claims administrator. The C-2 generates the claim number, which the WCO office provides to the OMC. Gallagher Bassett will contact the employee by telephone and provide paperwork that the employee and his/her physician need to complete and return to Gallagher Bassett. The OMC provides the employee a claim number to give to his/her healthcare providers and pharmacy so that the costs of his/her healthcare for this illness/injury will be covered by Workers' Compensation.

Additional Information

- Although employees may go to their choice of healthcare providers, not all healthcare providers accepted patients whose coverage is through Workers' Compensation.
- There are specific procedures to follow regarding how to obtain pre-approval for tests, procedures, etc.
- The employee is required to participate in any accident investigation regarding the illness/injury.
- The employee is required to complete an Injured Worker's Statement that will be provided by the accident investigator. The accident investigator will complete an Injury/Illness Analysis Report within 30 days of the illness/injury.
- The employee must coordinate with his/her supervisor a mutually acceptable schedule to stay in contact with each other, so that the employee can provide status updates for a potential return to work date and schedule.
- The employee must maintain regular weekly contact with the Occupational Medicine Clinic (OMC) at ext. 3670 to provide updates on his/her status and to discuss a potential return to work date and schedule. OMC can also assist in expediting tests, physical therapy, surgery, etc.

-When the employee returns to work, he/she must bring a return to work note from his/her treating physician (covering the employee's entire absence). The note must be provided to the OMC who will determine if the employee will be approved to return to work.

- Contact the BSA Workers' Compensation Office at ext. 3750 for additional information.

BSA Vacation Donation Program for Serious Illness

What is the benefit?

If an eligible employee, their immediate family member, or a person living in their household has a serious medical condition, the employee may be unable to work. To assist employees who find themselves in this position, BSA has a Vacation Donation policy through which, in the case of a serious medical condition, an eligible employee may donate accrued Vacation time to another eligible employee if certain criteria are met. Up to 500 hours (12.5 weeks) of another employee's Vacation time may be donated to the employee. This is not available for maternity leave unless there is a medical emergency.

Employees must receive approval from their supervisor and the BSA Benefits Office for the BSA Vacation Donation benefit. Employees cannot receive the BSA Vacation Donation benefit at the same time as the New York State Paid Family Leave benefit. If used, the BSA Vacation Donation benefit must be used prior to the New York State Paid Family Leave benefit. Use of the BSA Vacation Donation benefit does not reduce the benefit available under New York State Paid Family Leave.

Who is eligible for this benefit?

To be eligible to receive this benefit, an employee must be employed by the Laboratory for 12 or more months prior to the request for BSA Vacation Donation. The employee must be a regular full-time benefits eligible or part-time employee who is exhausting all available BSA paid time off. An employee who is receiving New York State Disability Insurance benefits, Workers' Compensation or BSA Long Term Disability Plan benefits is not eligible to receive Vacation Donation at the same time, since alternate forms of income are available. The absence has to be prolonged and must result in a substantial loss of income to the employee.

How to apply for this benefit

The employee must call Lincoln Financial Group at (888) 969-2472 or apply online at <u>www.mylincolnportal.com</u> (use company code "BROOKHAVEN") for Family and Medical Leave. Lincoln Financial Group will provide paperwork that needs to be completed by the employee and the physician. This must be returned to Lincoln Financial Group by the applicable deadline. Lincoln Financial Group will determine if the employee is approved for FMLA. If the employee is approved for FMLA, then the employee must discuss with his/her supervisor the possibility of opening a BSA Vacation Donation account. If his/her supervisor approves this, then the supervisor needs to complete a vacation donation account request form and submit it to the BSA Benefits Office (Bldg. 400B). The BSA Benefits Office will review the form, check to see that the employee was approved for FMLA, and then sends the supervisor an email to send out to employees requesting the donation of vacation time for the employee. If the employee receives donations of vacation time, he/she may begin using such BSA Vacation Donation time

Definitions:

Immediate family member includes:

Parent: Biological, adoptive, step or foster father or mother.

<u>Child</u>: Biological, adopted, or foster child, or step child.

Spouse: Legally married (or same-sex domestic partner if not living in an area that provides for same-sex marriage).

Additional Information:

- Contact the BSA Benefits Office at ext. 7516 for additional information.

BSA Paid Parental Leave

What is the benefit?

For eligible employees who have a newborn or newly adopted child, BSA will provide up to six weeks (up to 240 hours) of Paid Parental Leave at 100% of actual base salary to Eligible Parents. Neither BSA parent can receive more than six weeks of BSA Paid Parental Leave to care for a child following birth or adoption. The maximum benefit is six weeks of actual base pay for each Eligible Parent if both are employed by BSA.

Caregiver is defined as an Eligible Parent who has responsibility for the care of a child following birth or adoption.

BSA Paid Parental Leave may be used for up to 12 months following the date of birth of a child or the date of placement of a newly adopted child.

BSA Paid Parental Leave can be used as either a single continuous period of time or in multiple periods of time, and must be used in one-day increments equal to a regularly scheduled day up to 8 hours per day maximum (40 hours per week maximum). The maximum benefit is 240 hours over a 12-month period.

Employees must receive approval from Lincoln Financial Group for BSA Paid Parental Leave. The BSA Paid Parental Leave benefit will only be paid prior to the New York State Paid Family Leave benefit and will offset (reduce) the New York State Paid Family Leave benefit.

Who is eligible for this benefit?

To be eligible for BSA Paid Parental Leave, an employee's regular work schedule must be 20 hours or more per week and the employee must have been employed for the 12-month period and completed 1,250 hours immediately prior to the BSA Paid Parental Leave period.

An eligible parent is the birth parent, same-sex domestic partner, or new adoptive parent of a child. An employee who adopts a spouse's or partner's child(ren) is not eligible for this benefit.

How to apply for this benefit

The employee must notify his/her supervisor of the need for a leave, call the BSA Benefits Office at ext. 3750 or email greves@bnl.gov to complete a Paid Parental Leave form and then, no more than 30 days in advance of the requested leave, call Lincoln Financial Group at (888) 969-2472 or apply online at www.mylincolnportal.com(use company code "BROOKHAVEN") for Family and Medical Leave, New York State Paid Family Leave, and BSA Paid Parental Leave. If both parents are employed by BSA, employees are required to inform Lincoln Financial Group and the BSA Benefits office that they work for BSA so that the applicable leave benefits can be properly coordinated. Lincoln Financial Group will provide paperwork that needs to be completed by the employee and the physician. This must be returned to Lincoln Financial Group by the applicable deadline. Lincoln Financial Group will determine if the employee is approved for FMLA (which is unpaid job-protected time off) and New York State Paid Family Leave (which is paid time off). The employee will also receive BSA Paid Parental Leave paperwork from Lincoln Financial Group that needs to be completed and returned to them.

How does this benefit interact with the Family and Medical Leave Act (FMLA)?

If applicable, any available Family and Medical Leave Act (FMLA) time will be administered concurrently with BSA Paid Parental Leave.

Additional Information

- Consider enrolling your child for BSA healthcare benefits, since the birth or adoption of a child is considered a qualifying event.
- Consider enrolling in or increasing your contribution(s) to the BSA health care or dependent day care reimbursement account.
- Consider enrolling in or increasing BSA supplemental life and/or accidental death & dismemberment insurance (and/or enrolling your child for dependent life insurance).
- If you are enrolled in the BSA High Deductible Health Plan, consider increasing your contribution, if any, to the Health Savings Account.
- Consider adding your child as a beneficiary for your BSA life insurance and retirement plans.
- Consider updating your W-4 withholdings.
- Contact the BSA Benefits Office at ext. 3750 or ext. 7516 for additional information.

BSA Long Term Disability Plan

What is the benefit?

An eligible employee may receive a monthly benefit of up to 60% of base pay if injured or becomes ill after satisfying a waiting period of 180 days.

Employees must receive approval from Lincoln Financial Group for the BSA Long Term Disability benefit.

Who is eligible for this benefit?

To be eligible for BSA Long Term Disability benefits, an employee must:

- be a regular employee who works at least 20 hours per week and
- complete one year of active service with BSA.

How to apply for this benefit

The employee must contact the BSA Benefits Office after the employee has been disabled for three consecutive months. The BSA Benefits Office will notify Lincoln Financial Group who will provide paperwork that needs to be completed by the employee and the physician. This must be returned to Lincoln Financial Group by the applicable deadline. Lincoln Financial Group will determine if the employee is approved for LTD Plan benefits.

Additional Information:

- Contact the BSA Benefits Office at ext. 7516 for additional information.

ADDITIONAL INFORMATION

Time Card Codes (not for Firefighters)

Purpose	Code	
Sick time	S	
Sick time if approved for FMLA	FLS	
Sick time if approved for Workers' Compensation	SOI	
Sick time if approved for Workers' Compensation and FMLA	SOM	
Sick Family Member	SFM	
Sick Family Member if approved for FMLA	FMF	
Vacation	V	
Vacation if approved for FMLA	FLV	
Vacation Donation	VDN	
Leave without pay	LWP	
Leave without pay if approved for FMLA	FML	
Leave of absence	LOA	
BSA Paid Parental Leave	PPL	
New York State Paid Family Leave		

Time Card Codes (for Firefighters)

Purpose	Code		
Sick time (800 to 1600 hours)	S		
Sick time (1600 to 2400 hours)	SF		
Sick time if approved for FMLA	MFS		
Sick time if approved for Workers' Compensation (800 to 1600 hours)	SOI		
Sick time if approved for Workers' Compensation (800 to 1000 hours)	SFO		
Sick time if approved for Workers' Compensation and FMLA	SOF		
Sick Family Member (800 to 1600 hours)	SFM		
Sick Family Member (1600 to 2400 hours)			
Sick Family Member if approved for FMLA	MFF		
Vacation (800 to 1600 hours)	V		
Vacation (1600 to 2400 hours)			
Vacation if approved for FMLA	MFV		
Vacation Donation	VD		
Leave without pay	LWOP		
Leave without pay if approved for FMLA	FML		
Leave of absence	LOA		
BSA Paid Parental Leave	PPL		
New York State Paid Family Leave			

What Laws and BSA Programs May Apply?

Law or BSA Program ¹	Employee is pregnant (Disability period from time out of work prior to delivery and 6 to 8 weeks from delivery date ²)	Employee is bonding with a newborn child (due to birth of baby or adoption)	Employee is caring for a family member ³ who is ill/injured or spouse who is pregnant	Employee is ill or injured (<u>not</u> related to BSA work)	Employee is ill or injured (<u>related</u> to BSA work)
Family and Medical Leave Act (FMLA)	YES	YES	YES	YES	YES
New York State Disability Insurance	YES	NO	NO	YES	NO
New York State Paid Family Leave	NO	YES	YES	NO	NO
BSA Sick Leave	YES	NO	NO	YES	YES
BSA Sick Family Member	NO	YES	YES	NO	NO
BSA Paid Parental Leave	NO	YES	NO	NO	NO
BSA Vacation	YES ⁴	YES	YES	YES ⁴	YES⁵
BSA Vacation Donation	NO	NO	YES	YES	NO
Workers' Compensation	NO	NO	NO	NO	YES

¹ Employees must meet the eligibility requirements of the applicable law or BSA benefit program to be eligible. Such laws and benefits may run concurrently. The definition of "family member" differs under the laws and BSA benefit programs. For additional information, refer to SBMS and the BSA Benefit Programs website <u>https://www.bnl.gov/hr/benefits/absence-mgmt.php</u> or contact the Benefits Office at (631) 344-7516 or (631) 344-7493.

² Employee may, for health reasons, require time off prior to the date of delivery. Normal recuperation period is 6 weeks for vaginal delivery or 8 weeks for caesarean delivery. Actual recuperation period may vary.

³ Family Member under FMLA includes spouse, child or parent. Family Member under NYS Paid Family Leave includes spouse, domestic partner, child, stepchild, parent, stepparent, parent-in-law, grandparent, or grandchild.

⁴ If the employee needs to use vacation time to cover the disability period, the employee must convert vacation days to sick days.

⁵ If the employee chooses to use vacation time while on workers' compensation, the employee must convert vacation days to sick days.

		(888) 969-2472			
		Monday to Friday, 8:00 a.m 10:00 p.m. EST			
	To initiate your request and check on the status of your FMLA Leave, NYSPFL, NYSDI	or go online to <u>www.mylincolnportal.com</u>			
	or PPL	First time users of the website must register using Company Code: BROOKHAVEN			
	Submit FMLA Leave, NYSPFL or NYSDI forms:				
FMLA Leave	Fax for FMLA Leave documents	(603) 559-8630			
NY State Paid Family Leave (NYSPFL)	Fax for NYSDI and NYSPFL documents	(603) 334-0401			
NY State Disability Insurance (NYSDI)	Mail	Lincoln Financial Group PO Box 8700 Dover, NH 03821-8700			
	Email	Brookhaven@lfg.com			
	Submit PPL form:				
BSA Paid Parental Leave (PPL)	Mail	Brookhaven Science Associates, LLC Brookhaven National Laboratory Attention: Linda Greves PO Box 5000 Bldg. 400B Upton, NY 11973			
	Email	<u>greves@bnl.gov</u> <u>bsoeyadi@bnl.gov</u>			
	To check the status of your PPL request	(631) 344-3750 or <u>greves@bnl.gov</u>			
Occupational Medicine Clinic	To report the status of your illness/injury, provide status updates, and return to work process	(631) 344-3670 8:15 a.m. – 4:30 p.m. Monday-Friday			
BSA Benefits Office	Assistance with BSA Sick Leave, BSA Sick Family Member, FMLA, NY State Paid Family Leave, NY State Disability Insurance, and BSA Paid Parental Leave	(631) 344-7516 or <u>bsoeyadi@bnl.gov</u>			
Workers' Compensation Office	Assistance with Workers' Compensation claims	(631) 344-3750 or <u>greves@bnl.gov</u>			
Gallagher Bassett	Workers' Compensation claims administration	(315) 741-3126			
Payroll	Questions on time card coding and adjustments	(631) 344-2470			

Human Resources Building 400B PO Box 5000 Upton, NY 11973-5000

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The information in this booklet is intended to provide only a summary of the benefit programs. If questions arise, official plan documents and insurance agreements are controlling and govern final determination of benefits consistent with applicable laws and regulations. **BSA reserves the right to amend or terminate the benefit programs at any time and for any reason.**



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