

LEAVE OF ABSENCE INDEX

Leaves Available in All States

The following leaves are available to individuals employed by Ensign-affiliated employers (“employee” or “employees”) in any state.

Family Medical Leave Act (FMLA) Leave: Employees are eligible for FMLA Leave after being employed for at least 12 months and working at least 1,250 hours during the 12 months immediately preceding the commencement of leave. In addition, the employee must work within 75 miles of 50 or more employees. For record keeping purposes, a rolling 12-month period, counting backwards from the current leave request, is used to calculate and approve requests for FMLA Leave.

The FMLA provides up to 12 work weeks of unpaid leave during any 12-month period to eligible employees for family and medical reasons. In limited circumstances, leave may be taken intermittently or on a reduced schedule. In the cases where both parents are employed by the same operation and the leave requested is for the birth, adoption or foster care of a child, no more than 12 total work weeks of leave will be granted. Unless an employee is a key employee as defined by the FMLA, at the conclusion of leave, the employee will be reinstated or placed in a position equivalent in pay, benefits and other terms and conditions of employment.

FMLA Leave may be used for the employee’s own serious health condition; the birth of your child; to care for a newborn; for the placement of a child for adoption or foster care; to care for the child after placement; to care for a spouse, parent or child with a serious medical condition; to care for a spouse, parent, child or next of kin including “covered veterans” who are members of the military who has a serious injury or illness incurred in the line of duty (up to 26 weeks); or due to a qualifying exigency due to a spouse, parent or child being called to active military duty. A “covered veteran” is an individual who was a member of the Armed Forces who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness who was discharged or released under conditions other than dishonorable and was discharged within the five-year period before the eligible employee first takes FMLA Leave to care for him or her.

If leave is for the employee’s own serious health condition, a medical certification from the employee’s health care provider of that serious health condition must be provided within 15 days of the leave request. Employees are required to provide medical clearance to return to work.

If leave is due to the serious health condition of a family member, a medical certification from the family member’s health care provider must be provided within 15 days of the leave request which indicates that the employee’s family member requires assistance for either basic medical, personal, safety or transportation needs or that the employee’s presence will provide psychological comfort or will otherwise be beneficial to the family member or assist in the family member’s recovery.

Employees are required to use all sick time (if the FMLA Leave is for the employee’s own serious health condition or other reason covered by sick time) and may use vacation time while on FMLA Leave.

Employees unable to return to work after exhaustion of 12 weeks of FMLA Leave may be eligible for an extension of leave of absence as a reasonable accommodation as a qualified disabled employee under the Americans with Disabilities Act. Each accommodation request is reviewed on a case-by-case basis.

Personal Leave of Absence (PLOA): A PLOA is an unpaid leave of absence for personal reasons which may be granted at your employer’s discretion upon written request. PLOAs are limited to 30 days. A request for a PLOA must be made in writing, must specify for what purpose you are requesting time away from work, and must include the expected date of return. PLOA requests are considered on the basis of length of service, performance, responsibility level, reason for the request, business needs over

the time period the leave is requested, and staffing requirements. PLOAs must be approved prior to the absence.

Non-FMLA Medical Leave of Absence (Non-FMLA Leave): If the need for leave is due to an employee's own medical condition and the employee is ineligible for any protected medical leave programs, an unpaid Non-FMLA Leave may be requested. A Non-FMLA Leave may be granted at your employer's discretion. Non-FMLA Leaves are limited to 30 days. A request for a Non-FMLA Leave must be made in writing, must specify that the need for leave is for medical reasons, and must include the expected date of return. You will be asked to provide medical certification of the medical condition. Non-FMLA Leave requests are considered on the basis of length of service, performance, responsibility level, reason for the request, business needs over the time period the leave is requested, and staffing requirements. Non-FMLA Leaves must be approved prior to the absence.

Jury Duty or Witness Leave: Employees summoned for jury duty may take the time off necessary to fulfill their obligation. Employees may also take time off to appear in court to comply with a subpoena or other court order as a witness in any legal proceeding, including a deposition. Except in Colorado and Nebraska, non-exempt employees will not receive pay during their absence for jury duty, but may use vacation time. Exempt employees are paid their regular salary for work missed due to jury or witness duty, unless a full week of work is missed. When a full week of work is missed, an exempt employee may use his or her vacation time. In Colorado and Nebraska, employees on jury duty are paid in accordance with state law. Non-exempt employees will not receive pay during their absence for witness duty, but can use vacation time. Employees shall notify their supervisor within 48 hours of receipt of the jury summons or notice of your obligation to appear as a witness. An attendance receipt or other written documentation establishing service as a juror or witness is required. Employees must report back to work if released and there is a reasonable amount of time remaining in the work day.

Domestic Violence Leave: Victims of domestic violence, sexual assault and stalking are provided with unpaid time off work to obtain certain services. The length of time available is dependent on state law. If no state law exists, employees are entitled to a reasonable period of time off.

Bereavement Leave: Full-time employees who have completed their Introductory Period of employment are eligible for bereavement leave in the event of the death of an "immediate family member." "Immediate family members" include current spouse, domestic partner, child, stepchild, parent, stepparent, mother-in-law, father-in-law, legal guardian, brother, sister, brother-in-law, sister-in-law, grandparent, grandparent-in-law, grandchild, son-in-law, or daughter-in-law or any other relative who resides in the employee's household. Part-time or full-time employees who have not completed their Introductory Period may request time off following the death of an immediate family member. Employees may take up to three consecutively scheduled work days off without pay, with a maximum of 24 working hours. Employees may use sick or vacation time during Bereavement Leave. If circumstances demand that additional time off be taken, a Personal Leave of Absence may be requested. Proof of relationship with the deceased and proof of death (such as an obituary or death certificate) may be requested. Multiple requests within a 90-day period will require proof of relationship and death.

Military Leave: Military Leave is granted as required by law to eligible employees who are military service members when such leave is necessitated by active military duty or to train or exam for such duty. Leave is also granted to employees who are a family member of military service members when necessitated by a spouse's leave from deployment during a military conflict, matters relating to an exigent circumstance (issues that may arise due to the fact that a family member has been called to active duty), or by a need to provide care for a family member who has a serious injury or illness incurred in the line of military duty.

State Specific Leaves

The following leaves are available to individuals employed by Ensign-affiliated employers ("employee" or "employees") in the state specified.

ARIZONA

Arizona Crime Victim Rights: Employees who are the victims of or are related to a victim of certain crimes may take an unpaid leave of absence to attend legal proceedings related to the crime. Advance notice of the need for leave is required.

Arizona Domestic Violence Leave: Employees may use sick time for absence necessary due to domestic violence, sexual violence, abuse or stalking, provided the leave is to allow the employee to obtain for the employee or the employee's family member: medical attention needed to recover from physical or psychological injury or disability caused by domestic violence, sexual violence, abuse or stalking; services from a domestic violence or sexual violence program or victim services organization; psychological or other counseling; relocation or taking steps to secure an existing home due to the domestic violence, sexual violence, abuse or stalking; or legal services, including but not limited to preparing for or participating in any civil or criminal legal proceeding related to or resulting from the domestic violence, sexual violence, abuse or stalking. No state regulation requires time off for this purpose, but employees will be granted a reasonable time off for this purpose.

CALIFORNIA

California Family Rights Act (CFRA) Leave: CFRA Leave may be granted if an employee has more than 12 months of service and has worked at least 1,250 hours in the 12-month period immediately preceding the commencement of the leave. This leave may be up to 12 work weeks in a 12-month period for the birth, adoption, bonding period or foster care placement of a child, or for an employee's own serious health condition or that of his or her child, parent or spouse or domestic partner.

If the need for CFRA Leave is for the employee's own serious health condition, a medical certification from a health care provider of the serious health condition is required before leave will be approved. Employees are required to provide a medical clearance to return to work. If the leave is common to both FMLA and CFRA, the leaves will be run concurrently and cannot exceed more than 12 work weeks in a 12-month period.

If the need for CFRA Leave is due to the serious health condition of a family member, a medical certification from the family member's health care provider must be provided within 15 days of the leave request which indicates that the employee's family member requires assistance for either basic medical, personal, safety or transportation needs or that the employee's presence will provide psychological comfort or will otherwise be beneficial to the family member or assist in the family member's recovery.

When an employee stops working or reduces their work hours to care for a family member who is seriously ill or to bond with a new child, they may be eligible to a partial income replacement program offered to workers in the State of California called Paid Family Leave (PFL). Information on PFL benefits is available from the Human Resources/Payroll Representative or the California Employment Development Department offices. PFL does not provide you with any additional rights to take leave from work.

California Crime Victim/Domestic Violence Leave: Employees who are the victims of or are related to a victim of certain crimes may take an unpaid leave of absence from work to attend judicial proceedings related to the crime. Advance notice of the need for leave is required. Employees who are victims of domestic violence or sexual assault are eligible for unpaid leave to seek medical attention for injuries caused by domestic violence or sexual assault; obtain services from a shelter program or rape-crisis center as a result of domestic violence or sexual assault; obtain psychological counseling related to an experience of domestic violence or sexual assault; or to follow through on any legal action, such as

obtaining restraining orders, or appearing in court to obtain relief to ensure their safety and/or the safety of their dependents. Vacation or sick time may be used during such leaves.

California Organ/Bone Marrow Donation Leave: Employees who have been employed at least 90 days immediately preceding the commencement of the leave are eligible for paid time off for the purposes of donation of organs or bone marrow to another individual. Notice of intent to take such leave should be given as soon as is practicable. An employee is eligible for 30 business days of paid leave in any 1-year period for organ donation and 5 business days of paid leave in any 1 year period for bone marrow donation. The 1-year period consists of 12 consecutive months beginning on the date employee leave begins. Employees must use up to five days of sick or vacation (or combination thereof) for time off related to bone marrow donation and up to two weeks for organ donation.

California Pregnancy Disability Leave (PDL): Female employees are eligible for PDL from the first day on the job. PDL provides unpaid time off of work, as certified by a health care provider, for prenatal care, severe morning sickness, doctor-ordered bed rest and any other medical condition related to pregnancy. Up to four months of PDL leave is allowed for each pregnancy and there is no annual limit. Employees must provide medical certification from a health care provider of the need for PDL. Written certification must include the date on which the employee became disabled due to pregnancy, the probable duration of the period of disability, and an explanatory statement that the employee is unable to work at all or unable to perform any or one of the essential functions of their job. This leave may be taken intermittently or on a reduced work schedule when medically necessary. Employees taking intermittent leaves may be temporarily transferred to positions with equivalent pay and benefits that can better accommodate the intermittent leaves. The minimum leave period is one hour. Employees may elect to use vacation and/or sick time to cover time spent on PDL. State disability insurance may be available if the employee meets the requirements for such programs. In most situations, employees granted an approved PDL will be reinstated to the same or comparable position at the conclusion of her leave. When returning to work employees will be required to provide medical clearance. If the employee is eligible for FMLA, both FMLA and PDL will run concurrently.

California Emergency Personnel Leave: Employees may take time off to perform emergency duty as a volunteer firefighter, a reserve peace officer, or emergency rescue personnel or to engage in training for such duties.

California Family Military Leave: Employees who work an average of at least 20 hours per week may take up to ten days of unpaid leave while their spouse is on leave from military deployment. To be eligible, the employee's spouse must be a member of the U.S. Armed Forces (including National Guard or Reserves) on leave from deployment during a period of military conflict in an area designated as a combat theater or combat zone. Under California law, "spouse" is defined to include a registered domestic partner.

California Family School Partnership Leave: School partnership leave is available to any employee who is a parent, guardian, or grandparent having custody of 1 or more children in kindergarten or grades 1 through 12, or attending a licensed day care company. There is no minimum length of service requirement to be eligible. Unpaid leave will be granted for up to 40 hours each school year, not to exceed 8 hours in any calendar month, for the purpose of participating in school activities of a child of the employee. There is no limit on the amount of time that may be permitted to attend a parent-teacher conference due to the suspension of their child. An employee shall use vacation pay for periods covered by an authorized school activity leave. Otherwise, the time off is without pay. If both parents, guardians, or grandparents of a child are employed by the same employer, and permitting both individuals to take time off would cause hardship on the operation, only the person who gives notice first will be approved for time off. Both parents, guardians, or grandparents may take time off simultaneously due to the suspension of a child.

COLORADO

Colorado Domestic Abuse Leave: Employees may request or take up to 3 working days of leave from work in any 12-month period, with or without pay, if the employee is the victim of domestic abuse, stalking, sexual assault, or other crimes related to domestic abuse. Time in excess of three working days may be granted. Notice of intent to take such leave should be given as soon as is practicable. If notice is not practicable, notice must be given as soon as practicable. Employees who are victims of domestic abuse, stalking, sexual assault, or other crimes related to domestic abuse are eligible for unpaid leave to seek medical attention for injuries caused by domestic violence or sexual assault; obtain services from a shelter program or rape-crisis center as a result of domestic violence or sexual assault; obtain psychological counseling related to an experience of domestic violence or sexual assault; or to follow through on any legal action, such as obtaining restraining orders, or appearing in court to obtain relief to ensure their safety and/or the safety of their dependents. Vacation or sick time may be used during such leaves.

Colorado Family Care Act (FCA): Colorado does not have its own family and medical leave law. However, Colorado's FCA allows employees to take unpaid leave from employment as allowed under the FMLA but expands the definition of family members who can be cared for by employees. The FCA's definition of family members includes a person to whom the employee is related to by blood, adoption, legal custody, marriage, civil union, and committed, "live-in" relationship. As a result, an employee is permitted to use FMLA leave for a child, regardless of the age or dependency of the child, as well as for a sibling, partner in a civil union, grandparent, grandchild, or in-law.

IOWA

Iowa Pregnancy Disability Leave (IPDL): Employees are eligible for IPDL from the first day on the job. There is no minimum length of service or minimum hours worked requirement to be eligible for IPDL. IPDL may be granted up to eight weeks of leave when other leaves are unavailable. IPDL may be taken intermittently or as a reduced work schedule when medically recommended. Medical certification from a health care provider of the need for IPDL is required. In most situations, employees granted an approved IPDL will be reinstated to the same or comparable position at the conclusion of the leave. When returning to work employees will be required to provide medical clearance. Employees must use sick time and may use vacation time to cover time spent on IPDL.

KANSAS

Kansas Pregnancy Disability Leave (KSPDL): Employees are eligible for KSPDL from the first day on the job. There is no minimum length of service or minimum hours worked requirement to be eligible for KSPDL. When leave is unavailable or sufficient leave is unavailable under any other leave plan, the company grants unpaid leaves of absence when an employee is disabled by pregnancy. KSPDL is available for a reasonable period of time during which the employee is disabled by pregnancy or following childbearing and upon the employee's signifying her intent to return to work within a reasonable time. If the employee is also eligible for FMLA, KSPDL shall not run concurrently. An employee may elect to use sick time or vacation time to cover time spent on KSPDL. Employees are not required to use vacation time during KSPDL.

Kansas Domestic Abuse Leave: Once all sick and vacation time is exhausted, employees may take up to eight working days of leave from work, with or without pay, if the employee is the victim of domestic abuse, stalking, sexual assault, or other crimes related to domestic abuse. Time in excess of eight working days may be granted.

NEVADA

Nevada Domestic Abuse Leave: Employees may take up to 160 hours of leave from work in any 12-month period and must be used within 12 months immediately following the date on which the domestic violence occurred. Time in excess of 160 hours may be granted. Vacation or sick time may be used during such leave.

OREGON

Oregon Family Leave Act (OFLA): OFLA Leave may be granted where the employee has been employed for at least 180 days immediately prior to the date leave begins and the employee has worked for at least 25 hours per week during the 180-day period. For parental leave, employees are eligible after being employed for 180 calendar days, without regard to the number of hours worked.

Employees may take OFLA Leave for the birth of the employee's child, to care for the employee's newborn, newly adopted or newly placed foster child under 18 years of age or for a newly adopted or newly placed foster child 18 years of age or older who is incapable of self-care because of a physical or mental impairment. It also includes leave to effectuate the legal process for placement of a foster child or the adoption of a child.

OFLA Leave is also available for the provision of care for a family member defined as spouse, same-gender domestic partner, employee's or same-gender domestic partner's biological, adoptive, step or foster parent or child, legal guardian or person with whom an employee has or had a parental relationship involving financial or day-to-day responsibility for a child, employee's parent-in-law or parent of an employee's same-gender domestic partner, and employees' grandparents and grandchildren who has a serious health condition.

OFLA Leave is also available for an employee's own serious health condition. This includes any disability due to pregnancy or prenatal care.

OFLA Leave is also available for an employee's child's non-serious illness, injury, or other condition that requires home care. Leave to care for a child with a non-serious injury or illness does not cover routine dental or medical appointments. Children must be under age 18 unless they are substantially limited by a physical or mental impairment.

An employee is eligible for a total of 12 weeks of OFLA Leave in a rolling 12-month period, measuring backwards from the first day of the leave. In some cases, the leave can be extended for up to 24 or 36 weeks in certain circumstances: An employee who uses 12 weeks of OFLA Leave for the birth or adoption of child can take an additional 12 weeks of OFLA Leave to care for a child suffering from a non-serious illness, injury, or condition that requires home care. If another family member is available to care for the child, an employee may not be granted additional leave time. A female employee can take an additional 12 weeks of OFLA Leave in a 12-month period if disabled by pregnancy or childbirth.

When two family members work at the same employer, the employees cannot take concurrent OFLA Leave unless both employees need to recover from or seek treatment for their own serious health conditions; the employee needs to care for the other employee who has a serious health condition; or the employee needs to care for a child's serious health condition while the other employee cares for his or her own serious health condition.

If OFLA Leave is granted, sick time must be used. When sick time is exhausted, the employee may elect to use vacation time.

Oregon Military Family Leave: Employees who work an average of at least 20 hours per week are eligible for this leave. During a period of military conflict, an employee who is a spouse or domestic partner of a member of the U.S. Armed Forces (including National Guard or Reserves) who has been

notified of an impending call or order to active duty or has been deployed is entitled to a total of 14 days of unpaid leave per deployment after the military spouse or domestic partner has been notified of an impending call or order to active duty and before deployment or when the military spouse is on leave from deployment. This leave may be taken continuously or intermittently. Employees may use sick or vacation time to cover time spent on this leave.

WASHINGTON

Washington Domestic Violence, Sexual Assault or Stalking Leave: Employees who are victims of domestic violence, sexual assault or stalking may take a reasonable leave from work, intermittent leave, or leave on a reduced schedule to seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or employee's family members including, but not limited to, preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, or stalking; seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking, or to attend to health care treatment for a victim who is the employee's family member; obtain, or assist a family member in obtaining, services from a domestic violence shelter, rape crisis center, or other social services program for relief from domestic violence, sexual assault, or stalking; obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking, in which the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking; or participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future domestic violence, sexual assault, or stalking. The term "family member" means any individual whose relationship to the employee can be classified as a child, spouse, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship. Employees shall give advance notice of the employee's intention to take leave. When advance notice cannot be given due to unforeseen circumstances, the employee or his or her designee must give notice to the company no later than the end of the first day that the employee takes such leave. Vacation or sick time may be used during such leaves.

Washington Pregnancy Disability Leave (WPDL): WPDL may be granted if an employee has been employed for at least 12 months. The time does not need to be consecutive. Non-consecutive time that should be counted towards the 12-month requirement and can include prior periods of employment. Employees must also have worked for the company for at least 1,250 hours in the 12 months preceding the leave.

WPDL provides unpaid time off needed for leave that is medically necessary to address any disability due to pregnancy or childbirth, based on a woman's individual condition. Employees should request WPDL 30 days in advance of when WPDL is needed. If 30 days' notice is not practicable, notice must be given as soon as practicable. Medical certification from a health care provider of the need for WPDL will be required. WPDL may be taken intermittently or on a reduced work schedule when medically necessary. Employees taking intermittent leaves may be temporarily transferred to positions with equivalent pay and benefits that can better accommodate the intermittent leaves. The minimum leave period is one hour. An employee may elect to use sick time or vacation time to cover time spent on WPDL.

Washington Family Leave Act (WFLA) Leave: Leave under the WFLA may be granted if an employee has completed 12 months of service and has worked for the employer at least 1,250 hours in the 12-month period before the date of the leave.

Unpaid leave for up to 12 work weeks in a 12-month period is available for the birth, adoption, bonding period or foster care placement of a child, or for an employee's own serious health condition or that of his or her child, parent, or spouse. WFLA Leave should be requested at least 30 days in advance of when WFLA Leave is needed, if practicable. If not practicable, notice must be given as soon as possible

If the need for WFLA leave is due to the employee's own serious health condition, the employee must provide certification from his or her health care provider before a leave will be approved. In addition, the employee will need to provide a health care provider clearance permitting the employee to return to work.

If the leave is common to both FMLA and WFLA, the leaves will run concurrently and cannot exceed more than 12 work weeks in a 12-month period. Employees may use vacation time to cover time spent on WFLA Leave. If WFLA Leave is due to the employee's own serious health condition, accumulated sick time must be used before vacation time.

Washington Military Family Leave: During a period of military conflict, an employee who is the spouse of a member of the armed forces of the United States, National Guard, or reserves who has been notified of an impending call or order to active duty or has been deployed is entitled to a total of 15 days of unpaid leave per deployment after the military spouse has been notified of an impending call or order to active duty and before deployment or when the military spouse is on leave from deployment. Under Washington law, "spouse" includes a registered domestic partner. Employees must provide notice of the need for leave within five business days of receiving official notice of an impending call or order to active duty or of a leave from deployment. Vacation time may be used during such leaves.

WISCONSIN

Wisconsin Family and Medical Leave (WFMLA): Leave under WFMLA may be granted if an employee has completed more than 52 consecutive weeks of service and has worked 1,000 hours during that 52-week period. Unpaid leave for up to 6 weeks in a 12-month period is available for the birth or adoption of the employee's child providing the leave begins within 16 weeks of the birth or placement of that child. Employees may request up to 2 weeks of leave in a 12-month period for the care of a child, spouse, domestic partner or parent who has a serious health condition. Employees may request up to 2 weeks of leave in a 12-month calendar year if they have a serious health condition which makes him or her unable to perform the job. Employees may take no more than 8 weeks of WFMLA Leave in 12 months. Reasonable advance notice of the intent to take family leave for a birth or adoption should be provided. If the leave is for medical reasons, advance notice should be given as far in advance as possible.

Wisconsin Organ and Bone Marrow Donation Leave: Employees employed more than 52 consecutive weeks and for at least 1,000 hours during the 52-week period immediately preceding the commencement of the leave are eligible for leave for the purposes of donation of organs or bone marrow to another individual. An employee is eligible for up to 6 weeks of leave in a 12-month period if the employee provides written medical certification that the employee has been scheduled to be a bone marrow or organ donor. Leave may be taken only for the period necessary for the employee to undergo the donation procedure and to recover from the procedure. Employees may use sick and/or vacation time off for this purpose. This leave does not run concurrent with FMLA Leave.