

## LEAVE OF ABSENCE POLICY

### **Purpose:**

McAlister currently does not fall within the requirements of the Family Medical Leave Act. The purpose of this policy is to provide information to employees who experience a regular unpaid leave of absence due to a medical leave or workers' compensation leave.

Certain states may have leave policies that differ from McAlister's regular policy. For employees who work in states where specific policies dictate leave eligibility and processes, those requests will be handled according to state regulations.

### **Policy:**

Employees who have been employed with McAlister at least three (3) consecutive months may request a regular unpaid leave of absence for a period of up to 45 days, unless otherwise subject to other applicable federal or state law.

Where the leave is foreseeable, the employee should provide as much advance notice as practical. Employees should contact their direct supervisor and Human Resources when a leave is needed. Each request will be evaluated on a case-by-case basis to ensure there will be no undue hardship on the company causing operational difficulties.

When an employee notifies Human Resources of the intent to take a regular unpaid leave of absence a *Time Off Request* form should be completed and submitted to Human Resources. The *Time Off Request* form should contain the following information: The specific reason for the leave request, the date the leave will begin, and the expected duration of the leave. Medical certification or documentation will need to be provided to support the leave request within seven (7) days of the leave commencing.

Employees who request a regular unpaid leave of absence may utilize available accrued PTO hours before going into an unpaid status, unless otherwise subject to other applicable federal or state law. Additional guidelines may apply when employees utilize a specific state benefit.

Employees may request a medical leave of absence to care for a spouse, child or parent for a period of up to 14 days with appropriate documentation. Each case will be evaluated to ensure there will be no undue hardship on the company causing serious operational difficulties. Employees may choose to use PTO hours or be in an unpaid status during this time.

### **Benefit Accruals:**

Benefit accruals, such as PTO and holiday benefits, will be suspended during the leave and will resume upon return to active employment.

### **Disability Pay:**

For non-work related injuries or illnesses, the employee may apply for short-term disability leave if they are going to be out longer than the benefit imposed waiting period and have the coverage in effect as of the date of the leave request. Review and approval for disability benefits will be conducted by the individual insurance carrier. Employees may utilize available PTO hours to supplement the disability benefit or to help cover any applicable deductions. Additional guidelines may apply when employees utilize a specific state benefit.

**Return From Leave:**

An employee returning from a medical leave of absence is expected to provide a physician's note certifying the employee is fit for duty. If an employee is subject to FMCSA regulations and misses 30 or more consecutive days, they will be subject to a DOT "pre-employment" drug screening in order to return to work, depending on the type of leave. The employee will follow the McAlister drug screen process for consents and screenings before being able to conduct safety-sensitive duties. In addition, the returning employee may be required to submit an updated/new DOT physical.

If an employee cannot or does not return to duty after the 45 day leave of absence period has ended, employment may be terminated so long as there is no violation of applicable federal or state law.

**Section 125 Benefits:**

McAlister will continue your benefit coverages during your approved leave of absence for a period of up to 45 days, unless otherwise subject to other applicable federal or state law. It is the responsibility of the employee to continue to pay the employee portion of premiums, either through regular payroll deductions for any work hours or PTO hours available or by mailing in payment directly to the McAlister Home Office. Unless you have made specific arrangements with Human Resources, you must do so on a bi-weekly basis to coincide with the normal payday schedule.

An employee can make payment by personal check or money order payable to McAlister Oil and can be mailed to: McAlister Oil – 312 N Washington Avenue– Wellington, KS 67152.

Upon request for leave of absence the employee is expected to work with Human Resources to determine how many paychecks the employee expects to miss. The employee should work with Human Resources to determine the payback method that makes the most sense for the time off needed.

**Ceasing Benefits:**

If an employee does not return to work within 45 days of commencing a leave of absence, benefits will terminate and COBRA will be offered to the employee, unless otherwise subject to other applicable federal or state law. Twelve (12) weeks total are allowed for benefits coverage before COBRA is offered if the leave is subject to other applicable federal or state law.

If an employee is 30 or more days late in paying their premiums, McAlister will send you a notice informing you that your benefits are going to cease and you will no longer be covered due to a lack of payment. Your benefits will cease retroactively back to the date of when your last premium was received. Employees will be offered the ability to continue coverage through COBRA.

Once you return to work and meet the hours eligibility requirement, your benefits will be reinstated at the first of the month following your return to work date. In some instances or due to carrier guidelines, additional waiting periods or underwriting may apply.