

Cornerstone Behavioral Healthcare

PM.8 Family and Medical Leave

It is the policy of Cornerstone Behavioral Healthcare (CBH) to provide family and medical leave in accordance with the federal Family and Medical Leave Act (FMLA) and the state of Maine Family Medical Leave (FML). When an employee's absence qualifies under both state and federal laws, the employee will use their entitlement under each law at the same time, to the extent permitted by law. When one law's provisions provide a greater benefit, the employee will receive the greater benefit.

If an employee is not eligible for FMLA leave, uses up their FMLA leave, or wishes to take leave for a purpose that does not qualify for FMLA, the employee should consult CBH's other leave policies to determine if other leave might be available.

CBH uses a rolling 12-month period, measured backward from the date FMLA was last used, to determine the 12-month period during which the FMLA leave is available for reasons that qualify for up to 12 work weeks of leave. CBH requires an employee to use any accrued paid leave concurrently with Family and Medical Leave.

Reasons for Leave

FML (State)

- A serious health condition of the employee
 - Includes an illness, injury, impairment, or physical or mental condition that involves:
 - Inpatient care in a hospital, hospice, or residential medical care facility
 - Continuing treatment by a healthcare provider
- The serious health condition of an employee's domestic partner, child, parent, domestic partner's child, sibling, or spouse
- The birth of the employee's child or the employee's domestic partner's child
- The placement of a child 16 years of age or less with the employee or with the employee's domestic partner in connection with the adoption of the child by the employee or the employee's domestic partner
- The donation of an organ of that employee for a human organ transplant
- The death of the employee's spouse, domestic partner, parent, sibling, or child if the spouse, domestic partner, parent, sibling, or child is a member of the state military forces who dies or incurs a serious health condition while on active duty

FMLA (Federal)

- For incapacity due to pregnancy, prenatal medical care, or childbirth
- To care for (bond with) the employee's child after birth, or placement for adoption or foster care
- To care for the employee's spouse, child, or parent, who has a serious health condition
- For a serious health condition that makes the employee unable to perform the employee's job
- For a qualifying exigency, as described below
 - Eligible employees with a spouse, child, or parent, on covered active duty (or who has been notified of an impending call or order to active duty) in the Armed Forces, including the National Guard and Reserves, may use their 12-week leave entitlement to address certain qualifying exigencies. Covered active duty involves deployment to a foreign country. Qualifying exigencies include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, addressing parental care, attending post-

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deployment reintegration briefings, or any other reason agreed upon by the employee and employer.

- An eligible employee may take up to 26 weeks of unpaid leave during any single 12-month period to care for the employee's spouse, child, parent, or next of kin, who is a covered military service member and incurred a serious injury or illness in the line of military duty, or who experienced the aggravation of an existing or pre-existing condition in the line of active duty. A covered service member is a current or former member of the Armed Forces, including a member of the National Guard or Reserves. A serious injury or illness for current members is one that may render the service member medically unfit to perform their duties, for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. See HR for details of military caregiver leave.

Eligibility

To be eligible for FMLA leave (federal), an employee must have worked at least 12 months for CBH (need not be consecutive), worked at least 1,250 hours during the 12 months preceding the beginning of leave, and must work at a worksite with at least 50 company employees within 75 miles of the worksite.

To be eligible for FML leave (state), an employee must have worked at least 12 consecutive months for CBH and must work at a worksite with at least 15 employees.

Meaning of 12-Month Period

The 12-month period during which an eligible employee can take leave under this policy is measured backward on a "rolling" basis from the date when an employee uses any FMLA leave. Each time an employee takes leave, the remaining leave entitlement consists of any balance of the 12 weeks which has not been used during the immediately preceding 12-month period.

Advance Notice Requirement

Whenever the need for leave is foreseeable, an employee must give CBH at least 30 days' advance notice before leave commences. Forms for requesting leave are available from HR.

When the need for leave is not foreseeable 30 days in advance, an employee must give notice to CBH within two (2) working days of learning of the need for leave, or otherwise give notice to the extent practical, absent extraordinary circumstances. If timely notice is impossible, then the employee or family member may notify CBH in person or by telephone, fax, or email, describing the circumstances necessitating the leave. If an employee knew about the need for leave, but failed to give timely notice to CBH, CBH may deny the taking of leave until 30 days after the date of the employee's request.

Mandatory Medical Certification

Any employee requesting leave because of a serious health condition (of the employee or the employee's parent, spouse, or child) must furnish CBH with a medical certification form provided by CBH. An employee normally must submit the medical certification form along with their leave request, and CBH may deny the taking of leave until the required certification is provided. In cases of unforeseen leave, the medical certification must be submitted to CBH as soon as possible. CBH may, at its discretion, require any employee seeking leave because of a serious health condition to obtain a second, and possibly a third, opinion at CBH's expense.

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When an employee is on leave, subsequent recertification of a medical condition must be submitted to CBH every 30 days or upon the request of CBH in other circumstances, such as when an employee requests an extension of leave or there is a change in circumstances regarding the serious health condition for which the leave is taken.

Intermittent or Reduced Leave

When medically necessary, an employee may take “intermittent” leave (two or more separate leave periods) or “reduced” leave (where an employee continues to work, but for fewer hours per day or per week) at CBH’s discretion. In such cases, the 12-week limit applies to the total number of hours or days of leave taken by the employee. An employee must make a reasonable effort to schedule such leave in a manner that will not unduly disrupt the company’s operations. CBH may transfer an employee to an available alternative position with equivalent pay and benefits for which the employee is qualified, although the duties may or may not all be equivalent, if that position can better accommodate recurring periods of leave than the employee’s regular job. Intermittent leave is not available for bonding with a child.

Benefits

An employee who takes leave will not lose any employment benefits that were accrued before the date on which the leave commenced. However, an employee will not accrue any seniority or benefits during the leave period, and will not be entitled to any rights or benefits to which the employee would have been entitled if they had not taken the leave. Except for health insurance, dental insurance, short-term disability, long-term disability, and life insurance coverage (see below), no employee benefits will be provided by CBH while the employee is on unpaid leave.

Health Insurance Coverage

An employee who is out on leave will be maintained on CBH’s group health insurance plan at the same level, with the same coverage, and under the same conditions as if the employee had not taken leave. For an employee on paid leave, the employee’s share of premium payments will be deducted from their salary in the usual manner. An employee on unpaid leave is responsible for making timely payments to CBH for the employee’s share of premium payments, in accordance with the schedule established by CBH before unpaid leave commences, to avoid cancellation of the employee’s health insurance coverage.

If an employee fails to return to work at the end of the leave period, and the failure to return is not due to circumstances beyond the employee’s control (including the continuation, recurrence, or onset of a serious health condition), the employee must reimburse CBH for health insurance premiums paid by CBH while the employee was out on leave. CBH will require sufficient medical certification of an employee’s inability to return to work because of such a serious health condition before the employee will be released from the requirement to reimburse CBH for health insurance premiums paid during the employee’s leave period.

Employee Reporting Requirements During Leave

An employee on leave must report to CBH every 30 days on their status and intent to return to work. CBH’s obligations under the FMLA and FML (including maintenance of health insurance coverage and restoration to an equivalent position) cease when an employee gives CBH notice of their intention not to return to work.

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Medical Certification of Fitness to Return to Work

Under circumstances in which, in the company’s judgment, an employee’s serious health condition may pose a significant risk of substantial harm to themselves or others, the company may require the employee to obtain medical certification of their ability to perform the essential functions of the employee’s position. CBH will give notice to an employee when such certification is required before the employee will be permitted to return to work.

Restoration to Position

Upon return from leave, an employee will be restored to either the same position they held when the leave commenced or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. However, this guarantee of restoration does not apply to certain highly compensated employees, if necessary to avoid substantial and grievous economic injury to CBH’s operation.

Frank Willard

CEO

12/03/2025

Date