

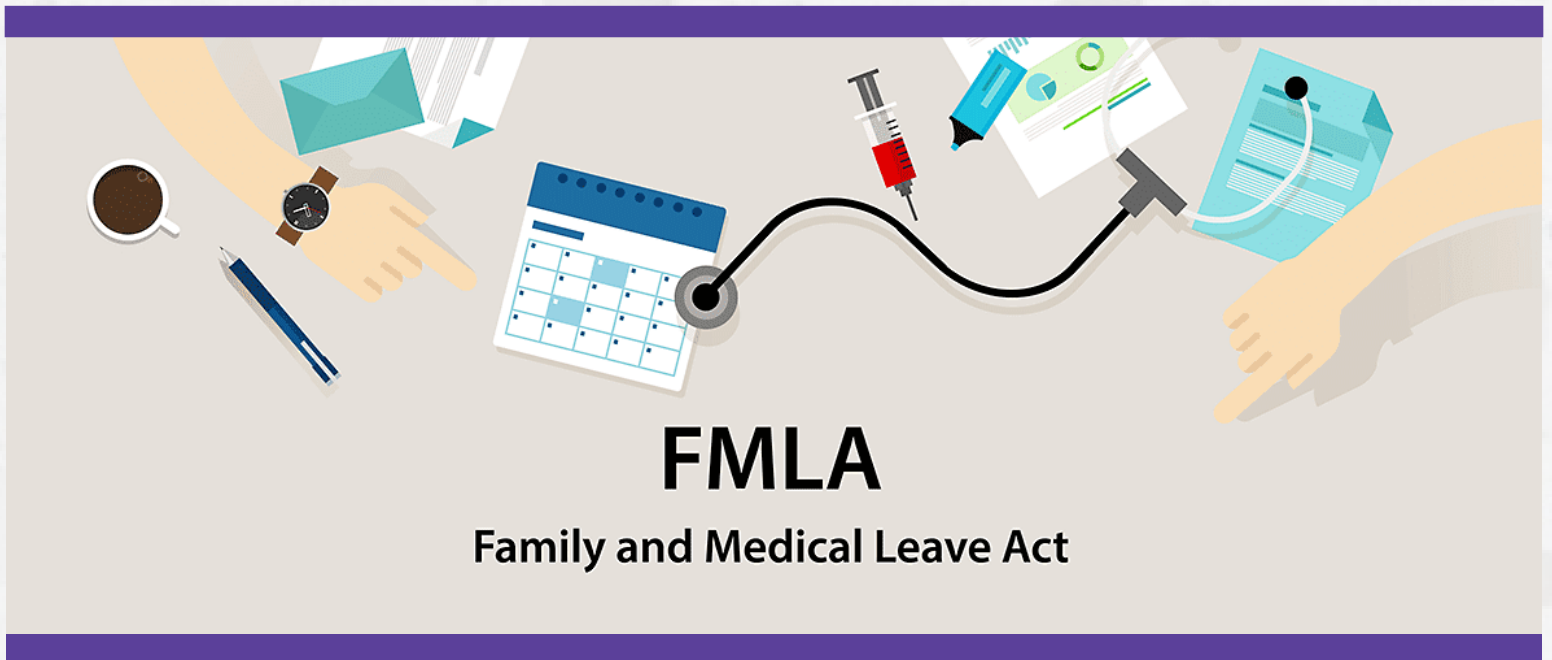
**MOHAWK BENEFITS**

YOU'RE COVERED

Health • Life • Wellness

**2023**

Your Coverage Under the  
**Family Medical Leave Act**  
(FMLA Leave)



[MYMOHAWKBENEFITS.COM](http://MYMOHAWKBENEFITS.COM)

BENEFITS SERVICE CENTER

866-481-4922

# Your coverage under the Family and Medical Leave Act

We all have responsibilities we must balance - to our family, our friends, our communities, and to ourselves. Mohawk Industries is committed to creating a caring culture and providing resources to help you meet your work, family and personal needs at every stage of life. That is why we offer Work/Life programs - to help make balancing life's needs a little easier.

Sometimes life requires more than balance alone. When you have a serious illness, become a new parent, or need to care for a family member with a serious illness, you may need time away from work.



This brochure explains:

- What FMLA Leave is and who is eligible
- How FMLA Leave impacts your pay, benefits, and position
- How to request FMLA Leave
- What you need to do before returning to work from an FMLA Leave
- State Family and Medical Leave (SFML) that may be available to you

*Please review this brochure carefully so you understand your rights and responsibilities under FMLA Leave.*

## FMLA leave at a glance

- FMLA Leave is provided under the terms of the Family and Medical Leave Act of 1993 and protects your job for up to 12 weeks (or 26 weeks to care for an eligible wounded service member).
- FMLA Leave is unpaid, and will run concurrently with any Company-approved leave of absence (including short-term disability) and/or those provided under state and local laws.
- You can request up to 12 weeks of FMLA Leave per year (or 26 weeks to care for an eligible wounded service member).
- Depending on the type, FMLA Leave can be requested as one continuous period, in separate blocks of time, or intermittently.
- You can use other sources of paid time off (such as accrued Vacation time) for which you are eligible to be paid during FMLA Leave.
- You will be required to submit certification forms for most FMLA Leaves.
- Most of your benefits continue during FMLA Leave. Refer to your our policy for details.
- **When you return from FMLA Leave, you are entitled to the same or a comparable position at the Company.**

If you are eligible for FMLA Leave, you must apply and be approved. Review this booklet for information about eligibility and applying for FMLA leave.

# How FMLA leave works

The Company is required by the federal Family and Medical Leave Act (FMLA) to provide eligible employees with unpaid time away from work for the following reasons:

- **Care for a New Child**  
To care for the birth of your child; for the placement of a child with you for adoption or foster care; or to care for your newborn child or a child newly placed with you
- **Care for a Seriously Ill Family Member**  
To care for your eligible spouse/domestic partner, child, or parent who has a serious health condition
- **Care for Your Own Serious Illness**  
To care for your own serious health condition if you are unable to perform the essential functions of your job.
- **Care for a Wounded Service Member**  
To care for your eligible spouse/domestic partner, child, parent, or next-of-kin who is a service member with a serious injury or illness incurred during active duty in the U.S. Armed Forces.
- **Related to Active Duty or Call to Duty**  
To deal with any “qualifying exigency” that arises from your spouse’s/domestic partner’s, child’s, or parent’s active duty in the U.S. Armed Forces, including an order or call to duty.  
(Refer to [www.mymohawkbenefits.com](http://www.mymohawkbenefits.com) for the federal government’s definition of “qualifying exigency”.)

## Who is eligible

You are eligible to apply for FMLA Leave if:

- You have been employed by the Company for at least 12 months;
- You have worked at least 1,250 hours in the 12-month period immediately before the start of your leave; and
- There are at least 50 employees of the Company within a 75-mile radius of where you work.

## What is a serious health condition?

A “serious health condition” is an illness, injury, impairment, or physical or mental condition that involves one of the following:

- Hospital Care - Inpatient care (an overnight stay) in a hospital, hospice, or residential medical care facility.
- Absence Plus Treatment  
A period of incapacity of more than three consecutive calendar days that also involves treatment two or more times by a healthcare provider, or treat by a healthcare provider on at least one occasion.

For More information, contact your Leave Administrator at 1.866.481.4922.

## Length of leave

The amount of FMLA Leave you request depends on the reason you are requesting leave.

- Generally, you can request up to 12 weeks of FMLA Leave in a 12-month period.
- For FMLA Leave to care for a wounded service member, you can request a maximum of 26 weeks in a 12-month period.

You can request FMLA Leave multiple times during the 12-month period, as long as you do not exceed the total amount of time allowed in the 12-month period.

### If Your Spouse is Also Employed by the Company

If you and your spouse both work for the Company and are eligible for FMLA Leave:

- You can request a total combined maximum of 12 weeks of FMLA Leave in a 12-month period to care for a parent or child with a serious health condition and for birth/adoption situations.
- You and your spouse can each request the full 12 weeks of FMLA Leave in a 12-month period for your own serious health condition.
- You can request a total combined maximum of 26 weeks of FMLA Leave in a 12-month period to care for a wounded service member.

### Intermittent or Reduced FMLA Leave

Under certain circumstances, you may be able to request intermittent or reduced leave if it is medically necessary. You must make a reasonable effort to schedule planned intermittent leave so your time away from work does not have an excessive impact on the Company's business operations.

### Other Leaves of Absence are Concurrent with FMLA Leave

FMLA Leave runs concurrently with other available forms of leave, both Company-approved and/or those provided under state and local laws. This means other types of leave, including sources of paid time off, count toward your total annual FMLA Leave limit.

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## Length of State Family Medical leave

Employees working in California, Colorado, Connecticut, Hawaii, Iowa, Kentucky, Massachusetts, Minnesota, Montana, New Jersey, Oregon, Rhode Island, Tennessee, Vermont, Washington, Washington DC (District of Columbia), and Wisconsin may be covered by their respective State Family Medical Leave (SFML) policies.

Federal law provides minimum benefits, but some states provide more extensive benefits or have different eligibility requirements. When applicable, SFML runs concurrently with FMLA Leave. (For example, if you qualify for 12 weeks of FMLA Leave and 12 weeks of SFML, the two leaves are concurrent, so you are eligible for 12 weeks of leave - not 24 weeks.)

Call your Leave Administrator for more information about State Family Medical Leave.

# How FMLA leave affects your pay

FMLA Leave is unpaid. However, you can use any available paid time off (such as accrued Vacation time) during your FMLA Leave in order to receive pay. In addition, if you request FMLA Leave for your own serious health condition, you are required to substitute any available Sick Time. You may also qualify for paid Short-Term Disability (STD) Leave.

Keep in mind that any sources of paid time off run concurrently with FMLA Leave, so when you use paid time off during your FMLA Leave, it counts toward your annual FMLA Leave total.

For more information about other Time Off and Leave of Absence programs that may be available to you, please call your HR partner.

## What does “medically necessary” mean?

This means you will need to show documentation from your healthcare provider on the Certification of Healthcare Provider Form that there is a medical need that can best be accommodated through an intermittent leave. (See page 6.)

## What happens to your benefits while on FMLA leave?

Your benefits continue while on FMLA Leave. For a detailed explanation of your benefits and how they are paid, contact your Leave Administrator at 866.481.4922 or your local HR Partner.

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## How to contact your leave administrator

To request FMLA Leave, contact your Leave Administrator at 1.866.481.4922.

Representatives are available:  
Monday-Thursday  
8 a.m-6 p.m. EST

Friday  
8 a.m.-5 p.m. EST

## Qualifying Exigency Leave

You will be required to provide certification of active duty status or call to duty if you are requesting FMLA Leave due to a qualifying exigency.

# How to request FMLA

## Getting started

To request FMLA Leave (including intermittent FMLA Leave requests), contact your Leave Administrator at 1.866.481.4922 or log into the Leave Portal at <https://bsc.force.com/eep>

- You need to make the request 30 days before the leave will start (or as soon as practical under your circumstances).
- You will need to complete the required certification forms your Leave Administrator will send to you and return them promptly. (See below for more information.)
- Once your Leave Administrator makes a determination on your FMLA Leave request, they will notify you and your Supervisor.



### Certification Forms

You will need to provide certification forms for most FMLA Leaves. However, when you provide certification, it does not guarantee that your FMLA Leave will be approved.

You must submit the completed certification within 15 days of when the request for certification is made by your Leave Administrator; otherwise, your FMLA Leave may not be approved.

***It is your responsibility to provide complete documentation to the Leave Administrator.***

### Working with your Supervisor

If your FMLA Leave is approved, you will need to work with your Supervisor to communicate all of your approved Leave dates and any changes during the course of your Leave.

### Working with your Leave Administrator

Your Leave Administrator is there to assist you throughout the Leave process. It is important to report any changes to your Leave Administrator as soon as possible. Feel free to contact them with any questions or changes with your Leave throughout the process.

### Intermittent Leaves

An Intermittent Leave is different from a continuous absence from work where your time off will occur sporadically - a day here and there or a partial work day. This unpaid leave applies to your own serious health condition (SHC), the serious health condition of your spouse, parent or child, the care of an eligible wounded service member, or for a qualifying exigency.

A completed, signed certification form is required and must include a frequency and duration for the estimated time you expect to be out of work.

Intermittent Leaves must be reported, when possible in advance, to your supervisor and your Leave Administrator. When this is not possible, any intermittent time off should be reported to your Leave Administrator **within 5 business days of the absence.**

# Returning to work

## What you need to do

To start the return-to-work process, you must contact your Leave Administrator at 1.866.481.4922 at least one week before the scheduled end of your leave. You will be required to provide a release from your healthcare provider certifying that you are able to return to work. You must provide the return to work notice to your Leave Administrator and confirm your Return to Work prior to your return. Failure to do so may interrupt your payroll and ability to clock in, if applicable.



## What Happens to Your Position When You Return

When you return to work at the end of an approved FMLA Leave, you are entitled to the same position you held when the leave began, or to a comparable position with equal pay, benefits, and other conditions of employment.

## What Happens to Your Benefits When you Return

Your benefits will be reinstated to the coverage you had prior to going on Leave, so there is no action required by you. Please refer to [www.mymohawkbenefits.com](http://www.mymohawkbenefits.com) for more detailed information or call your Leave Administrator at 1.866.481.4922.

## If You Fail to Return from FMLA Leave

If you do not return to work within three (3) business days of when your approved FMLA Leave ends, the Company may determine that you have voluntarily resigned. Your employment with the Company may be terminated. Each situation will be reviewed on a case-by-case basis.

If you are unable to return to work at the scheduled end of your leave due to your or your qualifying family member's serious health condition, you will need to provide a new certification from a healthcare provider to extend your FMLA.

Questions? Call the BSC at 866.481.4922.