

Paid Sick Leave Policy for Employees Working on Covered SCA Contracts
District of Columbia

Applicability

This policy has been developed to be in compliance with Executive Order (“EO”) 13706 and its implementing regulations relating to the administration and enforcement.

All exempt and non-exempt employees working on or in connection with a new contract with the Federal Government subject to the Service Contract Act (a “Covered Contract”) will accrue paid sick leave pursuant to this policy (“Paid Sick Leave”).

Accrual Rate

Paid Sick Leave accrues at a rate of 1 hour of Paid Sick Leave for every 30 hours worked on or in connection with a Covered Contract. “Hours worked” for non-exempt (hourly) employees means time the employee spends working but not time when the employee is in a paid time off status. Exempt (salaried) employees will be assumed to work 40 hours per week for purposes of determining hours worked for accruing Paid Sick Leave.

Employees may accrue up to a maximum balance of 56 hours of Paid Sick Leave per calendar year, but will stop accruing when the balance reaches the maximum, until some Paid Sick Leave is used and the balance is reduced below the maximum.

Employees will be informed of the amount of accrued Paid Sick Leave available for use on the paycheck stub or direct deposit advice slip provided to employees each pay period.

Carryover

Accrued but unused Paid Sick Leave is carried forward into a new calendar year, subject to the maximum balance of 56 hours. There is no payout of unused Paid Sick Leave at the end of each calendar year.

Acceptable Use of Paid Sick Leave

Employees may use accrued Paid Sick Leave in increments of no less than 1 hour. Employees may use their accrued Paid Sick Leave for time off for time they would otherwise be working on or in connection with Covered Contracts if they are absent because of:

- (i) physical or mental illness, injury, or medical condition;
- (ii) obtaining diagnosis, care, or preventive care from a health care provider;
- (iii) caring for a child, a parent, a spouse, a domestic partner, or any other individual related by blood or affinity whose close association with the employee is the equivalent of a

- family relationship who has any of the conditions or needs for diagnosis, care, or preventive care described in (i) or (ii) or is otherwise in need of care; or
- (iv) domestic violence, sexual assault, or stalking, if the time absent from work is for the purposes described in (i) or (ii), to obtain additional counseling, to seek relocation, to seek assistance from a victim services organization, or take related legal action, including preparation for or participation in any related civil or criminal legal proceeding, or to assist an individual related to the employee as described in (iii) in engaging in any of these activities.

A “physical or mental illness, injury, or medical condition” means any disease, sickness, disorder, or impairment of, or any trauma to, the body or mind. An “individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship” means any person with whom the employee has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship, and, in the District of Columbia, includes but is not limited to the employee’s spouse, child (including step-children, foster children, and grandchildren), parent (including step-parents), registered domestic partner, or child of a registered domestic partner, or parent or a spouse of registered domestic partner, spouses of children (including step-children, foster children and grandchildren), brothers and sisters (including step-brothers and sisters and half-brothers and sisters), and a child who lives with the employee and for whom the employee permanently assumes and discharges parental responsibility, and a person with who the employee shares or has shared, for not less than the preceding twelve (12) months a mutual residence and with whom the employee maintains a committed relationship.

Request to Use Paid Sick Leave

All requests and notifications related to Paid Sick Leave must be directed to the supervisor or manager of your work.

If the need to use Paid Sick Leave is foreseeable, the employee must request Paid Sick Leave, either orally or in writing, by informing their supervisor or manager at least 7 calendar days in advance. If the employee becomes aware of a need to use foreseeable Paid Sick Leave less than 7 calendar days in advance, the day the employee becomes aware of the need or the next business day will be considered to meet the requirement of as soon as is practicable. Employees are expected to make a reasonable effort to schedule preventative care or other foreseeable uses of Paid Sick Leave in a manner not to unduly disrupt operations.

If the need to use Paid Sick Leave is not foreseeable, such as for sudden illness, the employee must make the request for leave as soon as is practicable to the supervisor or manager in accordance with work site notification procedures. The employee should provide the estimate of the time needed for Paid Sick Leave at the time of request. (See below for security contracts)

Security Contracts Only: All requests and notifications related to Paid Sick Leave must be directed to the supervisor or manager of your work, in accordance with work site procedures. Given the nature of the Company's business to provide 24/7 armed and unarmed security services and emergency response on government installations, employees on security services contracts are expected to make a reasonable effort to schedule preventive care or other foreseeable uses for Paid Sick Leave at least 7 days in advance and in a manner not to disrupt operations, such as the beginning or end of the shift. Employees have the option to use full day increments of Paid Sick Leave for foreseeable Paid Sick Leave if they so choose. Employees should use the Leave Request Form to request Paid Sick Leave for absences that are foreseeable. If the need to use Paid Sick Leave is not foreseeable, such as for sudden illness, the employee must follow the site procedures for notification of the need for Paid Sick Leave. Employees on security services contracts are expected to call the supervisor on a daily basis to report absence from work due to a qualifying reason for Paid Sick Leave due to the requirements of staffing 24/7 security operations.

Responses to Requests for Paid Sick Leave

Requests for leave must contain enough information to determine whether the absence qualifies as a proper use of Paid Sick Leave under this policy. Where unforeseeable, oral notification is acceptable. Where foreseeable, the request should be made in writing to the supervisor (Leave Request Form or Email as determined by work site procedures). The Company shall respond to the request as soon as practicable in the same manner, which may range from immediately to a few hours in most cases or even to a few days if it is unclear whether the employee has leave available. Any denial of Paid Sick Leave requests shall be in writing.

Employees will be required to provide certification from a health care provider to verify the need for Paid Sick Leave for 3 or more consecutive full workdays for reasons (i), (ii), or (iii) under the paragraph above entitled Acceptable Uses of Paid Sick Leave. For absences due to (iv) under Acceptable Use of Paid Sick Leave, certification may be from persons such as a health care provider, counselor, victim services representative, attorney, clergy, family member, close friend or self-certification. The documentation must contain the minimum necessary information to establish the need for absence. Documentation or statement of the family or family-like relationship is required.

Coordination with Other Leave Laws

Paid Sick Leave runs concurrently with unpaid leave under the federal Family and Medical Leave Act and/or state family medical leave statutes. Therefore, employees whose absences are covered by FMLA or a state statute are required to use all available Paid Sick Leave during the absence. Employees who continue on a leave covered by Family and Medical Leave may choose to use any available paid vacation leave during the continued period of absence after Paid Sick Leave is exhausted.

Employees must exhaust all available Paid Sick Leave prior to using vacation leave or Leave without Pay for reasons which are covered under this Policy.

NOTE: Employees who are or will be absent for 3 or more consecutive days due to a serious health condition of the employee or the employee's family member are required to contact United Health Care at 1-866-556-8298, OMNIPLEX's third party administrator of family & medical leave benefits, to follow certification requirements.

Payment of Paid Sick Leave

Employees will be paid for Paid Sick Leave at their base pay rate as of the time Paid Sick Leave is taken. Paid Sick Leave for non-exempt employees will be paid at the employee's straight time rate for the straight time hours the employee is regularly scheduled to work on the day, or, if less than a day, for the hours missed. Hours covered by Paid Sick Leave do not count as "hours worked" for purposes of overtime calculation. If a paid holiday occurs during an employee's scheduled Paid Sick Leave, the employee, if otherwise eligible, will receive holiday pay for that day and Paid Sick Leave will not be charged.

Employees are expected to review their direct deposit advice or pay stub each pay period to ensure that Paid Sick Leave, where applicable, has been charged for uses permitted under this Policy and report any discrepancies to the supervisor/manager for prompt resolution.

Termination of Employment/Reinstatement of Leave

Accrued but unused Paid Sick Leave is not paid out upon termination of employment. If an employee covered by this policy terminates employment or is terminated and then rehired within 12 months after termination, that employee's accrued but unused Paid Sick Leave balance will be reinstated.

No Abuse of Leave By Employee/No Retaliation for Leave by Company

Abuse of Paid Sick Leave, including falsification of the need to use Paid Sick Leave, will subject the employee to disciplinary action, up to and including termination of employment.

Employees will not be retaliated against by the Company for requesting leave under this policy. Employees will not be requested to find their own replacement for absences covered by Paid Sick Leave.

Questions Regarding the Policy

It is the intent of the Company to comply with all provisions of the Policy. Any questions regarding the Paid Sick Leave for a specific work location should be directed to the employee's supervisor or manager wherever possible. An employee with further questions or concerns should contact benefits@omniplex.com or contact the Company's third party hotline at 1-800-553-8442 or www.omniplexethicshotline.com.