PARENTAL LEAVE (Effective 1/1/2019)

*FOR BIRTHS OR ADOPTIONS PRIOR TO 1/1/2019 SCROLL DOWN TO REFERENCE APPLICABLE POLICY

Adobe offers paid Parental Leave benefits to eligible employees in conjunction with certain types of Family Medical Leave Act and/or applicable state leave law-qualifying time off (collectively referred to as FMLA). The Parental Leave benefits are intended to allow employees paid time off to bond with their child before returning to work. Please refer to the Adobe Family and Medical Leave Act policy for further information on FMLA eligibility requirements.

Eligibility

You may request certain Parental Leave benefits if you meet the FMLA eligibility requirements and have FMLA entitlement remaining as of the birth or placement of your child or the start of your leave, and if you need time off for parental bonding due to the addition of a new child to your household, whether by birth or placement (adoption, foster care, or other custody).

If your child will be six years or older at the time of placement, and you are eligible for leave under FMLA and/or state leave laws, you may be eligible to take up to 12 weeks of leave within 12 months of the child’s placement. Adobe will pay your salary up to 4 weeks. Any additional time you take off will be unpaid or partially covered by any available state paid family leave programs.

Parents who are not entitled to FMLA leave, or do not have any FMLA entitlement remaining as of the birth/placement of the child or the start of their leave, can obtain up to 4 weeks of paid Parental.

Guidelines

**Qualifying Paid Parental Leave:** If you have both eligibility and entitlement for FMLA leave, Adobe will grant up to sixteen (16) weeks of paid Parental Leave separate from, and in addition to, any physician-certified FMLA or Medical Leave resulting from pregnancy or childbirth-related disabilities.

The entire sixteen (16) week period of qualifying paid parental leave must be taken continuously and completed within six (6) months of the birth or placement of the child. This leave will run concurrently with any other leave and/or benefits for which you are eligible and/or any state-mandated leave provisions including California Family Rights Act (CFRA). Once you begin to take FMLA leave, Adobe counts all the time off for the same purpose (or any other FMLA-qualifying purpose) toward the FMLA allotment.

**Non-Qualifying Paid Parental Leave:** If you are not FMLA-eligible or have exhausted your FMLA allotment as of the birth/placement of your child, or you are adopting a child age 6 or older, then you may take up to four (4) weeks of paid Parental within one year of the birth/placement of your child. This time will run concurrently with any other leave for which you are eligible and/or any state-mandated leave provisions including CFRA. Any additional days of leave after the 4 weeks that are granted under any other leave provisions related to the birth/placement of your child, such as FMLA, CFRA or state leave will be unpaid leave.

**Note:** If you live in a state that has a paid family leave program (a program that offers wage replacement benefits but no right to leave), you may take additional days off without pay so that you can receive the remaining partial pay offered by your state’s program. Please refer to the detailed “Interaction with State Benefit Programs” section below.

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1 See additional resource page in the appendix for specific state leave program details
2 When calculating the 12-week period, Company shutdown, if a complete week in duration, is not counted. If an Adobe holiday falls during your FMLA leave, the holiday will be counted against your FMLA entitlement, unless you are taking less than a full week of FMLA. For employees taking Parental Leave to bond with a newborn after a Pregnancy Disability Leave (PDL), the PDL time will not be subtracted from the available CFRA time.
Employees will not be required to perform any work for Adobe while on leave.

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**Maternity Leave Benefits: Putting It All Together**

Adobe provides enhanced maternity benefits comprised of two different leaves:

1. **Medical Leave:** If you are disabled due to pregnancy and childbirth, you may be eligible for up to ten (10) weeks of paid Medical Leave protected under FMLA (and/or state pregnancy disability leave laws as applicable). You should refer to Adobe's Medical Leave policy for more information and discuss your specific disability period duration with your doctor and with Lincoln Financial Group.

2. **Parental Leave:** If you would like to take additional time off after your pregnancy-related disability ends to bond with your child, you may be eligible for up to sixteen (16) weeks of Adobe Parental Leave if you are FMLA-eligible and meet other criteria as set forth above. Please discuss your specific eligibility with Lincoln Financial Group.

If you are eligible for the maximum Medical Leave and Parental Leave benefits, you can have up to a combined total of twenty-six (26) weeks of fully paid leave during and after pregnancy. Unless you are actually returning to work right after the medical portion of your maternity benefit ends, you should request your Parental Leave immediately after Medical Leave. The intent is to count all the time off you take for this purpose (or any other FMLA-qualifying purpose) towards your FMLA or other state leave allotment. **Please be sure to read the Medical Leave and Parental Leave policies as there are important details you must know.**

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**Available Pay and Restrictions on Use of Other Paid Time Off**

If you are taking Non-Qualifying Paid Parental Leave, you will receive pay from Adobe replacing 100% of your pre-leave salary (TTC for commissioned employees) for up to 4 weeks, minus any state paid benefits that you may receive. If you are taking Qualifying Paid Parental Leave, you will receive up to 16 weeks.

The standard 1-week waiting period is waived for all Parental Leaves (i.e. pay benefits begin immediately so you are not required to use Sick Time or PTO at the start of your leave). However, please note that the one-week waiting period WILL apply to all Medical Leaves, including pregnancy-related Medical Leaves, and you will be required to use Sick Time or PTO during that waiting period, which will be paid at base salary per the Sick Time policy.

To minimize disruption to the business, exempt and non-exempt time off **cannot** be used in coordination with pay benefits during Qualifying Paid Parental Leave nor to extend time away.

**Interaction of Parental Leaves with State Benefit Programs**

After the Non-Qualifying Paid Parental Leave of 4 weeks, any additional days of leave that are granted will be unpaid leave under Adobe’s FMLA policy, assuming eligibility requirements are met. However, employees in some states may be also eligible for benefits under a state program. Such programs provide partial wage replacement but do not necessarily provide job protection nor entitlement to leave. Receipt of state insurance benefits will not enable employees to take nor extend an unauthorized leave of absence, nor guarantee reinstatement upon return from leave, unless otherwise required by law. **California employees who participate in the Voluntary Disability Insurance (VDI) plan should note that PFL is a component of VDI so you only need to apply through Lincoln Financial Group, formerly Liberty, to access PFL benefits. Lincoln Financial Group can assist you with any questions about state PFL benefits. Please check with Lincoln Financial Group as to whether you may qualify for state benefits and how to apply for them.**

In addition, if you are taking Non-Qualifying Paid Parental Leave and you become FMLA-eligible during the first six (6) months after the birth/placement of your child, you will be eligible to receive the Qualifying Paid Parental Leave
benefits for the remaining time until six (6) months of the birth/placement of your child (not to exceed a combined 16 weeks of full pay).

Benefits
After the birth or placement, enroll your child or make any other changes to your benefits within 31 days (day one is date of birth) on the Adobe Benefits Enrollment Site. If you need assistance, call 855-898-4218 and follow the prompts or email adobebenefits@conduent.com. You can review and change your overall benefit elections, including, opting out of health plan benefits and/or enrolling in the Health Care and Dependent Care FSA plans, if eligible.

Information about the status of benefits while on a leave of absence is found in the document titled Your Benefits During A Leave of Absence. The charts in that document summarize the effect each type of leave has on your Adobe benefits.

Duration
Parental Leave generally begins on the birth/placement of the child or the date requested by an eligible employee if after the birth/placement of a child. If you are eligible for the Qualifying Paid Parental Leave, it will end on the earlier of (a) the date on which you return to work after starting Qualifying Paid Parental Leave; (b) after a total of 16 weeks of leave; or (c) 6 months from the birth/placement of the child. Qualifying Paid Parental Leave must be taken continuously. If you return to work or otherwise stop the Qualifying Paid Parental Leave at any point, or if it is 6 months after the birth/placement of the child, your pay benefit will cease and you will forfeit any remaining weeks. Please note that unpaid leave may still be available under Adobe’s FMLA Leave in accordance with those requirements.

If you taking Non-Qualifying Paid Parental Leave, you may receive up to 4 weeks of paid leave within 12 months of the birth/placement of your child (6 weeks for California employees, subject to the benefits cap).

Initiating a Leave, Returning to Work and Reinstatement
To help minimize business disruption, you should notify your manager of your leave plans in writing, at least 4 months in advance if intending to take a Qualifying Paid Parental Leave, and 2 months in advance if intending to take Non-Qualifying Paid Parental Leave. If that amount of notice is impractical, you should provide as much notice as is practical under the circumstances.

For a general overview on the leave process flow, from initiating a leave of absence to returning to work after a leave of absence and reinstatement, please refer to the Leave Process Flow section of the FMLA Policy. For step by step instructions for planning and taking a leave, refer to the leave checklists and other information found on the Leaves of Absence page at benefits.adobe.com.

Submit a request for leave online at My Lincoln Portal (SSO) 24 hours a day, seven days a week or by calling a Lincoln Financial Group Intake Specialist during business hours: 1-800-459-3772. You must provide Lincoln Financial with any documentation they request from you to support your request for leave.

Questions
If you have questions about Parental Leave, contact Lincoln Financial Group at 888-873-5476 or by email at AdobeAdmin@lfg.com. For other Employee Experience questions, call 408-536-4357 (6-HELP internally) and follow the prompts, or email your inquiry to erc@adobe.com.
Appendix: State Benefit Program Resources

- New Jersey: https://www.nj.gov/labor/fli/fliindex.html
- New York: https://paidfamilyleave.ny.gov/
- Rhode Island: http://www.dlt.ri.gov/tdi/
- Washington: https://esd.wa.gov/paid-family-medical-leave
**PARENTAL LEAVE**

*THIS POLICY APPLIES TO BIRTHS OR ADOPTIONS PRIOR TO 1/1/2019*

Adobe offers paid Parental Leave benefits to eligible employees in conjunction with certain types of Family Medical Leave Act and/or applicable state leave law-qualifying time off (collectively referred to as FMLA). The Parental Leave benefits are intended to allow employees paid time off to bond with their child before returning to work. Please refer to the Adobe Family and Medical Leave Act policy for further information on FMLA eligibility requirements.

**Eligibility**

You may request certain Parental Leave benefits if you meet the FMLA eligibility requirements and have FMLA entitlement remaining as of the birth of your child or the start of your leave, and need time off for parental bonding due to the addition of a new child to your household, whether by birth or placement (adoption, foster care, or other custody).

If your child will be six years or older at the time of placement, and you are eligible for leave under FMLA and/or state leave laws, you may be eligible to take up to 12 weeks of leave within 12 months of the child’s placement. Adobe will pay your salary up to 4 weeks. California employees will receive an additional 2 weeks subject to a statutory cap on benefit amounts. Any additional time you take off will be unpaid or partially covered by any available state paid family leave programs.

Parents who are not eligible for Primary Caregiver Paid Leave (as defined below) because they are adopting a child age 6 or older or because they are not entitled to FMLA leave, or do not have any FMLA entitlement remaining as of the birth/placement of the child or the start of their leave, can only obtain up to 4 weeks of paid Parental Leave (6 weeks for California employees) irrespective of their caregiver role.

**Guidelines**

Parental Leave benefits at Adobe consists of two components.

1. **Primary Caregiver Paid Leave:** If you have both eligibility and entitlement for FMLA leave and are acting as the primary caregiver for the child, Adobe will grant up to sixteen (16) weeks of paid Parental Leave separate from, and in addition to, any physician-certified FMLA or Medical Leave resulting from pregnancy or childbirth-related disabilities. A primary caregiver is the person who takes primary responsibility for the care of a child during typical Adobe work hours.

   The entire sixteen (16) week period of paid primary care parental leave must be taken continuously, and completed within six (6) months of the birth or placement of the child. This leave will run concurrently with any other leave and/or benefits for which you are eligible and/or any state-mandated leave provisions, including California Family Rights Act (CFRA). Once you begin to take FMLA leave, Adobe counts all the time off for the same purpose (or any other FMLA-qualifying purpose) toward the FMLA allotment.²

2. **Non-Primary Caregiver Paid Leave:** If you are not the primary caregiver for the child (as defined above), or if you are not FMLA-eligible or have exhausted your FMLA allotment as of the birth/placement of your child, you may receive up to four (4) weeks of paid Parental Leave.

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¹ The State of California imposes a “cap” on the amount of Paid Family Leave benefits employees may receive. Adobe will pay your salary up to 4 weeks uncapped, and the remaining 2 weeks subject to the cap determined by the State of California Pay is coordinated with CA PFL Note. In addition to California, other states have equivalent pay programs (RI, NJ, NY, WA). For additional information, contact Lincoln.

² When calculating the 12-week period, Company shutdown, if a complete week in duration, is not counted. If an Adobe holiday falls during your FMLA leave, the holiday will be counted against your FMLA entitlement unless you are taking less than a full week of FMLA. For employees taking Parental Leave to bond with a newborn after a Pregnancy Disability Leave (PDL), the PDL time will not be subtracted from the available CFRA time.
or you are adopting a child age 6 or older, then you may take up to four (4) weeks of paid Parental Leave (6 weeks for California employees) within one year of the birth/placement of your child. This time will run concurrently with any other leave for which you are eligible and/or any state-mandated leave provisions including CFRA. Any additional days of leave after the 4 weeks (6 weeks for California employees and 8 weeks for NY employees) that are granted under any other leave policy related to the birth/placement of your child, such as FMLA, CFRA or state leave will be unpaid leave.

**Note:** If you live in a state that has a paid family leave program (a program that offers wage replacement benefits but no right to leave), you may take additional days off without pay so that you can receive the remaining partial pay offered by your state’s program. Please refer to the detailed “Interaction with State Benefit Programs” section below.

Employees will not be required to perform any work for Adobe while on leave.

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**Maternity Leave Benefits: Putting It All Together**

Adobe provides enhanced maternity benefits comprised of two different leaves:

1. **Medical Leave:** If you are disabled due to pregnancy and childbirth, you may be eligible for up to ten (10) weeks of paid Medical Leave protected under FMLA (and/or state pregnancy disability leave laws as applicable). You should refer to Adobe’s Medical Leave policy for more information and discuss your specific disability period duration with your doctor and with Lincoln.

2. **Parental Leave:** If you would like to take additional time off after your pregnancy-related disability ends to bond with your child, you may be eligible for up to sixteen (16) weeks of Adobe Parental Leave if you are FMLA-eligible and meet other criteria as set forth above. Please discuss your specific eligibility with Lincoln.

If you are eligible for the maximum Medical Leave and Parental Leave benefits, you can have up to a combined total of twenty-six (26) weeks of fully paid leave during and after pregnancy. Unless you are actually returning to work right after the medical portion of your maternity benefit ends, you should request your Parental Leave immediately after Medical Leave. The intent is to count all the time off you take for this purpose (or any other FMLA-qualifying purpose) towards your FMLA or other state leave allotment. Please be sure to read the Medical Leave and Parental Leave policies as there are important details you must know.

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**Certificate of Care for Primary Caregivers**

If you are claiming Primary Caregiver Paid Leave benefits, you must also sign and return a Certificate of Care to Lincoln, attesting that you will be the primary caregiver. The Certificate of Care is your signed declaration that you meet the eligibility criteria and your acknowledgement that you understand the terms.

If you are the non-primary caregiver, no such affidavit is necessary. However, if circumstances change (including if you become FMLA eligible) and you become the primary caregiver for your child, you can submit an Affidavit of Care attesting to the change, and be eligible for the Primary Caregiver Paid Leave benefits less any benefit you previously used, provided that all Primary Caregiver Paid Leave benefits must be completed within six (6) months of the birth/placement of your child.

**Available Pay and Restrictions on Use of Other Paid Time Off**

If you are taking Non-Primary Caregiver Paid Leave, you will receive pay from Adobe replacing 100% of your pre-leave salary (TTC for commissioned employees) for up to 4 weeks (6 weeks for California employees subject to the benefits cap) 

If you are taking Primary Caregiver Paid Leave, you will receive up to 16 weeks. If both parents work for Adobe, only one parent can be designated as a primary caregiver per birth or adoption. The other parent can access the Non-Primary Caregiver Paid Leave benefit.
To minimize disruption to the business, exempt and non-exempt time off cannot be used in coordination with pay benefits during Primary Caregiver Paid Leave nor to extend time away.

**Interaction of Parental Leaves with State Benefit Programs**

The Non-Primary Caregiver Paid Leave benefit for employees working in California is 6 weeks (4 weeks uncapped and the remaining 2 weeks subject to a cap). For Non-Primary Caregivers in all other States the Paid Leave benefit is 4 weeks. After the Non-Primary Caregiver Paid Leave, any additional days of leave that are granted will be unpaid leave under Adobe’s FMLA policy, assuming eligibility requirements are met. However, employees in some states may be also eligible for benefits under a state program. Such programs provide partial wage replacement but do not necessarily provide job protection nor entitlement to leave. Receipt of state insurance benefits will not enable employees to take or extend an unauthorized leave of absence, nor guarantee reinstatement upon return from leave, unless otherwise required by law. California employees who participate in the Voluntary Disability Insurance (VDI) plan should note that PFL is a component of VDI so you only need to apply through Lincoln to access PFL benefits. Lincoln can assist you with any questions about state PFL benefits. Please check with Lincoln as to whether you may qualify for state benefits and how to apply for them.

The standard 1-week waiting period is waived for all Parental Leaves (i.e. pay benefits begin immediately so you are not required to use Sick Time or PTO at the start of your leave). However, please note that the one-week waiting period will apply to all Medical Leaves, including pregnancy-related Medical Leaves, and you will be required to use Sick Time or PTO during that waiting period, which will be paid at base salary per the Sick Time policy.

In addition, if you are taking Non-Primary Caregiver Paid Leave and you become FMLA-eligible during the first six (6) months after the birth/placement of your child, you will be eligible to receive the Primary Caregiver Paid Leave benefits for the remaining time until six (6) months of the birth/placement of your child (not to exceed a combined 16 weeks of full pay).

**Benefits**

- After the birth or placement, enroll your child or make any other changes to your benefits within 31 days (day one is date of birth) on the Adobe Benefits Enrollment Site. If you need assistance, call 855-898-4218 and follow the prompts or email adobebenefits@conduent.com. You can review and change your overall benefit elections, including, opting out of health plan benefits and/or enrolling in the Health Care and Dependent Care FSA plans, if eligible.

- Information about the status of benefits while on a leave of absence is found in the document titled Your Benefits During A Leave of Absence. The charts in that document summarize the effect each type of leave has on your Adobe benefits.

**Duration**

Parental Leave generally begins on the birth/placement of the child or the date requested by an eligible employee if after the birth/placement of a child. If you are the primary caregiver, it will end on the earlier of (a) the date on which you return to work after starting Primary Caregiver Paid Leave; (b) after a total of 16 weeks of leave; or (c) 6 months from the birth/placement of the child. Primary Caregiver Paid Leave must be taken continuously. If you return to work or otherwise stop the Primary Caregiver Paid Leave at any point, or if it is 6 months after the birth/placement of the child, your pay benefit will cease and you will forfeit any remaining weeks. Please note that unpaid leave may still be available under Adobe’s FMLA Leave in accordance with those requirements.

If you taking Non-Primary Caregiver Paid Leave, you may receive up to 4 weeks of paid leave within 12 months of the birth/placement of your child (6 weeks for California employees, subject to the benefits cap).

In cases where two Adobe employees request leave for the birth/placement of the same child, only one parent can be designated as the primary caregiver for the purposes of receiving Primary Caregiver Paid Leave. The other parent will be eligible to receive 4 weeks of full pay (6 weeks for California employees, subject to the benefits cap described above) as part of the Non-Primary Caregiver Paid Leave benefit, but may be eligible to take up to an additional 8 weeks of unpaid leave in accordance with FMLA or state family leave laws. The total amount of eligible FMLA or
state leave laws will depend on the amount baby bonding leave entitlement available under FMLA or state leave laws.

Initiating a Leave, Returning to Work and Reinstatement

To help minimize business disruption, you should notify your manager of your leave plans in writing, at least 4 months in advance if intending to take Primary Caregiver Paid Leave, and 2 months in advance if intending to take Non-Primary Caregiver Paid Leave. If that amount of notice is impractical, you should provide as much notice as is practical under the circumstances.

For a general overview on the leave process flow, from initiating a leave of absence to returning to work after a leave of absence and reinstatement, please refer to the Leave Process Flow section of the FMLA Policy. For step by step instructions for planning and taking a leave, refer to the leave checklists and other information found on the Leaves of Absence page at benefits.adobe.com.

Submit a request for leave online at www.MyLincolnPortal.com (SSO) 24 hours a day, seven days a week or by calling a Lincoln Intake Specialist during business hours: 1-800-459-3772. You must provide Lincoln with any documentation they request from you to support your request for leave.

Questions

If you have questions about Parental Leave, contact Lincoln at 888-873-5476 or email AdobeAdmin@lfg.com. For other Employee Experience questions, call 408-536-4357 (6-HELP internally) and follow the prompts, or email your inquiry to erc@adobe.com.