



## FAMILY CARE LEAVE

If you need time off to care for an immediate family member due to his or her serious health condition, and you meet FMLA eligibility requirements and have not otherwise used your FMLA allotment, you may have **up to twelve (12) weeks of leave entitlement**. Adobe offers paid time off to eligible employees in conjunction with an FMLA-qualifying leave to care for an immediate family member. Adobe will provide you with **continuing salary benefits for up to five weeks** (25 weekdays) of your leave entitlement. This paid time off benefit runs concurrently with FMLA and state leaves such as CFRA unless otherwise noted below.

### Family and Medical Leave Act

Adobe offer leave time to all employees in compliance with the federal Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA) and any other state and local leave laws as applicable. FMLA is a federal law that provides eligible employees with time to take unpaid leaves for specified family and medical situations, including for their own serious health condition, and simultaneously provides certain job and benefits protections during that leave. CFRA is a California state law that is similar in many ways to FMLA. If the law of a state provides greater or different leave rights than are stated here, Adobe will comply with applicable state law requirements for employees in that state and provide supplemental information outlining state-specific rights and responsibilities.

Adobe's leave provisions apply to both FMLA and CFRA or other state leave laws. In the instances where CFRA or another state's leave laws differs from FMLA, and employees have different options, the different provisions will be noted. CFRA and other state-protected leaves will run concurrently with FMLA-protected leaves, unless otherwise required by law. Employees can contact Lincoln Financial, Adobe's Benefits Administrator, at 888-873-5476 for specific information regarding their state's leave laws.

You are eligible to request an FMLA/CFRA protected leave if you:

- Are a regular full-time or part-time employee;
- have been employed by Adobe for at least 12 months (not necessarily consecutive months);
- have completed at least 1,250 hours of work within the 12 consecutive months immediately before the first day of the requested leave
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Please refer to the [Adobe Family and Medical Leave Act policy](#) for further information on FMLA eligibility requirements.

### Eligibility

You are eligible to request Family Care Leave benefits if you meet the FMLA eligibility requirements as of the start of your leave and need time off to care for an immediate family member. Please refer to Adobe's Family and Medical Leave policy for further information on eligibility requirements. For the purpose of the Family Care Leave benefits only, an immediate family member is your spouse/domestic partner, child or parent. You may still be eligible to take unpaid time off to care for other family members per your state's leave laws or receive partial pay benefits through your state's Paid Family Leave program.

If you need time off to care for an immediate family member with a serious health condition but you **do not meet FMLA eligibility requirements**, or have used up your FMLA leave allotment as of the start of your leave (see FMLA policy), Adobe will nonetheless grant you **up to five weeks (25 weekdays) of leave and will pay your salary up to 5 weeks**. Additionally, 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), Adobe will allow you to take additional days off with no pay so that you can receive the remaining partial pay offered by your state's program. For example, California employees can take an additional one (1) week of unpaid time off to receive 60-70% of their salary up to a weekly benefit cap through PFL/VDI. If you later become FMLA-eligible, you may be eligible to take additional leave time (consult with Lincoln on your leave entitlement) but the leave will be unpaid if you previously exhausted the five weeks of paid Adobe Family Care Leave.

## Medical Certification

In order to qualify for the Family Care Leave benefits, you will need to provide a medical certification of the need for leave within 15 days to Lincoln Financial, Adobe's leave administrator. You must provide written certification from a health care provider, which states:

- The date of commencement of the serious health condition;
- The probable duration of the condition and the necessary duration of the leave;
- The estimated amount of time the health care provider believes that you will be needed to provide care; and,
- A confirmation that the serious health condition warrants your participation.

Lincoln may also require re-certification from the health care provider if additional leave is requested.

When leave is requested either to care for a covered service member or for a qualifying exigency, the appropriate DOL forms must be provided to establish the need for care or the appropriate facts related to the qualifying exigency.

## Available Pay

You will receive pay from Adobe replacing 100% of your pre-leave salary (TTC for commissioned employees) for **up to 5 weeks (25 weekdays), minus any state leave benefits you may receive**. After the five-week paid Family Care Leave benefits end, any additional days of leave that are granted will be unpaid leave under Adobe's FMLA policy or your state's family care leave laws. However, you may be also eligible for benefits under your state's Paid Family Leave (PFL) Program.

Employees who do not meet the FMLA eligibility criteria at the start of their leave will be eligible to receive the Adobe Family Care Leave pay and may be eligible for partial income replacement under their state's Paid Family Leave program. Such programs provide partial wage replacement but do not provide job protections nor entitlement to leave. Receipt of state insurance benefits will not enable employees to take nor to extend an unauthorized leave of absence or guarantee reinstatement upon return from leave, unless otherwise required by law. Please check with Lincoln as to whether you may qualify for state benefits and how to apply for them.

## Benefits

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

Family Care Leave generally begins on the first day that you are needed to care for an immediate family member and ends when you are able to return to work, or after a total of 12 weeks of leave<sup>1</sup> in a 12-month period, whichever occurs first. The 12-month period is measured forward from the date your first protected leave begins. Successive 12-month periods commence on the date of your first use of such leave after the preceding 12-month period has ended. There is no carryover of unused leave from one 12-month period to the next 12-month period.

You may take leave consecutively or intermittently (in blocks of time, or by reducing their normal weekly or daily work schedule) if the leave is for the serious health condition of your immediate family member and the intermittent leave schedule is medically necessary as determined by the health care provider of the person with the serious health condition. Such leaves may be taken in increments of a least one hour when it is medically necessary and certified by a health care provider according to the procedures established by Lincoln. Contact your manager and Lincoln immediately if you need intermittent/reduced schedule Family Care Leave.<sup>2</sup>

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<sup>1</sup> See additional resource page in the appendix for specific state leave program details for CA, NJ, NY, WA, RI, and HI.

<sup>2</sup> If you choose to take an intermittent leave, please note that Lincoln Financial pays a daily rate based on a 7-day workweek whereas Adobe pays on a 5-day work-week, which may result in less than 100% of pay for the week.

To accommodate any requests for an intermittent or reduced-hours leave, the Company may transfer you to an alternative position. You may take more than one Family Care Leave to care for a family member, provided the total time off for this and other FMLA-qualifying leaves within the designated 12-month period does not exceed 12 workweeks.

### Initiating a Leave, Returning to Work and Reinstatement

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](http://www.mylincolnportal.com) (SSO) Company Code: ADOBELOA) 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.

### A special note regarding Military Caregiver Leave

*FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. Adobe will provide you with continuing salary benefits for up to five (5) weeks. A covered servicemember is a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness or a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.*

*In the case of Military Caregiver Leave, time may also be used intermittently or on a reduced schedule basis up to 26 workweeks in a 12-month period. During the single 12-month period of Military Caregiver Leave, FMLA leave for purposes other than Military Caregiver Leave, up to a maximum of 12 workweeks, will count toward the 26 workweeks total. Contact Lincoln to request Military-Related Family Leave and provide Lincoln any documentation they request to support your leave request.*

### Questions

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

### Appendix: State Benefit Program Resources

- California: [https://www.edd.ca.gov/disability/PFL\\_Claim\\_Process.htm](https://www.edd.ca.gov/disability/PFL_Claim_Process.htm)
- 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>