



## Germany Parental Leave Policy

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## Germany Parental Leave Policy

### Overview

Adobe offers Parental Leave and pay to eligible employees to enable employees to take time off to bond with their child before returning to work.

### Statutory Maternity Leave

#### *Eligibility*

All female employees who give birth and fall under the protection of the Maternity Protection Act (MuSchG) are entitled to take Maternity Leave as governed by The Maternity Protection Act (MuSchG).

#### *Entitlement*

According to the Maternity Protection Act, Female employees are entitled to 14 weeks paid Maternity Leave. The leave entitlement for mothers is six weeks before and eight weeks after the birth. The leave period is extended for premature, multiple births and children born with disabilities to six weeks before and 12 weeks after delivery. In the case of medical premature births and other premature deliveries, the maternity protection period after birth is also extended by the days which could not be used before delivery. Therefore, the minimum entitlement for Maternity Leave is always 14 weeks. In the six-week period before the birth, an expectant mother cannot work unless she has expressly declared her willingness to do so. During the eight or 12 weeks following the birth, the mother is absolutely forbidden to work

#### *Note:*

The statutory maternity protection period after birth is deducted from the term of Parental Leave if Parental Leave is taken directly after maternity leave. In addition, annual leave time taken following the maternity protection period is deducted from the Parental Leave term. Finally, the maternity allowance is taken into account with regards to the allowance for parents on Parental Leave granted by the state.

More information on family benefits can be found on the [Ministry for Family Affairs, Pensioners, Women and Youth website](#).

#### *Notification*

In order for Adobe to comply with maternity protection regulations, an expectant mother should notify her manager and the Employee Resource Center of the pregnancy and the probable date of delivery as soon as they are aware of these facts. The notification can be done by email by sending a copy of the maternity certificate and Maternity Leave period will be requested through the time off and leave tracking system.

#### *Payment while on Statutory Maternity Leave*

Maternity pay will be calculated based on:

- Average salary over the last three months
- Minus 13.00 EUR per day (which is the payment by statutory health insurance)

The above will be inclusive of the state benefits the employee is eligible to receive through maternity allowance or otherwise.

Employees are required to make the necessary claims for maternity benefits through the statutory health insurance fund within the required time limits and to comply with whatever requirements are laid down by that department as a condition of claiming benefits.

#### *Note:*

The entitlement to statutory maternity benefit might be suspended if and for as long as the member receives contributory pay, wages, or holiday compensation.



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### Adobe Maternity Leave

#### *Eligibility*

All female employees who give birth and fall under the protection of the Maternity Protection Act (MuSchG) are entitled to take Adobe Maternity Leave.

#### *Entitlement*

Adobe extends the statutory maternity protection period after childbirth by a further 12 weeks, so that the eligible employees are granted a total of 26 weeks of maternity leave. The Adobe Maternity Leave of additional 12 weeks may only be taken directly after Statutory Maternity Leave and in one continuous block.

#### *Notification*

Together with the notification under Statutory Maternity Leave, an expectant mother should notify her Manager and the Employee Resource Center if she wants to take the additional Adobe Maternity Leave.

#### *Payment while on Adobe Maternity Leave*

The benefit is 100% of earnings; Maternity pay will be calculated based on:

- 100% of base salary
- 100% of target commission for sales employee

#### *Note:*

Benefits provided by Adobe under Adobe Maternity Leave might be taken into account with or deducted from any Parental Leave entitlements according to the Federal Parental Allowance Act (BEEG).



## Germany Parental Leave Policy

### Adobe Partner Leave

#### *Eligibility*

All employees who become the parent of a child and have not given birth, are entitled to take Partner Leave.

#### *Entitlement*

Eligible employees are entitled to 16 weeks Partner Leave. The 16 weeks are inclusive of public holidays. This time will run concurrently with and include any other leave for which you might be eligible and/or any state-mandated leave provisions effective participation in the care of the newborn or adopted child, including the statutory paternity leave, statutory childcare leave or statutory adoption leave.

The 16 weeks must be taken in one continuous block and must start and finish at any time within the first six months following the birth or adoption placement of the child at which point any untaken leave will be forfeited. Upon termination of employment for any reason, the employee will not be paid for any unused Adobe Partner leave which was due to them. This will not affect any statutory childcare leave, if you still fulfil the eligibility requirements provided by the law to enter into / return to such leave.

#### *Notification*

The employee must notify Adobe by email at least one month before the start of the leave. The request should be placed through the time off and leave management system and should contain:

- Start date of leave
- End date of leave
- A certificate from the mother's doctor confirming when the baby is due
- Or confirmation of the baby's actual date of birth if applying for leave after the birth has occurred
- Or supporting documents of adoption

#### *Payment while on Partner Leave*

Adobe Partner Pay will be calculated based on:

- 100% of base salary non sales employees
- 100% of target commission for sales employees

The above will be inclusive of any statutory benefits the employee might be eligible to receive through Statutory Parental Pay, or otherwise. Please note that payments received by Adobe under the "Adobe Partner Leave" might be deducted from Statutory Parental Allowance, or other.



## Germany Parental Leave Policy

### Statutory Parental Leave

#### *Eligibility*

If the requirements of the Federal Parental Leave Act (BEEG) are met, the following (amongst other) Employees will be eligible for Parental Leave:

- Biological parents of the baby
- Adoptive parents
- Adoption-assisted parents (care with the goal of adoption)
- Registered life partner (with the consent of the custodial parent)
- In special cases of death (death, serious illness or severe handicap of the biological parents) relatives to the third degree (grandparents, aunt, uncle, etc.)
- Grandparents (if living in one household with a grandchild and take care for it, whereas one parent is underage, or one parent is in education which started before the age of 18)

#### *Entitlement*

Eligible employees may take up to three years (36 months) leave after the birth or adoption of the child in accordance to the Federal Parental Leave Act (BEEG). Parental leave is unpaid by the employer. However, amongst other statutory parental benefits, for up to 14 months after the birth, the state pays an allowance to parents on parental leave, up to 65% of the last average net income in the last 12 calendar months before the birth.

Employees can divide parental leave into three parts. Up to 24 months of unused parental leave for each child can be claimed without the consent of the employer between the third birthday and the age of eight. All periods of parental leave to be taken in the first 36 months are to be communicated to the employer in writing at least 7 weeks before the desired start date or one month before the end of Maternity Leave if Parental Leave is taken right after Maternity Leave. All periods of Parental Leave that is to be taken between the child's third birthday and the age of eight, are to be communicated to the employer in writing at the latest 13 weeks before the desired start date. The employer may refuse the third period of Parental Leave for urgent operational reasons if it is between the third birthday and the eighth birthday of the child. Distribution to further or more than three sections is only possible with the consent of the employer.

During the Parental Leave the employee can work part time up to 32 hours per week. This would mean, that the employee would get the appropriate deducted salary for the hours when he/she takes Parental Leave.

More information on family benefits can be found on the [Ministry for Family Affairs, Pensioners, Women and Youth website](#).

#### *Note:*

If eligible employees have taken extended Adobe Maternity Leave (12 weeks) or Adobe Partner Leave (16 weeks), the duration of statutory parental leave is not extended. In other words, employees may have in total of 36 months of statutory Parental Leave regardless of taking advantage of Adobe Maternity Leave or Adobe Partner Leave. State pay allowance may be impacted to parents on parental leave if eligible employees have taken extended Adobe Maternity Leave (12 weeks) or Adobe Partner Leave (16 weeks), as payments by Adobe under this policy might suspend, be taken into account with, or deducted from any statutory Maternity/Parental Leave entitlements.

The vacation entitlement is reduced by one-twelfth for every full calendar month of Parental Leave.



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### *Notification*

The employee must notify Adobe at least seven weeks before the start of the Parental Leave or one month before the end of Maternity Leave if Parental Leave is taken right after Statutory Maternity Leave. In the case of leave taken between year three and eight of life, notification of leave must be at least 13 weeks before the desired start date.

The request must be made through the time off and leave tracking system and should contain:

- Start date of Parental Leave periods requested
- End date of Parental Leave periods requested
- A certificate from your spouse or partner's doctor confirming when your baby is due
- Or confirmation of the baby's actual date of birth if you apply for leave after the birth has occurred
- In the case of adoption, you must produce a certificate of placement in relation to the child.

### *Returning to work following Maternity or Parental Leave*

Subject to the employee complying with the procedures set out above, when returning from leave the employee will be entitled to return to the same job on the same terms and conditions as if he/she had not been absent.

An employee will be expected to return following Maternity or Parental Leave on the date agreed with Adobe. It would, however, assist if the employee would contact the manager at least four weeks before their return from Maternity or Parental, so that Adobe can ensure that arrangements are in place for her/his return. Failure to return on the date agreed will be treated as unauthorized absence.

If an employee wishes to return to work earlier than the expected return date, he/she must give Adobe at least eight weeks' notice of her date of early return, in writing. If he/she fails to do so, Adobe may postpone his/her return to such a date as will give Adobe eight weeks' notice, provided that this is not later than the expected return date.

### *Not returning to work following Maternity or Parental Leave*

If the employee decides not to return to work after Maternity or Parental Leave, the employee must give notice of resignation as soon as possible and in accordance with the terms of his/her contract of employment. If the notice period would expire after the Leave has ended, Adobe may require the employee to return to work for the remainder of the notice period.

### *Illness after Maternity or Parental Leave*

If an employee has a medical condition that prevents him/her from returning to work on the agreed date, he/she should send a medical certificate to Adobe as soon as possible. The employee will be treated as having returned from leave on the agreed date and treated the same as any other employee on sick leave. The normal contractual arrangements for sickness absence will, therefore, apply.

## Benefits Impact while on Leave

Unless specifically outlined in a separate paragraph within this policy, all Germany benefits including car allowance, wellness reimbursement and annual leave etc, remain unchanged during Maternity Leave.

### *Pension*

Pension contributions from both Adobe and the employee continue unchanged during the period of Maternity Leave Adobe Partner Leave.



## Germany Parental Leave Policy

### Commission & Bonus Impact while on Leave

The payment and entitlement to earnings other than basic pay during Maternity or Parental Leave can be complex and will depend on the exact circumstances of the employee concerned. However, for reference, some general principles are set out below.

#### *Sales based commission*

Details of how your Leave impacts on sales commission are posted on the Adobe Field Readiness site, [here](#).

#### *Bonuses*

Bonuses which are announced and confirmed prior to commencement of any parental leave are unaffected by commencement of Leave and will be paid on the previously notified date or on such date as the bonus is paid to other employees not on Adobe Leave.

Bonuses which are referable to an element of personal performance or where personal performance is taken into account will be pro-rated to take account of the element of the bonus year for which the employee was not on leave. This will usually be a straight-line pro-rating, but Adobe reserves the right to consider other factors, such as seasonal variation in levels of business, where it is considered appropriate to do so.

For the purposes of the pro-rating above, the two-week period of compulsory maternity leave shall be counted as a period during which the employee is at work, rather than a period of leave.

### Ante-Natal Care

Employees are entitled to paid leave for reasonable attendance at ante-natal appointments, either for themselves or to support their partner. The employee must provide their manager with a doctor's certificate of pregnancy and appointment card when requesting permission.

Where an employee can reasonably arrange such appointments to take place out of working hours, they are requested to do so. Otherwise they are requested to arrange them as close to the start or end of the working day as possible.