



## CENTRALIZED LEAVE MANAGEMENT TEAM FAQs

### WHAT IS FMLA?

FMLA stands for the Family and Medical Leave Act, a federal labor law that grants eligible employees the right to take unpaid, job-protected leave for specific family and medical reasons. Employees are eligible for FMLA leave if they have worked for their employer for at least 12 months, have at least 1,250 hours of service in the previous 12 months

### HOW DOES TRANSFORMCO COMPLY WITH FMLA REGULATIONS DURING THE TRANSITION TO NEW YORK LIFE LEAVE?

Transformco is committed to complying with FMLA regulations during its transition to New York Life as administrator for leaves. This means that eligible employees can still take unpaid, job-protected leave for qualifying family and medical reasons, as specified by the FMLA.

### ARE THERE ANY CHANGES TO FMLA BENEFITS DURING THE TRANSITION TO NEW YORK LIFE?

There should be no changes to the FMLA benefits during the transition to New York Life. Eligible employees can continue to enjoy the protections and benefits provided by the FMLA during their approved leave.

### WHAT IS THE SIGNIFICANCE OF THE TRANSITION TO NEW YORK LIFE IN RELATION TO ADA COMPLIANCE?

The transition to New York Life for Transformco does not alter our commitment to ADA compliance. We will continue to uphold the principles of the ADA, providing necessary accommodations and preventing discrimination against individuals with disabilities during this transition.

### WHAT IS EXTENDED CARE LEAVE (ECL)?

Extended Care Leave (ECL) is a policy designed to provide additional leave to associates who were eligible for leave under the federal Family and Medical Leave Act (FMLA) and have started and exhausted their FMLA leave in the last 12 months. ECL is granted for reasons related to an associate's own serious health condition or bonding with a new child.

### HOW LONG DOES ECL PROVIDE ADDITIONAL LEAVE?

ECL provides an additional 8 weeks for an associate's own serious health condition and 4 weeks for bonding with a new child. This is granted after the exhaustion of FMLA leave.

## **CAN LEAVE FOR AN ASSOCIATE'S OWN SERIOUS HEALTH CONDITION BE TAKEN INTERMITTENTLY UNDER ECL?**

Yes, ECL allows for leave related to an associate's own serious health condition to be taken intermittently. This flexibility is provided to accommodate the specific needs of the associate.

## **DOES ECL PROVIDE JOB PROTECTION?**

Job protection will be provided to the extent required under the Americans with Disabilities Act (ADA) or other applicable federal and states laws. The policy aims to safeguard the employment status of associates taking ECL to meet their health or bonding needs.

## **CAN LEAVE BE EXTENDED AS A REASONABLE ACCOMMODATION UNDER THE ADA OR SIMILAR STATE LAWS?**

Yes, leave under ECL may be extended as a reasonable accommodation under the Americans with Disabilities Act (ADA) and/or similar state laws. This provision allows for additional flexibility to address specific accommodation needs.

## **WHAT IS ASSOCIATE FAMILY LEAVE (AFL)?**

The Associate Family Leave is a policy designed to provide additional leave to associates who for those associate that are not eligible for FMLA, in connection with an associate's own serious health condition, family care or bonding with a new child

## **HOW MUCH TIME AFL PROVIDES FOR LEAVE?**

Associates not eligible for FMLA can receive 8 weeks of leave for their own serious health condition and 4 weeks for the care of a family member or a new child.

## **HOW DOES AFL HANDLE LEAVE FOR AN ASSOCIATE'S OWN SERIOUS HEALTH CONDITION?**

AFL provides 12 weeks of leave for all part-time (PT), full-time (FT), and salaried associates facing their own serious health condition.

## **IS THERE A SERVICE ELIGIBILITY REQUIREMENT FOR AFL'S LEAVE POLICY?**

Yes, associates must have 6 months of service to be eligible for leave. Leave may be granted as a reasonable accommodation under the ADA or similar state laws during this period.

## **CAN INTERMITTENT LEAVE BE TAKEN FOR AN ASSOCIATE'S OWN SERIOUS HEALTH CONDITION UNDER AFL?**

Yes, intermittent leave is allowed unless the associate is unable to perform essential job functions or if the intermittent leave create an undue hardship to the business.

## **DOES AFL PROVIDE JOB PROTECTION?**

Job protection will be provided to the extent required under the Americans with Disabilities Act (ADA) or other applicable federal and states laws. The policy aims to safeguard the employment status of associates taking AFL to meet their health or bonding needs.

## WHAT IS THE AFL LEAVE ENTITLEMENT FOR PREGNANCY, CHILDBIRTH, AND BONDING WITH A NEW CHILD?

Associates, regardless of employment type, may receive a combined total of 12 weeks of leave. However, no more than 4 weeks of the 12 week entitlement can be taken for the bonding with a new child.

## WHAT IS A PERSONAL LEAVE OF ABSENCE AT TRANSFORMCO?

A Personal Leave of Absence at Transformco is a temporary break from work granted to eligible associates for compelling personal reasons not covered by other types of leave. It allows associates to be temporarily relieved from their work responsibilities with the intention of returning to the company. Personal Leave of Absence is not job protected.

## WHO IS ELIGIBLE FOR A PERSONAL LEAVE OF ABSENCE?

Associates with at least 3 months of service are currently eligible for a Personal Leave of Absence. However, starting January 1, 2024, this eligibility requirement will change, and associates will need to have at least 6 months of service to qualify for a Personal Leave of Absence.

## WHAT QUALIFIES AS COMPELLING PERSONAL REASONS FOR TAKING A PERSONAL LEAVE OF ABSENCE?

Compelling personal reasons are those that are not covered by other types of leave and significantly impact an associate's ability to work. These reasons are generally of a personal nature and may include family emergencies, or other unforeseen circumstances.

## ARE THERE ANY CHANGES TO THE ARREST LEAVE OF ABSENCE POLICY?

No, there are no changes to the Arrest Leave of Absence policy. The adjustments in eligibility requirements specifically apply to the Personal Leave of Absence and do not impact other leave policies.

## WHAT ARE ASSOCIATES RESPONSIBLE FOR IN THE RETURN-TO-WORK AND ACCOMMODATION PROCESS?

Associates are responsible for communicating their intentions to return to work or requesting accommodations to the Centralized Leave Management Team (CLMT) at [Leave90@transformco.com](mailto:Leave90@transformco.com). They need to provide necessary documentation from healthcare providers, cooperate with the accommodation process, and understand that reasonable accommodations are determined based on company needs.

## HOW SHOULD ASSOCIATES COMMUNICATE THEIR RETURN-TO-WORK INTENTIONS OR ACCOMMODATION REQUESTS?

Associates should communicate with the CLMT at [Leave90@transformco.com](mailto:Leave90@transformco.com) regarding their intentions to return to work or request accommodations.

## WHAT ROLE DO ASSOCIATES PLAY IN THE ACCOMMODATION PROCESS?

Associates are crucial in providing necessary documentation, cooperating with the accommodation process, and understanding that accommodations are determined based on individual circumstances.

## WHAT RESPONSIBILITIES DO MANAGERS HAVE IN THE RETURN-TO-WORK PROCESS?

Managers are responsible for communicating with the CLMT when the associate physically returns. They must utilize the Return to Work portal in PeopleDock to process the return. The Fitness for Duty Form can be sent by email to [Leave90@transformco.com](mailto:Leave90@transformco.com) if portal access is unavailable.

## HOW CAN MANAGERS PROCESS THE RETURN OF AN ASSOCIATE USING THE RETURN TO WORK PORTAL?

Managers can use the Return to Work portal located in PeopleDock at (<https://myhr.searshc.com/Compliance/CentralizedLeaveManagement/ReturntoWorkfromLeave/tabid/877/Default.aspx>) to process the return of an associate.

## WHAT SHOULD MANAGERS DO IF THEY CANNOT ACCESS THE RETURN TO WORK PORTAL?

In case of portal inaccessibility, managers can send the Fitness for Duty Form by email to [Leave90@transformco.com](mailto:Leave90@transformco.com). However, they should not allow the associate to start work until the CLMT confirms the return has been processed.

## WHAT ROLE DOES THE CLMT PLAY IN MANAGING ACCOMMODATIONS AND RETURN-TO-WORK PROCESSES?

The CLMT plays a crucial role in reviewing and assessing Fitness for Duty Forms, facilitating discussions about reasonable accommodations, evaluating non-leave accommodation requests, and ensuring compliance with applicable laws and regulations.

## WHAT IS CLMT/LEAVE90, AND HOW IS IT CURRENTLY INVOLVED IN LEAVE & ACCOMMODATION MATTERS?

The Centralized Leave Management Team, often referred to as CLMT/Leave90, is currently the primary resource for Leave & Accommodation-Related Questions for all associates, managers, and Human Resource Generalists. The CLMT provides assistance and support regarding leave of absence and accommodation matters.

## WHAT CHANGES ARE HAPPENING WITH THE LEAVE MANAGEMENT PROCESS?

Effective January 1, 2024, the administration of leave and accommodation will transition from CLMT/Leave90 to New York Life (NYL). This change aims to enhance the overall management of leaves and accommodations.

## HOW WILL NEW YORK LIFE (NYL) AND CLMT/LEAVE90 COLLABORATE DURING AND AFTER THE TRANSITION?

NYL and CLMT/Leave90 will maintain a close partnership to ensure that policies are applied as intended. This collaboration is designed to provide associates with the best possible customer service during their leave of absence. The two entities will work together to ensure a smooth transition and continued support.

## WILL CLMT/LEAVE90 STILL BE AVAILABLE AS A RESOURCE AFTER THE TRANSITION TO NYL?

Yes, the CLMT/Leave90 will continue to be a valuable resource for associates, managers, and Human Resource Generalists. They will remain accessible for any issues, questions, or escalations related to leave of absence and accommodation matters, even after the transition to New York Life.

## WHEN SHOULD BUSINESSES CONTACT CLMT?

Businesses should contact CLMT under the following circumstances:

- Position Filling or Replacement: Reach out to CLMT when filling a position or replacing an associate who is on leave.
- Termination with Open Leave or Accommodation: Contact CLMT if terminating an associate who currently has an open leave absence or accommodation.
- Leave or Accommodation in the Past 12 Months: Connect with CLMT when an associate has been on leave or accommodation within the past 12 months.
- Return-to-Work Processing: Utilize CLMT services to facilitate the return-to-work process for associates.

## HOW CAN A MANAGER OR PEOPLE OPS ACCESS THE PORTAL?

Manager and People Ops can contact NYL by phone at 888.842.4462 or visit the NYL absence portal, which can be located on 88sears.com, MPI, and the Peopledock Leave & Accommodation portals on January 1, 2024 and thereafter.

## HOW WOULD MANAGER OR PEOPLE OPS BE INFORMED OF ANY LEAVE UPDATES?

NYL will provide updates to managers and People Ops during the leave claim process.

## HOW CAN ASSOCIATES CONTACT THE CLMT FOR ACCOMMODATION-RELATED MATTERS?

Contact information and communication channels for CLMT/Leave90 will remain unchanged. Associates, managers, and Human Resource Generalists can continue to reach out to CLMT/Leave90 using email at [Leave90@transfromco.com](mailto:Leave90@transfromco.com) for any assistance or guidance regarding leave of absence and accommodation.

## WHAT IF THERE ARE ISSUES OR CONCERNS DURING THE TRANSITION OR AFTER IT IS COMPLETED?

If associates, managers, or Human Resource Generalists encounter any issues or have concerns during the transition or after its completion, they can reach out to CLMT/Leave90 for assistance. CLMT/Leave90 will continue to be a dedicated resource for addressing any challenges or inquiries related to leave of absence and accommodation.