

Section 11 - DISTRICT OF COLUMBIA ADDENDUM

11-1. Pregnancy Accommodations

Innowave Marketing Group will endeavor to provide reasonable accommodations to employees working in the District of Columbia who are affected by pregnancy, childbirth or related medical conditions as required by law, unless such accommodations would result in an undue hardship to Innowave Marketing Group. Innowave Marketing Group will engage in a good faith and timely interactive process to determine whether a reasonable accommodation can be provided for such employees. Employees may be asked to provide necessary medical certification. Reasonable accommodations may include: more frequent or longer breaks, time off to recover from childbirth, equipment modification, light duty and having the employee refrain from heavy lifting.

Employees with questions regarding this policy can contact the Employee's Manager.

11-2. Sick And Safe Time

Eligibility

Innowave Marketing Group provides paid sick leave to all District of Columbia employees pursuant to the District of Columbia Accrued Sick and Safe Leave Act.

Accrual

Employees begin to accrue paid sick leave pursuant to this policy from the date of hire. Employees accrue paid sick leave at a rate of one (1) hour for every 37 hours worked up to a maximum of 7 days per calendar year.

Usage

Employees may begin using paid sick leave under this policy after the 90th day of employment.

The employee may use paid sick leave under this policy for the following reasons:

1. an absence resulting from a physical or mental illness, injury, or medical condition of the employee;
2. an absence resulting from obtaining professional medical diagnosis or care or preventive medical care for the employee; or
3. an absence for the purpose of caring for a family member who has any of the conditions or needs for diagnosis or care described in paragraphs (1) and (2) above.

The employee may also use paid leave for an absence if the employee or the employee's family member is a victim of stalking, domestic violence, or sexual abuse and the absence is directly related to medical, social, or legal services pertaining to the stalking, domestic violence, or sexual abuse for the purposes of:

1. seeking medical attention for the employee or the employee's family member to treat or recover from physical or psychological injury or disability caused by stalking, domestic violence, or sexual abuse;

2. obtaining services for the employee or the employee's family member from a victim services organization;
3. obtaining psychological or other counseling services for the employee or the employee's family member;
4. the temporary or permanent relocation of the employee or the employee's family member;
5. taking legal action, including preparing for or participating in any criminal or civil proceeding related to or resulting from stalking, domestic violence, or sexual abuse; or
6. taking other actions that could be reasonably determined to enhance the physical, psychological, or economic health or safety of the employee or the employee's family member or the safety of those who work or associate with the employee.

Notice & Documentation

If possible, employees must provide at least 10 days prior notice of the planned use of paid sick leave under this policy. Where 10 days prior notice is not possible, the employee must provide notice as soon as possible, ideally in writing. In the case of an emergency, employees must notify Innowave Marketing Group of need to use paid sick leave prior to the start of their next shift or within 24 hours of the onset of the emergency, whichever is sooner. Employees are required to make a reasonable effort to schedule paid sick leave in a manner that does not unduly disrupt Innowave Marketing Group's operations. If paid sick leave is requested in a non-emergency situation, the employee must consult with the Company regarding the date and time of the paid leave to be taken.

Employees are required to provide reasonable certification of the reason for leave within one business day of return to work where the requested leave under this policy is for three or more consecutive days. A reasonable certification may include:

1. a signed document from a health care provider affirming the illness of the employee or the employee's family member;
2. a police report indicating that the employee or the employee's family member was the victim of stalking, domestic violence, or sexual abuse;
3. a court order indicating that the employee or employee's family member was the victim of stalking, domestic violence, or sexual abuse;
4. a signed written statement from a victim and witness advocate affirming that the employee or employee's family member is involved in legal action or proceedings related to stalking, domestic violence, or sexual abuse. The signed statement shall include only the name of the employee or employee's family member who is a victim and the date on which services were sought; or
5. a signed written statement from a victim and witness advocate, or domestic violence counselor affirming the employee or employee's family member sought services to enhance the physical, psychological, economic health or safety of the employee or employee's family member.

Payment

Paid sick leave under this policy will be calculated based on the employee's base pay rate at the time of absence. It does not include overtime or any special forms of compensation such as incentives, commissions, or bonuses.

Payout

Accrued but unused paid sick leave under this policy will not be paid at separation.

Enforcement & Retaliation

Innowave Marketing Group prohibits retaliation against any employees who assert their rights to receive paid sick leave under this policy. The Office of Wage-Hour of the D. C. Department of Employment Services can investigate possible violations. To request full text of the Act, to obtain a copy of the rules associated with this Act, or to file a complaint, contact the Office of Wage-Hour at (202) 671-1880, 4058 Minnesota Avenue, N.E., 4th Floor, Washington, D.C. 20019, or visit www.does.dc.gov. Employees with questions regarding this policy can contact Human Resources hr@innwavemarketing.com.

11-3. Jury Duty Leave

Innowave Marketing Group realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service, including fees received for jury duty service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

Innowave Marketing Group will pay full-time employees their regular wages, less the fee received for jury service, for up to five (5) days of jury service. Exempt employees will be paid their full salary less jury duty fees for any week in which they performed work for Innowave Marketing Group and missed work due to jury service.

The employee will not be considered a full-time employed juror on any day of jury service in which that employee:

- would not have accrued regular wages to be paid by Innowave Marketing Group if the employee were not serving as a juror on that day; or
- would not have worked more than half of a shift that extends into another day if the employee was not serving as a juror on that day.

Employers with 10 or fewer employees are not required to pay a juror-employee their usual compensation.

11-4. Family And Medical Leave

Employees may be entitled to a leave of absence under the Family and Medical Leave Act ("FMLA") and/or the D.C. Family and Medical Leave Act ("DCFMLA"). This policy provides employees with information concerning FMLA/DCFMLA entitlements and obligations employees may have during such leaves. Whenever permitted by law, Innowave Marketing Group will run FMLA leave concurrently with DC FMLA and any other leave provided under state or local law. If employees have any questions concerning FMLA/DCFMLA leave, they should contact Human Resources hr@innwavemarketing.com.

I. Eligibility

FMLA leave is available to "FMLA eligible employees." To be an "FMLA eligible employee," the employee must: 1) have been employed by Innowave Marketing Group for at least 12 months (which need not be consecutive); 2) have been employed by Innowave Marketing Group for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

Special hours of service eligibility requirements apply to airline flight crew employees.

DCFMLA leave is available to "DCFMLA eligible employees." To be a "DCFMLA eligible employee," the employee must: 1) have been employed by Innowave Marketing Group for at least 1 year without a break in service except for regular holiday, sick or personal leave; 2) have worked at least 1,000 hours during the 12 month period preceding the leave; and 3) be employed by an employer with 20 or more employees in D.C.

II. Entitlements

As described below, the FMLA and/or DCFMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration.

A. Basic FMLA and DCFMLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The DCFMLA provides eligible employees up to 16 workweeks of unpaid leave for certain family reasons during a 24 month period. In addition, the DCFMLA provides eligible employees up to 16 workweeks of unpaid leave in a 24 month period for the employee's own serious health condition that makes the employee unable to perform the functions of his/her position. The 12 or 24-month period is determined based on a rolling 12-month period measured backward from the date the employee uses their FMLA leave. The total leave shall not exceed 12 weeks in any 12 month period (FMLA) or 32 weeks in any 24 month period (DCFMLA) except for leave to care for an injured servicemember which shall not exceed 26 weeks of leave during a single 12 month period as described in more detail below. Where both laws apply, the leave provided by each will run concurrently. It is Innowave Marketing Group's policy to provide the greater leave benefit provided under the FMLA or DCFMLA and to run leave concurrently under the FMLA and DCFMLA whenever possible.

Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse (or domestic partner or person with whom the employee shares or has shared, within the last year, a mutual residence and with whom the employee maintains a committed relationship - DCFMLA only), son, daughter (child can be over the age of 18 and can be a child who lives with the employee and for whom the employee permanently assumes and discharges parental responsibility - DCFMLA only), parent (or parent-in-law- DCFMLA only) or a person to whom the employee is related by blood or legal custody (DCFMLA only), who has a **serious health condition**;
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or
- Because of any **qualifying exigency** arising out of the fact that the employee's spouse, son, daughter or parent is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserve component of the Armed Forces for deployment to a foreign country in support of contingency operation or Regular Armed Forces for deployment to a foreign country. (FMLA only).

A **serious health condition** is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

B. Additional Military Family Leave Entitlement (Injured Servicemember Leave)(FMLA Only)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a **covered servicemember** is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single-12 month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "**covered servicemember**" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." Covered servicemembers also include a veteran who is discharged or released from military service under conditions other than dishonorable at any time during the five year period preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans".

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

C. Intermittent Leave and Reduced Leave Schedules

FMLA and/or DCFMLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees also are entitled to take FMLA and/or DCFMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember (FMLA only). Leave due to qualifying exigencies may also be taken on an intermittent or reduced schedule basis. Unless agreed to by Innowave Marketing Group, employees may not take family leave that only qualifies under the DCFMLA for a period of more than 24 months.

D. No Work While on Leave

The taking of another job while on FMLA/DCFMLA leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by applicable law.

E. Protection of Group Health Insurance Benefits

During FMLA and/or DCFMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

F. Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause Innowave Marketing Group substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. Innowave Marketing Group will notify employees if they qualify as "key employees," if it intends to deny reinstatement, and their rights in such instances. As with FMLA leave, at the end of DCFMLA leave, subject to some exceptions, employees generally have the right to return to the same or equivalent position with equivalent pay, benefits and other terms. Under the DCFMLA, key employees may be denied job restoration if the employee is among the five highest paid employees of an employer of fewer than 50 persons or among the highest 10% of employees of an employer with 50 or more employees and the following conditions are met: (1) denial of restoration is necessary to prevent substantial economic injury to Innowave Marketing Group's operations and the injury is not directly related to the leave that the employee took; and (2) Innowave Marketing Group notifies the employee of the intent to deny restoration of employment and the basis for the decision at the time Innowave Marketing Group determines denial of restoration of employment is necessary. Use of FMLA/DCFMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA/DCFMLA leave.

G. Notice of Eligibility for, and Designation of, FMLA and DCFMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from Innowave Marketing Group telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) Innowave Marketing Group's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

Innowave Marketing Group may retroactively designate leave as FMLA/DCFMLA leave with appropriate written notice to employees provided Innowave Marketing Group's failure to designate leave as FMLA/DCFMLA -qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA/DCFMLA protection, Innowave Marketing Group and employee can mutually agree that leave be retroactively designated as FMLA/DCFMLA leave.

III. Employee FMLA and DCFMLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees who wish to take FMLA and/or DCFMLA leave must timely notify Innowave Marketing Group of their need for FMLA and/or DCFMLA leave. The following describes the content and timing of such employee notices.

1. Content of Employee Notice

To trigger FMLA and/or DCFMLA leave protections, employees must inform Human Resources hr@innwavemarketing.com of the need for FMLA/DCFMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA and/or DCFMLA leave

specifically, or explaining the reasons for leave so as to allow Innowave Marketing Group to determine that the leave is FMLA/DCFMLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member (including domestic partner and parent-in-law under DCFMLA) are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency cause by a military member being on covered active duty or called to covered active duty status to a foreign country (FMLA only); or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness (FMLA only).

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to Innowave Marketing Group's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA and/or DCFMLA leave, the leave may be denied. When employees seek leave due to FMLA/DCFMLA-qualifying reasons for which Innowave Marketing Group has previously provided FMLA/DCFMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA and/or DCFMLA leave.

2. Timing of Employee Notice

Employees must provide 30 days' advance notice of the need to take FMLA and/or DCFMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide Innowave Marketing Group notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA and/or DCFMLA leave delayed or denied.

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with Innowave Marketing Group and make a reasonable effort to schedule treatment so as not to unduly disrupt Innowave Marketing Group's operations, subject to the approval of the employee's health care provider. Employees must consult with Innowave Marketing Group prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both Innowave Marketing Group and the employees, subject to the approval of the employee's health care provider. If employees providing notice of the need to take FMLA/DCFMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, Innowave Marketing Group may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, Innowave Marketing Group may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better

accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise Innowave Marketing Group of the reason why such leave is medically necessary. In such instances, Innowave Marketing Group and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting Innowave Marketing Group's operations, subject to the approval of the employee's health care provider.

C. Submit Medical Certifications Supporting Need for FMLA/DCFMLA Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of FMLA/DCFMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three types of FMLA medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide Innowave Marketing Group with timely, complete and sufficient medical certifications. Whenever Innowave Marketing Group requests employees to provide FMLA/DCFMLA medical certifications, employees must provide the requested certifications within 15 calendar days after Innowave Marketing Group's request, unless it is not practicable to do so despite the employee's diligent, good faith efforts. Innowave Marketing Group will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. Innowave Marketing Group will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications, to the extent permitted by applicable law.

With the employee's permission, Innowave Marketing Group (through individuals other than the employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide Innowave Marketing Group with authorization allowing it to clarify or authenticate certifications with health care providers, Innowave Marketing Group may deny FMLA leave if certifications are unclear, to the extent permitted by applicable law.

Whenever Innowave Marketing Group deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA/DCFMLA medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If Innowave Marketing Group has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at Innowave Marketing Group's expense. If the opinions of the initial and second health care providers differ, Innowave Marketing Group may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by Innowave Marketing Group and the employee.

2. Medical Recertifications

Depending on the circumstances and duration of FMLA/DCFMLA leave, Innowave Marketing Group may require employees to provide recertification of medical conditions giving rise to the need for leave. Innowave Marketing Group will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA/DCFMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide Innowave Marketing Group medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. Innowave Marketing Group may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, Innowave Marketing Group may require employees to provide: 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to covered active duty status and the dates of the military member's covered active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active duty status of the same or a different covered military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, Innowave Marketing Group may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, Innowave Marketing Group may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

E. Substitute Paid Leave for Unpaid FMLA and DCFMLA Leave

Employees may use any accrued paid time while taking unpaid FMLA leave. Employees may elect to use accrued paid time while taking unpaid DCFMLA leave.

The substitution of paid time for unpaid FMLA and/or DCFMLA leave time does not extend the length of FMLA/DCFMLA leave and the paid time will run concurrently with the employee's FMLA/DCFMLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA and/or DCFMLA leave entitlement.

Upon written request, Innowave Marketing Group will allow employees to use accrued paid time to supplement any paid disability benefits.

F. Pay Employee's Share of Health Insurance Premiums

During FMLA/DCFMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless Innowave Marketing Group notifies employees of other arrangements, whenever employees are receiving pay from Innowave Marketing Group during

FMLA/DCFMLA leave, Innowave Marketing Group will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA/DCFMLA leave is unpaid, employees must pay their portion of the group health premium using a method determined by Innowave Marketing Group upon leave.

Innowave Marketing Group's obligation to maintain health care coverage ceases if the employee's premium payment is more than 30 days late. If the employee's payment is more than 15 days late, Innowave Marketing Group will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse Innowave Marketing Group for the cost of the premiums Innowave Marketing Group paid for maintaining coverage during their unpaid FMLA/DCFMLA leave.

IV. Coordination of FMLA/ DCFMLA Leave with Other Leave Policies

The FMLA and DCFMLA do not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law that provides greater family or medical leave rights. However, whenever permissible by law, Innowave Marketing Group will run FMLA and/or DCFMLA leave concurrently with any other leave provided under state or local law. For additional information concerning leave entitlements and obligations that might arise when FMLA/DCFMLA leave is either not available or exhausted, please consult Innowave Marketing Group's other leave policies in this handbook or contact Human Resources hr@innwavemarketing.com.

V. Questions and/or Complaints about FMLA and DCFMLA Leave

If employees have questions regarding this FMLA/DCFMLA policy, they should contact Human Resources hr@innwavemarketing.com. Innowave Marketing Group is committed to complying with the FMLA and DCFMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA and DCFMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact Human Resources hr@innwavemarketing.com immediately. Innowave Marketing Group will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

11-5. Paid Family And Medical Leave Benefits

Employees may be eligible for paid leave benefits for covered events pursuant to the District of Columbia Universal Paid Leave Amendment Act (UPLA). The UPLA is a paid leave benefit administered by the Office of Paid Family Leave (OPFL) at the District of Columbia Department of Employment Services. Benefits are funded through an employer payroll tax, not deducted from employees' pay. The District of Columbia (the "District") is solely responsible for determining eligibility for paid leave benefits under the UPLA.

Eligibility

To be eligible for paid leave benefits, employees must have been a covered employee during some or all of the 52 calendar weeks immediately preceding the qualifying event for which paid leave is being taken. A covered employee is someone who either spends more than 50 percent of their work time for Innowave Marketing Group working in the District; or whose employment for Innowave Marketing Group is based in the District, who regularly spends a substantial amount of the work time in the District, and who does not spend more than 50 percent of their work time for Innowave Marketing Group in another jurisdiction.

Covered Events

Paid leave benefits are available for the following covered events:

- family leave to care for a family member with a serious health condition;
- medical leave for the employee's own serious health condition; and
- parental leave to bond with the employee's child after the child's birth, placement of a child for adoption or foster care, or placement of a child with the employee who will legally assume and discharge parental responsibility.

Parental leave benefits must be used within 52 calendar weeks of the qualifying parental leave event.

Family Member Definitions

For purposes of paid leave benefits, a family member includes the employee's:

- biological, adopted or foster child, a stepchild, a legal ward, a child of a domestic partner, or a person to whom the employee stands in loco parentis;
- biological, foster or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to when the employee was a child;
- a person to whom the employee is related by domestic partnership or marriage;
- grandparent, which means the biological, foster, adoptive or stepparent of the employee's biological, foster, adoptive or stepparent; or
- a sibling, which means the biological, half-, step-, adopted-, or foster-sibling or sibling-in-law of the employee.

Benefit Amounts

The amount of paid leave benefits that may be payable varies depending on the covered event:

- family leave benefit is up to six (6) workweeks within a 52-calendar-week period;
- medical leave benefit is up to two (2) workweeks within a 52-calendar-week period; and
- parental leave benefit is up to eight (8) workweeks within a 52-calendar-week period.

Additionally, the aggregate maximum amount of paid leave benefits that may be received within a 52-calendar-week period is eight (8) workweeks. The amount of benefits will be calculated by the District and will depend in part on the employee's average weekly wage as reported by Innowave Marketing Group to the Department of Employment Services, subject to a maximum weekly benefit amount.

Employees may elect to receive paid leave benefits either intermittently or continuously in increments of no

less than one (1) day.

Employees are subject to a seven (7) calendar day waiting period from the first day of a qualifying event, but will only be subject to one (1) waiting period of seven (7) calendar days during and for which no benefits are payable within a 52-calendar-week period.

Employees who have experienced an event that may qualify for paid leave benefits may contact Human Resources hr@innwavemarketing.com for information about the District's paid leave benefits program and how to apply for benefits. Employees also can learn more about applying for benefits with the OPFL: dcpaidfamilyleave.dc.gov

Employees must, to the extent practicable, provide written notice of their need to use paid leave benefits to Human Resources hr@innwavemarketing.com before taking leave. If the need is foreseeable, written notice must be given at least 10 business days in advance. If the need is not foreseeable, notice must be provided in writing, or orally in exigent circumstances, before the start of the work shift for which the individual intends to first take time off for a covered event. In the case of an emergency that prevents the employee from providing notice before the start of the work shift, the eligible employee, or another individual, must notify Innovave Marketing Group in writing, or orally in exigent circumstances, within 48 hours after the emergency occurs. The eligible employee, or someone on their behalf, must supplement oral notice with written notice as soon as practicable.

The written or oral notice should include:

- the type of covered event;
- the expected duration of the time off work for the covered event;
- the expected start and end dates of the time off work for the covered event; and
- whether the paid leave benefits sought will initially be used continuously or intermittently.

The UPLA does not provide job protection to employees when they take time off work and receive paid leave benefits unless they qualify for such reinstatement under federal or D.C. family and medical leave laws. Any time off for events that qualify for paid leave benefits will run concurrently with other leaves of absence, such as Family and Medical Leave and D.C. Family and Medical Leave, if applicable. Please see the Family and Medical Leave and D.C. Family and Medical Leave policies for eligibility requirements.

Innovave Marketing Group prohibits retaliation against employees for requesting or using paid leave benefits or otherwise exercising or attempting to exercise any right provided in this policy or the UPLA.

Employees with questions regarding these benefits can contact Human Resources hr@innwavemarketing.com.

11-6. Time Off For School-Related Activities

Innovave Marketing Group will grant employees who are parents, guardians, aunts, uncles, grandparents or step-parents of school-age children up to 24 hours of unpaid leave during any 12-month period to attend or participate in a school-related event in which the employee's child is a participant or a subject. When possible, 10 days' advance notice is required. Employees may use accrued paid time off for this purpose. Leave may be denied if it would unduly disrupt Innovave Marketing Group's business.