



Leave of Absence and Accommodation (U.S.)

What is the purpose of this document?

This document is intended to describe Lam Research Corporation's leave of absence benefit administration programs to U.S. employees and to describe Lam's reasonable accommodation program for qualified employees with disabilities, if applicable.

Leave of absence: A leave of absence (LOA) means the entire length of time an employee is absent from work for specified reasons. Typical reasons for leave include illness, injury, or pregnancy-related medical conditions; to care for an immediate family member with a certified serious health condition; to care for a new child; or to fulfill a military commitment. A leave of absence must be initiated for any absences that exceed seven consecutive calendar days for an employee's own serious health condition or to care for a family member, including bonding with a child. Lam also may approve a Personal Leave of Absence to take care of personal matters, for travel, or for an educational purpose. Lam has specifically designated six types of leaves of absence: Medical Leave, Family and Medical Leave Act, Parental Bonding Leave, Family Care Leave, Personal Leave, and Military Leave.

In addition to the leaves defined within this practice, the company will provide eligible employees with the required leaves of absence based on applicable law in the state where the employee works.

Accommodation: Lam recognizes that an individual with a physical or mental impairment that limits a major life activity may be "disabled" as defined by the Americans with Disabilities Act Amendments Act (ADAAA) or equivalent state laws. Individuals with a qualifying disability are eligible for reasonable accommodation. The reasonable accommodation process begins as soon as a request is made or need for accommodation is recognized. A request does not have to use any special words, such as "reasonable accommodation," "disability," or "rehabilitation." This document focuses on the reasonable accommodation process applicable for current employees who request or are identified as potentially needing accommodation to perform their job. Note: Employees may also make requests for accommodation for religious observance by contacting the Employee Relations group at employee.relations@lamresearch.com.

What leaves are included in this document?

- Medical Leave
- FMLA: Family and Medical Leave Act (federal)
- Parental Bonding Leave
- Family Care Leave
- Personal Leave
- Military Leave

Who is covered and not covered?

This document applies to all Lam and Silfex U.S. regular full- and part-time employees working a minimum of 20 hours per week. Where applicable, this practice is supplemented by relevant federal and state law.

The Family and Medical Leave Act (FMLA) applies to all employees who have worked for Lam for at least 12 months and have worked a minimum of 1,250 hours in the previous 12 months.

Employee responsibilities: Leaves of absence

- Determine your LOA start date and estimate your LOA end date.
- Inform your manager about your LOA at least 30 days in advance.
- Contact Lam's LOA administrator to initiate your LOA, and complete the LOA forms.
- Ensure that your health care provider submits required documentation on a timely basis.
- Do not perform any work for Lam or Silfex while on an approved leave of absence.
- Do not seek or engage in employment with an outside employer unless you receive approval from the Ethics and Compliance team in advance (per LGL-70988 Conflict of Interest [LGL-41207] Procedure).

The outsourced leave administrator for the company will provide the employee with leave of absence information and will coordinate the leave process for the employee. Information on the process to apply for a leave of absence can be found at [Lam Benefits > Time away > Leaves of absence](#). The outsourced leave administrator also can provide information about the reasonable accommodation process and will coordinate that process with Lam Employee Relations and the employee.

Manager responsibilities: Leaves of absence

- Ensure that your employees report their LOA to the Lam LOA administrator as soon as possible, or notify the Benefits team for support.
- Plan the team's work to address your employee's LOA.
- Keep the details of your employee's LOA confidential, unless the employee gives explicit permission for the team to know about it.
- Do not contact employees who are on an approved leave of absence for any work-related reasons, except for brief "how are you doing" check-ins (if desired) or return-to-work logistics coordination.
- If an urgent need to contact an employee for another reason arises, consult with the Benefits team at benefits@lamresearch.com or the ER team at employee.relations@lamresearch.com first.

Abbreviations

- ADAAA: Americans with Disability Act Amendments Act (federal)
- AD&D: accidental death and dismemberment
- FMLA: Family and Medical Leave Act (federal)
- LOA: leave of absence
- PTO: paid time off

General description: Leaves of absence

1. MEDICAL LEAVE

An approved Medical Leave covers an employee's absence due to the employee's own illness, injury, or pregnancy-related medical condition. Medical Leave requests must be certified by a licensed health care provider. The certificate must specify the effective date of when the employee is unable to work and the expected date of return to work. Leave requests must be made at least 30 days prior to the leave when foreseeable or as soon as reasonably possible when the leave is not foreseeable.

Eligibility

An employee may be eligible for an unpaid Medical Leave from the first day of employment regardless of whether the employee is covered by FMLA or any applicable state leaves. If the reason for the leave is legally protected under the FMLA or other applicable federal, state, or local laws, the company will provide reinstatement in compliance with applicable law. If the employee is not eligible for protection under relevant law or if the reason for the leave is not legally protected, then the employee may be replaced while on leave, and reinstatement is not guaranteed.

An employee who has exhausted the maximum FMLA and/or applicable state leave due to their own illness may continue to be on leave under company Medical Leave if certified as medically necessary by a licensed health care provider and by Lam's disability and leave administrator. Continued approval is subject to review at least every 30 days, unless circumstances require a different time frame during a continued leave. If the reason for the continued leave is legally protected under applicable federal, state, or local law, the company will provide continued leave time and reinstatement in compliance with applicable law. If the reason for the leave is not legally protected, then the employee may be replaced while on leave, and neither continued leave time nor reinstatement are guaranteed.

Duration

Depending on the nature of the medical condition, statutory Medical Leave generally will not exceed six months in a rolling 12-month period. The company will comply with applicable law with respect to the duration of any statutory Medical Leave; Lam's non statutory Medical Leave will apply after the exhaustion of any applicable statutory Medical Leave. The maximum duration of combined statutory and non statutory Medical Leave is nine months.

Medical certification is required for any Medical Leave. Medical Leaves may be taken intermittently, in a minimum of 15-minute increments, as long as intermittent leave is prescribed by the licensed health care provider and certified by Lam's disability and leave administrator. Lam reserves the right to review the parameters of any intermittent leave schedule at least every 30 days, unless conditions require a different time frame during a continued leave.

Pay practices

Medical Leave, if taken on its own, is an unpaid leave. Benefits will be paid if the underlying condition supporting the Medical Leave qualifies for temporary disability benefits through the California Voluntary Disability Insurance (VDI) Plan, the Short-Term Disability (STD) Plan, a state disability plan, or through workers' compensation (for occupational injuries or illnesses). Temporary disability provides a percentage of base salary. The benefit payout period begins the first day of leave.

Benefits

Employees are responsible for paying the employee portion for all benefit premiums while on leave of absence. Health and welfare benefits, life and AD&D insurance, and group voluntary benefits will remain in effect throughout the leave if premium payments are paid on a timely basis. Employees receiving VDI, STD, or paid family benefit payments will automatically have their benefit premiums deducted from these payments made by a third-party administrator. In California, employees must sign an authorization form for their benefit premiums to be deducted. Employees who do not receive third-party payments will be required to pay their benefit premiums monthly to Lam's benefits administrator. Failure to make these payments on time will result in cancellation of all benefits on a retroactive basis.

Job reinstatement

Under most circumstances, if you are released during a protected leave period, you will be reinstated to the same position held at the time of the leave or to an equivalent position with equivalent pay, benefits, and other employment terms and conditions. However, you have no greater right to employment than if you had not taken a leave. For example, if you would have been laid off had you not been on leave, or if your position is eliminated during the leave, then you will not be entitled to reinstatement.

Prior to being allowed to return to work, an employee wishing to return from a Medical Leave for a serious health condition must submit an acceptable release from a health care provider that certifies the employee can perform the essential functions of the job as those essential functions relate to the employee's serious health condition (with or without accommodation). For an employee on intermittent FMLA leave, such a release may be required if reasonable safety concerns exist regarding the employee's ability to perform his or her duties, based on the serious health condition for which the employee took the intermittent leave.

Once the protected leave period is exhausted, your leave will be unprotected, and reinstatement is not guaranteed. You may be replaced in your position during an unprotected leave, and there is no guarantee that another position will be available when you are released to return to work from unprotected leave. Your right to placement in an alternative position is governed by state and federal law.

2. FAMILY AND MEDICAL LEAVE ACT (FMLA)

The company will grant leave under the FMLA in accordance with the requirements of the federal law and any applicable state law in effect at the time the leave is granted. No greater or lesser leave benefits will be granted unless required by state or federal laws. In certain situations, the federal law requires that provisions of state law apply. Employees will be eligible for the most generous benefits available under applicable law.

Please contact your manager or supervisor as soon as you become aware of the need for FMLA Leave. Employees are expected to provide prompt notice to the company of any change to their return-to-work date. Accepting or continuing other employment while on leave that is contrary to the restrictions indicated by your FMLA certification or would constitute a conflict of interest, or filing for unemployment insurance benefits while on leave, may be treated as a voluntary resignation from employment. Other employment while on leave must be vetted with the Ethics & Compliance Department.

Eligibility

To be eligible for FMLA Leave, you must have worked for the company for a total of at least 12 months and have worked at least 1,250 hours over the previous 12 months as of the start of the leave.

Reasons for leave

Qualifying reasons for FMLA Leave may vary between federal law and any applicable state requirements. Federal FMLA Leave may be used for one of the following reasons:

- The birth, adoption, or foster care of an employee's child within 12 months following birth or placement of the child ("Bonding Leave")
- To care for an immediate family member: spouse, child, or parent (or, as required by applicable state or local law, registered domestic partner, civil union partner, or legal equivalent; please refer to your applicable state supplement for more information) with a serious health condition ("Family Care Leave")
- An employee's inability to work because of a serious health condition ("Serious Health Condition Leave")
- A "qualifying exigency," as defined under the FMLA, arising from a spouse's, child's, or parent's active duty or call to active duty in a foreign country as a member of the military reserves, National Guard, or armed forces ("Military Emergency Leave")
- To care for a spouse, child, parent, or next of kin (nearest blood relative) who is a "covered service member," as defined below ("Military Caregiver Leave")

Definitions

"Child," for purposes of Bonding Leave and Family Care Leave, means a biological, adopted, or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis and who is either under age 18 or age 18 or older and incapable of self-care because of a mental or physical disability at the time that FMLA Leave is to commence. "Child," for purposes of Military Emergency Leave and Military Caregiver Leave, means a biological, adopted, or foster child; stepchild; legal ward; or a child for whom the person stood in loco parentis and who is of any age.

"Parent," for purposes of this practice, means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the person. This term does not include parents "in-law." For Military Emergency Leave taken to provide care to a parent of a military member, the parent must be incapable of self-care, as defined by the FMLA.

"Covered Active Duty" means (1) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the armed forces to a foreign country; and (2) in the case of a member of a reserve component of the armed forces, duty during the deployment of the member with the armed forces to a foreign country under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation as defined by applicable law.

"Covered Service member" means (1) a member of the armed forces, including a member of a reserve component of the armed forces, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness incurred or aggravated in the line of duty while on active duty that may render the individual medically unfit to perform his or her military duties, or (2) a person who, during the five years prior to the treatment necessitating the leave, served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable (a "veteran" as defined by the Department of Veterans Affairs), and who has a qualifying injury or illness incurred or aggravated in the line of duty while on active duty that manifested itself before or after the member became a veteran. For purposes of determining the five-year period for covered veteran status, the period between October 28, 2009, and March 8, 2013, is excluded.

Length of leave

The maximum amount of FMLA Leave will be 12 workweeks in any rolling 12-month period when the leave is taken for Bonding Leave, Family Care Leave, Serious Health Condition Leave, and/or Military Emergency Leave. However, if both spouses work for the company and are eligible for leave under this practice, the spouses will be limited to a total of 12 workweeks off between the two of them when the leave is for Bonding Leave or to care for a parent using Family Care Leave. A 12-month period begins on the date of your first use of FMLA Leave. Successive 12-month periods commence on the date of your first use of such leave after the preceding 12-month period has ended (i.e., a rolling, look-back, 12-month period).

The maximum amount of FMLA Leave for an employee wishing to take Military Caregiver Leave will be a combined leave total of 26 workweeks in a single 12-month period. A "single 12-month period" begins on the date of your first use of such leave and ends 12 months after that date. For clarity, this 12-month period will be measured in the same manner as described in the previous paragraph (i.e., a rolling, look-back, 12-month period).

If both spouses work for the company and are eligible for leave under this practice, the spouses will be limited to a total of 26 workweeks off between the two when the leave is for Military Caregiver Leave only or is for a combination of Military Caregiver Leave, Military Emergency Leave, Bonding Leave, and/or Family Care Leave taken to care for a parent.

Under some circumstances, you may take FMLA Leave intermittently, which means taking leave in blocks of time or by reducing your normal weekly or daily work schedule. Intermittent leave taken for baby bonding will be in increments of one week. Intermittent leave taken for the employee's own disability or to care for a family member may be taken in increments of no less than 15 minutes.

When an employee who has been approved for intermittent leave seeks leave time that is unforeseeable, the employee must specifically reference either the qualifying reason for leave or the need for FMLA Leave at the time the employee requests time off.

Notice and certification

A. Bonding, Family Care, Serious Health Condition, and Military Caregiver Leave requirements

Employees are required to provide:

- When the need for the leave is foreseeable, 30 days' advance notice or such notice as is both possible and practical if the leave must begin in less than 30 days (normally, this would be the same day the employee becomes aware of the need for leave or the next business day)
- When the need for leave is not foreseeable, notice within the time prescribed by the company's normal absence reporting practice, unless unusual circumstances prevent compliance, in which case, notice is required as soon as is otherwise possible and practical
- When the leave relates to medical issues, a completed Certification of Health-Care Provider form within 15 calendar days (for Military Caregiver Leave, an invitational travel order or invitational travel authorization may be submitted in lieu of a Certification of Health-Care Provider form)
- Periodic recertification (upon request)
- Periodic reports during the leave

Certification forms are available from the third-party leave administrator; the Benefits Help Desk can assist you in providing contact information. At the company's expense, the company may also require a second or third medical opinion regarding your own serious health condition or the serious health condition of your family member. In some cases, the company may require a second or third

opinion regarding the injury or illness of a “Covered Service member.” Employees are expected to cooperate with the company in obtaining additional medical opinions that the company may require.

When leave is for planned medical treatment, you must try to schedule treatment so as not to unduly disrupt the company’s operations. Please contact the third-party leave administrator prior to scheduling planned medical treatment.

B. Military Emergency Leave requirements

Employees are required to provide:

- As much advance notice as is reasonable and practicable under the circumstances
- A copy of the covered military member’s active duty orders when the employee requests leave and/or documentation (such as Rest and Recuperation leave orders) issued by the military setting forth the dates of the military member’s leave
- A completed Certification of Qualifying Exigency form within 15 calendar days, unless unusual circumstances exist to justify providing the form at a later date.

Certification forms are available from the third-party leave administrator.

Failure to provide certification and to return from leave

Absent unusual circumstances, failure to comply with these notice and certification requirements may result in a delay or denial of the leave and may result in corrective action, up to and including termination for excessive absenteeism in certain situations. If you fail to return to work at your leave’s expiration and have not obtained an extension of the leave, the company may determine that you do not plan to return to work and that you have voluntarily terminated your employment.

Pay practices

Generally, FMLA Leave is unpaid. However, you may be eligible to receive benefits through state-sponsored or company-sponsored wage-replacement benefit programs such as short-term disability, Parental Bonding Leave, or Family Care Leave. If you are not eligible to receive any of these wage-replacement benefits, the company may require you to use accrued paid time off to cover some or all of the FMLA entitlement. The use of paid benefits will not extend the length of an FMLA Leave.

Benefits

Employees are responsible for paying the employee portion for all benefit premiums while on leave of absence. Health and welfare benefits, life and AD&D insurance, and group voluntary benefits will remain in effect throughout the leave if premium payments are paid on a timely basis. Employees receiving short-term disability or paid family benefit payments will automatically have their benefit premiums deducted from these payments made by the third-party administrator. In California, employees must sign an authorization form for their benefit premiums to be deducted. Employees who do not receive third-party payments will be required to pay their benefit premiums to Lam’s benefits administrator monthly. Failure to make these payments on time will result in cancellation of all benefits on a retroactive basis.

Your length of service as of the leave will remain intact, but accrued benefits such as paid time off will not accrue while on FMLA Leave.

Job reinstatement

Under most circumstances, if you are released during a protected leave period, you will be reinstated to the same position held at the time of the leave or to an equivalent position with equivalent pay, benefits,

and other employment terms and conditions. However, you have no greater right to employment than if you had not taken a leave. For example, if you would have been laid off had you not been on leave, or if your position is eliminated during the leave, then you will not be entitled to reinstatement.

Prior to being allowed to return to work, an employee wishing to return from a Serious Health Condition Leave must submit an acceptable release from a health care provider that certifies the employee can perform the essential functions of the job as those essential functions relate to the employee's serious health condition (with or without reasonable accommodation). For an employee on intermittent FMLA leave, such a release may be required if reasonable safety concerns exist regarding the employee's ability to perform his or her duties, based on the serious health condition for which the employee took the intermittent leave.

Once the protected leave period is exhausted, your leave will be unprotected, and reinstatement is not guaranteed. You may be replaced in your position during an unprotected leave, and there is no guarantee that another position will be available. Your right to placement in an alternative position is governed by state and federal law.

3. PARENTAL BONDING LEAVE

A Parental Bonding Leave is provided for eligible employees in the 12 months following the birth, adoption, or foster care placement of a child. To take Parental Bonding Leave, you must be employed by Lam prior to the birth or custody of the child and can be:

- The birthing parent, once you are no longer deemed disabled by your health care provider
- The birth father
- A new parent through adoption, foster parenting, surrogacy, or legal guardianship

You can take the leave all at once, in one continuous block of time, or intermittently.

Duration

The maximum duration of Parental Bonding Leave is 16 weeks in a rolling 12-month period. The leave period must be completed within 12 months after the date of birth, adoption, or custody of the child. The company will comply with applicable law with respect to the duration of any Parental Bonding Leave, which will run concurrently with Family Care Leave and any applicable federal, state, and/or local laws.

Parental Leave can be taken on an intermittent basis. If you are a Lam employee, you may use this leave in one-week increments. If you are a Silfex employee, you may use this leave in eight-week increments up to two times.

Pay practices

Parental Bonding Leave on its own is an unpaid leave. Benefits may be paid through Lam's Paid Parental Bonding Leave (must be enrolled in short-term disability (STD) insurance or California voluntary disability insurance (VDI)) or any applicable state paid family leave. The benefit payout period begins on the first day of leave.

Benefits

Employees are responsible for paying the employee portion for all benefit premiums while on leave of absence. Health and welfare benefits, life and AD&D insurance, and group voluntary benefits will remain in effect throughout the leave if premium payments are paid on a timely basis. Employees receiving VDI, STD, or paid family benefit payments will automatically have their benefit premiums deducted from these payments made by the third-party administrator. In California, employees must

sign an authorization form for their benefit premiums to be deducted. Employees who do not receive third-party payments will be required to pay their benefit premiums to Lam's benefits administrator monthly. Failure to make these payments on time will result in cancellation of all benefits on a retroactive basis.

Job reinstatement

Your Parental Bonding Leave may qualify as an FMLA leave. Under most circumstances, you will be reinstated to the same position you held at the beginning of your leave or to an equivalent position with equivalent pay, benefits, and other employment terms and conditions. However, you have no greater right to employment than if you had not taken a leave. For example, if you would have been laid off had you not been on leave, or if your position is eliminated during the leave, then you will not be entitled to reinstatement.

4. FAMILY CARE LEAVE

A Family Care Leave is provided for eligible employees who need time off to care for a seriously ill or injured family member, for situations arising from a family member's active military service, or for baby bonding.

Duration

The maximum duration of Family Care Leave is 16 weeks in a rolling 12-month period. The company will comply with applicable law with respect to the duration of any Family Care Leave. Family Care Leave will run concurrently with Paid Parental Bonding Leave, Paid Family Care Leave, and any applicable federal, state, and/or local laws.

Family Care Leave can be taken on an intermittent basis, in a minimum of 15-minute increments.

Pay practices

Family Care Leave on its own is an unpaid leave. Benefits may be paid through Paid Family Care Leave (must be enrolled in short-term disability (STD)insurance or California voluntary disability insurance (VDI)), or any applicable state paid family leave. The benefit payout period begins on the first day of leave.

Benefits

Employees are responsible for paying the employee portion for all benefit premiums while on leave of absence. Health and welfare benefits, life and AD&D insurance, and group voluntary benefits will remain in effect throughout the leave if premium payments are paid on a timely basis. Employees receiving VDI, STD, or paid family benefit payments will automatically have their benefit premiums deducted from these payments made by the third-party administrator. In California, employees must sign an authorization form for their benefit premiums to be deducted. Employees who do not receive third-party payments will be required to pay their benefit premiums to Lam's benefits administrator monthly. Failure to make these payments on time will result in cancellation of all benefits on a retroactive basis.

Job reinstatement

Your Family Care Leave may qualify as an FMLA leave. Under most circumstances, you will be reinstated to the same position you held at the beginning of your leave or to an equivalent position with equivalent pay, benefits, and other employment terms and conditions. However, you have no greater right to employment than if you had not taken a leave. For example, if you would have been laid off had

you not been on leave, or if your position is eliminated during the leave, then you will not be entitled to reinstatement.

5. PERSONAL LEAVE

The company may grant a Personal Leave for reasons not covered by other Lam policies (e.g., travel, family matters, continuing education). Personal Leave may not be taken for the employee's own illness or to care for a family member. Personal Leave is approved at the sole discretion of Lam and will be considered and evaluated on a case-by-case basis. Lam will consider factors such as the purpose of the requested leave, the employee's length of employment, employee performance, and Lam's business needs and ability to find a temporary replacement.

Personal Leave will *not* be granted under the following circumstances:

- For an employee's own illness or to care for a family member
- When the absence causes unwarranted business hardship to Lam or the intent is to take other employment
- To extend employment or active status
- To continue vesting for service
- While on a performance improvement plan (PIP) or other escalated corrective action
- While serving a jail sentence or incarcerated

Generally, Personal Leave will not be granted after you have exhausted other leave types.

Duration

Personal Leave may generally not exceed three months in a rolling 12-month period and must be taken on a continuous basis.

Approvals

All relevant documentation to request a Personal Leave will be submitted to Lam's leave administrator. All Personal Leave requests will be reviewed by the vice president of Total Rewards (or delegate) in consultation with the vice president of the business unit (or delegate).

Pay practices

Personal Leave is unpaid. An employee must use all accrued and unused PTO for the length of the Personal Leave, or until exhaustion of all PTO time. Employees on Personal Leave are not permitted to borrow PTO while on leave of absence.

Benefits

Employees are responsible for paying the employee portion for all benefit premiums while on leave of absence. Health and welfare benefits, life and AD&D insurance, short-term disability insurance, and group voluntary benefits will remain in effect throughout the leave if premium payments are paid on a timely basis. Lam's Benefits administrator will send a payment packet to the employee with monthly coupons to submit premium payments. Failure to make these payments on time will result in cancellation of all benefits on a retroactive basis.

Job reinstatement

Reinstatement following a Personal Leave is not guaranteed. An employee may be replaced at any time during a Personal Leave, depending on business exigencies. If no suitable position exists upon the employee's return, the employee may be released from employment, unless otherwise required by applicable law.

6. MILITARY LEAVE

A Military Leave will be granted when an employee is absent due to service in the uniformed services. The uniformed services consist of the U.S. Army, Navy, Marine Corps, Air Force, and Coast Guard; the U.S. Army Reserve, the Marine Corps Reserve, the Air Force Reserve, the Navy Reserve, and the Coast Guard Reserve; the U.S. Army National Guard and Air National Guard; commissioned corps of the U.S. Public Health Service; applicable state law service; and any other category of persons designated by the President of the United States in time of war or emergency.

Pay practices

While on approved Military Leave, the company will pay the difference between the employee's military pay and the employee's regular company pay so that the employee continues to receive 100% of their Lam base pay for up to 12 months. If an employee is on Military Leave longer than 12 months, Lam will coordinate military pay and Lam's base pay not to exceed 50% of Lam's base pay.

The additional pay will be processed after the employee submits a copy of their military pay stub to benefits@lamresearch.com for that period.

Benefits

Employees are responsible for paying the employee portion for all benefit premiums while on leave of absence. Health and welfare benefits, life and AD&D insurance, short-term disability insurance, and group voluntary benefits will remain in effect throughout the leave if premium payments are paid on a timely basis. Lam's benefits administrator will send a payment packet to the employee with monthly coupons to submit premium payments. Failure to make these payments on time will result in cancellation of all benefits on a retroactive basis.

Certain benefit exclusions exist for life, AD&D, and LTD benefits during acts of war declared or undeclared. Each claim will be reviewed on an individual basis.

Job reinstatement

An employee returning from Military Leave is eligible for re-employment as defined in the Uniformed Services Employment and Re-Employment Rights Act and pursuant to applicable state law.

Effect on other benefits during a leave of absence

Once any leave of absence begins, the following benefits are affected:

Paid time off (PTO) accrual

Paid time off (PTO) accrual ceases on the first day of a leave of absence.

Holiday pay

Employees on leave of absence are not entitled to holiday pay. Employees must be on active paid status the day preceding and the day following a company holiday to be eligible for holiday pay.

Annual incentive plan (AIP)

For leaves greater than 30 days on a cumulative basis in a calendar year, an employee's AIP, if any, will be prorated.

Dependent Day Care Flexible Spending Account

Employees are not eligible to contribute to the Dependent Day Care Flexible Spending Account while on a leave of absence or during a partial leave of absence. Participation may resume when the employee returns to full-time work.

Health Care Flexible Spending Account

An employee's contributions will stop while on leave, but the employee will be allowed to submit eligible expenses. Participation may resume when the employee returns to full-time work.

Reasonable accommodation

Any regular, full- or part-time employee may request a reasonable accommodation orally or in writing to his/her immediate supervisor or manager, Employee Relations (ER), or Lam's Leave Administration Disability Representative. No specific request wording is required.

Contingent workers who need a reasonable accommodation should work with their employer; the employer will coordinate with Lam to review the request.

An employee seeking an accommodation must provide information from their health care provider defining the restrictions caused by the disability (whether physical and/or mental), the estimated duration of the restrictions, and whether special equipment is required as part of the accommodation. The information provided must be sufficient to permit Lam and the employee to engage in an interactive process to determine whether a reasonable accommodation can be implemented.

Lam's Leave Administration Disability Representative and Lam Employee Relations will determine whether the employee qualifies for a reasonable accommodation based on current state and federal guidelines and Lam's accommodation process. This process includes an interactive discussion with the employee. The employee's preferred accommodation may not be granted if other accommodations exist to meet the needs posed by the disability.

Responsibilities and process

It is the responsibility of all Lam employees to follow the provisions of this practice. Each manager and supervisor is responsible for the reasonable accommodation practice within his or her area of responsibility.

The outsourced leave administrator can provide information about the reasonable accommodation process and will coordinate the process with Lam Employee Relations and the employee.

Resources

The Notice, "Employee Rights and Responsibilities Under the Family and Medical Leave Act (WHD Publication 1420)," can be accessed via LamBenefits.com.