



Servier Family and Medical Leave Act (FMLA) Policy

I. Introduction/Purpose

Servier complies with the US Department of Labor's Family and Medical Leave Act (FMLA) which grants up to 12 weeks of unpaid, job-protected leave (or up to 26 weeks for military caregiver leave) during a 12-month period to eligible employees for specified family and medical reasons.

The purpose of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

II. Eligibility

All US active, full-time and part-time employees are eligible for leave under this policy if all the following requirements are met:

- Have worked at Servier for at least 12 months. The 12 months of employment do not have to be consecutive.
- Have worked at least 1,250 hours for Servier over the 12 months preceding the date the leave would commence.

Any period of absence from work due to USERRA-covered service counts toward an employee's months and hours of service requirements for FMLA leave eligibility.

III. Policy Guidelines

Reasons for Leave:

To qualify for FMLA leave under this policy, the leave must be for one of the following reasons:

- The birth of a child or placement of a child with the employee for adoption or foster care. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.
- To care for a spouse, child or parent who has a serious health condition.
- When an employee has a serious health condition that makes the employee unable to perform the essential functions of their job.
- For any qualifying exigency arising out of the fact that a spouse, child or parent is a military member who has deployed in a foreign country or has been notified of an upcoming deployment in a foreign country.
- To care for a covered service member with a serious injury or illness.

**Amount of Leave:**

An eligible employee can take up to 12 weeks of FMLA leave during any 12-month period. The company will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the company will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for FMLA military caregiver leave during a single 12-month period. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

Eligible spouses who both work for Servier may only take a combined total of 12 weeks of FMLA leave for the birth, adoption or foster care placement of a child, or to care for a parent with a serious health condition. Both may only take a combined total of 26 weeks of FMLA leave to care for a covered injured or ill service member (if each spouse is a parent, spouse, child or next of kin of the service member).

Intermittent Leave or a Reduced Work Schedule:

Employees may take FMLA leave in one consecutive block of time, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member) in a 12-month period.

In instances when leave for the employee or employee's family member is foreseeable or for planned medical treatment, including recovery from a serious health condition or to care for a child after birth or placement for adoption or foster care, the company may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

For the birth, adoption or foster care of a child, the company and the employee must mutually agree to the schedule before the employee may take the leave intermittently. Please refer to the Servier Family Caregiver & Bonding Leave Policy for more information.

Employees certified to take FMLA Leave on an intermittent or reduced hour schedule must advise Unum and Human Resources at the time of their absence, that their absence is for the certified FMLA reason.

**Employee Notice Requirement:**

All employees requesting FMLA leave must provide verbal or written notice of the need for leave to the department manager or to HR.

When the need for the leave is foreseeable, the employee must provide the company with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave fewer than 30 days in advance, the employee must provide notice of the need for the leave either the same day the need for leave is discovered or the next business day. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the company's operations.

IV. Continuation of Benefits

During FMLA leave, Servier will maintain the employee's group health benefits on the same conditions as if the employee had continued working their regular schedule.

If the FMLA leave runs concurrently with a company-paid leave, the company will deduct the employee's portion of the benefit plan premiums via regular payroll deductions. If the leave, or a portion of the leave, is unpaid, an employee must make arrangements with Human Resources to pay the employee's portion of the Servier benefit plan premiums. Your group health care coverage will cease if your premium payment is more than 30 days late, but you will be notified at least 15 days before your coverage lapses. In compliance with applicable law, if you fail to return from leave, the company may require repayment of any premium that was paid for maintaining health coverage for you, unless you do not return because of your continuing or recurring serious health condition or that of a covered family member, or because of other circumstances beyond your control.

While on FMLA leave, employees remain eligible for incentive and equity programs in accordance with the applicable program guidelines

V. Requesting a Leave

An employee seeking to take FMLA leave should provide their manager and Human Resources with notice of the request for leave at least 30 days prior to the proposed date of the leave or, if the leave was not foreseeable, as soon as practicable. Additionally, leave requests are administered through our third-party vendor Unum. All requests for FMLA leave must be submitted directly to Unum. To request a leave, please visit Unum at www.unum.com or call 866-679-3054.



VI. Certification of Need for Leave

If you are requesting leave for your own serious health condition, to care for a family member with a serious health condition, or military caregiver leave, you must provide a medical certification from a health care provider. Unum will provide you with the required certification forms. Certification forms must be returned within 15 calendar days of the request for such certification. Failure to provide requested certification in a timely manner may result in delay or denial of leave or other adverse consequences. In all cases of leave for medical reasons, the company reserves the right to request a second medical opinion from a doctor the company selects, at the company's expense. If the first and second opinions differ, the company may request a third medical opinion. If a third opinion is requested, you and the company will jointly approve of the health care provider and the third opinion will be binding. The company may also require recertification periodically during a leave. The company may also ask for authentication and/or clarification of any medical certification submitted. All forms must be filled out completely and legibly.

Unum may also request documentation supporting your request for FMLA Leave related to military exigency or a child's birth, adoption, or foster care placement.

Personal information regarding an employee's leave is treated in strict confidence. Confidentiality is maintained except in situations concerning any work limitations/restrictions or required information for first-aid or safety personnel. In those instances, information will be shared on a "need-to-know" basis, or as otherwise permitted or required by applicable law. In all medical leave cases, an employee's medical information will be treated as a confidential medical record, which will be maintained separately from the employee's personnel file.

VII: Coordination with Flexible Paid Time Off

If an employee is on an approved, unpaid FMLA leave, they may use up to 2 weeks of paid time off as available under Servier's Flexible Paid Time Off program.

VIII. Coordination with Servier Paid Leave Programs and State Leave Programs

Leave taken under this policy will run concurrently with leave taken under any other applicable Servier policies and leave programs, including short-term disability, Family Caregiver, or Bonding leave. In addition, leave will run concurrently with state leave laws, including the Massachusetts Parental Leave Act ("MPLA"), the Massachusetts Paid Family and Medical Leave Act ("MA PFML"), and the California Family Rights Act ("CFRA"), when the leave is for a qualified reason under those laws or policies and to the extent permitted by applicable law.



For Massachusetts employees, Servier has opted to offer MA PFML benefits through a private plan administered by Unum. Accordingly, Massachusetts employees should apply for paid MA PFML benefits with Unum rather than the Commonwealth's Department of Family and Medical Leave.

IX. Returning to Work

Servier may require an employee on FMLA leave to report periodically on their status and intent to return to work.

Employees are expected to inform their manager, HR, and Unum, of their anticipated return to work date as soon as possible, and to timely communicate any extensions of their leave, if needed. An employee who takes leave under this policy may be asked to provide a fitness for duty clearance from a health care provider prior to returning to work. Employees will not be able to return to work until the company receives such clearance. If you are unable to return or opt not to return, please notify your manager and Human Resources as soon as possible.

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. However, employees returning from leave have no greater rights to reinstatement or to other benefits and conditions of employment than if they had not taken FMLA, except as otherwise provided by applicable law.

X. Definitions

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. This can include conditions with short-term, chronic, long-term or permanent periods of incapacity.

Spouse means a husband or wife as defined or recognized in the state where the individual was married and includes individuals in a common law or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside of the United States, if the marriage could have been entered into in at least one state.

Child means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, 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.



Parent means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This term does not include parents "in law."

Qualifying exigency includes short-notice deployment, military events and activities, child care and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Covered active duty for members of a regular component of the Armed Forces, means duty during deployment of the member with the Armed Forces to a foreign country. For a member of the Reserve components of the Armed Forces, means duty during the deployment of the member with the Armed Forces to a foreign country under a federal call or order to active duty in support of a contingency operation, in accordance with 29 CR 825.102.

The next of kin of a covered service member is the nearest blood relative, other than the covered service member's spouse, parent or child in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.

Covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is receiving medical treatment, recuperation or therapy, or is in outpatient status or on the temporary disability retired list for a serious injury or illness.

Serious injury or illness is one that is incurred by a service member in the line of duty on active duty that may cause the service member to be medically unfit to perform the duties of his or her office, grade, rank or rating. A serious injury or illness also includes injuries or illnesses that existed before the service member's active duty and that were aggravated by service in the line of duty on active duty.

XI. References to Other Programs

- Servier Family Caregiver & Bonding Leave Policy
- Massachusetts Paid Family and Medical Leave (MA PFML)



- Massachusetts Parental Leave Act (MPLA)
- California Family Rights Act (CFRA)
- Short-Term Disability