



United States Employee Time Off Policy

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Confidential



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KLDiscDiscovery, Inc., and all of its domestic subsidiaries including KLDiscDiscovery Ontrack, LLC, LDiscovery, LLC, and LDiscovery TX, LLC, collectively KLDiscDiscovery (“KLDiscDiscovery”), is committed to providing employees with opportunities to take time off from work for rest, relaxation, rejuvenation or to spend time with families. KLDiscDiscovery’s Employee Time Off Policy outlines the available time off that may be provided to employees under different circumstances. Please visit the Benefits Portal at www.BenefitsAssistanceCenter.com to locate regulatory notices, certificates of coverage, and other important documents that may assist you with any questions you may have while reviewing this policy.

Coverage of this policy extends to all applicants and other persons seeking employment with KLDiscDiscovery, persons employed by KLDiscDiscovery, any of its subsidiaries and all employees newly acquired by KLDiscDiscovery or any of its subsidiaries.

Regular full-time and regular part-time employees are eligible for time-off policies outlined throughout this document.

Employees scheduled to work less than 20 hours per week, as well as intermittent, contingent, and temporary employees, are not eligible to earn paid time off under this policy, unless required by federal, state, or local law.

Vacation

Eligible employees will accrue vacation time on a per-pay-period basis, determined by their length of service. Employees will accrue at the next tier level on the first full pay period following their anniversary date, per the schedule below.

Regular part-time employees scheduled to work 20 or more hours per week will accrue a pro-rated amount based on their scheduled hours per week.

Years of Service	Full-Time Employee Accrual Per Pay Period	Annual Vacation Allocation
New Hire < 3 years	4.62 hours	120 hours
3 years < 6 years	6.15 hours	160 hours
6 + years	7.70 hours	200 hours

Employees who are classified as Vice President level or above will accrue an additional week (40 hours) of vacation per year as indicated in the below table.

Years of Service	Full-Time Employee Accrual Per Pay Period	Annual Vacation Allocation
New Hire < 3 years	6.15 hours	160 hours
3 years < 6 years	7.70 hours	200 hours
6 + years	9.24 hours	240 hours

Employees are eligible to carryover up to 40 vacation hours from one calendar year to the following calendar year, unless otherwise required by law. Vacation balances must not exceed the total annual allocation. Once a balance reaches the annual allocation, accruals will stop until vacation is taken to reduce the balance. Employees should plan ahead to use vacation throughout the year. Any request for exceptions must be approved by the employee’s Executive Leader and Talent Partner.



Employees may have a negative vacation balance of no more than 40 hours in a calendar year. If an employee leaves KLDiscDiscovery and has a negative vacation balance, a signed Authorization for Deduction from Wages form is required prior to the employee's last day. KLDiscDiscovery will deduct the amount equal to the amount of vacation pay owed from the final paycheck or will request payment from the employee as applicable.

Scheduling Vacation Time

An employee requesting vacation time should provide his/her manager with a minimum of 2 weeks' notice of intention to take vacation time, as possible. Vacations should be scheduled to provide adequate coverage based on job and staff requirements. It is the responsibility of the manager to approve the scheduling of time off, taking into consideration business requirements. Vacation requests greater than 2 weeks in length require Department Executive and Talent Partner approval. All vacation requests must be recorded in KLDiscDiscovery's tracking system, through Oracle.

Exempt employees may take vacation in increments of four hours, unless their regular work schedule is four ten-hour shifts a week. If an employee regularly works 10-hour shifts, they will take vacation in increments of five hours. Non-exempt employees may take vacation in increments of 1 hour.

Payment of Vacation

Vacation will be paid based upon the employee's base rate of pay at the time the vacation is taken. Vacation pay is not counted for the purpose of calculating an employee's overtime hours of work or overtime premiums. If a holiday falls on a day that an employee is scheduled to work and it is during an employee's scheduled vacation, the day will be paid as a holiday and will not be counted as a vacation day.

Vacation Time Upon Termination of Employment

In the event that an employee voluntarily resigns from their employment with KLDiscDiscovery, they will not be permitted to use vacation to extend a termination effective date. Once an employee provides notice to KLDiscDiscovery of their resignation, they may not schedule vacation time during the notice period. If the time off was previously scheduled and approved before the employee provides their notice of resignation, it is at the manager's discretion to allow the use of vacation during the notice period.

Accrued, unused vacation will not be paid upon termination of employment, voluntary or involuntary, for any reason, unless otherwise required by law. In the case the employee's State of employment requires accrued, unused vacation to be paid upon termination, KLDiscDiscovery will comply with this requirement. To inquire about whether a particular state requires payment upon termination, contact KLDHR@kldisccovery.com.

Vacation Credit for Change in Status

If an employee has a change in employment status or work schedule such that his or her scheduled hours are increased or decreased on a regular basis, the employee will begin vacation accrual based on the new working hours.

Vacation Credit Upon Rehire



For purposes of this policy, service time includes employment with KLDisccovery or any of its subsidiaries and time employed with any company acquired by KLDisccovery or any of its subsidiaries. Employees who are rehired into a vacation eligible position after a break in service of 12 months or more will be given credit for the number of full years of previous employment but not for time during the break in service. Employees who are rehired into a vacation eligible position after a break in service that is less than 12 months will be credited with service for time away from KLDisccovery as well as previous employment with KLDisccovery.

Leave of Absence

Any employee in an unpaid leave of absence status will not accrue vacation time during the duration of the leave. Unpaid leave of absence includes short-term disability (STD), leave without pay, and FMLA not running concurrently with a paid leave. Accruals will stop the first full pay period after an unpaid leave starts.

Accruals will be reinstated on the first full pay period the employee returns to work. Any absences for reasons covered by FMLA should be reported to KLDisccovery's Leave of Absence Reporting Center at 1-888-408-7300 using the company code KLDisccovery.

Company Holidays

KLDisccovery will observe the following holidays in the U.S.:

- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Memorial Day
- Juneteenth (Freedom Day)
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day
- New Year's Day 2022 (observed on December 31st)
- *One Floating Holiday

*The Floating Holiday allows employees to have an additional day to celebrate the holiday/observance of their choice. To be eligible for the Floating Holiday, you must be hired before December 15th of the current calendar year.

Floating Holidays must be used during the current calendar year or it will be forfeited on January 1 of the following calendar year unless specified by State law. Floating Holiday hour usage must be reported via KLDisccovery's tracking system and be taken in full day increments. Any unused Floating Holidays will not be paid upon termination of employment for any reason, unless otherwise required by law.

Eligible employees scheduled to work less than 40 hours per week will receive prorated holiday pay based on the number of scheduled work hours per pay period.



Work Schedules & Pay

Eligible employees must work the day prior and the day after a holiday in order to receive holiday pay, unless using pre-authorized paid leave.

In the event that employees may be required to work on a company holiday, managers will attempt to identify volunteers to work the holiday. Mandatory scheduling will be necessary if there are not enough volunteers to cover the business need.

Exempt employees who are required to work a full shift on a holiday are entitled to an alternate day off with pay. The employee should request a day that will not seriously hinder the operation of the employee's department. The employee's supervisor has the right to approve or reject the employee's request depending on the needs of the department.

Non-exempt employees who are scheduled to work on a holiday will receive holiday hours for the day plus be paid at their regular rate of pay for hours worked on the holiday. Example: If a full-time non-exempt employee works 2 hours on a company holiday, they will receive 8 hours holiday pay plus the two hours worked at the employee's regular rate of pay.

Paid holiday time will not count towards hours worked for purposes of calculating overtime pay.

Regular Full and Part-Time employees who work alternate shifts and whose schedules do not include a company holiday will be entitled to an alternate day to use within the next 30 days. Any alternate days off must be scheduled with the employee's supervisor.

Any employee who is scheduled to work a holiday and is absent shall not receive holiday pay unless approved by their supervisor and Talent Partner as an exception on a case-by-case basis. In this event, the employee must use accrued vacation if available, or the time off will be unpaid.

If an employee is in an approved leave of absence status, the employee will receive holiday pay if the employee is using pre-authorized paid leave (i.e. Vacation, Sick, or Floating Holiday) the day before and the day after the holiday. If the holiday falls on a day during an employee's approved short-term disability leave, the employee will receive short-term disability pay and no holiday pay.

Sick Time

Eligible employees scheduled to work 40 hours per week may take up to 40 hours of paid Sick Time per calendar year, regardless of years of service. Employees will be eligible to receive Sick Time at the beginning of each calendar year on January 1.

Employees hired after January 1 of each year will be eligible to receive a prorated amount of Sick Time for the remainder of the calendar year, based on hire date as follows:

Month of Hire	Sick Hours for Employees Scheduled to Work 80 hours per pay Period
January, February	40
March, April	32
May, June, July	24



August, September	16
October, November, December	8

Regular employees scheduled to work less than 40 hours per week, but 20 hours or more per week will receive a prorated amount of Sick Time for the remainder of the calendar year, or as required by State requirements.

Employees will not be eligible to carry over any accrued, unused Sick Time from one calendar year to the next, unless required by law.

Conditions for Using Sick Time

Sick Time may be used for illness or injury of the employee and for employee health and dental care provider appointments when it is not possible to schedule appointments during non-working hours. Sick Time used for health care provider appointments, which are not medically urgent, should be scheduled in advance and approved by the supervisor. Sick time may not be used to perform work outside of KLDiscDiscovery.

Sick Time may also be used for illness or health and dental provider appointments of a family member, for the waiting period for short-term disability, or for FMLA or Personal Leave for medical reasons, including the birth of one's own child. As necessary, KLDiscDiscovery may require a medical statement about whether an employee's presence at work poses a risk to self or others.

In case of illness or injury which is expected to continue beyond the Sick Time allotted, the short-term disability and/or FMLA policies may be applicable.

Request for Sick Time

Sick Time should be requested in advance when possible (e.g., elective surgery, medical appointments). In the case of illness, injury, emergency, or any other absence not approved in advance, employees are required to inform the supervisor of the circumstances prior to the beginning of their shift. Both exempt and non-exempt employees may use Sick Time in minimum increments of 1 hour.

Payment of Sick Time

Sick Time will be paid based upon the employee's base rate of pay at the time the leave is taken. Sick Time is not counted for the purpose of calculating an employee's overtime hours of work or overtime premiums. Any unused Sick Time will not be paid upon termination of employment for any reason, unless otherwise required by law.

Sick Time for Change in Status

If an employee has a change in employment status or work schedule such that his or her scheduled hours are increased or decreased on a regular basis, the employees' Sick Time will be adjusted based on the new working hours, which shall be pro-rated from the date of change through the end of the calendar year.

Paid Parental Leave

The purpose of Paid Parental Leave is to give parents additional flexibility to bond with their



new child, adjust to their new family situation, and balance their professional obligations. Employees may apply for FMLA and this policy may run concurrently with Family and Medical Leave Act (FMLA) Leave in cases where an employee is eligible for FMLA Leave and runs concurrently with other state and local parental leave acts, unless otherwise required by law. This policy will be in effect for births, adoptions, or placements of foster children.

If both parents are employed by KLDiscDiscovery, each parent is eligible for the benefit.

Employees scheduled to work less than 20 hours per week, as well as intermittent, contingent, and temporary employees, are not eligible for Paid Parental Leave unless required by law.

Eligible new parents may take Paid Parental Leave for the following reasons:

- the birth of a child;
- adoption of a child under the age of 18 (or a child under the age of 23 if the child is mentally or physically disabled); or
- the placement of a foster child pursuant to a court order.

Paid Parental Leave Amounts

KLDiscDiscovery will provide up to ten days (80 hours) of Paid Parental Leave to employees following an eligible event. The fact that a multiple birth, adoption, or placement occurs (for example, the birth or adoption of twins) does not increase the length of Paid Parental Leave granted for that event.

Conditions for Using Paid Parental Leave

An eligible employee may choose to use his or her Paid Parental Leave any time within the twelve-month period following the eligible event. Employees must take Paid Parental Leave in one continuous period of leave and must use Paid Parental Leave within twelve months of the birth, adoption or placement of the child. Any time remaining after twelve months will be forfeited.

Request for Paid Parental Leave

Employees wishing to receive benefits under this plan must contact KLDiscDiscovery's Benefits Team at Benefits@KLDiscDiscovery.com to report their leave as soon as possible prior to taking leave, but no later than 3 days after the first day of leave. Employees requesting this leave must submit a copy of the birth certificate or adoption/foster notice to the Benefits Team at Benefits@KLDiscDiscovery.com within 31 days of the birth/adoption/placement.

Payment of Parental Time

Paid Parental Leave will be paid at 100 percent of an eligible employee's base hourly rate or base salary. Paid Parental Leave will be paid on a biweekly basis on regularly scheduled pay dates. Upon termination of employment at KLDiscDiscovery, an employee will not be paid for any unused Paid Parental Leave for which he or she was eligible.

Coordination with Other Policies

- If an employee applies and is approved for FMLA, Paid Parental Leave taken under this policy will run concurrently with leave under the federal FMLA and any state or local family and medical laws, as applicable; thus, any leave taken under this policy



that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption or foster care will be counted toward the 12 weeks of available FMLA Leave per a 12-month period and will not increase the amount of FMLA Leave available. All other requirements and provisions under the FMLA will apply for FMLA-eligible employees. Please refer to the Family and Medical Leave section of this policy for further guidance on the FMLA.

- After the Paid Parental Leave (and any short-term disability leave for employees giving birth) is exhausted, the balance of FMLA Leave (if applicable) will be compensated through employees' accrued vacation and sick time, unless otherwise prohibited by law or if paid time off balances are exhausted. Upon exhaustion of accrued vacation and sick time, any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave section for further guidance on the FMLA.
- KLDiscDiscovery will maintain all benefits for employees during the five-day Paid Parental Leave period.
- Employees accrue vacation during Paid Parental Leave.
- If a Company holiday occurs while the employee is on Paid Parental Leave, such day will be charged to holiday pay (i.e., employees may take the holiday plus five additional, consecutive days of parental leave).
- An employee who takes Paid Parental Leave that does not qualify for FMLA Leave will be afforded the same level of job protection for the period of time that the employee is on Paid Parental Leave as if the employee was on FMLA-qualifying leave.
- Please refer to the Adoption Assistance Policy located on the Benefits Assistance Center for additional information about other employee benefits related to the adoption process.

Integration with Other Benefits

If an employee chooses to use his or her Paid Parental Leave while receiving any other type of compensation from another source (ex. Workers' compensation, short or long-term disability benefits or other state-provided benefits), Paid Parental Leave will be fully integrated with those benefits such that at no time will an employee be paid more than his or her regular compensation.

Return-to-Work Statement

If Paid Parental Leave is taken immediately after the birth of a child, the birth mother must obtain a return-to-work statement from her health care provider and send it to Benefits@KLDiscDiscovery.com before returning to work. The statement must specify whether the employee is able to work and if any work restrictions are to be observed. Reinstatement may be delayed until the employee submits the required statement.

Reinstatement

Except as provided in the following paragraph, an employee will be reinstated to the same position he or she held when Paid Parental Leave began or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment, provided the employee can perform the essential functions of the position.

KLDiscDiscovery's obligation to restore an employee to the same or an equivalent position ceases if and when: 1) the employment relationship would have terminated if the employee had not taken Paid Parental Leave; 2) the employee informs KLDiscDiscovery of his or her intent not to return to work at the expiration of the Paid Parental Leave; or 3) the employee fails to return to work at the expiration of the Paid Parental Leave.



Confidentiality

All medical information relating to Paid Parental Leave, whether verbal or written, including FMLA medical documentation shall be kept confidential to the maximum extent possible.

Paid Time Off Donation

KLDiscDiscovery recognizes that employees may have a family medical emergency or be affected by a major disaster, resulting in a need for additional time off in excess of their available sick/personal time. To address this need, all benefit-eligible U.S. Employees will be allowed to donate accrued Paid Time Off (Sick, Vacation, Floating Holiday) from their unused balance to the leave bank, in accordance with the policy outlined below.

Eligibility

All Full-time and Part-time Regular U.S. Employees who receive Paid Time-Off benefits are eligible to participate in the program. Employees must be employed with KLD for a minimum of 90 days to be eligible to donate and/or receive donated paid time off. In order to receive PTO donations, an employee must have exhausted or expect to exhaust all of their accrued and available Paid Time Off.

Guidelines

Employees who would like to make a request to receive donated PTO from the leave bank must have a situation that meets one of the following criteria:

Medical emergency, defined as a medical condition of the employee or an immediate family member that will require the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available. An immediate family member is defined as a spouse, child or parent. An employee receiving pay under short-term disability, state disability, paid family leave, worker's compensation, or long-term disability benefits is not eligible to receive leave donation at the same time.

Major disaster, defined as a disaster declared by the president under §401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act), or as a major disaster or emergency declared by the president pursuant to 5 U.S.C. §6391 for federal government agencies. An employee is considered to be adversely affected by a major disaster if the disaster has caused severe hardship to the employee or to a family member of the employee that requires the employee to be absent from work.

Donation of Paid Time Off

- The donation of paid time off is strictly voluntary and can be done at any time during the year, except where noted below.
- Donated time will go into a communal leave bank for use by eligible recipients.
- Donated time is irrevocable once deducted from your Paid Time Off balances.
- Recipient identity will not be disclosed to donating employees.
- The donation of Paid Time Off is on an hourly basis, without regard to the dollar value of the donated or used leave.
- The minimum number of hours that an eligible employee may donate is 4 hours at any given time; the maximum is 40 hours as long as the employee has a remaining



- balance of 40 or more hours after the donation.
- Employees cannot borrow against future Paid Time Off plans to make donations.
- Employees who are currently on an approved leave of absence are not permitted to donate time.

How to Donate Paid Time Off

- Email Benefits@KLDiscDiscovery.com with the below details on how to donate time:
 - Your Name
 - Department
 - Leave plan to donate from (Sick Time, Vacation, or Floating Holiday)
 - # of hours to donate (min. 4 up to 40 hours)
- Employees must have at least 40 hours of paid time off remaining in order to make a donation.

Requesting Use of Donated Paid Time Off

- Requests for donations of Paid Time Off must be approved by Benefits, the employee's Talent Partner, direct manager, and Department Executive.
- Employees can request a maximum of 80 hours per request and time may be taken in 4-hour increments for exempt employees and 1-hour increments for non-exempt. Second requests may be considered based on individual circumstances. Any unused donated time will be returned to the leave bank.
- Donated PTO will be allocated for communal use, rather than for use by a specific qualified individual.
- PTO donations will be applied to the requestor's leave balance for use after they have exhausted their own leave; The recipient employee must use all accrued paid time off prior to using any donated time.
- Donated time will be approved for eligible requestors on a first come, first serve basis.
- Donated hours cannot be used to offset a negative leave balance.
- KLD reserves the right to request additional documentation and/or deny leave requests.
- Employees are prohibited against using donated leave for any purpose other than the approved leave requested.
- Recipients can expect to receive a response to their request within 48 hours and urgency will be considered.
- All taxes and benefit deductions will be withheld from donated leave earnings as applicable.

How to Request a Donation:

- Email Benefits@KLDiscDiscovery.com as soon as possible with the below details to request a donation.
 - Your Name
 - Department
 - # of hours requested (up to 80 per approved leave)
 - Reason for the request

Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family and Medical Leave Act.



For questions regarding this policy, please contact Benefits@kldiscovery.com or contact your Talent Partner.

Time off for Community Service

KLD recognizes it is our responsibility as a good corporate citizen to help enrich our surrounding communities of residence and work. We encourage our employees to become involved in their communities, lending their voluntary support to programs that positively impact the quality of life within these communities.

Time off must be used for a 501(c)(3) non-profit organization, Company-recognized volunteer activities, or a child's school related activities.

The following are examples of the types of volunteer activities for which eligible employees may use their time off for community service:

- Building a house for Habitat for Humanity
- Volunteering at a food bank
- Cleaning up a beach, park or trail
- Becoming a Big Brother/Big Sister
- Volunteering at a local hospital
- Educating the future workforce (e.g., youth mentoring, tutoring, etc.)
- Providing disaster relief to our communities
- Volunteering at an inner-city school
- Chaperoning a child's school field trip

Examples of inappropriate uses for time off for community service:

- Taking a ski vacation and charitably giving ski lessons
- Coaching your child's basketball team
- Attending your child's PTA conference
- Serving as your child's scout leader
- Attending a professional, religious, or personal interest conference

Time Off Amounts

KLDDiscovery provides the opportunity to volunteer for one day (up to 8 hours) per calendar year to eligible employees.

New employees hired July through December will be granted one-half day (4 hours) of community service time in their first calendar year of employment.

The time off for community service benefit is refreshed at the beginning of each calendar year and cannot be carried over into the following year unless otherwise required by law.

Scheduling Time

Time off for Community Service should be taken in whole or half-day increments and with prior permission from the employee's manager. Time off should be scheduled to help with the coordination of other work-related responsibilities, should not create the need for overtime or cause conflicts with other employees' schedules. Employees must provide reasonable notice to their supervisor and work demands can take priority over a time off request for community service.



All requests must be recorded in KLDiscDiscovery's tracking systems using the community service time off code.

Payment of Time Off

Time off for Community Service will be paid based upon the employee's base rate of pay at the time the time is taken. Time Off for Community Service is not counted for the purpose of calculating an employee's overtime hours of work or overtime premiums. Taking time off for community service does not affect Vacation accrual, Sick Time usage or other paid time off. Any unused time will not be paid upon termination of employment for any reason, unless otherwise required by law.

Jury Duty

KLDiscDiscovery encourages employees to fulfill their civic responsibilities by serving jury duty when summoned. Regular full-time employees and regular part-time employees working more than 20 hours a week are eligible for five (5) days of jury duty pay. Jury duty pay is calculated based on the base rate for the number of hours the employee would otherwise have worked on the day of jury duty.

In addition, employees who are required to appear in court due to a subpoena are eligible for paid court leave. Court appearances necessitated by personal circumstances should be taken as vacation or leave without pay in the event vacation pay is exhausted.

When notified of jury duty or other court leave, employees should notify their Managers as soon as possible to allow the Manager to plan for the absence and to work with the Talent Team. Jury duty, or other court leave, will not count as hours worked for purposes of calculating overtime. Jury duty should be recorded in KLDiscDiscovery's time collection system, using the Civic Duty Leave code.

Voting Leave

For the purposes of voting, if an employee's work schedule and the election's polling hours are insufficient to allow the employee to vote, the supervisor will adjust scheduling or allow adequate unpaid break time and allow for any lost hours to be made up within the work week, for the purpose of voting.

An employee appointed by an electoral board to serve at a polling place for an election is entitled to unpaid leave to carry out the appointment on said election day.

KLD will follow state specific voting pay requirements.

Bereavement Leave

Regular full-time and regular part-time employees working more than 20 hours a week are eligible for up to five (5) paid days of bereavement leave a year.

Bereavement Leave requests for additional time needed for travel or to make arrangements may be considered as Personal Leave requests on a case-by-case basis. Employees should work with their manager and Talent Partner should this need arise.

Part-time employees working more than 20 hours a week are eligible for paid Bereavement



Leave to the extent that leave is the day the employee is normally scheduled to work. Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. Bereavement Leave will not count as hours worked for purposes of calculating overtime.

Employees should notify their Manager as soon as the need for Bereavement Leave arises. Approval for exceptions will be managed by the Talent Team. Bereavement Leave should be recorded in the time collection system using the bereavement code.

Family and Medical Leave Act (FMLA)

In accordance with the federal Family and Medical Leave Act (FMLA) and corresponding state family and medical leave laws, KLDiscDiscovery provides family and medical leaves of absences to eligible employees. Although the federal and state laws sometimes have different names, KLDiscDiscovery refers to these types of leaves collectively as “FMLA Leave.” Employees may be eligible for FMLA Leave if they are temporarily unable to work due to their own or a family member’s serious health condition or due to the birth of a child, or if they are related to a family member in the Armed Forces.

Eligibility

An employee is eligible if he or she has worked for KLDiscDiscovery for at least 12 months, has worked 1,250 hours in the 12 months preceding the need for leave. For the purposes of this policy, employment with another company that was acquired by KLDiscDiscovery or any of its subsidiaries will count toward the 12-month eligibility requirement.

FMLA Leave

In accordance with FMLA, eligible employees are entitled to a combined total of 12 weeks unpaid, job protected leave per rolling 12-month period for the following reasons:

- The birth of a child and to care for the newborn child within one year of birth;
- The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- To care for the employee’s spouse, ¹ child, or parent who has a serious health condition;
- A serious health condition that makes the employee unable to perform the essential functions of his or her job;
- Any qualifying exigency arising out of the fact that the employee’s spouse,¹ child, or parent is a covered military member on covered active duty² or called to active duty status; or
- Twenty-six weeks of unpaid, job-protected leave to care for a covered service member with a serious injury or illness³ if the eligible employee is the service member’s spouse,¹ child, parent, or next of kin (military caregiver FMLA Leave).

Spouses who are both employed by KLDiscDiscovery are eligible to take a total of 12 weeks each of FMLA Leave to care for a child after birth or placement in their care through adoption or foster arrangements.

¹ Definition of spouse expressly includes individuals in lawfully recognized same-sex and common law marriages and marriages that were validly entered into outside of the United States if they could have been entered into in at least one state. Some states laws extend coverage to domestic partners as well. ² The definition of covered active duty includes a foreign country deployment requirement. ³ The FMLA definition of “serious injury or illness” for covered service members is distinct from the FMLA definition of “serious health condition” and includes preexisting conditions aggravated in the line of duty while on active duty.



State laws may provide employees with leave for additional reasons or for different time periods. In any case, employees will be eligible for the most generous benefits available under applicable law.

In states where applicable, employees may be granted for job protected Victim Leave from work to attend criminal proceedings for certain crime victims and immediate family members. Reach out to the Benefits Team at benefits@kldiscovery.com for additional details on this type of leave.

Qualifying Exigencies for Service Member FMLA

Eligible employees whose spouse, child, or parent in the Armed Forces, National Guard, or Reserves is on covered active duty or who has been called to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies, such as those described below:

- Short-notice deployment: leave is permitted for up to 7 days from the date of notification if the military member receives 7 days or less notice of a call to active duty;
- Military events and related activities;
- Certain childcare arrangements;
- Financial and legal arrangements;
- Activities related to the care of a military member's parent who is incapable of self-care wherein those activities arise from the military member's covered active duty;
- Attending counseling;
- Rest and recuperation during deployment: leave is permitted up to 15 days while the service member is on temporary rest and recuperation leave;
- Attending post-deployment activities; or
- Any other event that the employee and employer agree is a qualifying exigency.

Military Caregiver FMLA

Eligible employees can take up to 26 weeks of leave to care for a covered service member during a single 12-month period. Military caregiver leave is subject to the following provisions:

- Leave can be taken continuously, intermittently, or on a reduced schedule.
- Employees with more than one covered service member are limited to 26 weeks.
- If combining Military Caregiver Leave with other Service Member or Family/Medical leaves, a combined total of 26 weeks leave is available and only 12 of the 26 weeks may be used for a FMLA-qualifying reason not related to care for the covered service member.
- 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 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/her military duties; or
- A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA Leave to care for the covered veteran, 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 individual became a veteran.

Leave Request Procedure

- Employees may apply for FMLA by calling KLDisc Discovery's Leave of Absence Reporting Center at 888-408-7300.
- Employees must provide 30 days' advance notice of the need to take FMLA Leave when the leave is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable.
- Employees must provide the appropriate documentation and/or physician certification form within 15 calendar days.
- Employees on intermittent leave must follow their normal absence notification procedures in addition to reporting to KLDisc Discovery's Leave of Absence Reporting Center at 888-408-7300.
- The 12-week period is calculated on a rolling 12-month period measured backward from the date the employee first begins covered leave.
- The 26-week period for Military Caregiver FMLA begins on the first day the employee takes leave and ends 12 months after that date.
- Leave under federal and state law will run concurrently to the extent permitted by law.
- Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt KLDisc Discovery's business operations.

Employees using FMLA for a continuous period due to their own medical condition must provide a note from their physician releasing the employee to return to work. This should be done 2 weeks in advance of the return to work date so that KLDisc Discovery can properly schedule work for the employee. Return to work documentation should be submitted to Benefits@KLDiscDiscovery.com.

Certification forms are available from KLDisc Discovery's Leave of Absence Reporting Center. At KLDisc Discovery's expense, KLDisc Discovery has the right to ask for a second opinion regarding an employee's own serious health condition. If required, KLDisc Discovery will select the physician. If the original certification and the certification from the second physician differ, KLDisc Discovery will require an opinion from a third physician at KLDisc Discovery's expense. The third physician will be jointly approved by KLDisc Discovery and the employee. The third opinion will be considered final.

Absent unusual circumstances, failure to comply with KLDisc Discovery's notice and certification requirements may result in a delay or denial of the leave. If an employee fails to return to work upon the leave's expiration and has not obtained an extension of the leave, KLDisc Discovery may presume that the employee does not plan to return to work and has voluntarily terminated his or her employment.

Leave on Intermittent or Reduced Schedule

FMLA Leave does not need to be taken in one continuous block. Leave can be taken intermittently or on a reduced schedule when medically necessary (for the employee's care or that of a family member). Leave due to military exigencies may also be taken on an intermittent basis. Requests for intermittent leave to care for a new child will be reviewed on a case-by-case basis by the Manager and KLDisc Discovery's Leave of Absence Reporting Center.

If an employee's request for intermittent leave is approved, KLDisc Discovery may later require employees to obtain recertification of their need for leave. For example, KLDisc Discovery may



request recertification if it receives information that casts doubt on an employee's report that an absence qualifies for FMLA Leave.

In accordance with applicable law, KLDiscvery may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate an intermittent or reduced schedule.

Pay and Benefits During Leave

FMLA Leave may run concurrently with short-term disability (STD) and workers' compensation, as applicable and in accordance with state laws. Generally, FMLA Leave is unpaid. Employees are required to exhaust their accrued vacation and sick time during FMLA Leave, if not running concurrently with STD or workers' compensation. Parental leave does not have to be exhausted during FMLA and can be retained per the policy.

Subject to the terms, conditions, and limitations of the applicable plans, KLDiscvery will continue to provide health insurance benefits for the full period of the approved FMLA Leave under the same conditions as before the FMLA Leave. The employee remains responsible for his/her share of the premium. Costs associated with missed benefit premiums while an employee is out on a leave, will be collected once the employee returns to work or withheld from short-term disability payments, if applicable.

Job Restoration

Upon return from FMLA leave, employees will be restored to their original or equivalent position with equivalent pay, benefits, and other employment terms, unless the position has been eliminated or replaced due to business necessity. Employees will not lose any employment benefit that was earned or to which the employee was entitled prior to using FMLA leave.

If an employee fails to return to work on the agreed upon return date, KLDiscvery will assume that the employee has resigned.

If your leave has been approved to extend past the 12 weeks of FMLA Leave, and you do not return to work for at least 30 days for a reason other than: (1) the continuation, recurrence or onset of a serious health condition which would entitle you to FMLA Leave; or (2) other circumstances beyond your control, you may be required to reimburse KLDiscvery for the share of health premiums paid on your behalf during FMLA Leave and the extended leave period.

FMLA Provisions

Documents relating to medical certifications, recertification's or medical histories of employees or employees' family members will be maintained separately and treated by KLDiscvery as confidential medical records, except that in some legally recognized circumstances, the records (or information in them) may be disclosed to supervisors and managers, first aid and safety personnel or government officials.

An employee who fraudulently obtains Family and Medical Leave from KLDiscvery is not protected by FMLA's job restoration or maintenance of health benefits provisions. In addition, KLDiscvery will take all available appropriate disciplinary action against such employee due



to such fraud.

A Notice to Employees of Rights under FMLA (WHD Publication 1420) is attached to this policy.

Unpaid Personal Leave

Employees may request Personal Leave when their absence from work is necessitated by personal circumstances of a serious and unusual nature. Personal Leave need not be medically related and may be requested in a variety of situations that require a continuous unscheduled absence. Personal Leaves can be approved for a maximum of 8 weeks in one 12-month period. The 8-week period is calculated on a rolling 12-month period measured from the date the employee first begins leave.

Requests for Personal Leave can be submitted when short-term disability and/or FMLA are denied, exhausted, or unavailable. Personal Leaves related to the employee's own medical condition may require additional documentation upon the employee's return to work to confirm they are medically cleared to perform their job duties.

Any request for unpaid personal leaves must be reviewed and approved by an employee's Manager, Department Executive, and Talent Partner. Requests for Personal Leave requests may be denied where the business need may not support it.

Federal Family and Medical Leave Act

If an employee becomes FMLA-eligible while on approved Personal Leave, time missed from work before the employee became FMLA-eligible will not be deducted from the employee's 12-week allotment of job-protected FMLA Leave. The employee will be entitled to be covered under Family and Medical Leave upon eligibility, and additional documentation may be requested at that time. In accordance with this policy, the approved Personal Leave shall be suspended effective the day the employee became eligible for FMLA Leave.

Other State Family, Disability, Medical or Pregnancy Leave

If an employee becomes eligible for state family, disability, medical or pregnancy leave while on approved Personal Leave, time missed from work before the employee became state-eligible will not be deducted from the employee's leave allowed by state law.

Benefits

Benefits coverage will remain in place during an approved Personal Leave, and employees are expected to pay for their portion of benefits as usual.

Job Restoration

Efforts will be made to reinstate an employee returning from leave in the same or similar job. KLDisc Discovery, however, cannot guarantee reinstatement in the same or similar job or re-employment in any position. Should the employee fail to return to work after the end of the approved leave period, the employee's employment with KLDisc Discovery may be terminated as a voluntary resignation.



Job protected leave may be available in certain circumstances as directed by the ADA or other applicable federal or state law.

If an employee fails to return to work within 30 days of on the agreed upon return date, KLDiscDiscovery will assume that the employee has resigned. If you fail to return to work following your leave, you may be required to reimburse KLDiscDiscovery for the share of health premiums paid on your behalf during Unpaid Personal Leave.

Military Leave

KLDiscDiscovery supports employees who are members of the Armed Forces, Reserves, National Guard or in the Civil Air Patrol in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees called to military leave will be granted unpaid leave for the duration of their active duty for a period of up to five (5) years (or longer, if required under applicable law), until their return to work with KLDiscDiscovery. Managers must consult with the Talent Team for types of service that may not be counted towards the five-year period.

Employees who are called to active duty must provide a copy of their call orders to their manager and contact KLDiscDiscovery’s Leave of Absence Reporting Center as soon as practicable. Employees with Military orders not related to active duty are not required to provide a copy of their call orders to their manager and KLDiscDiscovery’s Leave of Absence Reporting Center, unless upon request of the KLD Benefits Team at which time the employee must provide such orders. Managers must also ensure that all company equipment is collected when the active duty is for extended periods of time beyond the normal two-week training period.

Military Leave Pay

Regular employees working more than 20 hours a week may be eligible for up to 20 days of military pay per calendar year to use for annual training, required base days, etc. when not called to active duty. If an employee is called to active military duty, they may be eligible for up to 3 months of military leave pay to use while on active duty. All other leave, unless directed by state and federal law, will be unpaid.

Military Leave Pay for active duty/deployment is outlined below and is in addition to the 20 days of military pay for annual training, base days, etc.

Length of Deployment	Allotment of Military Leave Pay
Less than 6 months	2 weeks
6 months – 1 year	1 month
1-2 years	2 months
2-5 years	3 months

Payment of Time Off

Military Leave will be paid based upon the employee’s base rate of pay at the time the time is taken. Military Leave is not counted for the purpose of calculating an employee’s overtime hours of work or overtime premiums. Military Leave does not affect Vacation accrual, Sick Time usage or other paid time off.



Benefits

Employees will not lose any employment benefit that was earned or entitled prior to using Military leave such as service tenure-based rewards, promotions, etc. Other health and welfare benefits may be suspended or continued in accordance with conditions and limitations of the applicable plans and federal or state law.

Employees may use vacation hours for portions of their military leave upon request.

Job Restoration

In accordance with applicable laws, only employees who receive an honorable discharge will receive job protected leave and maintenance of benefits as described in the section above. After completing active duty, return to work will require documentation of the honorable discharge and will be scheduled in accordance with USERRA re-employment timelines and applicable state law.

General Provisions

This policy is neither exhaustive nor exclusive. KLDisc Discovery is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with all applicable federal, state, and local laws.

Nothing in this policy is intended to create a contract, nor is it to be construed to constitute contractual obligations of any kind or a contract of employment between KLDisc Discovery and any of its employees. KLDisc Discovery is an employment-at-will company.

In the event the statements in this policy conflict with current or future federal, state, or local laws or regulations, the statements will be restricted by the provisions of the laws or regulations. Where the law of the employee's state imposes greater obligations than this policy provides, state law will apply. KLDisc Discovery reserves the right to terminate or modify this policy at any time and at its sole discretion.