

SECTION 4.0 | MANDATORY EMPLOYEE BENEFITS

4.1 | Employee Benefits

Revised: 12/08/2022 | Effective: 04/30/2020

Eligible employees at Hindsight Electric, LLC receive many benefits. Some benefits are required by law and cover all employees. The legally required benefits include Social Security, workers' compensation, and unemployment insurance. There are several factors that decide if you are eligible for a benefit. One important factor is your employment classification. See the Business Controller to find out for which benefit programs you are eligible.

This employee handbook contains policies describing some of the benefit programs, or you may find more information somewhere else, such as the Summary Plan Document.

Hindsight Electric, LLC provides the following benefit programs to eligible employees:

- Auto, Employer Owned Vehicle
- Auto Mileage
- Company Credit Cards
- Educational Financial Assistance
- Jury Duty Leave
- Paid Time Off (PTO)
- Vacation
- Voting Time Off

Some benefits are provided to the employee, and some are voluntary or co-pay. Hindsight Electric, LLC will provide you with information on both types of benefits.

4.2 | Social Security

Revised: 12/08/2022 | Effective: 04/30/2020

The payment of Social Security and Medicare Benefits is made by you and Hindsight Electric, LLC. Hindsight Electric, LLC matches your contribution to Social Security and Medicare and thereby pays one-half of the cost of your Retirement and Medicare Benefits under the Social Security Act.

Social Security provides a variety of benefits, including retirement income, death benefits, disability benefits and monthly income for certain dependent survivors of covered employees.

For additional information regarding Social Security eligibility and benefits, go to www.socialsecurity.gov.

4.3 | Unemployment Insurance

Revised: 09/21/2022 | Effective: 04/30/2020

Hindsight Electric, LLC pays the entire cost of unemployment insurance. This insurance provides a weekly income for those who may be laid off or who may have lost their job through no fault of their own.

The amount of this income varies with the individual and state in which he/she resides because it is based on average earnings. Eligibility requirements and the amount of benefits that you may receive are specified by state law.

4.4 | Workers' Compensation Insurance

Revised: 09/21/2022 | Effective: 04/30/2020

Employees are provided Workers' Compensation coverage from the day they begin work. Hindsight Electric, LLC pays the entire cost of this coverage. Employees are covered by Workers' Compensation if they are incapacitated by injury or illness arising out of their employment.

Employees must report all accidents to their supervisor immediately, regardless of how minor. If a work-related injury requires medical attention by a physician or any other medical facility that produces a bill, a claim must be made out the same day by the employee's supervisor. If the injury causes the person to be away from work beyond three days, this injury must be reported to the state Workers' Compensation Division.

The employee's supervisor is responsible for submitting a copy of the original claim to the state office. Additionally, a copy of this claim must be forwarded to the Business Controller, who will forward it to the insurance company.

Employees are not authorized to go to a physician without first advising their supervisor or manager. Employees will not be eligible for regular compensation or vacation or holiday pay in addition to any Workers' Compensation received.

4.5 | Family Medical Leave Act

Revised: 12/08/2022 | Effective: 04/30/2020

Hindsight Electric, LLC will comply with the Family and Medical Leave Act implementing Regulations as revised effective February 2013. Hindsight Electric, LLC posts the mandatory FMLA Notice and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Leave Act.

The function 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.

If you have any questions, concerns, or disputes with this policy, you must contact your immediate supervisor or the Business Controller in writing.

A. General Provisions

Under this policy, Hindsight Electric, LLC will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered servicemember with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

B. Eligibility

To qualify to take family or medical leave under this policy, the employee must meet all the following conditions:

1. The employee must have worked for Hindsight Electric, LLC for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
2. The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor

Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

3. The employee must work in a worksite where 50 or more employees are employed by Hindsight Electric, LLC within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

C. Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

1. The birth of a child and, to care for that child.
2. The placement of a child for adoption or foster care and to care for the newly placed child.
3. To care for a spouse, child, or parent with a serious health condition (described below).
4. The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under Hindsight Electric, LLC's sick leave policy are encouraged to consult with the Business Controller.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, Hindsight Electric, LLC may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter, or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following:

1. Short-notice deployment
2. Military events and activities
3. Child-care and school activities
4. Financial and legal arrangements
5. Counseling
6. Rest and recuperation
7. Post-deployment activities
8. Additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.
 - a. Eligible employees are entitled to FMLA leave to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical

treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

- b. To care for a covered servicemember, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered servicemember.

1. A **"son or daughter of a covered servicemember"** means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.

2. A **"parent of a covered servicemember"** means a covered servicemember's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents "in law".

3. Under the FMLA, a **"spouse"** means a husband or wife as defined under the law in the state where the employee resides. [Note: Employers in states allowing gay marriage or civil unions should be particularly cognizant of the interplay between federal and state law in this evolving area of law. On June 26, 2013, the U.S. Supreme Court, in *United States v. Windsor*, found unconstitutional Section 3 of the federal Defense of Marriage Act (DOMA), which had prohibited the federal government from acknowledging marriages between same-sex couples. Same-sex marriages were recognized as legal by 12 states and the District of Columbia at the time of the ruling.

Now that same-sex spouses are 'spouses' under federal law if they are 'spouses' under state law, all federal laws and regulations that include spouses include the broader same-sex definition in those states where same-sex marriage is legal. FMLA refers to state law for the definition of 'spouse.' Thus, for FMLA, an employee can take leave for a serious medical condition, "including military-family leave, of the same-sex spouse if the employee lives in a state that allows same-sex marriage". However, since the court did not consider Section 2 of DOMA, states still have the right not to recognize same-sex marriages originating in other states or territories, Therefore, in the 13 states that recognize gay marriage—California, Connecticut, Delaware, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Hampshire, New York, Rhode Island, Vermont and Washington, plus the District of Columbia—applicability of the FMLA would depend on the state definition of marriage. Additionally, children of same-sex marriage, meaning an employee is entitled to take FMLA leave for their care, as well.]

4. The **"next of kin of a covered servicemember"** is the nearest blood relative, other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered a covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin. For example, if a covered servicemember has three siblings and has not designated a blood relative to provide care, all three siblings would be considered a covered servicemember's next of kin. Alternatively, where a covered servicemember has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered servicemember's next of kin. An employer is permitted to require an employee to provide confirmation of a covered family relationship to the covered servicemember.

a. **"Covered active duty"** means:

- i. "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.
- ii. "Covered active duty" for members of the reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the

Armed Forces to a foreign country under a call or order to active duty in a contingency operation.
(c) 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

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

5. Military caregiver leave (also known as covered servicemember leave) to care for an injured or ill servicemember or veteran. An employee whose son, daughter, parent or next of kin is a covered servicemember may take up to 26 weeks in a single 12-month period to take care of leave to care for that servicemember.

Next of kin is defined as the closest blood relative of the injured or recovering servicemember.

The term "**covered servicemember**" means:

- a. a 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; or
- b. a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term "**serious injury or illness**" means:

- a. in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- b. in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.
- c. Outpatient status, with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

D. Amount of Leave

An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. Hindsight Electric, LLC 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, Hindsight Electric, LLC 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 the FMLA circumstance (6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, Hindsight Electric, LLC will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for Hindsight Electric, LLC and each wish to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for Hindsight Electric, LLC and each wish to take leave to care for a covered injured or ill servicemember, the husband and wife may only take a combined total of 26 weeks of leave.

E. Employee Status and Benefits During Leave

While an employee is on leave, Hindsight Electric, LLC will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, Hindsight Electric, LLC will require the employee to reimburse Hindsight Electric, LLC the amount it paid for the employee's health insurance premium during the leave period.

Under current company policy, the employee pays a portion of the health care premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Accounting Department by the 1st day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. The employer will provide 15 days' notification prior to the employee's loss of coverage.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

F. Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. This requirement will be included in the employer's response to the FMLA request. 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. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. Hindsight Electric, LLC may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

G. Use of Paid and Unpaid Leave

An employee who is taking FMLA leave because of the employee's own serious health condition, or the serious health condition of a family member must use all paid vacation, personal or sick leave prior to being eligible for unpaid leave. Sick leave may be run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

Disability leave for the birth of the child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, if an employer provides six weeks of pregnancy disability leave, the six weeks will be designated as FMLA leave and counted toward the employee's 12-week entitlement. The employee may then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week entitlement. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal or family leave prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all

paid vacation, personal leave, or sick leave (if the reason for the absence is covered by Hindsight Electric, LLC's sick leave policy) prior to being eligible for unpaid leave.

H. Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in 12 consecutive weeks, 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 servicemember over a 12-month period).

Hindsight Electric, LLC 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, in instances of when leave for the employee or employee's family member is foreseeable and 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.

For the birth, adoption or foster care of a child, Hindsight Electric, LLC, and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach an agreement with Hindsight Electric, LLC before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

I. Certification for the Employee's Serious Health Condition

Hindsight Electric, LLC will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition.

Hindsight Electric, LLC may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. Hindsight Electric, LLC will not use the employee's direct supervisor for this contact. Before Hindsight Electric, LLC makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, Hindsight Electric, LLC will obtain the employee's permission for clarification of individually identifiable health information.

Hindsight Electric, LLC has the right to ask for a second opinion if it has reason to doubt the certification. Hindsight Electric, LLC will pay for the employee to get a certification from a second doctor, which will select. Hindsight Electric, LLC may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, Hindsight Electric, LLC will require the opinion of a third doctor. Hindsight Electric, LLC and the employee will mutually select the third doctor, and Hindsight Electric, LLC will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

J. Certification for the Family Member's Serious Health Condition

Hindsight Electric, LLC will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition.

Hindsight Electric, LLC may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management

official. Hindsight Electric, LLC will not use the employee's direct supervisor for this contact. Before Hindsight Electric, LLC makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, Hindsight Electric, LLC will obtain the employee's family member's permission for clarification of individually identifiable health information.

Hindsight Electric, LLC has the right to ask for a second opinion if it has reason to doubt the certification. Hindsight Electric, LLC will pay for the employee's family member to get a certification from a second doctor, which Hindsight Electric, LLC will select. Hindsight Electric, LLC may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, Hindsight Electric, LLC will require the opinion of a third doctor. Hindsight Electric, LLC and the employee will mutually select the third doctor, and Hindsight Electric, LLC will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

K. Certification of Qualifying Exigency for Military Family Leave

Hindsight Electric, LLC will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

L. Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave

Hindsight Electric, LLC will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Servicemember.

M. Recertification

Hindsight Electric, LLC may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, Hindsight Electric, LLC may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. Hindsight Electric, LLC may provide the employee's health care provider with the employee's attendance records and ask whether the need for leave is consistent with the employee's serious health condition.

N. Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Business Controller. Within five business days after the employee has provided this notice, the Business Controller will complete and provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with Hindsight Electric, LLC's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

O. Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, the Business Controller will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice.

P. Intent to Return to Work from FMLA Leave

On a basis that does not discriminate against employees on FMLA leave, Hindsight Electric, LLC may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Specific to employees in Colorado

Colorado provides employees guarantees of a "reasonable period" of leave for pregnancy, childbirth, and adoption.

4.6 | Family and Medical Leave Insurance (FAMLI)

Revised: 11/26/2025 | Effective: 01/01/2024

Colorado's Family and Medical Leave Insurance (FAMLI) program provides eligible Hindsight Electric employees with paid leave to care for themselves or their family members under certain circumstances. The program is administered by the Colorado Department of Labor and Employment, Division of Family and Medical Leave Insurance (FAMLI Division). Program premiums are funded through employer contributions and employee payroll deductions.

Eligibility

To be eligible for FAMLI leave, you must have earned at least \$2,500 in wages in Colorado over the previous year.

Reasons for Leave

FAMLI leave can be taken for the following reasons:

- The birth of a child and to care for that child (leave must be completed within one year of the child's birth).
- The adoption or foster care placement of a child with you and to care for that child (leave must be completed within one year of the child's placement).
- To care for a family member with a serious health condition.
- To care for your own serious health condition.
- A qualifying exigency of a family member who is a military member on covered active duty or called to covered active-duty status (or has been notified of an impending call or order to covered active duty).
- To obtain safe housing, care, and/or legal assistance in response to domestic violence, stalking, sexual assault, or sexual abuse.

Family member means:

- Regardless of age, your biological, adopted, or foster child, stepchild or legal ward, a child of your domestic partner, a child to whom you stand in loco parentis, or a person to whom you stood in loco parentis when the person was a minor
- A biological, adoptive, or foster parent, stepparent, or legal guardian of you or your spouse or domestic partner, or a person who stood in loco parentis to you or your spouse or domestic partner when you or they were a minor child
- A person to whom you are legally married under the laws of any state, or your domestic partner
- A grandparent, grandchild, or sibling (whether a biological, foster, adoptive, or step relationship) of you or your spouse or domestic partner
- Any other individual with whom you have a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship.

Leave Usage

If eligible, you may take up to 12 weeks of FAMLI leave per year. If you have a serious health condition caused by pregnancy or childbirth complications, you may be eligible to take up to an additional four weeks, for a total of 16 weeks. Effective 01/01/2026, you may take up to an additional 12 weeks of leave if your baby is in the NICU.

Leave may be taken continuously, intermittently, or in the form of a reduced schedule. FAMLI leave will run concurrently with other leave when permissible under applicable law. You may choose, but are not required, to use sick leave or other paid time off before using FAMLI leave.

Hindsight Electric, LLC will work with you to supplement FAMLI leave with your available PTO or Vacation to provide full wage replacement.

Notice

If leave is foreseeable, you must provide at least 30 days' notice. If leave is unforeseeable, you must provide notice as soon as practical.

Applying for Leave

You must apply for FAMLI leave with the FAMLI Division. Instructions on how to file are available on the FAMLI Division website (<https://famli.colorado.gov/>). You have up to 30 days after leave has started to apply.

Compensation

FAMLI leave benefits will be paid at a rate based on your average weekly wage. You can estimate your potential benefits by using the calculator available at <https://famli.colorado.gov/individuals-and-families/premium-and-benefits-calculator>.

Continuation of Health Benefits

If Hindsight Electric, LLC provides you with health benefits under a group health plan, Hindsight Electric, LLC will maintain your health coverage at the same level and under the same conditions as if you had been continuously employed. You will be responsible for paying your share of the cost of health benefits as required prior to beginning leave.

Restoration

If you worked for Hindsight Electric, LLC for at least 180 days prior to taking leave, you will be restored to your previous position or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

Retaliation

Hindsight Electric, LLC will not retaliate against employees who request or take leave in accordance with this policy.

4.7 | Pregnancy Leave

Revised: 09/01/2025 | Effective: 04/30/2020

If a pregnant employee is temporarily unable to perform her job because of pregnancy she will be treated the same as any other temporarily disabled employee.

Pregnant employees are permitted to work if they can perform their job duties. If an employee has been absent from work because of a pregnancy-related condition and recovers, she will be able to return to work. We will hold the position open for a pregnancy-related absence the same length of time jobs are held open for employees on sick or disability leave.

Specific to employees in Colorado

Colorado's Pregnant Workers Fairness Act became effective on August 10, 2016, and amends the Colorado Anti-Discrimination Act (CADA). The law requires employers to accommodate medical conditions and limitations stemming from pregnancy that may not separately qualify as disabilities under the Americans with Disabilities Act (ADA). In addition, the act imposes new posting and notification requirements for employers. CADA and the new act apply to all employers, even those with only 1 employee.

4.8 | Military Leave

Revised: 09/01/2025 | Effective: 04/30/2020

Hindsight Electric, LLC will grant a military leave of absence if you are absent from work because you are serving in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). You must give the owner advance notice of upcoming military service, unless military necessity prevents advance notice, or it is otherwise impossible or unreasonable.

You will not be paid for military leave. However, you may use any available accrued paid time off, such as vacation or sick leave, to help pay for the leave.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which you are otherwise eligible.

Your benefits, such as vacation, sick leave, or holiday benefits, will not accrue during a military leave. When you return from leave, the benefits will start accruing again.

If you are on military leave for up to 30 days, you must return to work on the first regularly scheduled work period after your service ends (allowing for reasonable travel time). If you are on military leave for more than 30 days, you must apply for reinstatement in accordance with USERRA and applicable state laws.

When you return from military leave (depending on the length of your military service in accordance with USERRA), you will be placed either in the position you would have attained if you had stayed continuously employed or in a comparable position. For the purpose of determining benefits that are based on length of service, you will be treated as if you had been continuously employed. If you have questions about military leave, contact the Business Controller for more information.

4.9 | Military Family Leave

Revised: 09/01/2025 | Effective: 04/30/2020

Hindsight Electric, LLC complies with the Military Family Leave entitlements under the Family and Medical Leave Act (FMLA). Eligibility requirements are identical to those required under FMLA:

- Employees must have completed twelve months of employment. Employment need not be consecutive; however, employment prior to a continuous break in service of 7 years or more will not be counted unless the break is due of employee's fulfillment of military obligation
- Employee must have worked for 1,250 hours over the previous 12 months
- Employers must have 50 employees within 75 miles

Exigency Leave

Eligible employees with a spouse, son, daughter, or parent on active duty or call to duty status in any branch of the military in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies include any one or more of the following non-medical, non-routine activities:

- Short-term notice deployment activities
- Military events and related activities
- Childcare and school activities
- Financial and legal arrangements
- Counseling activities
- Rest and recuperation activities
- Post-deployment activities
- Additional activities as mutually agreed upon between employee and Hindsight Electric, LLC.

Military Caregiver Leave

The Military Caregiver Leave permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy, or is in outpatient status, or is on the temporary disability retired list. Caregiver may be a spouse, son, daughter, parent or next of kin of the covered service member.

Employee Notice

Employees must provide 30 days advance notice of the need to take Military Caregiver Leave. If leave is foreseeable but 30 days' notice is not possible, the employee must provide notice as soon as possible – generally, either the same or next business day. The employee must provide notice of the need for foreseeable due to a qualifying exigency as soon as feasible.

Certification

The same timing requirements for certification apply to all requests for FMLA Leave, including those for military leave. Spouses employed by the same employer are limited to a combined total of 26 workweeks in a single 12-month period if the leave is to care for a covered servicemember with a serious injury or illness, and for the birth and care of a newborn child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.

FMLA Leave may be taken intermittently whenever medically necessary to care for a covered servicemember. FMLA may also be taken intermittently for a qualifying exigency arising out of the active-duty status or call to active-duty of a covered military member. 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 employer's operations.

4.10 | Military Caregiver Leave

Revised: 09/01/2025 | Effective: 04/30/2020

The Military Caregiver Leave permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy, or is in outpatient status, or is on the temporary disability retired list.

Caregiver may be a spouse, son, daughter, parent or next of kin of the covered servicemember. The same timing requirements for certification apply to all requests for FMLA Leave, including those for military leave.

Employee Notice

Employees must provide 30 days' advance notice of the need to take Military Caregiver Leave. If leave is foreseeable but 30 days' notice is not possible, the employee must provide notice as soon as possible - generally, either the same or next business day. The employee must provide notice of the need for foreseeable due to a qualifying exigency as soon as feasible.

Certification

The same timing requirements for certification apply to all requests for FMLA Leave, including those for military leave. Spouses employed by the same employer are limited to a combined total of 26 workweeks in a single 12-month period if the leave is to care for a covered servicemember with a serious injury or illness, and for the birth

and care of a newborn child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.

FMLA Leave may be taken intermittently whenever medically necessary to care for a covered servicemember. FMLA may also be taken intermittently for a qualifying exigency arising out of the active-duty status or call to active-duty of a covered military member. 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 employer's operations.

4.11 | Benefit Continuation-COBRA

Revised: 09/01/2025 | Effective: 04/30/2020

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) was enacted to ensure that employees and their dependents can continue their health insurance once they are no longer eligible under our health plan.

There are strict rules about when you are eligible for COBRA benefits. COBRA allows an eligible employee and/or dependents to choose to continue their health insurance when a "qualifying event" happens. Qualifying events include the employee's resignation, termination, leave of absence, shorter work hours, divorce, legal separation, or death. Another qualifying event is when a dependent child stops being eligible for coverage under your health insurance.

If you continue your insurance under COBRA, you will pay the full cost of the insurance at Hindsight Electric, LLC group rates plus an administration fee. When you are eligible for our health insurance plan, you will receive a written notice describing your COBRA rights. This notice contains important information about your rights and what to do if you need COBRA, so it is important that you read it carefully and maintain it with your insurance documents.

If you have any questions regarding COBRA, please contact the Business Controller.

4.12 | Voting

Revised: 09/01/2025 | Effective: 04/30/2020

Hindsight Electric, LLC encourages you to fulfill your civic responsibilities by voting in elections. Generally, the polls are open for several hours in the morning and evening and we expect that you will be able to vote either before or after work hours.

Specific to employees in Colorado

Registered voters who do not have at least three hours outside of work to vote are entitled to up to two hours of paid leave to vote while the polls are open.

4.13 | Jury Duty

Revised: 09/01/2025 | Effective: 04/30/2020

Hindsight Electric, LLC encourages you to fulfill your civic responsibilities by serving jury duty when required. If you receive a jury duty summons, show it to your immediate supervisor as soon as possible so that arrangements can be made to accommodate your possible absence from work.

Specific to employees in Colorado

Employers in Colorado may not adversely penalize employees from serving on a jury. All regular employees must be paid their regular wages, not to exceed \$50 per day for the first three (3) days of juror service.