



Family and Medical Leave Act (FMLA) Policy

Policy Summary

Newell Brands, Inc. and its subsidiaries (the "Company") recognizes that circumstances sometimes require an employee to be absent from work for a limited period of time. In certain situations, an eligible employee may request time off under the federal law known as the Family and Medical Leave Act, or FMLA. Some state laws provide additional rights with respect to family and medical leave. You will be advised of your rights under your state's laws where controlling. This policy explains your rights and responsibilities under the FMLA.

Eligibility

To be eligible for FMLA leave, you must have worked for the Company for at least 12 months, and worked at least 1,250 hours during the previous 12 months.

Policy Specifics

Basic Leave Entitlements

You may request up to 12 workweeks of unpaid FMLA leave during a single 12-month period for the following reasons:

- a. Birth of your child, and to care for the newborn child;
- b. Placement with you of a child for adoption or foster care;
- c. To care for your spouse, Domestic Partner, parent, or child with a serious health condition; or
- d. Your own serious health condition that renders you unable to perform the functions of your job.

A **single 12-month period** for purposes of FMLA leave for the above reasons (and for purposes of addressing qualifying exigencies associated with military family leave, discussed below) is determined on a "rolling" basis. At the time you request FMLA leave, we will look back over the preceding 12 months to see how much of your FMLA entitlement of 12 workweeks you have already used to determine how much remaining leave you have.

A **serious health condition** means an illness, injury, impairment, or physical or mental condition that involves (i) an overnight stay in a hospital or other medical care facility; or (ii) continuing treatment by a health care provider.

Continuing treatment by a health care provider generally means a period of incapacity of more than 3 consecutive, full calendar days; and (i) at least 2 visits to a health care provider within a 30-day period or (ii) one such visit with a regimen of continuing treatment. The first (or only) visit to the health care provider must occur within 7 days of the onset of the incapacity. "Incapacity" means inability to work, attend school or perform other regular daily activities due to a serious health condition or treatment for/recovery from a serious health condition. Continuing treatment also includes periods of incapacity due to pregnancy, prenatal care, and chronic serious health conditions.

Contact the Company's Leave Administrator by phone or online for more information about what qualifies as a serious health condition.

Military Family Leave Entitlement

The FMLA provides two additional qualifying reasons for leave for eligible employees:



Family and Medical Leave Act (FMLA) Policy

To address certain qualifying exigencies. You may request up to 12 workweeks of unpaid FMLA leave during a single 12-month period to address qualifying exigencies arising from your spouse's, Domestic Partner's, child's (of any age), or parent's active duty or call to active duty.

Qualifying exigencies may include: attending to issues that arise as a result of a short- notice (7 or less calendar days) deployment; attending certain military events; childcare and school activities related to the active duty or call to active duty; parental care related to the active duty or call to active duty; addressing certain financial and legal arrangements; attending certain counseling sessions; attending post-deployment arrival ceremonies, reintegration briefings and other official programs; and to address issues that arise from the death of the military member.

Contact the Company's Leave Administrator by phone or online for more information about what constitutes a qualifying exigency.

To care for an ill or injured service member. You may request up to 26 weeks of unpaid leave during a single 12-month period to care for a seriously ill or injured spouse, Domestic Partner, child (of any age), parent, or next of kin (next nearest blood relative) who is a member of the Armed Forces or a veteran under the following circumstances:

With respect to a member of the Armed Forces (including the National Guard or Reserves), a serious injury or illness is one that was incurred in the line of duty on active duty (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) that may render the service member medically unfit to perform the duties of the service member's office, grade, rank, or rating, 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.

With respect to a veteran (that is, a person who served in the active military, Naval, or Air Service, and who was discharged or released from such service under conditions other than dishonorable), a serious injury or illness is one that was incurred in the line of duty on active duty in the Armed Forces (or which existed before the beginning of the member's active duty status and was aggravated by service in the line of duty on active duty in the Armed Forces) which manifested itself before or after the member became a veteran, and is:

- a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; or a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
- a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
- an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans' Affairs Program of Comprehensive Assistance for Family Caregivers.



Family and Medical Leave Act (FMLA) Policy

Additionally, the veteran must have been a member of the Armed Forces (including the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy.

The **single 12-month period** for purposes of service member family leave begins on the first day you take FMLA leave to care for a covered service member and ends 12 months after that date. If your leave qualifies as both leave to care for a covered service member and leave to care for a family member with a serious health condition, your leave will be designated as leave to care for a covered service member first. In all cases, your leave entitlement is limited to a combined total of 26 work weeks of FMLA leave for any qualifying reason during a single 12-month period and no more than 12 of those 26 weeks may be taken for qualifying reasons other than military caregiver leave.

Use of Leave

Spouses or Domestic Partners both employed by the Company. If you and your spouse or Domestic Partner are both employed by the Company, you and your spouse or Domestic Partner are jointly entitled to 12 weeks of leave (rather than 12 weeks each) if leave is taken for the birth of a child, placement for adoption or foster care of a child, or to care for a parent with a serious health condition. The combined total is 26 weeks of leave during a single 12-month period to care for an ill or injured service member, or for a combination of that type of leave and any other type of FMLA leave.

Intermittent or reduced leave schedule. You may take FMLA leave on an intermittent (as separate blocks of time) or reduced schedule basis if medically necessary for your own serious health condition; the serious health condition of your spouse, Domestic Partner, child, or parent; the serious illness or injury of a covered service member; or in the event of a qualifying exigency. Intermittent/reduced schedule leave is not available following the birth of a child to be with a healthy newborn or after placement of a healthy child for adoption or foster care.

If you need to take FMLA leave intermittently or on a reduced leave schedule for planned medical treatment, you must make a reasonable effort to schedule the treatment so as not to disrupt the Company's operations. In this situation, the Company may require you to transfer temporarily, during the time that you need to take intermittent or reduced schedule leave, to an alternative or part-time position with equivalent pay and benefits that better accommodates recurring periods of leave than your regular position. If transferred, the Company will reinstate you to your regular position when you return to full-time work following your leave.

How to Request Leave

The steps outlined below explain how to request an FMLA leave of absence. Failure to follow these instructions may result in delays or denial of your leave request.

Contact the Company's Leave Administrator. The Leave Administrator is a company that manages FMLA leaves (and other leaves of absence) for the Company. This means that the Leave Administrator will take your leave request, communicate with you about your leave, and handle most aspects of your leave. To begin the FMLA process, you must first contact the Leave Administrator to request leave. You may contact the Leave Administrator by phone or online. Follow the instructions provided by the applicable system.

If you experience problems with contacting the Leave Administrator, immediately involve Human Resources ("HR") for help. Ultimately it is your responsibility to provide the necessary information to the Leave Administrator for it to consider your FMLA leave request.



Family and Medical Leave Act (FMLA) Policy

Give Sufficient Notice of Your Need for FMLA Leave. You should give notice of your need for FMLA leave with the following guidelines in mind:

If you know in advance that you will need to take FMLA leave (for example, for the birth of a child or for planned medical treatment), you must contact the Leave Administrator to request leave at least 30 days before your leave will begin. When 30 days' notice is not possible, you must provide notice as soon as practicable. "As soon as practicable" means as soon as both possible and practical. If you learn less than 30 days in advance that you will need to take leave, it should be practicable to provide notice of your need for leave either the same day or the next business day once you learn of the need for leave.

If your need for leave arises unexpectedly (for example, due to a sudden serious illness), you must contact the Leave Administrator to report your absence as soon as practicable. In general, it should be practicable to provide notice of your need for leave the same day, absent emergency or unusual circumstances. Failing to do so may result in delays or denial of your leave. Please remember that this requirement also applies to intermittent FMLA absences, even if they have already been certified.

Report Your Absence Pursuant to Your Location's Attendance Policy. Reporting your absence to the Leave Administrator does not replace the need to separately report your absence to your supervisor as required by your applicable attendance policy. While you need not divulge personal or medical details to your supervisor, it is important that they know that you are absent and when you expect to return. Failure to properly follow your local call-off procedures may result in FMLA-protected leave being delayed or denied. If your location does not have an established call-off procedure, you should assume that your supervisor requires notice by telephone or email at least one hour before the time you typically start work. Additionally, if your leave lasts longer than 1 month, you must report your status and intent to return to work to your supervisor on a monthly basis.

Provide Sufficient Information About Your Need for Leave. When you contact the Leave Administrator, you must explain the reason that you need to take leave (as well as the anticipated timing and duration) so that the Leave Administrator can determine if your leave request qualifies for FMLA protection. Calling in "sick" without providing more information will not be considered sufficient notice. If you request leave for a condition for which you previously took FMLA leave, you must inform the Leave Administrator that you are seeking leave for a condition that was previously FMLA-certified or for which you previously took FMLA leave.

Return Required Certification and Other Forms on Time. After you request FMLA leave, you will receive information from the Leave Administrator about your leave request in the mail. You will be informed of your eligibility under the FMLA, any additional information required, and your rights and responsibilities. If you are not eligible, you will be informed of a reason for the ineligibility.

It is imperative that you read all of the information you receive about your leave and return the required Certification and other forms on time. If you request leave for your own serious health condition, you and your doctor must complete a "Certification of Health Care Provider" form, or CHCP. Certification is also required if you request leave due to a family member's serious health condition, a covered service member's serious injury or illness, or a qualifying exigency.

You are responsible for ensuring that your CHCP or other required Certification is complete, sufficient, and returned to the Leave Administrator within 15 calendar days, unless submission of the CHCP during that time frame is not possible despite diligent, good-faith efforts on your part or due to extenuating circumstances. Failure to timely return a CHCP or other required Certification form may result in delay or denial of your leave. Your leave is not approved until the required Certification form is received and



Family and Medical Leave Act (FMLA) Policy

approved. The Company may, at its own expense, require you to obtain a second medical opinion from a physician of its choice, and if necessary, a third opinion from a physician mutually selected.

When there is enough information to determine whether the requested leave is for an FMLA-qualifying reason, you will be informed if leave will be designated as FMLA-protected and the amount of leave to be counted against your leave entitlement, if known. You will also be notified if the leave is not FMLA-protected.

Report Changes to Your Leave. During your FMLA leave, you must report any change to your approved leave within 2 business days of the changed circumstances where foreseeable (for example, if you will be absent for a shorter or longer period than originally reported). You must report any such changes by contacting the Leave Administrator by phone or online. You will be required to submit a Recertification if you request an extension of your leave or if the circumstances described in a previous Certification change significantly.

How FMLA Works With Other Paid Leaves

Substitution of Available Paid Leave for Unpaid FMLA Leave. FMLA leave is unpaid. However, you must use Paid Sick Time (if available) before using unpaid FMLA leave. You may also request substitution of available vacation for your unpaid FMLA leave time. Any use of paid time off will run concurrently (at the same time) with your FMLA leave and will count toward your FMLA entitlement. After you exhaust all available paid time off, the balance of your FMLA leave will be unpaid (except as provided in the Company's Short-Term Disability Plan, if applicable to the circumstances of your leave). You must consult your local supervisor to arrange to substitute your available paid time off for unpaid FMLA leave. If you do not contact your supervisor, you will not be entitled to substitute your available paid time off, but you will remain entitled to take unpaid FMLA leave.

Workers' Compensation Leaves. If you injure yourself at work and take a workers' compensation leave of absence, your workers' compensation leave will run concurrently with FMLA leave and will count toward your FMLA entitlement (if your injury meets the criteria for a serious health condition). You cannot substitute any form of accrued paid leave for any part of a workers' compensation leave during which you receive payments from the workers' compensation bureau for your time off.

Short-Term Disability Leaves. If your own serious health condition also qualifies you for Short-Term Disability ("STD") leave under the Company's STD plan, your STD leave will run concurrently (at the same time) with FMLA leave and will count toward your FMLA entitlement.

Employee Benefits During Leave

The Company will maintain your health coverage and other benefits (generally speaking, subject to the terms of the benefit plans themselves) while you are on FMLA leave as if you are actively working. You are responsible for paying any share of health plan premiums that you paid prior to FMLA leave for the duration of your leave. During any time you are receiving paid leave (such as vacation, Paid Sick Time or STD) while on FMLA leave, your share of the premium will be collected via payroll deduction.

If you choose not to return to work following an FMLA leave, the Company's obligations to maintain your health insurance benefits will cease. You will receive information concerning your COBRA rights should that occur. With certain exceptions, the Company may recover from you its share of payments made to maintain your health insurance if you fail to return to work after taking FMLA leave.

Returning to Work



Family and Medical Leave Act (FMLA) Policy

As soon as you have information about your return to work, you must (1) contact the Leave Administrator by phone or online to report the date that you will return to work; and (2) ensure that your local supervisor is likewise aware of the date that you will return to work.

In general, employees returning to work following FMLA leave are entitled to reinstatement to their original or equivalent positions with equivalent pay, benefits and other terms and conditions of employment. Use of FMLA will not result in the loss of any employment benefit that accrued prior to the start of an FMLA leave.

If you took FMLA leave due to your own serious health condition, as a condition of reinstatement you may be required to provide a completed Fitness-for-Duty Certification from your doctor on or before the day you return to work. The Fitness-for-Duty Certification must certify that you are able to resume work. The Company may delay restoration until you provide a Fitness-for-Duty Certification.

Prohibitions

Employees may not take FMLA leave to obtain other employment or otherwise fraudulently obtain FMLA leave. Other employment during your leave, unless expressly authorized by the Company, is prohibited and may subject an employee to discipline, up to and including termination. An employee who fraudulently obtains FMLA leave is not protected by FMLA's job restoration or maintenance of health benefits provisions. Any employee who fraudulently obtains FMLA leave is subject to disciplinary action, up to and including termination.

Key Terms and Definitions:

Term	Definition
Spouse	Includes any legally married couple, regardless of the laws of the state where the couple resides.
Domestic Partner	A domestic partner of the same or opposite sex as the employee who either (1) is registered under the state or municipal domestic partner registry as the domestic partner of the employee, or (2) meets the following criteria: (a) is 18 years of age or older and mentally competent to enter into a legal contract, (b) not related by blood closer than would bar marriage under applicable law where the domestic partner and employee reside, (c) is not married to, or the domestic partner of, another person under federal, state, or common law, (d) resides together in the same permanent residence as the employee and shares the common necessities of life, has done so for at least six months, and intends to do so indefinitely, and (e) is jointly responsible with the employee for the financial obligations and welfare of the household.

Process for Exceptions

The Company expects no exceptions will be needed to the Family and Medical Leave (FMLA) Policy. Exceptions to this Policy will only be considered in extreme and exceptional cases. A request for an



Family and Medical Leave Act (FMLA) Policy

exception should be documented in writing and state a reasonable, justifiable and legitimate business need. Such request for an exception should be made to your Vice President of Human Resources. Routine exception requests are discouraged.

Corrective Action for Non-Compliance

Failure to comply may result in corrective action and enforcement subject to local legal requirements.

Questions about this Policy should be directed to your HR Representative.

The Company's intent is to comply with all controlling national, federal, state, and local laws, rules, regulations and ordinances. If any portion of this Policy conflicts with any such law, the controlling law applies. Newell may modify, revise, amend or delete its policies and procedures in whole or in part, with or without notice, as it deems necessary or appropriate and/or to comply with changes in the law. This Policy is not intended, nor should it be construed, as a guarantee or promise of employment for any specific length of time, or to create a contract of employment or other contractual rights.

Effective Date: January 1, 2021; previous effective date January 1, 2018

Policy Owner: Total Rewards

Executive Sponsor: Chief Human Resources Officer