

LEAVE OF ABSENCE POLICY

Effective January 1, 2024



Contents

Leave Laws and Regulations Overview	4
Federal Leave Laws	4
Federal Family and Medical Leave Act (FMLA) (29 CFR 825).....	4
Coverage	4
Key Employees	4
Eligibility	4
What situations are covered by FMLA?	5
Definition of family members covered under FMLA	6
Confidentiality.....	6
Requesting FMLA leave.....	6
What forms do I need?	7
Employee FMLA Checklist (Summary of Steps)	7
FMLA Leave	7
Length of Leave and Calculation Method	7
Timesheet	7
Pay.....	8
Benefits – Health Insurance.....	8
Holidays.....	8
Notice Requirements	8
Periodic Updates.....	8
Recertification	8
Returning from FMLA.....	9
FMLA Fraud	9
State Leave Laws.....	9
Washington Paid Family & Medical Leave (WA-PFML).....	9
Coverage	9
Eligibility	10
What situations are considered Qualifying Events?	10
WA-PFML Benefit.....	10
The definition of family member under WA-PFML.....	10
Applying for WA-PFML.....	10
Washington Pregnancy Disability Leave	11
Washington Pregnancy Accommodation	11
The Washington State Family Care Act (RCW 49.12.265; WAC 296-130)	11
Washington State Military Family Leave Act (MFLA).....	11

Washington State Domestic Violence Leave (RCW 49.76)	12
Trident Paid Parental Leave	12
Paid Maternity Leave	12
Paid Parental (Bonding) Leave	12
Eligibility	12
Benefits	12
When an employee may use accrued sick leave (WAC 357-31-130).....	12
Military Leave Laws.....	13
Military Caregiver Leave (Injured Service Member Leave).....	13
Military Qualified Exigency Leave	13
Qualifying Exigencies	13
Other Leaves of Absences.....	14
Bereavement Leave	14
Jury Duty or Witness Duty	14
Short Term Inactive (STI).....	14
Furlough	14
Leave of Absence Unpaid.....	14
Questions about this policy	14

Leave Laws and Regulations Overview

We understand that you may face health and family challenges in your personal life. There may be times that you need to take time off from work to handle those challenges.

There are many federal and state laws that apply to family and medical leave. Often there is some overlap and a single leave of absence may simultaneously satisfy both federal and state law requirements.

After being absent from work for 7 consecutive calendar days, Employees working in Washington State may apply for benefits under the Washington Paid Family & Medical Leave (WA-PFML) program. There is no waiting period for birth of a child or bonding with a new child.

Unless you are receiving pay through a paid benefit program - such as a state paid benefit (example - Washington Paid Family and Medical Leave) or worker injury compensation, you are required to use your accrued sick and vacation to the extent that it does not interfere with the paid benefit program. Total paid leave benefits may not exceed 100% of your base wages.

Federal Leave Laws

Federal Family and Medical Leave Act (FMLA) (29 CFR 825)

FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:

Coverage

- Twelve workweeks of leave in a 12-month period for:
 - 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 newly placed child within one year of placement;
 - To care for the employee's spouse, 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, son, daughter, or parent is a covered military member on "covered active duty;" or
- Twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).

Key Employees

Under certain circumstances, Trident may deny job restoration to "key employees." A "key employee" is a salaried, FMLA-eligible employee who is among the highest paid 10 percent of all the employees employed by Trident within 75 miles of the employee's worksite.

Eligibility

To be eligible for FMLA an employee must be employed by Trident Seafoods for at least one year at the time the leave commences, employee must have worked 1,250 hours during the 12-month period immediately preceding the commencement of the leave, and the employee must be employed at a worksite where 50 or more employees are employed by the employer within 75 miles of that worksite.



The one year of service (prior to the start of the absence) is cumulative and takes into consideration breaks in services within the previous seven (7) years. "Hours worked" does not include paid holidays, paid leave (such as sick or vacation) or unpaid leave.

If you are not eligible for FMLA due to qualifying reason (see “situations covered by FMLA” section below) or you have already used up your 12-week entitlement, you may still be eligible for leave under state law. Please contact the Benefits Department to help you assess your leave options.

Your FMLA eligibility status can change over time. If you were denied FMLA coverage because you did not meet the required eligibility, or you have used up your leave entitlement for the 12-month period you may be eligible when you need leave at a later date.

What situations are covered by FMLA?

Serious Health Condition

You may take job-protected FMLA leave to care for your family member’s, or your own, serious health condition which can include a mental health condition. Caring for your family member must be provided in person and may include psychological comfort and reassurance that would be beneficial to a family member who is receiving inpatient or home care.

Review the definitions of a “serious health condition” and “family member” to see if your situation is covered by FMLA.

The table below outlines health issues that may qualify as a serious health condition.

Absence is due to...	More specifically...	Examples
Inpatient care	<ul style="list-style-type: none"> ▪ Overnight hospital stay ▪ Treatment following inpatient care ▪ Recovery from a condition that required inpatient care 	<ul style="list-style-type: none"> ▪ Post-surgery exam ▪ Post-surgery recovery
Medical Treatment <i>(more than three consecutive, full calendar days)</i>	<ul style="list-style-type: none"> ▪ Condition requiring two or more treatments by a health care provider ▪ Condition requiring one or more treatments followed by a regimen of continuing treatment supervised by a health-care provider 	<ul style="list-style-type: none"> ▪ Health-care provider examinations to evaluate a condition ▪ Health-care provider exam plus a course of treatment such as antibiotics or physical therapy
A chronic or long-term condition	<ul style="list-style-type: none"> ▪ Periodic treatments (at least twice per year) over a period of time for a condition that may cause episodic incapacity ▪ Incapacity due to a condition that is not curable but which requires medical supervision ▪ Treatment for post-injury restorative surgery ▪ Condition that if left untreated could lead to incapacity of more than three days ▪ Treatment for a chronic condition ▪ Flare ups of a mental health condition ▪ Appointments with a physician to manage an anxiety condition 	<ul style="list-style-type: none"> ▪ Health-care provider appointment for asthma, diabetes, epilepsy ▪ Absence due to Alzheimer’s, severe stroke, terminal illness ▪ Cancer treatments, kidney dialysis ▪ Caring for an adult child receiving inpatient treatment for a mental health condition ▪ Attending family counseling for an inpatient substance abuse treatment program
Pregnancy	<ul style="list-style-type: none"> ▪ Incapacity due to pregnancy ▪ Prenatal care 	<ul style="list-style-type: none"> ▪ Morning sickness ▪ Prenatal visits ▪ Bed rest

Normally, conditions such as the following are not considered FMLA-qualifying serious health conditions:

- Common cold
- Flu
- Earaches

- Upset stomach or minor ulcers
- Headaches other than migraines
- Routine dental or orthodontia problems
- Periodontal diseases

However, if a common condition, such as one of those listed above, escalates to meet the definition of a serious health condition, then FMLA may apply.

Definition of family members covered under FMLA

A family member can be your:

- Legal Spouse
- Child (biological, adopted, foster, stepchild, legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and “incapable of self-care because of a mental or physical disability” at the time that FMLA leave is to commence)
- Parent (Biological, adoptive, step or foster, or any other individual who stood in loco parentis)*

Your Spouse’s:

- Child (biological, adopted, foster, stepchild, legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and “incapable of self-care because of a mental or physical disability” at the time that FMLA leave is to commence.)

*In loco parentis is an individual who stands “in loco parentis” for a child qualifies as a parent under FMLA. “In loco parentis” refers to an adult who acted as a child’s parent (such as providing day-to-day care or financial support) even if the individual has no legal or biological relationship to the child.

The FMLA also allows employees to take leave to care for a covered service member or veteran with a serious injury or illness if the employee is a family member (defined above) or “next of kin” (the nearest blood relative other than the covered service member’s spouse, parent, son or daughter). For further details regarding Military caregiving, please refer to the “Military Leave Laws” section in this policy.

New Child

You may take job-protected FMLA leave to care for a newborn or a newly placed adopted or foster child. If you qualify for FMLA, up to the first 12 weeks of leave following the birth, adoption, or placement of your child may be designated as FMLA.

If both parents work for Trident, the federal law states that your FMLA protection is limited to 12 weeks combined (not 12 weeks each) to care for and bond with your healthy newborn or for a newly placed child.

Confidentiality

We protect the confidentiality of your health information, and while you are not required to disclose your or your family member’s medical diagnosis to your supervisor, any required certification should be submitted directly to the Benefits Department where it is kept confidential and separate from your personnel file.

Requesting FMLA leave

Give at least 30 days’ advance notice, if you know in advance of your need for leave. If you learn of your need for leave is less than 30 days ahead of time, request leave as soon as you are able.

You can request FMLA leave through the Benefits Department. If requesting leave through your supervisor, you do not need to give any specifics about your health circumstances (or those of your family member). However, there must be enough information to determine if the leave qualifies for FMLA protection. Sufficient information could include that an employee will be unable to perform his or her job functions,

that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary.

If you are unsure you need FMLA please reach out to the Benefits Department to discuss details/options.

If you experienced an On-the-Job Injury, your work injury claim will run concurrent with FMLA if eligible. While it is not required that you apply for FMLA, your employer paid benefits and health insurance through Trident Seafoods may discontinue at the end of the month following a 12 week leave of absence.

What forms do I need?

If your FMLA leave is for you or a family member's health condition, you will need to submit a **health-care provider certification form** explaining your need for leave.

If you need intermittent leave but your provider is unable to specify the exact amounts of leave that you will need, we suggest they use this phrasing: "Employee could need up to x hours per x, from x date to x date." This allows for some flexibility in dealing with symptoms and flare-ups but also gives your supervisor an idea of what to expect.

Submit the completed form to the Benefits Department (or your local HR Manager) within 15 days of receiving the form. For your own privacy, do not give a copy of your completed health certification form to your supervisor. This information is kept confidential and should not be seen by department personnel or kept in department files.



The health care provider certification form must be returned to Trident Seafoods within 15 days of you receiving the certification form. Your health-care provider may fax your completed paperwork to the Benefits Department, but we recommend that you get a copy yourself so that you can send it to the Benefits Department directly if necessary. Provider offices are well intentioned, but HR forms may not be their highest priority.

Trident has the right to request a second or third medical opinion (at Trident's expense) if there is reason to doubt the validity of the medical certification.

Employee FMLA Checklist (Summary of Steps)

- Request a leave of absence or a modified work schedule request at least 30 days in advance
- Request the health-care provider to complete the medical certification form. **You have 15 days to return this form to the Benefits Department.**
- Send your completed certification form to the Benefits Department or your local HR Manager (not your supervisor)
- Have a discussion with the Benefits Department regarding continuation of benefits while on leave.

FMLA Leave

Length of Leave and Calculation Method

You are eligible for up to 12 weeks of family and medical leave per 12-month period. We use a rolling 12-month look back period to determine your FMLA balance. Under the "rolling" 12-month period, each time an employee takes FMLA leave, the remaining leave entitlement would be the balance of the 12 weeks which has not been used during the immediate preceding 12 months.

Timesheet

Any time you need to take time off for your FMLA-certified leave, you must tell your supervisor. If you have more than one approved FMLA leave, you may need to indicate which one you are using. Your supervisor will communicate your time away from work to the Benefits Department who will update your timesheet while you are on FMLA. Unless you are receiving pay through a paid benefit program - such as a state paid

benefit (example - Washington Paid Family and Medical Leave) or worker injury compensation, you are required to use your accrued sick and vacation to the extent that it does not interfere with the paid benefit program. Total paid leave benefits may not exceed 100% of your base wages.

Once you have exhausted all of your sick and vacation balances your FMLA will be entered as unpaid FMLA.

Pay

FMLA leave runs concurrent with your paid leave, in order as qualified:

- Trident Paid Maternity Leave (8 weeks)
- Trident Paid Parental Leave (4 weeks)
- State paid programs (such as Washington Paid Family & Medical Leave)
- Sick Leave
- Vacation Leave
- Worker's Comp (for work injury leaves)

After you have exhausted all of your paid leave you will be placed in an unpaid status.

Benefits – Health Insurance

If your leave is covered by FMLA, Trident will continue to pay its employer portion of your health insurance. **You will still be responsible for any portion of your benefits you normally pay.** If you are receiving pay your deductions will continue to come out of your check. However, if you are on FMLA and in an unpaid status your benefit premiums will go into arrears and will be taken out of your check upon returning to work. Premium collection will include your current premium plus one missed premium (arrears) per pay period until paid in full.

If you exhaust your FMLA and continue to be under the care of a healthcare provider, Trident will extend your medical insurance for an additional 6 months. The 6-month extension does not apply to bonding with a new child.

If you do not return to active employment after your health insurance extension, your insurance will be cancelled, and you will be given the opportunity to enroll in COBRA.

Holidays

If a holiday occurs during your FMLA leave you will not receive holiday pay unless you are in a paid status (sick, vacation or hours worked) at any time during the pay period in which the holiday falls.

Notice Requirements

Ongoing communication between you and your supervisor is critical throughout the Family and Medical Leave Act (FMLA) process. You're obligated to follow the call-in requirements of your department or location each time FMLA leave is needed.

Periodic Updates

During your leave, we may ask that you update us periodically about your ability to return to work. If your need for leave changes significantly or is longer than anticipated, we may ask for an updated health-care provider certification.

Recertification

Trident may request a recertification for medical conditions every 6 months, or sooner if any the following occurs.

- You request an extension of leave

- Circumstances described by the previous certification has changed significantly (example – your current certification states leave for one or two days periodically, but your leave is lasting for four or more days).
- Trident receives information that casts doubt upon the stated reason for the absence or the continuing validity of the certification.

Recertification is subject to the same rules as an original certification and may include the possibility of a second and third opinion.

Returning from FMLA

When you are ready to return to work from your FMLA leave, contact your HR Business Partner or the Benefits Department to discuss limitations or restrictions. **If you were out due to your own serious health condition, you will be required to provide Trident with a fit for duty document from your doctor.**

In most cases, the FMLA guarantees that you can return to either your same job or an equivalent position, as determined by Trident. “Equivalent” is defined as:

- Same or substantially similar responsibilities and status
- Same general level of skill and authority
- Identical pay
- Identical benefits
- Same general work schedule at the same (or nearby) location

If you are not able to return to work on your planned date, there may be additional accommodations available under Americans with Disabilities Act (ADA). Contact your supervisor, your local HR Manager, your HR Business Partner or the Benefits Department for further details.

FMLA Fraud

Fraud and dishonesty in the use of FMLA leave may be grounds for termination of employment.

State Leave Laws

Employees working outside the State of Washington may be entitled to additional leaves under their applicable state and local laws. Please consult with your local HR Manager or Supervisor for further details.

Washington Paid Family & Medical Leave (WA-PFML)

Employees working in Washington State may apply for benefits under the Washington Paid Family & Medical Leave (WA-PFML) program for qualified family and personal medical leave after being absent from work for 7 consecutive calendar days. (No waiting period for recovery from childbirth or bonding with new child).

This state benefit offers partial wage replacement leave, for an employee’s own serious health condition, to care for a family member with a serious health condition, to bond with a new child or for a qualified exigency (family member’s active duty.)



Where an employee is eligible for both FMLA and WA-PFML, the leaves will run concurrently; however, unless the leave is based upon a pregnancy-related disability, it would be in addition to FMLA leave (RCW 50A.15.110).

Coverage

Employees working in Washington State will be able to take leave with partial wage replacement for up to 12 weeks for the employee’s serious health condition, to care for a family member with a serious health condition, bonding with a new child coming into your family through birth, adoption or foster placement, or a qualified exigency. If you give birth you may be eligible for up to 16 weeks of combined medical & family

leave; up to 18 weeks if you experience a complication in pregnancy that results in incapacity. You may take up to 16 weeks of combined medical and family leave if you have events covered by both in the same year.

Eligibility

Employees are eligible for benefits if they have at least 820 hours of employment with a Washington employer in the first of the last 5 calendar quarters (or the last 4 completed calendar quarters preceding the leave).

What situations are considered Qualifying Events?

- Medical Leave (for you, the employee): Recovery or treatment for your own serious health condition or injury, including recovery from childbirth.
- Family Leave: Bonding with a new child coming into your family through birth, adoption or foster placement, caring for a family member with a serious health condition or injury, or certain events for military families.

WA-PFML Benefit

You may receive up to 90 percent of your average weekly wage per week, depending on your income, up to \$1,456 per week (as of 1/1/2024). A benefit calculator is available on the Employment Security Department (ESD) website; please visit <https://paidleave.wa.gov/estimate-your-weekly-pay/>. Calculations and payments are made by the ESD, not Trident Seafoods.

i Trident Paid Parental Leave, sick and vacation hours are considered “supplemental” benefits under the WA-PFML program. Supplemental benefits plus wage replacement under WA-PFML may not exceed 100% of the employee’s base wages at their regularly scheduled hours (not including overtime). Sick and vacation will automatically be paid to an employee on any type of leave to the extent it does not interfere with other paid benefit programs.

If you choose to apply for leave under WA-PFML with the Employment Security Department, you must notify your local HR Manager, HR Business Partner, Supervisor, or the Benefits Department at least 30 days in advance of planned leave.

The definition of family member under WA-PFML

- Spouse
- Domestic Partner
- Children (incl. biological, adopted, foster, step-, legal ward or domestic partner’s)
- Parent (incl. biological, adopted, foster, or step-of employee, spouse or domestic partner)
- Siblings
- Grandchildren
- Grandparents
- Son-in-law, daughter-in-law
- Someone who has an expectation to rely on you for care—whether you live together or not.

Applying for WA-PFML

You are required to use your accrued sick and/or vacation to the extent that it does not interfere with the Washington Paid Family and Medical Leave program. Please note that your Trident sick & vacation accruals and Trident Paid Parental Leave are considered supplemental benefits which allow you to receive additional pay under the WA-PFML benefit, up to 100% of your normal base pay (not including overtime). Refer to following examples:

Example A: You are pregnant and give birth on February 14, you plan to be off work for 16 weeks and you have accrued sick & vacation. You apply for WA-PFML and they inform you will receive 80% of your normal weekly base earnings for 16 weeks (4 weeks of Medical Leave for pregnancy disability and recovery from

birth + 12 weeks of Family Leave for bonding with new child). During the time you receive pay from WA-PFML, you would receive pay from Trident Paid Maternity & Parental Leaves at the top off level of 20% for 12 weeks; once Trident's Paid Maternity & Parental Leaves have exhausted, you would use 20% of your sick and/or vacation for the remainder of your maternity leave. After your wage replacement under WA-PFML has exhausted, additional time off is subject to managerial approval and the needs of your department; if approved you are required to use your remaining accrued sick and/or vacation.

Note: after 18 weeks, you can no longer use any available sick for bonding only.

Example B: Your mother is scheduled for a surgery starting April 1, she will require 4 weeks of treatment and recovery, and you have 80 hours of sick & vacation combined. You will have a 7-day waiting period and use 100% of your accrued sick and/or vacation during the first week. You apply for WA-PFML and they inform that you will receive 90% of your normal weekly base earnings for 3 weeks. During the time you receive pay, you would use 10% of your sick and/or vacation as a supplemental benefit.

Leave does not have to be taken all at once. You may take as little as eight consecutive hours per week. For example, you could take two days off per week for chemotherapy treatment or one day off each week to care for a parent or a child receiving mental health treatment.

In order to receive Trident Paid Maternity or Trident Paid Parental Leave, you must provide proof of WA-PFML application (example: an email confirmation from the ESD) to Trident's Benefit Department within 14 days of starting leave.

For further details such as how to apply for benefits, preparing for and using the program, please visit <https://paidleave.wa.gov/help-center/> and refer to the latest Parent Guide, the Family Guide, or the Benefits Guide.

Washington Pregnancy Disability Leave

The state pregnancy disability leave law permits women workers disabled by pregnancy or childbirth to take leave from work during the entire period of disability. The law applies to employers with eight or more employees and protects women workers regardless of tenure and number of hours worked. The time a woman takes for pregnancy or childbirth-related disability does not count against the twelve weeks of leave she is entitled to under the FMLA or the state family leave law, so a woman covered by those laws may typically take up to 18 weeks of leave. Leave based upon pregnancy-related disability is in addition to FMLA leave (RCW 50A.15.110).

Washington Pregnancy Accommodation

Trident recognizes that during an employee's pregnancy, they may need certain accommodations to perform their job. Upon request, Trident will provide the following accommodations during pregnancy: (1) frequent, longer, and/or flexible restroom breaks; (2) modify any existing no food or drink policies; (3) provide seating or allow an employee to sit more frequently; or (4) lifting restrictions in excess of 17 pounds.

The Washington State Family Care Act (RCW 49.12.265; WAC 296-130)

Washington Family Care Act (FCA) allows an employee with available paid sick leave or other paid time off to use the employee's choice of paid leave to care for a sick minor child with a routine illness, for a spouse, registered domestic partner, parent, parent-in-law or grandparent with a serious or emergency health condition or for a sick adult child who is incapable for self-care because of physical or mental disability.

Washington State Military Family Leave Act (MFLA)

If you are a spouse or registered domestic partner of a military service member, you may take up to 15 days of leave prior to deployment or when your spouse is on leave during a deployment. Leave under this state law is unpaid unless you use accrued paid leave.

Washington State Domestic Violence Leave (RCW 49.76)

Allows victims of domestic violence, sexual assault, or stalking to take reasonable leave from work to take care of legal or law enforcement needs, seek treatment for physical and mental injuries, obtain services from a shelter or social services program, obtain mental health counseling, participate in safety planning, relocate, or take other actions to increase safety from future incidents. Family members of a victim may also take reasonable leave to help the victim seek treatment.

Trident Paid Parental Leave

Paid Maternity Leave

Eligible employees giving birth are eligible for 8 weeks of pay at 100%* during the recovery from childbirth. In addition, they are eligible for 4 weeks paid parental leave and may receive up to a total of 12 weeks of paid leave.

Paid Parental (Bonding) Leave

All eligible employees of newborn or adopted children are able to receive 4 weeks of pay at 100%* for bonding leave. Bonding leave must be taken within one year of the event (birth or adoption) and taken in one (1) week increments.

Eligibility

Lower 48 - All regular, full-time employees

Alaska - All regular, full-time employees as well as seasonal employees who work at least 9 months of the most recent 12 months.

Benefits

Eligible employees are entitled to paid time off to care for their newborn or adopted child as follows:

- **Paid Maternity Leave:** Eligible employees giving birth can receive 8 weeks of pay at 100%* during the recovery from childbirth. In addition, they are eligible for 4 weeks paid parental leave and may receive up to a total of 12 weeks of paid leave.
- **Paid Parental Leave:** All eligible employees of newborn or adopted children are able to receive 4 weeks of pay at 100%* for bonding leave. Bonding leave must be taken within one year of the event (birth or adoption).

** Washington Employees: there are guidelines for using Trident Paid Parental Leave. Trident Paid Parental Leave is considered "supplemental" and shall be reduced during the weeks parents are receiving wage replacement. Please refer to the section under Washington Paid Family & Medical Leave.*

When an employee may use accrued sick leave (WAC 357-31-130)

You must use any accrued sick leave for the purpose of parental leave to bond with a newborn, adopted or foster child for a period up to eighteen (18) weeks. Sick leave for this purpose must be taken during the first year following the child's birth or placement.

Parents of a newborn who are both employees of Trident Seafoods may not exceed 16 weeks of Trident Paid Parental Leave (combined). Parents of an adopted child who are both employees of Trident Seafoods may not exceed 8 weeks of Trident Paid Parental Leave (combined). Additional leave may be available under WA-PFML.

At the conclusion of Trident Paid Parental Leave, the employee may be eligible for additional time off under the Federal Family and Medical Leave Act (FMLA) and/or the Washington Paid Family and Medical Leave (WA-PFML). Trident Paid Parental leave may run concurrently with FMLA and WA-PFML depending on specific criteria.

Military Leave Laws

Military Caregiver Leave (Injured Service Member Leave)

Provides up to 26 weeks of leave during a single 12-month period for spouses, parents, children, or next of kin (defined as “nearest blood relative”), to care for: (1) recovering military service personnel who develop a serious injury, illness or mental health condition while serving in the Armed Forces, or (2) veterans who are undergoing medical or mental health treatment, recuperation or therapy for serious injury, illness or mental health condition that occurred any time during the five years preceding the date of treatment.

If you take FMLA for another qualifying reason in the same 12-month period, that time counts toward the 26 weeks. For example, if you take seven weeks for your own serious health condition, you would have up to 19 weeks left to care for a covered service member.

If both you and your spouse work for Trident, together you may be limited to 26 weeks combined (not 26 weeks each) for leaves related to an ill or injured military family member and a family member’s military deployment.

Military Qualified Exigency Leave

Eligible employees with a spouse, parent, son or daughter who is on armed forces active-duty or has been notified of an impending call or order to active duty, may take up to 12 weeks of unpaid leave due to a “qualifying exigency”. This is a non-medical activity that is directly related to the covered member’s active duty or call to active-duty status.

If you do not qualify for FMLA leave, you may be able to take up to 15 days of job-protected time off under the Washington Military Family Act.

Qualifying Exigencies

- Addressing any issues arising from a military member’s short-notice deployment (within seven days)
- Attending military events or sponsored family support programs
- Arranging alternative childcare or school attendance of military member’s children
- Attending childcare or school meetings related to the military member’s deployment
- Caring for the military member’s child on a non-routine, urgent, immediate need basis when caused by the call of duty
- Making or updating financial and legal arrangements related to the military member’s absence
- Representing the military member in obtaining, arranging, or appealing military service benefits
- Counseling (not provide by a health-care provider) for yourself, the military member, or the military member’s child when the need is related to the covered active duty
- Spending time with the military member who is on temporary rest and recuperation leave (up to 15 days)
- Attending post-deployment activities (up to 90 days after termination of active duty)
- Addressing certain activities related to the care of the military member’s parent who is incapable of self-care
- Attending any other event that Trident and you agree is a qualifying activity

If your situation is not one of the circumstances listed above, then it not covered by FMLA. Please contact the Benefits Department to discuss other possible leave options.

Other Leaves of Absences

Bereavement Leave

Should a death occur in an employee's immediate family (spouse, domestic partner, mother, father, brother, sister, grandparent, grandchild, stepparent, father-in-law, mother-in-law, daughter-in-law, son-in-law, sister-in-law or brother-in-law), the employee will be compensated at their base rate of pay for regularly scheduled hours during each day of absence for an immediate family member, for a maximum of five (5) days. Payment will only be made for days you were scheduled to work during this period of time. Payment will be at straight time (base salary) for the lost time. Additionally, bereavement leave will not be considered as hours worked when calculating overtime. Please refer to the Bereavement Leave policy for further details.

Jury Duty or Witness Duty

All Full-Time employees will receive full salary while on jury or witness duty up to a maximum of ten (10) days per year and may keep any payments received for jury or witness service.

Short Term Inactive (STI)

Short Term Inactive allows employees working at our Alaska locations or vessels to rotate out - for up to 60 days. If the employee has not returned after 60 days, their contract will end and the employee will be separated. If the employee was enrolled in Trident health insurance, their coverage will also end.

Furlough

This is for employees who work full time and usually in a "labor" position. Example - Welders at the Tacoma Yard who temporarily do not have work because there are no boats or construction workers who are waiting for their next project to start. Employees will maintain their benefits while in this status, but premiums are collected when the employee returns.

Employees who are on furlough will have their status reviewed every three months by their supervisor to determine if there is a need for the position. If there is no longer a need for the position the employee will be laid off and benefits will end at the month following layoff. The maximum time an employee may be on furlough is one year. After one year the employee will be separated and benefits will end.

Leave of Absence Unpaid

With approval or in extraordinary circumstances, this leave is for employees who do not qualify for any of the above leave of absences. This may allow employees to take time away from work in an unpaid status. Benefits terminate at the end of the month following the start of unpaid leave of absence.

Questions about this policy

Please contact Trident Seafoods Benefits Department by phone at (206) 789-8545 option 7 or by email at Benefits@TridentSeafoods.com.

The content of this policy is subject to change as a result of regulatory updates, experience, new information, changes in process requirements and the availability of resources.