



# Leave of Absence – Family & Medical Leave

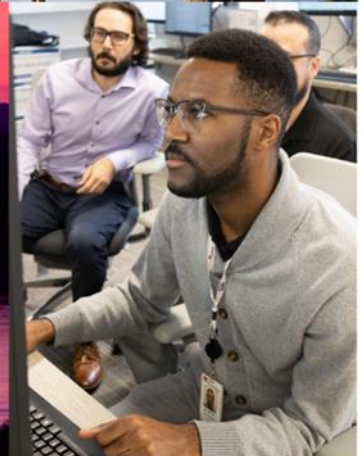
Entergy system policy  
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**SME:** Teresa Gray,  
[tgray2@entergy.com](mailto:tgray2@entergy.com)

**Responsible officer:** Kathryn Collins

## Our values

- safety
- teamwork
- always learning
- integrity
- respect



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# Why do we need this policy?

## 1.1 What is the purpose of the Leave of Absence – Family & Medical Leave Policy?

- The purpose of this Policy is to provide information to Eligible Employees about the availability of, and the requirements for, obtaining leaves of absence under the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq., as amended (the “FMLA”).
- At certain locations, state and local laws may also provide protected leave for the same event covered by the FMLA. If an event qualifies for leave under the FMLA and state or local law, then all available leave will run concurrently (*i.e.*, at the same time) to the extent permitted by law. Nothing in this Policy limits an Eligible Employee’s leave rights under state or local law, including the right to more generous leave entitlements than those provided by the FMLA.
- If anything in this Policy conflicts or is inconsistent with federal, state, or local law, then the most generous leave treatment shall apply.
- **If you have questions related to claims (leave requests) such as initiating, processing, and administering a claim**, please contact the Leave Administrator at [mySedgwick.com/Entergy](https://mySedgwick.com/Entergy) or 844-601-7474. **If you have questions related to time entry, pay, or this Policy**, please contact the Employee Support Center at 844-ETR-Work.

## 1.2 What are our responsibilities?

- **1.2.1 The Director, Leave & Other Programs** is responsible for maintaining and interpreting this Policy.
- **1.2.2 The senior-most System Officer with responsibility for Human Resources** or his/her delegate has the ultimate authority and discretion to determine eligibility and to otherwise interpret all terms of this Policy.
- **1.2.3 The Manager, Leave Management** is responsible for:
  - Overseeing appropriate leave and time entries for approved Family & Medical Leave in the Company’s time entry and human resource information systems; and
  - Overseeing the Claims Management Administrator including customer service levels and compliance.
- **1.2.4 The Leave Claims Management Administrator (“Leave Administrator”)** is responsible for:
  - Processing and administering requests for leave pursuant to this Policy, including providing any required administrative notices to requesting employees and determining FMLA eligibility and making designation determinations pursuant to this Policy;
  - Working with, and providing resources and guidance or information to, supervisors and employees regarding FMLA Leave;



- Communicating with supervisors and employees, as appropriate, regarding issues relevant to FMLA Leave;
- Reviewing FMLA Leave requests and paperwork to render decisions regarding FMLA eligibility and designation. The Leave Administrator may request additional medical or other information in order to fully evaluate FMLA Leave requests. Also, the Leave Administrator may seek advice from outside medical providers on leave matters or take other appropriate action as necessary to administer leave matters;
- Serving as a liaison with the Claims Management Department regarding leaves of absence resulting from occupational injuries to facilitate proper coordination of FMLA Leave and return-to-work issues for concurrent FMLA/Worker's Compensation claims;
- Making a determination as to whether an Eligible Employee's FMLA Leave should run concurrently with any other form(s) of leave available to the employee; and
- At the conclusion of a specific FMLA Leave, or following denial of the requested leave, ensuring that FMLA Leave request documentation, all medical certification documentation, and related correspondence or documentation are maintained and filed appropriately, regardless of whether the requested leave is granted, denied, or withdrawn.
- **1.25 Employee Support Center** is responsible for:
  - Answering questions as they relate to this Policy and, if necessary, escalating questions for response;
  - Answering questions related to time entry and pay.
- **1.2.6 Claims Management Department** is responsible for:
  - Working with supervisors, notifying the Leave Administrator, and providing them with appropriate documentation regarding worker's compensation claims that may involve a Serious Health Condition, as necessary, to facilitate proper coordination of FMLA Leave, appropriate entries in time-entry reporting system and human resource information systems, and resolution of return-to-work issues for concurrent FMLA/Worker's Compensation claims.
- **1.2.7 Supervisors** are responsible for:
  - Supporting the Leave Administrator in the administration of FMLA Leave and ensuring the Leave Administrator is aware of appropriate information or concerns relevant to the leave administration or return-to-work of the supervisor's direct reports;
  - Notifying the Leave Administrator of a direct report employee who has been or will be absent for more than three consecutive calendar days due to his/her own Serious Health Condition or that of a Family Member;
  - Developing an essential job function list for the job position of any direct reports on FMLA Leave and submitting the essential function list, when requested;
  - Administering the process for returning the Eligible Employee to work from FMLA Leave consistent with the Policy;



- Monitoring accuracy of time entries, making any adjustments needed for intermittent FMLA Leave and approving entries in the Company's time entry reporting systems;
- Appropriately monitoring the absence of any direct report employee and the employee's intent to return to work and timely notifying the Leave Administrator of any developments in an employee's status;
- Notifying the Leave Administrator if the supervisor has knowledge that a direct report employee, who is on FMLA Leave or who is scheduled to return from FMLA Leave, is not in compliance with the terms of the FMLA Leave; and
- Ensuring that the FMLA Leave request and related correspondence, or documentation is forwarded to the Leave Administrator, regardless of whether the requested leave is granted, denied, or withdrawn.
- **1.2.8 Eligible Employees** are responsible for:
  - Notifying their supervisor timely of any absence per the Attendance and Absenteeism Policy;
  - Submitting leave request documentation timely to the Leave Administrator for any foreseeable absence or other absence that may qualify as FMLA Leave as required by this Policy;
  - Ensuring timely and complete submission of supporting documentation as required by this Policy or as requested by the Leave Administrator;
  - Complying with any requests for additional medical or other information by the Leave Administrator;
  - Promptly reporting any changes in circumstances (regardless of prior approval of leave) that may conflict with documentation previously submitted or other information provided in support of FMLA Leave;
  - Understanding at all times when their approved FMLA Leave will expire so the employee can take necessary action timely and consistently with his/her circumstances;
  - In the case of Intermittent Leave, entering leave time accurately on the timesheet or in the Company's time entry reporting system, **and** notifying the Leave Administrator of the absence within **2 business days**;
  - Forwarding return-to-work certifications that contain limitations, restrictions, or requests for accommodations to the Eligible Employee's supervisor and the Leave Administrator;
  - Submitting to additional medical examinations or medical recertification, and/or providing access to reasonable supporting documentation, as requested by the Leave Administrator;
  - In cases of FMLA Leave that does not run concurrently with a paid leave of absence, making timely premium cost-sharing payments if the Eligible Employee elects to continue coverage under one or more Group Health and Welfare Plans and making timely savings plan loan repayments if outstanding savings plan loans exist; and



- Notifying the Eligible Employee's supervisor and the Leave Administrator of any changes before or while on leave to Eligible Employee's contact information (i.e., mailing, and physical home address, home and/or cell phone numbers, personal email address).

## What do we need to know?

### 2.1 Eligibility requirements for FMLA

Eligibility for FMLA Leave is subject to the requirements set forth in 29 C.F.R. § 825.110, whereby the employee seeking FMLA Leave:

- **2.1.1** has been employed by an Entergy System Company for a total of at least 12 months (including non-consecutive months if the provisions of 29 C.F.R. § 825.110(b) are met); and
- **2.1.2** has worked at least 1,250 hours for his/her Entergy System Company Employer during the 12-month period immediately preceding the commencement of the leave.

Questions regarding how breaks in service may impact eligibility should be directed to the Leave Administrator.

### 2.2 FMLA Qualifying Reasons or Circumstances

Eligible Employees may take FMLA Leave for any one or a combination of the reasons set forth in 29 C.F.R. § 825.112, provided all requirements for such leave are met. Qualifying Reasons include the following:

- **2.2.1 Birth of a Child** - Leave taken following the birth of a son or daughter and to care for or bond with the newborn child;
- **2.2.2 Adoption or Foster Placement of a Child** - Leave taken for the placement with the Eligible Employee of a son or daughter for adoption or foster care;
- **2.2.3 Serious Health Condition of a Family Member** - Leave taken to care for a Family Member with a Serious Health Condition;
- **2.2.4 Serious Health Condition of Eligible Employee** - Leave taken because an Eligible Employee is unable to perform the functions of his/her job due to his/her own Serious Health Condition;
- **2.2.5 Exigent Circumstances Related to Active Duty of An Eligible Employee or the Family Member of an Eligible Employee** - Leave taken to address any Qualifying Exigency arising out of the fact that the Eligible Employee or a Family Member of the Eligible Employee has been called to Active Duty; and
- **2.2.6 Military Caregiver Leave** - Leave taken to care for a Covered Servicemember who is a Family Member or Next of Kin and who has suffered a serious injury or illness (as defined in 29 C.F.R. § 127(c)).



## 2.3 Amount of FMLA Leave

- **2.3.1 Twelve Workweeks of FMLA Leave per Single 12-Month Rolling Period.**

For each Qualifying Reason listed below, FMLA Leave is limited to 12 workweeks per single 12-Month Rolling Period. In the event an Eligible Employee experiences two or more of the Qualifying Events listed below in a single 12-Month Rolling Period, the total amount of available FMLA Leave for that period is limited to 12 workweeks, regardless of the number of Qualifying Events that may occur. Each time an Eligible Employee takes FMLA Leave, his/her leave entitlement is limited to the balance of the original 12 workweeks of FMLA Leave that has not been used during the 12-Month Rolling Period.

- **Birth of a Child** - An Eligible Employee's entitlement to FMLA leave for a birth expires at the end of the 12-month period beginning on the date of the birth.
  - **Adoption or Foster Placement of a Child** – FMLA Leave for the adoption or foster placement of a Child may be taken prior to the actual adoption or foster placement of the Child if such absence from work is necessary for the adoption or foster placement to proceed. If FMLA Leave begins prior to the actual placement of the Child in the home, leave entitlement expires 12 months from the beginning of the last day worked. Otherwise, entitlement to FMLA leave for the adoption or foster placement of a Child expires 12 months following the adoption or placement of the Child.
  - Serious Health Condition of Eligible Employee or Family Member.
  - Exigent Circumstances Related to the Call to Active Duty.
- **2.3.2 Twenty-Six Workweeks of Military Caregiver Leave per Single 12-Month Rolling Period.**
    - Subject to the requirements of 29 C.F.R. § 825.127, Eligible Employees are entitled to take up to twenty-six (26) weeks of FMLA Leave. Entitlement to Military Caregiver Leave expires 12 months following the first day an Eligible Employee takes Military Caregiver Leave.
    - Additional Military Caregiver Leave to care for subsequent injuries or illnesses to the same Covered Servicemember or to care for a different Covered Servicemember are governed by the provisions of 29 C.F.R. § 825.127(e)2. Eligible Employees requiring additional Military Caregiver Leave for one of these two reasons should contact the Leave Administrator to discuss leave availability.
  - **2.3.3 Amount of Leave for Jointly Employed Spouses.**
    - **Birth of a Child** - Jointly Employed Spouses are individually entitled to 12 workweeks of FMLA Leave to care for and bond with their biological newborn Child.



- **Adoption or Foster Placement of a Child** - Jointly Employed Spouses are individually entitled to 12 workweeks of FMLA Leave for the adoption or foster placement of a Child.
- **Serious Health Condition of a Child** - Each Jointly Employed Spouse is individually entitled to 12 workweeks of FMLA Leave in any single 12-Month Rolling Period to care for his/her Child who has a Serious Health Condition.
- **2.3.4 Unpaid Nature of FMLA Leave.** Unless an Eligible Employee elects to use available paid time off in connection with his/her FMLA Leave as provided for in [Section 2.7.4](#), FMLA Leave will be unpaid.
- **2.3.5 Paid Holidays.** Eligible Employees on FMLA Leave are not entitled to Holiday Pay. If an Eligible Employee is on paid leave at the same time as FMLA Leave, eligibility for paid holidays will be determined in accordance with the Entergy System Holidays Policy and the applicable paid leave policy. Nevertheless, any holidays occurring during the time an Eligible Employee is on FMLA Leave shall not extend the Eligible Employee's FMLA Leave entitlement.

## 2.4 Availability of Intermittent Leave

- **2.4.1** Intermittent Leave is not available for Eligible Employees taking FMLA Leave for birth, adoption, or foster placement of a Child. FMLA Leave taken for one of these reasons must be taken on a continuous basis (all at once).
- **2.4.2** Intermittent Leave is available for an Eligible Employee taking FMLA Leave as a result of his/her own Serious Health Condition or the Serious Health Condition of a Family Member, provided the conditions of [Section 2.4.5](#) below are met.
- **2.4.3** Intermittent Leave is available for an Eligible Employee taking FMLA Leave for a Qualifying Exigency if necessitated by the facts associated with the Qualifying Exigency.
- **2.4.4** Intermittent Leave is available for an Eligible Employee taking FMLA Leave to care for a Family Member or Next of Kin who has sustained a serious injury or illness (as defined in 29 C.F.R. § 127(c)), provided the conditions of [Section 2.4.5](#) below are met.
- **2.4.5** To qualify for Intermittent Leave due to a Serious Health Condition or a serious injury or illness (as defined in 29 C.F.R. § 127(c)), the following conditions must be met:
  - Intermittent Leave must be medically necessary (as distinguished from voluntary treatments or procedures) due to the Serious Health Condition or serious injury or illness (as defined in 29 C.F.R. § 127(c)); and

The medical need must be best accommodated through Intermittent Leave.





## 2.5 Intermittent Leave Necessitated by Planned Medical Treatment

When the need for Intermittent Leave is foreseeable due to planned medical treatment and/or recovery from that treatment:

- **2.5.1** The Eligible Employee shall timely submit to the Leave Administrator and the employee's supervisor a proposed schedule (of the treatments and/or recovery periods) and requested leave schedule for review and consideration;
- **2.5.2** The Eligible Employee shall reasonably schedule the leave so as to not unduly disrupt the operations of his/her Entergy System Company Employer;
- **2.5.3** The Entergy System Company Employer may request the Eligible Employee to reschedule the treatment in appropriate circumstances for business reasons; and/or
- **2.5.4** The Entergy System Company Employer may temporarily transfer the Eligible Employee to another position that better accommodates the Eligible Employee's recurring periods of FMLA Leave, although the Eligible Employee will retain equivalent pay and benefits despite the transfer.

## 2.6 Employee FMLA Leave Notice, Requests and Other Requirements

- **2.6.1 Notice of Need for FMLA Leave.** To seek and qualify for FMLA Leave, Eligible Employees must request FMLA Leave timely in accordance with [Sections 2.13 through 2.19](#) of this Policy.
- **2.6.2 Extension of Approved FMLA Leave.** When an Eligible Employee who has been approved for FMLA Leave becomes aware that s/he may require an extension of FMLA Leave beyond the period of FMLA Leave previously approved by the Leave Administrator, the Eligible Employee must submit the necessary documentation to extend his/her FMLA Leave timely in accordance with [Sections 2.13 through 2.19](#) of this Policy. It is the employee's responsibility to monitor his/her FMLA approval period and return to work and extension deadlines.
- **2.6.3 Consequences of Failure to Timely Request or Extend Leave.** If an Eligible Employee fails to properly and/or timely request or extend FMLA Leave in accordance with [Sections 2.13 through 2.19](#) of this Policy, the Leave Administrator may deny the request for FMLA Leave, deny any untimely part of the request for FMLA Leave, or delay the FMLA Leave, if appropriate.
- **2.6.4 Employee Obligation to Provide and Update Contact Information.** During any FMLA Leave period, the Eligible Employee shall provide his/her supervisor and the Leave Administrator with the following contact information: a phone number where s/he can be contacted during working hours; a street address where s/he receives mail during leave; and, if available, a current e-mail address. The Eligible Employee shall provide updated information to both the Leave Administrator and the Eligible Employee's supervisor if



there is any change in any of these modes of contact during any FMLA Leave period. The Eligible Employee must advise whether the change is merely for the duration of the leave or whether it should become a permanent part of the employee's record in his/her Entergy System Company Employer's human resource information system. If it is a permanent contact change, the employee should also contact the Employee Support Center. Any data or information sent by Entergy to the addresses or calls made to the phone numbers provided by the employee or the employee's representative will be presumed to have been received.

- **2.6.5 Periodic Reports.** Employees on FMLA Leave shall report periodically to their supervisor and the Leave Administrator regarding their status and intent to return to work.

## 2.7 Paid Leave and FMLA Leave

Although FMLA Leave is unpaid leave, paid leave programs can or will run at the same time as FMLA Leave as described below.

- **2.7.1 Short-Term Disability Benefits.**
  - When an Eligible Employee qualifies for both FMLA Leave under this Policy and short-term disability benefits under the Entergy System Short-Term Disability Policy (the "Short-Term Disability Policy"), leave available under both policies will run concurrently (i.e., at the same time) and will be paid in accordance with the Short-Term Disability Policy.
- **2.7.2 Worker's Compensation.**
  - When an Eligible Employee is absent under the Entergy System Workers Compensation Program and his/her injury or illness also qualifies for FMLA Leave under this Policy, leave available under both policies will run concurrently (i.e., at the same time).
  - When an Eligible Employee is on FMLA Leave and the Eligible Employee's Serious Health Condition is also a compensable worker's compensation injury or illness under state law, the worker's compensation benefits will be paid during FMLA Leave to the extent allowed by law.
- **2.7.3 Other State and Local Leave Laws.** When, due to the same event, an Eligible Employee qualifies for both FMLA Leave and leave under applicable state or local law, the FMLA Leave and the other available leave will run concurrently (i.e., at the same time), to the maximum extent permitted by law.
- **2.7.4 Paid Absence Under Other Entergy System Policies.** When an Eligible Employee takes FMLA Leave and the underlying basis also qualifies as an approved paid absence under the Attendance and Absenteeism Policy, the Holidays Policy, and/or the Vacation Policy, the Eligible Employee may elect to use other available paid leave at the same time as FMLA Leave.



## 2.8 Benefits While on FMLA Leave

- **2.8.1 Group Health and Welfare Plan Benefits.** Eligible Employees may continue coverage under one or more of the Group Health and Welfare Plans in accordance with the terms of each Group Health and Welfare Plan during approved FMLA Leave.
  - **Payment of Premiums While on FMLA Leave.** If an Eligible Employee continues coverage under one or more Group Health and Welfare Plans during approved FMLA Leave, the Eligible Employee must continue to pay their share of the premium for which s/he was responsible immediately prior to the FMLA Leave.
  - **FMLA Concurrent with Leave that is paid.** If other paid leave runs concurrently with the approved FMLA Leave, the Eligible Employee's Group Health and Welfare Plan premium cost-sharing contributions will be paid on a pre-tax basis through normal payroll deductions, if such pay is sufficient to cover the premium cost-sharing contributions.
  - Eligible Employees should review the applicable Summary Plan Description for benefits coverage to understand how their benefits will be handled during their FMLA leave and following their return to work.
- **2.8.2 Savings Plan Loans.** If an Eligible Employee is on unpaid FMLA Leave and s/he has an existing loan from an Entergy savings plan, the Eligible Employee may continue to make loan payments and should contact T. Rowe Price to make arrangements to keep the loan in good standing in accordance with the provisions of the applicable savings plan and the terms of the loan agreement. Employees on an approved unpaid leave of absence also have the option to suspend loan payments during the leave of absence, not to exceed the lesser of 12 months or the leave of absence period. If an eligible employee on an approved leave of absence misses any loan payments during the absence, the outstanding loan balance will automatically be re-amortized over the remainder of the original term of the loan.
- **2.8.3 Terms of Benefit Plans.** During FMLA Leave, Eligible Employees' eligibility for, participation in, or coverage under, Company-sponsored benefit plans, the Group Health and Welfare Plans and any applicable Entergy Corporation-sponsored retirement or savings plan will be governed by the terms and conditions of each benefit plan.

## 2.9 Return from FMLA Leave

- **2.9.1 Notice of Intent to Return to Work.** An employee returning from continuous FMLA Leave shall notify his/her supervisor and the Leave Administrator of his/her anticipated return to work reasonably in advance of his/her return to work.
- **2.9.2 No Plans to Return to Work.** If an Eligible Employee gives unequivocal notice of intent not to return to work, FMLA Leave will end, and the employee will be terminated immediately.



- **2.9.3 Return-to-Work Certification - Employee's Serious Health Condition.**
  - Continuous FMLA Leave - An Eligible Employee returning to work from continuous FMLA Leave due to his/her own Serious Health Condition shall submit completed return-to-work documentation to the Leave Administrator before s/he will be allowed to return to work. The Health Care Provider shall certify the employee's ability to perform the essential functions of his/her job with or without reasonable accommodation and identify any work restrictions or accommodations necessary as a result of the Serious Health Condition. The return-to-work documentation shall be submitted to the Leave Administrator in accordance with the procedures set forth in [Sections 2.13 through 2.19](#) of this Policy. Employees may not return to work unless they have been approved to return by the Leave Administrator.
  - Intermittent Leave - Submission of return-to-work documentation is not required under this Policy for Eligible Employees on Intermittent Leave.
- **2.9.4 Timely Return to Work from FMLA Leave.**
  - Timely FMLA Return-to-Work - A timely return to work from FMLA Leave occurs when an Eligible Employee returns to work on or before the end of his/her approved FMLA Leave period. It is the employee's responsibility to ensure that his/her return-to-work documentation is submitted to the Leave Administrator in sufficient time to ensure receipt reasonably in advance of his/her return-to-work date.
  - Other Return to Work Dates - If the Eligible Employee is on other paid leave (such as Short-Term Disability Leave) at the same time as FMLA Leave and the Eligible Employee's other approved leave extends beyond his/her approved FMLA Leave, any leave beyond the approved FMLA Leave period is not subject to the FMLA.

## 2.10 End of FMLA Leave

- **2.10.1 Exhaustion of FMLA Leave Entitlement.** When the employee's entitlement to FMLA Leave in any single 12-Month Rolling Period has been exhausted and the Eligible Employee is not entitled to any additional FMLA Leave, any continued absence is no longer FMLA Leave.
- **2.10.2 Absences Beyond Approved FMLA Leave Period.** If the Eligible Employee does not return to work before the end of his/her approved FMLA Leave and does not submit required documentation to extend the FMLA Leave before the end of his/her approved FMLA Leave, the employee's continued absence is not FMLA Leave.
- **2.10.3 Consequences for Failing to Return to Work Timely.** Employees who fail to return to work on or before the expiration of their approved FMLA Leave and fail to submit necessary documentation timely to extend their FMLA Leave will no longer be on FMLA Leave. If the absence is otherwise unexcused by Entergy's other policies, the employee's employment may be terminated.



- **2.10.4 Failure to Submit Return-to-Work Documentation.** An employee who has been on full-time FMLA Leave for his/her own Serious Health Condition and who fails to submit the required return-to-work documentation will not be allowed to return to work and additional absences will not be FMLA Leave.

## 2.11 Foreseeable Changes in FMLA-Qualifying Status

As soon as an Eligible Employee is aware that s/he is able to return to work (or of any material change in circumstance noted on the original medical certification), even if it is earlier than the original period of approved FMLA Leave, the employee must immediately advise his/her supervisor and the Leave Administrator of that change in circumstance. On the other hand, if the Eligible Employee becomes aware that additional FMLA Leave beyond that originally approved will be necessary, the Eligible Employee must submit a request for additional leave together with supporting documentation as soon as practicable, but before the expiration of the original period of approved FMLA Leave.

## 2.12 Misrepresentations

An employee's leave will not be FMLA Leave if the employee has made material misstatements, misrepresentations, omissions, or has engaged in misleading or fraudulent conduct connected with his/her leave, supporting documentation (including medical certification), requests for information, or leave-related representations to the Leave Administrator, supervisor, or other representative or agent of the Entergy System Company Employer. Any employee who is determined to have made misstatements, misrepresentation, omissions or engaged in misleading or fraudulent conduct in connection with leave will be subject to disciplinary action up to and including immediate termination of employment. If employment is terminated, any benefit entitlement based on length of service may be calculated as of the last day worked prior to the FMLA Leave to the extent allowed by law.

## 2.13 Requests for FMLA Leave

- **2.13.1 Request for Leave.** Eligible Employees must timely request Family & Medical Leave from the Leave Administrator and notify their supervisor of any absences.
- **2.13.2 Employee's Inability to Complete Request for Leave.** If the facts and circumstances relating to the absence prevent the employee from personally requesting Family & Medical Leave from the Leave Administrator timely as provided [in Section 2.13.1](#) above, the employee's representative shall contact the Leave Administrator within the time for submission of an FMLA request for leave and provide the necessary information on behalf of the employee.
- **2.13.3 Special Requirements for Intermittent Leave for Planned/Scheduled Treatments and/or Recovery.** An Eligible Employee requesting Intermittent Leave for planned or scheduled medical treatments and/or recovery from those treatments for the Eligible Employee, a Family Member, or a Covered Servicemember shall include the



proposed schedule (of the treatments and/or recovery periods) and requested leave schedule in their request for leave submitted to the Leave Administrator.

- **2.13.4 Timely Requests for Leave.**

- Required Time for Submission of Requests for Foreseeable FMLA Leave - When the need for FMLA Leave is foreseeable, the Eligible Employee shall submit the request for leave to the Leave Administrator at least thirty (30) days in advance of the beginning of the anticipated leave unless such notice is not practicable. If the Eligible Employee is not able to submit their request for leave to the Leave Administrator in order to provide at least thirty (30) days advance notice of the need for foreseeable leave, the Eligible Employee shall provide an explanation to the Leave Administrator regarding why the advance submission was not practicable.
- Consequences of Untimely Requests for FMLA Leave - If an Eligible Employee fails, without reasonable excuse, to provide timely notice of a request for leave to the Leave Administrator, the request may be denied.
- Required Time for Submission of Requests for Unforeseeable Leave or When 30 Days Advance Notice Is Impracticable - If thirty (30) days advance submission of a request for leave is not practicable or if the leave is not foreseeable, the employee shall submit the request for leave to the Leave Administrator as soon as practicable. “As soon as practicable” means as soon as possible and practical, taking into account all of the facts and circumstances of the individual case. At a minimum, it generally should be practicable for the employee to provide notice of the need for leave either the same day s/he learns of the need for the leave or the next business day. If the employee does not provide notice of the need for leave within two business days of learning of the need for leave, s/he shall provide an explanation to the Leave Administrator why such advance notice was not practicable.

## **2.14 Supporting Documentation and Certifications**

The Eligible Employee shall timely submit supporting documentation and medical certification as required by the Leave Administrator to qualify for FMLA Leave.

## **2.15 Required Time for Submission of Supporting Documentation**

The employee must provide the required documentation/certification to the Leave Administrator within 15 calendar days after the Leave Administrator’s request, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts, unless the Leave Administrator grants, in writing, more than 15 calendar days to return the requested documentation/certification.



## 2.16 Medical Recertification

- **2.16.1** An Eligible Employee who is on FMLA Leave due to his/her own Serious Health Condition or to care for a Family Member with a Serious Health Condition may be required to submit a recertification of the medical condition at reasonable intervals.
- **2.16.2** The Eligible Employee must provide the requested medical recertification no later than fifteen (15) calendar days following the request for recertification unless it is not practicable under the particular circumstances to do so despite the good faith efforts of the Eligible Employee. In such cases, the Eligible Employee shall notify the Leave Administrator as soon as s/he realizes that s/he is unable to provide the medical recertification timely, explain in writing why it is not practicable to submit the documentation within the deadline, and submit the medical recertification as soon as reasonably possible under the circumstances. If the Leave Administrator determines that an Eligible Employee did not undertake reasonable and good faith efforts to timely obtain and submit the recertification, FMLA Leave may be denied or discontinued.

## 2.17 Failure to Timely Submit Certification

If an Eligible Employee fails, without reasonable excuse, to submit medical certification or other supporting documentation to the Leave Administrator within the required time periods, FMLA Leave may be denied or discontinued. This provision applies to all requests for certification pursuant to this Policy, including without limitation, the initial certification, a medical recertification, a second or third opinion, an extension or a Return-to-Work Medical Certification, and any clarifications necessary to determine if such certifications are authentic and sufficient.

## 2.18 Extensions of Approved FMLA Leave Period

When an Eligible Employee is aware that his/her need for leave will exceed the approved FMLA Leave period, s/he shall submit a request for additional leave with supporting documentation for the FMLA Leave to the Leave Administrator as soon as practicable before the expiration of the approved FMLA Leave period. If the approved FMLA Leave period expires without the submission of the required documentation, the Eligible Employee must provide a written explanation of why the documentation could not be submitted before expiration of the approved FMLA Leave period. If the employee's renewed request for leave and supporting documentation are not completed and submitted timely and that there is no reasonable explanation, the extension of FMLA Leave may be delayed or denied. In such cases, the continued absences will not be FMLA Leave.

## 2.19 Return to Work

- **2.19.1 Employee Notification to Employer of Intent to Return-to-Work.** The Eligible Employee who is on FMLA Leave shall provide reasonable advance notice of his/her intent to return to work to both the Leave Administrator and the employee's supervisor to allow for business planning.  
Reasonable advance notice is considered to be:



- at least (5) five working days before the scheduled return to work date if the employee is being released without any restrictions on his/her ability to work, and
- at least (7) seven working days before the scheduled return to work date if there are restrictions on the employee's ability to work.
- **2.19.2 Return-to-Work Certification.** Before an Eligible Employee will be allowed to return to work from FMLA Leave for his/her own Serious Health Condition, the Eligible Employee must provide to the Leave Administrator the required medical documentation completed by his/her Health Care Provider, the content of which is limited to the Serious Health Condition for which the leave was taken. To return to work, the medical documentation shall certify that the Eligible Employee can perform the essential functions of the job and list any work restrictions and/or accommodations needed.

## 2.20 Intermittent Make-Up Time

- **2.20.1** If an employee misses work for FMLA Leave, the absence should be recorded on the employee's timesheet as FMLA. The employee, with supervisor approval, may be able to supplement their pay by working outside of their regularly scheduled hours or through the use of available paid time off for pay purposes only.
  - If an employee is allowed to make up missed FMLA time, the time is still counted against the employee's FMLA allotment.
  - The make-up should be worked in accordance with the Time Entry and Pay Policy.

## 2.21 Contact the Entergy Ethics Line

All Employees, agents and contractors of Entergy shall immediately report known, suspected, or potential violations of this policy by following the procedures described in the Reporting Violations Policy. That includes reporting the matter to the online Entergy Ethics Line or by calling **1-888-257-ETHIC (3844)**.



If you are unsure of whether to contact the Ethics Line, use the [Should I call the Ethics Line decision tool](#) to guide you in finding the best company resources to discuss and report issues.

# Helpful information

## Terms to know

**NOTE:** Terms used in this Policy that are defined in the FMLA or in other laws shall have the meaning provided by those laws.

- **Active Duty** - Active Duty shall have the meaning set forth in 29. C.F.R. § 825.126(a).
- **Child** - A biological or adopted child, a foster child, a stepchild, a legal ward, or a child for whom an individual has stood *in loco parentis* (i.e., taken on the role of a parent by caring,





and providing financial and other support for, a child), who is (a) under 18 years of age; or (b) 18 years of age or older and incapable of self-care because of a mental or physical disability.

- **Covered Servicemember** - An individual who meets the requirements set forth in 29 C.F.R. § 825.127.
- **Eligible Employee** - An individual who qualifies for FMLA Leave under this Policy.
- **Entergy, Entergy System Company, System Company, or Company** - Entergy Corporation and all of its regulated and non-regulated subsidiaries and affiliates in which Entergy Corporation has a direct or indirect majority ownership interest.
- **Entergy System Company Employer** - The Entergy System Company that is the payroll employer of an Eligible Employee.
- **FMLA Leave** - An absence or a leave of absence fully authorized under the FMLA and this Policy. FMLA Leave does not include an absence that has been tentatively granted, such as a tentative approval pending receipt of medical certification, unless such absence has been retroactively authorized and accepted by the Leave Administrator as approved FMLA Leave.
- **Family Member** - A Child, Spouse, or Parent with a serious health condition as defined herein.
- **Group Health and Welfare Plan(s)** - Collectively, the Entergy Corporation Companies' Benefits Plus Medical Plan (the "Medical Plan"), the Entergy Corporation Companies' Benefits Plus Dental Plan (the "Dental Plan"), the Entergy Corporation Companies' Benefits Plus Vision Plan (the "Vision Plan"), the Entergy Corporation Companies' Benefits Plus Reimbursement Plan (the "Reimbursement Plan"), the Entergy Corporation Companies' Benefits Plus Life Insurance Plan (the "Life Insurance Plan"), and the Entergy Corporation Companies' Benefits Plus Long Term Disability Plan (the "LTD Plan").
- **Health Care Provider** - An individual who meets the requirements set forth in 29 C.F.R. § 825.125 (Note: Health Care Provider definition may differ for the Leave of Absence-Short-Term Disability policy.)
- **Intermittent Leave** - Leave taken in separate blocks of time for a for a single Qualifying Event, including Reduced Work Schedule Leave.
- **Jointly Employed Spouses** - Spouses who are each an Eligible Employee for purposes of a Qualifying Event and who both are employed by the same Entergy System Company Employer.
- **Military Caregiver Leave** - Approved FMLA Leave taken to care for a Covered Servicemember with a serious injury or illness (as defined in 29 C.F.R. § 127(c)) for reasons specified in [Section 2.2.6](#) of this Policy.
- **Next of Kin** - The nearest blood relative of a Covered Servicemember, other than a Spouse, Parent, or Child of the Covered Servicemember, in the following order of priority:



(a) a blood relative who has been designated as next of kin in writing by the Covered Servicemember for purposes of Military Caregiver Leave; (b) blood relatives who have been granted legal custody of the Covered Servicemember; (c) brothers and sisters; (d) grandparents; (e) aunts and uncles; and (f) first cousins.

- **Parent** - A biological, adoptive, step or foster parent of an Eligible Employee or any other individual who stood *in loco parentis* (i.e., took on the role of a parent by caring for, and providing financial and other support) to the Eligible Employee when the Eligible Employee was a Child. Parent does not include “parents-in-law.”
- **Policy** - This Leave of Absence - Family and Medical Leave Act Policy.
- **Qualifying Reason** - Any and all of the reasons set forth in 29 C.F.R. § 825.112 and further discussed in [Section 2.2](#) of this Policy.
- **Qualifying Exigency** - Any and all of the events set forth in 29 C.F.R. § 825.126, and as defined therein, including, but not limited to (a) short-notice deployment (i.e., seven or fewer calendar days’ notice of deployment; this leave may be used for a period of seven calendar days from the date a covered military member is notified of deployment); (b) attendance at military events and related activities associated with the active duty or call to active duty status of a covered military member; (c) childcare and school activities; (d) financial and legal arrangements; (e) counseling; (f) rest and recuperation; (g) post-deployment activities; (h) parental care; and (i) additional activities, provided that the employer and the employee agree that such leave shall qualify as an exigency and agree as to the timing and the duration of such leave.
- **Reduced Work Schedule Leave** - A form of Intermittent Leave whereby the usual weekly or daily work schedule of an Eligible Employee is reduced during the leave period.
- **Serious Health Condition** - An illness, injury, impairment or physical or mental condition that involves inpatient care as defined in § 825.114 or continuing treatment by a health care provider as defined in § 825.115.
- **Short Term Disability (“STD”) Benefits** – Benefits available under the Entergy Leave of Absence – Short Term Disability Policy to eligible employees who are unable to work due to an STD Condition.
- **Spouse** - An individual who is recognized as the spouse of an Eligible Employee under the provisions of 29 C.F.R. § 825.122(b).
- **12-Month Rolling Period** - The 12-month period measured backward from the date an employee begins any FMLA Leave to determine available leave. For example, if an employee starts FMLA leave on November 1, their remaining leave is 12 weeks minus any FMLA leave they used in the previous 12 months, starting on November 2 of the previous year.



## Other useful documents

### Energy System Policies & Procedures

- [Attendance and Absenteeism](#)
- [Break in Service](#)
- [Discipline](#)
- [Discrimination & Harassment Prevention](#)
- [Employment and Benefits Management](#)
- [Holidays](#)
- [Leave of Absence – Military](#)
- [Leave of Absence - Paid Parental Leave](#)
- [Leave of Absence - Short-Term Disability](#)
- [Reporting Violations](#)
- [Time Entry and Pay](#)
- [Vacation](#)

For other applicable state/municipality policies contact Sedgwick through [EnergyTotalRewards.com](http://EnergyTotalRewards.com), [mySedgwick.com/energy](http://mySedgwick.com/energy), or by phone at 844-601-7474.

### Federal Law and Regulations

- [The Family and Medical Leave Act \(the “FMLA”\)](#), 29 U.S.C. §§ 2601, *et seq.*, as amended, and regulations promulgated thereunder, 29 C.F.R. Part 825

**Savings Plan** – Savings plan information is described in the applicable savings plan(s) of Entergy and the applicable summary plan description(s) (the “Savings Plan”).

**Group Health and Welfare Plan** – Group Health and Welfare Plan information is described in the constituent plan documents and summary plan description for the applicable Group Health and Welfare Plan.

### Code of Entegrity

## Need more information?

**If you have questions related to claims (leave requests) such as initiating, processing, and administering a claim**, please contact the Leave Administrator at [mySedgwick.com/Entergy](http://mySedgwick.com/Entergy) or 844-601-7474.

**If you have questions related to time entry, pay, or this Policy**, please contact the Employee Support Center at 844-ETR-Work.

If you have questions related to your benefits, please contact the Entergy Total Reward Center at [www.entergytotalrewards.com](http://www.entergytotalrewards.com) or **1-888-259-3463**.



To see the revision details of prior versions of this Policy, view the [System Policy Revision Log](#). For prior versions of the Policy, contact the ethics and compliance department ([ethics@entergy.com](mailto:ethics@entergy.com)).

## Approvals

<b>Title:</b> Leave of Absence – Family & Medical Leave	<b>Last Revision:</b> 2/3/2025	<b>Rev. 16.3</b>
<b>Subject Matter Expert:</b> Teresa Gray	<b>Responsible Officer:</b> Kathryn Collins, Chief Human Resources Officer	<b>Approved By:</b> Kathryn Collins

This Policy applies to any and all Employees of any Entergy System Company, unless otherwise expressly excluded.

This Policy covers Employees who are represented by a union, except that any conflicting terms of employment in a collective bargaining agreement or other agreement reached with the union(s) shall control. Also, at certain Entergy facilities that were acquired by purchase, agreements have been reached to maintain or establish temporary policies that will be applied to certain employees at the facility in lieu of this Policy. In such cases, the Employee should contact the Leave Administrator for guidance and the applicable policy or procedures.

Nothing contained in this Policy should be construed to suggest that employees of a particular subsidiary or affiliate of Entergy Corporation are also Employees of Entergy Corporation or any other affiliate or subsidiary of Entergy Corporation. Moreover, this Policy does not create any employment relationship between any person and any Entergy System Company, nor does this Policy confer any contractual right to any person to become or remain an Employee of an Entergy System Company for any definite term or time period.