

## Corporate Human Resources **Standard**

**TITLE: Supplemental guidance on leaves of absence for California employees**  
**EFFECTIVE DATE: May 15, 2024**

**VERSION: 6.0**

### California employees

#### Purpose

The purpose of this standard is to establish the policy, procedures and forms to guide the uniform and legally compliant designation and administration of employee leaves of absence and to ensure proper coordination with other forms of leave and paid leave benefit available to employees. This supplemental guidance on leaves of absence for California employees is intended as a resource containing specific provisions that apply to Stryker's California employees. The standard and this supplemental guidance should be read together. Where Stryker's obligations under applicable federal, state and/or local laws governing leaves of absences conflict, Stryker will comply with the law that is most generous to the employee.

At no time will Stryker allow an employee to collect benefits from a state if they are not living in at the time of their leave of absence, even if the employee lived in the state of California and moved to another state. The employee will collect the benefits from the state in which they are living at the time of their leave of absence. For additional questions please refer to myHR Leaves.

All employees who are on a leave of absence, of any kind, are not permitted to attend any work activities. If a situation arises, that requires an employee to attend a company function, the manager or employee is required to reach out to myHR Leaves team to determine next steps. If an employee or manager does not make arrangements beforehand with myHR Leaves team, it may result in a negative impact to the employee's leave of absence.

#### Scope and Eligibility

This standard applies to all Stryker, the company employees working within the state of California, or who routinely perform work in California and whose work is directed and controlled in California.

#### Related Documents

Leave of Absence standard

#### General Requirements

This standard will identify the company's general policy and administration of employee leaves of absence that are covered by California law.

**NOTE:** For purposes of defining the term "registered domestic partner" throughout this addendum please note that registered domestic partnerships are not subject to any requirements for proof of relationship or waiting periods applied to domestic partnerships that are not also applied to marriages.

**For purposes of Stryker's benefit plans, a domestic partner is an individual who either:**

- Is defined as same-sex and different-sex couples who have registered with any state or local governmental domestic partner registry

**OR**

- Meets all of the following requirements for the immediately preceding 12 months:
  - Is at least age 18 and mentally competent to enter into a legal contract when the domestic partnership began.
  - Is your sole domestic partner in a committed relationship and intends to remain so indefinitely.
  - Has not had another domestic partner within the prior 12 months.
  - Has not been a party to a divorce or annulment proceeding in at least 12 months.
  - Is not related to you in a way that would prohibit a legal marriage.
  - Is not legally married to anyone else, and any prior marriages have been dissolved through death, divorce or nullity.

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- Shares a household with you that is the primary residence of both of you (although you may live apart for reasons of education, healthcare, work, or military service).
- Shares joint responsibility with you for each other's basic living expenses incurred during the domestic partnership.

**Performance review.** Any performance review will reflect the employee's performance for time actually worked. Employees will not be treated any differently for review, salary or bonus purposes because they were on a leave of absence. Employees must meet all other eligibility requirements for merit increases and bonus payments. The actual performance review will take place once the employee has returned to work from their leave of absence.

**Compensation.** Employees who are on leave of absence will be eligible for merit increases at the same time that all other employees who are actively at work.

## 1.0 California Family Rights Act leave

**1.1. Overview of leave provisions:** In addition to leave rights under the Family and Medical Leave Act ("FMLA"), both "basic FMLA leave" and "military family leave" employees who work within the state of California and have at least 1,250 hours of service with Stryker during the previous 12-month period, have additional leave rights as dictated by the California Family Rights Act ("CFRA"). CFRA provides eligible employees with twelve (12) weeks of unpaid, protected leave that may or may not run concurrently with FMLA leave depending upon the underlying reason for the leave.

**1.2. Eligibility** For purposes of calculating the 12-month length of service requirement, an employee may become CFRA-eligible while out on a leave of absence. If an employee is not eligible for CFRA leave at the beginning of a leave because the employee has not met the 12-month length of service requirement, the employee may meet this requirement while on leave, because leave to which they are otherwise entitled counts toward length of service but not the 1,250-hour requirement. The company will designate the portion of the leave in which the employee has met the 12-months-worked requirement as CFRA leave. If an employee is maintained on the payroll for any part of a week, including any periods of paid or unpaid leave during which other benefits or compensation are provided by the employer, the week counts as a week of employment.

1.2.1. The method of measuring the twelve (12) month period for twelve (12) weeks of FMLA may be taken under CFRA is the rolling backward from the date an employee first requests to take FMLA.

**1.3.** Under California law, CFRA leave may be used for one of the following reasons:

1.3.1. The birth, adoption, or foster care of an employee's child within 12 months following birth or placement of the child ("bonding leave") and is permissible to be taken intermittently in less than two week increments on any two occasions;

1.3.2. The serious health condition of the employee that prevents the employee from working excluding disabilities related to pregnancy, childbirth or related medical conditions, which are covered under a separate law); or care for the following family members with a serious health condition:

1.3.3. A child, regardless of age or dependency status, including the child of a registered domestic partner or a child of a person standing in loco parentis; parent; spouse to include same sex spouse and registered domestic partner as defined by California law, grandparent meaning parent of the employee, grandchild meaning child of the employee's child, sibling meaning a person related to another by blood, adoption, or through a common or biological parent.

1.3.4. For a qualifying exigency related to the covered active duty or call to covered active duty of an employee's spouse, registered domestic partner, child, or parent in the US Armed Forces.

**1.4.** An employee's inability to work because of a serious health condition. Spouses, including registered domestic partners and unmarried parents, who are employed by Stryker can each take twelve (12) weeks of leave to bond with a newborn or newly placed child. In addition, parents employed by Stryker may each take twelve (12) weeks of CFRA leave if

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needed to care for a child with a serious health condition.

- 1.5. The company is required to provide job protection and reinstatement rights to “key” employees. Key requirements, compensation and benefits during leave, and return to work standards that apply to employees requesting, taking and returning to work from a leave of absence taken pursuant to the Federal Family Medical Leave Act (“FMLA”) also apply to employees requesting and returning to work from leave taken pursuant to this policy. Please refer to the Leaves of Absence Standard for these requirements.

### 2.0 **Pregnancy disability leave**

- 2.1. An employee who is actually disabled by pregnancy, childbirth, or related medical conditions is eligible for a pregnancy disability leave of absence. For purposes of this guidance, an employee is actually disabled when, in the opinion of their healthcare provider, they cannot work at all or are unable to perform any one or more of the essential functions of their job or to perform them without undue risk to themselves, the successful completion of their pregnancy, or to other persons as determined by a health care provider. This term also applies to severe morning sickness or if they need to take time off for prenatal or postnatal care.

#### 2.2. **Transfer to less strenuous or hazardous position**

- 2.2.1. In addition to other forms of reasonable accommodation, Stryker will transfer an employee affected by pregnancy to a less strenuous or hazardous position or duties if:

- 2.2.1.1. The employees request a transfer;

- 2.2.1.2. The request is based upon certification of their health care provider as “medically advisable”; and

- 2.2.1.3. The transfer can be reasonably accommodated.

- 2.2.2. An employee is affected by pregnancy if they are pregnant or have a related medical condition, and because of pregnancy, their health care provider has certified that it is medically advisable for them to transfer. No additional position will be created, and Stryker will not discharge another employee, transfer another employee with more seniority, or promote or transfer any employee who is not qualified to perform the new job.

#### 2.3. **Advance notice and medical certification required**

- 2.3.1. As a condition of pregnancy disability leave of absence, reasonable accommodation, or transfer, an employee must provide 30 days’ advance notice before the leave of absence or transfer is to begin, if the need for the leave of absence, reasonable accommodation or transfer is foreseeable, or, when 30 days’ notice is not foreseeable, as soon as practicable after the employee learns of the need for pregnancy disability leave, reasonable accommodation or transfer. As soon as practicable means within 48 hours. Any request for pregnancy leave must be supported by medical certification from a health care provider with the following information: (a) the date on which the employee became disabled due to pregnancy; (b) the estimated duration of the leave; and (c) a statement that the employee needs to take leave because she is disabled by pregnancy, childbirth, or a related medical condition.

- 2.3.2. Any request for pregnancy disability accommodation or transfer must be supported by medical certification from a health care provider with the following information: (a) a description of the requested reasonable accommodation or transfer; (b) the date on which the need for reasonable accommodation or transfer became or will become medically advisable; (c) the estimated duration of the reasonable accommodation or transfer; and (d) a statement describing the medical advisability of the reasonable accommodation or transfer because of pregnancy.

- 2.3.3. The employee must submit medical certification within 15 calendar days, if practicable, of when the Company provides the employee with the form for such certification.

- 2.3.4. Stryker may require the employee to provide a new certification if they request an extension of their leave of absence.

#### 2.3.5. **Failure to provide medical certification**

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2.3.5.1. (1) In the case of a foreseeable need for reasonable accommodation, transfer, or pregnancy disability leave, Stryker may delay granting the reasonable accommodation, transfer or leave to an employee who fails to provide timely certification after the employer has requested the employee to furnish such certification i.e., within 15 calendar days, if practicable, until the required certification is provided.

2.3.5.2. (2) When the need for reasonable accommodation, transfer or leave is not foreseeable, or in the case of recertification, an employee shall provide certification or recertification within the time frame requested by the employer, which must be at least 15 days after the employer's request or as soon as reasonably possible under the circumstances. In the case of a medical emergency, it may not be practicable for an employee to provide the required certification within 15 calendar days. If an employee fails to provide a medical certification within a reasonable time under the pertinent circumstances, the employer may delay the employee's continuation of the reasonable accommodation, transfer or pregnancy disability leave.

### **2.4. Duration of the Pregnancy Disability Leave ("PDL")**

2.4.1. A pregnancy disability leave pursuant to this standard will be provided for the duration of the employee's pregnancy-related disability as certified by their health care provider, for up to four months per pregnancy, not per year. A "four-month leave" means time off for the number of days or hours the employee would normally work within four calendar months, one-third of a year or 17 1/3 weeks. For a fulltime employee who works 40 hours per week, "four months" means 693 hours of leave entitlement, based on 40 hours per week times 17 1/3 weeks. Leave is available for all disabilities related to each pregnancy and does not need to be taken in one continuous period of time. Leave may be taken incrementally, in increments of one hour, or on a reduced schedule, as medically advisable. Substitution of accrued paid time off runs concurrently with available unpaid leave, and will not extend the total leave of absence time.

2.4.2. Leave taken under this pregnancy disability leave standard runs concurrently with Family and Medical Leave under federal law, but not with California family rights act leave. Therefore, following pregnancy disability leave, eligible employees may be entitled to up to 12 weeks of baby-bonding under the California family rights act ("CFRA").

2.4.3. Any temporary transfer or other reasonable accommodation provided to an employee affected by pregnancy will not reduce the amount of pregnancy disability leave time the employee has available to her unless the temporary transfer or other reasonable accommodation involves a reduced work schedule or intermittent absences from work.

### **2.5. Compensation during leave**

2.5.1. Pregnancy disability leaves pursuant to this standard are without pay. However, employees taking PDL may be eligible for disability pay under California state disability insurance ("SDI") and/or Stryker's short-term disability program. For any period that is not covered by disability benefits, employees must substitute accrued sick time during the leave and, if accrued sick time is exhausted, may substitute vacation time. Substitution of accrued paid time off runs concurrently with available unpaid leave and will not extend the total leave of absence time.

### **2.6. Benefits during leave**

2.6.1. For the approved leave term, the company will maintain the employee's healthcare coverage to the same extent and under the same terms and conditions as would apply had the employee not taken leave. Any employee contributions to employee benefit plans must be maintained during the leave to continue coverage. If the employee substitutes paid leave for the unpaid leave, such payments will be deducted from the employee's pay through the regular payroll deductions. Otherwise, the employee must make arrangements with the company for the payment of such premiums. If the employee's premium payment is more than 30 days late, the company may elect either to cancel benefits coverage after written notice to the employee at least 15 days in advance or to pay for the coverage and to obtain reimbursement by payroll deduction, to the extent permitted by law, when the employee returns to work. An employee who fails to return from a leave will be obligated to reimburse the company for the cost of company-paid benefits, except when the employee's failure to return from leave is due to

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continuation, recurrence or onset of a serious health condition or due to other circumstances beyond the employee's control.

2.6.2. The use of PDL leave will not result in the loss of any employment benefit that accrued or was earned prior to the start of the employee's leave. The period of leave will be treated as credited service for purposes of all benefit accrual, accumulation, vesting or eligibility to participate in a benefit plan.

2.7. For any leave that is paid during the PDL period, the employee will continue to receive voluntary benefit coverage, supplemental life insurance, employee stock purchase plan according to the terms of the plan. All voluntary benefit coverage that the employee wishes to maintain during unpaid PDL is the responsibility of the employee. The employee will either make arrangements for payments during the leave or will reimburse the company by payroll deduction at the conclusion of the leave, to the extent permitted by law.

### 2.8. Integration with Other Benefits

2.8.1. Pregnancy disability leaves of absence and accommodations that require the employee to work a reduced work schedule or to take time off from work intermittently are unpaid. They may elect to use accrued sick leave and/or accrued vacation benefits during the unpaid leave of absence. However, use of paid time off will not extend the available leave of absence time. Vacation and sick leave hours will not accrue during any unpaid portion of the leave of absence, and they will not receive pay for official holidays that are observed during their leave of absence except during those periods when they are substituting vacation or sick leave for unpaid leave.

### 2.9. Return to work

2.9.1. If the employee and Stryker have agreed upon a definite date of return from their leave of absence or transfer, they will be reinstated on that date if they provide notice that they are able to return on that date. If the length of the leave of absence or transfer has not been established, or if it differs from the original agreement, they will be returned to work within two business days, where feasible, after they notify Stryker of their readiness to return.

2.9.2. Before they will be allowed to return to work following a leave of absence or transfer, they must provide the myHR Leaves team with a certification from their health care provider that they can perform safely all of the essential duties of their position, with or without reasonable accommodation. If they do not provide such a release prior to or upon reporting for work, they will be sent home until a release is provided. This time before the release is provided will be unpaid.

2.9.3. They will be returned to the same position or duties upon the conclusion of their leave of absence or transfer unless:

2.9.3.1. They would not otherwise have been employed in the same position at the time they requested reinstatement for legitimate business reasons unrelated to the leave of absence; **OR**

2.9.3.2. Each means of preserving their job or duties would have substantially undermined Stryker's ability to operate the business safely and efficiently.

2.9.4. If Stryker cannot return the employee to their original job, it will offer them a comparable position provided that one exists and is available. However, they are not entitled to any greater right to reinstatement than if they had not taken the leave. For example, if an employee would have been laid off regardless of the leave, and there is no comparable position available upon return from leave, then the employee will not be entitled to reinstatement. Additionally, if Stryker is unable to keep their position open because to do so would undermine the safe and efficient operations of Stryker, and if there is no comparable position available at the time of the employee's return, reinstatement will be denied.

2.9.5. Failure to return to work at the conclusion of the leave of absence may result in termination of employment, unless they are taking additional leave provided by law or Stryker policy or Stryker has otherwise approved them to take additional time off.

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### 3.0 California Lactation Accommodation Policy

- 3.1. All Stryker employees working in California have the right to request lactation accommodation. This may include, but not be limited to, the use of a private location, other than a bathroom, to express breast milk in accordance with California Labor Code requirements, and a reasonable amount of break time to accommodate their need to express breastmilk.
  - 3.1.1. Employees who are provided with break time to express breastmilk should, if possible, take such lactation breaks concurrently with other normally scheduled break periods.
  - 3.1.2. Nonexempt employees must clock out for any lactation breaks that do not run concurrently with normally scheduled rest periods.
- 3.2. Employees who require a reasonable accommodation to express breastmilk are required to notify their manager and log a ticket with myHR, and myHR will respond to the request.
- 3.3. Employees have the right to file a complaint with the Labor Commissioner for any violation of rights provided under the California Labor Code regarding lactation accommodations.
- 3.4. If Stryker cannot provide break time or a private location to express breastmilk that complies with this policy, Stryker will notify the employee in writing. For additional information, please contact the myHR Leaves team.

### 4.0 Paid Family Leave (PFL)

- 4.1. California employees are covered by California's paid family leave (PFL) benefit. The PFL fund is administered by the California Employment Development Department ("EDD"), not Stryker, which means that employees must apply to the EDD to receive this benefit. Through the PFL fund, the EDD will provide eligible employees with a wage supplement for a statutorily-designated maximum number of weeks within a 12-month period. PFL benefits may be available from the EDD for a leave of absence for the following:
  - 4.1.1. For the birth or placement of a child, as defined by the PFL law, for adoption or foster care within one year of the birth or placement of the child; **OR**
  - 4.1.2. To care for an immediate family member (spouse, registered domestic partner, child or parent, registered domestic partner's parent, parent-in-law, grandparent, grandchild, or sibling, as defined by the PFL law) who is seriously ill and requires care.
  - 4.1.3. Effective January 1, 2021, employees may claim paid family leave insurance benefits if they are unable to work due to participation in a qualifying exigency related to the covered active duty or call to covered active duty of the employee's spouse, domestic partner, child or parent who is in the US Armed Forces.
- 4.2. PFL benefits will be coordinated with an otherwise authorized leave of absence. In such circumstances, the use of PFL benefits and/or paid time off during the leave period will not extend the length of the leave beyond what is required by applicable law and/or Stryker policy.
- 4.3. Effective 07/01/2020 the benefit increases from six weeks to eight weeks.

### 5.0 California State Disability Insurance (SDI)

- 5.1. The EDD also administers state disability insurance benefits which are fully funded by taxes deducted from California employees' pay. An employee who is unable to work due to his or her serious health condition and experiences a resulting wage loss may be eligible, and should apply, for SDI benefits through the EDD. Information on SDI benefits, including how to apply, can be reviewed on the EED's website at [www.edd.ca.gov/direp/pflind.asp](http://www.edd.ca.gov/direp/pflind.asp). SDI forms are available from the Leaves team or their health care provider. The Leaves team will coordinate eligible short-term disability payments, vacation, sick leave, or other paid time off benefits with any eligible SDI benefits. At no time will an

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employee be eligible to receive more than 100% of his or her pay through receipt of SDI and short-term disability payments.

### 6.0 California Paid Safe and Sick Time

- 6.1. Pursuant to the California Healthy Workplaces/Healthy Families Act of 2014, all employees who work at least 30 days within a year in California are eligible to receive at least 24 hours or three days of Paid Safe and Sick Time (“PSST”) pursuant to this policy. Employees will receive this PSST grant at their time of hire or time of eligibility, and thereafter at the beginning of each calendar year as part of their regular annual sick leave grant made pursuant to Stryker’s Vacation and Sick Time policy in the U.S. Employee Handbook. Note that for non-exempt employees the PSST grant is part of the regular annual sick leave grant and will not increase the total number of sick days granted per year.
- 6.2. This PSST may be used as sick time for the employee or the employee’s eligible family members a) for diagnosis, care or treatment of an existing medical condition; (b) for preventative care; (c) to attend a medical or dental appointment; (d) to attend to or provide care for a family member with a mental or physical illness; and/or (e) to recover or recuperate from an injury or health condition. The PSST also may be used as safe time if the employee is a victim of domestic violence, sexual assault or stalking and time off is needed to attend to safety planning or other actions to assist the employee, such as judicial assistance, medical attention, counseling, etc.
- 6.3. Eligible family members include the employee’s current spouse, child or individual for which the employee stands in loco parentis, legal guardian or ward, parent, parent-in-law, person who stood in loco parentis status when the employee was a minor child, sibling, grandparent, or grandchild. An employee’s registered domestic partner (as defined by law), as well as the child and parent of a registered domestic partner, are also considered an employee’s family member. These familial relationships include not only biological relationships, but also relationships resulting from adoption, step-relationships, and foster care relationships. The definition of child applies irrespective of a child’s age or dependency status.
- 6.4. Employees are eligible to take PSST beginning on the 90th day of employment and after 30 days of work in California. Non-exempt employees are eligible to cash out unused PSST at the end of the calendar year pursuant to Stryker’s Vacation and Sick Time policy in the U.S. Employee Handbook. Exempt employees cannot cash out unused PSST at the end of the calendar year. PSST cannot be carried over at the end of one calendar year into another and will not be paid out at termination of employment. PSST may be used in increments of two hours or greater to cover all or just part of a workday. PSST benefits will be based on the employee’s current regular rate of pay, as defined under this policy. If an employee terminates employment and is rehired within one (1) year of the termination date, they will receive back all accrued but unused PSST they had at the time of termination and will be eligible to use that time as of the date of rehire.
- 6.5. If the need for PSST is foreseeable, an employee must provide reasonable advance notice to their supervisor. If the use of PSST is unforeseeable, an employee must provide notice – either orally or in writing – to their supervisor of the need to use PSST as soon as practicable. In all circumstances, an employee is responsible for specifying that the time off is for PSST reasons. Failure to obtain approval as soon as possible after determining the need to take PSST may result in discipline. Stryker will not deny an eligible employee the right to use accrued PSST, nor will it discriminate in any manner against an eligible employee for using or attempting to use accrued PSST days, for complaining about an alleged violation of this policy, or for participating in an investigation about an alleged violation of this policy.

### 7.0 Kin Care

- 7.1. At their discretion, Employees may use their annual sick leave grant made pursuant to Stryker’s Vacation and Sick Time policy in the U.S. Employee Handbook, for any reason that qualifies for time off under the Healthy Workplaces/Healthy Families Act of 2014. In cases where Kin Care leave is used to care for a family member with a serious health condition, Kin Care leave will run concurrently with FMLA or CFRA leave.

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### 8.0 Military leave

- 8.1. In addition to the federal protections included in Stryker's Military leave policy, California employees who serve in the military are entitled to the rights and protections set forth in the California Military and Veteran's Code. Among other things, the Code prohibits discrimination against members of the military or naval services of the state or the United States, and grants members of the National Guard, U.S. Reserve or Naval Militia up to 17 calendar days of unpaid time off per calendar year, including travel time to and from such duty, to participate in military training, drills, encampment, naval cruises, and special exercises or like activities.

### 9.0 Civil Air Patrol leave

- 9.1. Stryker will not discriminate against an employee for membership in the civil air patrol. Additionally, Stryker will not retaliate against an employee for requesting or taking civil air patrol leave.
- 9.2. Stryker will provide not less than 10 days per year of leave but no more than 3 days at a time to employees who are volunteer members of the California Wing of the Civil Air Patrol, but can be extended if authorized by the government entity that called for the mission and the employer agrees. Employees must have been employed by Stryker for at least 90 days immediately preceding the commencement of leave and must be duly directed and authorized by a political entity that has the authority to authorize an emergency operational mission of the California Wing of the Civil Air Patrol.
- 9.3. Employees must request leave with as much notice as possible in order to respond to an emergency operational mission of the California Wing of the Civil Air Patrol. Stryker may require certification from the proper civil air patrol authority to verify the eligibility of the employee for the leave requested or taken and may deny the leave to be taken as civil air patrol leave if the employee fails to provide the required certification.
- 9.4. Leave under this guidance is unpaid. An employee taking leave under this guidance will not be required to exhaust accrued vacation or sick leave or any other type of accrued leave prior to taking unpaid civil air patrol leave.
- 9.5. Following leave under this policy, an employee must return to work as soon as practicable and must provide evidence of the satisfactory completion of civil air patrol service. If the employee complies with these requirements, the employee will be restored to their prior position without loss of status, pay, or other benefits.

### 10.0 Military family leave

- 10.1. Employees who are spouses or registered domestic partners of certain military personnel may receive up to ten (10) days of unpaid leave during a qualified leave period. For purposes of this guidance, a "qualified leave period" means the period during which the individual is on leave from deployment during a period of military conflict.
- 10.2. An employee is eligible for leave under this guidance if he or she:
  - 10.2.1. Is the spouse or registered domestic partner of a person who: is a member of the Armed Forces of the United States who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States, or (b) is a member of the National Guard or of the Reserves who has been deployed during a period of military conflict;
  - 10.2.2. Works for an average of 20 or more hours per week;
  - 10.2.3. Provides notice of his or her intention to take leave within two business days of receiving notice that his or her spouse or registered domestic partner will be on leave from deployment; and
  - 10.2.4. Submits written documentation certifying that his or her spouse or registered domestic partner will be on leave from deployment during the time the leave is requested.
- 10.3. Military conflict means either a period of war declared by the United States Congress, or a period of deployment for which a member of a reserve component is ordered to active duty either by the Governor or the President of the



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- 10.4. Leave taken under this guidance will not affect an employee's right to any other benefits, although an employee may elect to use accrued vacation time during the leave.
- 10.5. Stryker will not discriminate against, or tolerate discrimination against, any employee who requests and/or takes leave under this guidance. For more information, please contact Human Resources.

### 11.0 Time off to vote

- 11.1. Stryker encourages all employees to fulfill their civic responsibilities and to vote in all public elections. Most employees' schedules provide sufficient time to vote either before or after working hours.
- 11.2. If they do not have sufficient time outside of working hours to vote, they may receive up to two hours of paid time off to vote. Any additional time off will be without pay.
- 11.3. Employees must request time off from their supervisor at least two working days before election day so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to normal work schedules.
- 11.4. If approved for time off, they will not incur any attendance infractions or otherwise be subjected to an adverse employment action for missing work to vote.

### 12.0 Time off for organ and bone marrow donation

- 12.1. Employees who have been employed by Stryker for at least a 90-day period immediately preceding the leave will be provided a leave of absence to undergo a medical procedure to donate an organ to another person. The combined length of the leaves may not exceed 30 business days in any one-year period. The one-year period is measured from the date the employee's leave begins and consists of 12 consecutive months. To qualify for this leave, the employee must submit verification by a physician detailing that there is a medical necessity for the donation, as well as the length of each leave requested. Employees must use up to two weeks of available sick/vacation concurrently with this time off. If an employee does not have enough available accrued sick/vacation or PTO, then any remaining days of leave will be with pay by Stryker. Use of this leave will not be counted against any available FMLA/CFRA time. This is also not considered a break in continuous service for purposes of benefits or seniority.
- 12.2. Stryker will also provide five days of leave per year to an employee who needs the time off to donate and recover from donating bone marrow. Employees must use all available sick/vacation or PTO concurrently with this time off. If an employee does not have enough available accrued sick/vacation or PTO, then any remain days of leave will be with pay by Stryker.
- 12.3. While on leave for organ and bone marrow donation, Stryker will maintain all group health insurance benefits on the same terms as if the employee had continued to work, and all deductions for premium payments will continue during the leave. If the employee fails to make their premium co-payments, Stryker may not continue to provide health insurance benefits and the employee would be eligible for insurance continuation rights under COBRA.
- 12.4. In most circumstances, upon return from this leave, an employee will be reinstated to his/her original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if he/she did not take a leave. For example, if an employee on leave for organ donation would have been laid off had he/she not take a leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement.

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### 13.0 School activities and licensed childcare leave

- 13.1. If they are a parent, stepparent, foster parent, guardian, grandparent or person who stands in loco parentis to, a child in kindergarten or grades 1-12, or a licensed day care center, and they wish to take time off to find, enroll or reenroll their child in school or with a licensed child care provider, to visit the school or licensed child care provider of their child for an activity, or to address a child care provider or school emergency, they may take off up to eight hours each calendar month, up to a maximum of 40 hours each school year, in accordance with California law, provided they give reasonable notice of their planned absence. This leave is unpaid, but employees wishing to take such leave may utilize their existing accrued vacation time. Stryker requires documentation from the school or licensed childcare provider as proof that he or she engaged in child-related activities permitted pursuant to this policy on a specific date and at a particular time. Documentation means whatever written verification of parental participation the school or licensed childcare provider deems appropriate and reasonable.
- 13.2. If both parents of a child work for Stryker, only one parent, the first to provide notice, may take the time off, unless Stryker approves both parents taking time off simultaneously. They also may be granted time off to attend a school conference involving the possible suspension of their child. Please contact their supervisor if time off is needed for this reason.

### 14.0 Time off for domestic violence, sexual assault and stalking victims

- 14.1. Stryker will provide employees who are victims or have family members who are victims of domestic violence, sexual assault and stalking time off from work to attend to matters resulting from this; including:
  - 14.1.1. Attend court hearings;
  - 14.1.2. Obtain or attempt to obtain judicial relief to protect the employee or his or her family member;
  - 14.1.3. Seek or obtain medical attention, counseling, victim services or legal assistance;
  - 14.1.4. Participate in safety planning; and
  - 14.1.5. Take other actions to enhance the physical, psychological, or economic health or safety of the employee or employee's family member or to enhance the safety of those who associate or work with the employee.
- 14.2. **Family member definitions are as follows:**
  - 14.2.1. A child, regardless of age (including a biological, adopted, foster or stepchild; a legal ward; a child of a domestic partner; a child to whom the employee stands in loco parentis; or a person to whom the employee stood in loco parentis when the person was a minor);
  - 14.2.2. A person to whom the employee is legally married under the laws of any state, or a domestic partner of an employee as registered under the laws of any state or political subdivision;
  - 14.2.3. A sibling (including a biological, foster, adoptive or stepsibling, or a half-sibling); and
  - 14.2.4. Any other individual whose close association with the employee is the equivalent of a family relationship described above.

#### 14.3. Requesting leave

- 14.3.1. **Reasonable notice** If they wish to take time off under this guidance, they must give reasonable notice of the need for time off for one of the above listed activities unless advance notice is not feasible. If notice is not feasible, the employee will not be disciplined for taking time away from work. If an unscheduled event or emergency occurs, which requires their immediate absence, please alert their supervisor before leaving Stryker premises.
- 14.3.2. **Verification** Stryker may require that they provide verification that the absence from work was due to domestic violence, sexual assault or stalking. The types of verification that may be required include: police reports, court orders or other evidence that the employee appeared in court, other documentation from a medical professional,

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domestic violence advocate, health care provider or counselor that demonstrate they are under treatment for the injuries or abuse.

**14.4. Confidentiality** Confidentiality of the situation, including the employee's request for the time off, will be maintained to the greatest extent possible. Employees may use accrued benefits, such as existing PSSST or vacation time, in order to receive compensation during the time taken off from work.

### **14.5. Accommodations**

14.5.1. Stryker will make reasonable accommodation for employees who are victims of domestic violence, sexual assault or stalking, and who request an accommodation for their safety while working, unless the accommodation would impose an undue hardship on the operation of the business.

14.5.2. Reasonable accommodations may include implementing safety measures, assistance documenting domestic violence, sexual assault or stalking that occurs in the workplace, modified schedule or job reassignment to ensure a victim's safety or referral to a victim assistance organization.

**14.6. No discrimination or retaliation** Stryker will not discriminate or retaliate against victims of domestic violence, sexual assault or stalking because of their status as victims or their need to take time off pursuant to this policy, provided that the employee notified the Company of their status as victim or their need to take time off or the Company otherwise has actual knowledge of it.

## **15.0 Time off for serious crime victims to attend judicial proceedings**

**15.1.** Employees may take time off from work to appear in judicial proceedings related to a serious crime if the employee is a victim of the serious crime or an immediate family member of the victim of a serious crime.

15.1.1. For purposes of this policy, a serious crime includes violent felonies, serious felonies, and felony theft or felony embezzlement.

15.1.2. Refer to 14.2 for family member definitions covered under this leave type.

**15.2.** An employee who is a crime victim may also take time off of work, at the employee's request, to attend any proceeding in which a right of the victim is at issue.

15.2.1. Such proceedings may include post-arrest release decision, plea, sentencing, post-conviction release decision; or any proceeding in which a right of the victim is at issue.

15.2.2. For purposes of this leave, a victim is defined as any person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of the serious crime.

### **15.3. Requesting leave**

15.3.1. **Reasonable notice** Before an employee may be absent from work to attend a judicial proceeding related to the serious crime, the employee must provide his or her supervisor with a copy of the notice of each scheduled proceeding that is provided to the victim by the agency responsible for providing notice, unless advance notice is not feasible. In the event that an unscheduled judicial proceeding occurs, which requires their immediate absence, please alert their supervisor before leaving Stryker premises.

15.3.2. **Verification** Stryker may require verification of the judicial proceeding from any of the following entities: the court or government agency setting the hearing; the district attorney or prosecuting attorney's office; or the victim/witness office that is advocating on behalf of the victim.

**15.4. Confidentiality** Confidentiality of the situation, including the employee's request for the time off, will be maintained to the greatest extent possible. Employees may use accrued benefits, such as existing PSSST where applicable, or vacation time, in order to receive compensation during the time taken off from work.

**15.5. No discrimination or retaliation** Stryker will not discriminate or retaliate against employees who request or take

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time off pursuant to this policy provided that the employee notified the company of their status as a crime victim or their need to take time off or the company otherwise has actual knowledge of it.

## 16.0 Time off for volunteer firefighters, reserve peace officers or emergency rescue personnel

- 16.1. If they are a registered volunteer firefighter, reserve peace officer, or emergency rescue personnel who intends to perform emergency duty during work hours, please alert their supervisor so Stryker is aware of the fact that they may have to take time off to perform emergency duty. In the event an employee needs to take time off for this type of emergency duty, a supervisor must be notified before the employee leaves work. All time off for these purposes is unpaid.
- 16.2. Registered volunteer firefighters, reserve peace officers, or emergency rescue personnel are eligible to take temporary unpaid leaves of absence for fire or law enforcement training not to exceed 14 days per calendar year.

## 17.0 Time off for adult literacy programs

- 17.1. Stryker will make reasonable accommodations for any employee who reveals a literacy problem and requests that Stryker assist him or her in enrolling in an adult literacy program, unless undue hardship to Stryker would result. Stryker will also assist employees who wish to seek literacy education training by providing employees a list of locations of local literacy programs.
- 17.2. Stryker will take reasonable steps to safeguard the privacy of any employee who identifies himself or herself as an individual with a literacy problem. An employee who wishes to identify himself or herself as such an individual can contact Human Resources directly. Individuals who are performing satisfactorily will not be subject to discriminatory action due to disclosing literacy problems.
- 17.3. While Stryker encourages employees to improve their literacy skills, Stryker will not reimburse employees for the costs incurred in attending a literacy program, including providing paid time off, other than allowing employees to use available vacation or PTO.

## 18.0 Bereavement leave

- 18.1. Effective January 1, 2023, California employees who have been employed at least thirty (30) days may take bereavement leave up to five (5) days paid for the following family members: spouse, domestic partner, child, parent, parent-in-law, sibling, grandparent, and grandchild. Bereavement leave must be completed within three (3) months of the date of death of the family member. Stryker currently provides paid bereavement leave for family members under the existing company policy and will coordinate based on the current company policy. Please refer to the bereavement policy in the LOA Standard.

## Document revision history

Version No.	Revision level	Reason and Description of Revision	Effective Date
1.0		Initial issuance	March 1, 2018
2.0		Annual review	January 1, 2020
3.0		San Francisco update for domestic partners	August 20, 2020

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4.0		Annual review	April 1, 2021
5.0		Bereavement leave update	January 1, 2023
6.0	Template/format updated only	No content in policy changed	May 15, 2024