

NEW JERSEY SUPPLEMENT TO EMPLOYEE HANDBOOK

This addendum is a supplement to the Zippo Employee Handbook ("Handbook"), specifically covering Company policies regarding New Jersey state and local employment provisions. In addition to the Handbook, the following policies apply only to employees who are employed by Zippo (the "Company") in New Jersey.

Where not modified herein, the policies and procedures in the Handbook continue to apply to all employees, including the At-Will Employment policy. To the extent policies in the Handbook conflict with this supplement, the policy or provision that is more generous or favorable to the employee will govern.

New Jersey Domestic Violence Leave

The New Jersey Security and Financial Empowerment Act (SAFE Act) provides eligible employees who are a victim of domestic violence or sexual assault or whose child, spouse, domestic partner, parent, sibling, grandchild or grandparent, the child or parent of an employee's spouse or domestic partner, or any other individual related by blood to the employee and any other individual whose close association with the employee is the equivalent of a family relationship is a victim of such act to take up to 20 days unpaid leave time in any 12-month period to: (1) seek medical attention for physical or psychological injuries; (2) obtain services from a victim services organization; pursue psychological or other counseling; (3) participate in safety planning for temporary or permanent relocation; (4) seek legal assistance to ensure health and safety of the employee or the employee's relative; and (5) attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence. Employees may take leave for each incident of violence but the leave must be taken within one year of the qualifying event. Eligible employees are those who have worked for the Company for at least 12 months and at least 1,000 base hours in the 12-month period immediately preceding the leave.

The employee must notify his or her immediate supervisor as soon as practicable upon learning that the employee may need to take such leave. The leave must be taken in intervals of no less than one day at a time.

The Company reserves the right require employees to provide documentation that the leave taken was for an allowed purpose. Employees may, but are not required to use available paid time off prior to using this leave. In addition, if the reason for leave is covered under the FMLA or the NJFLA (described below), the leave will be counted against the employee's entitlement under that law.

New Jersey Emergency Responder Leave

The Company will not discharge or take any other disciplinary action against any employee who fail to report for work at the beginning of the employee's regular working hours if the employee failed to do so because the employee was responding to an emergency in the employee's capacity as a volunteer emergency responder. Any such missed time will be unpaid. In order to take advantage of this provision, an employee

who serves as a volunteer emergency responder must provide the Company with advance written documentation notifying the Company of the employee's status as a volunteer emergency responder.

The employee must notify the Company at least one hour prior to their scheduled shift that the employee will not report to work at the appointed time. At the request of the Company, the employee shall provide a statement from the head of the emergency response unit stating that the employee was responding to an emergency call and the time of release from the call.

New Jersey Temporary Disability and Family Leave Insurance

Employees who are unable to work due to short term illness, accident or disease not arising out of the worker's employment, thus not covered by Workers' Compensation, may be entitled to partial wage replacement under New Jersey law. Additionally, eligible employees may be entitled to partial wage replacement under the New Jersey Family Leave Insurance Law to care for a child, parent, spouse, registered domestic partner, parent, sibling, grandchild or grandparent, the child or parent of an employee's spouse or domestic partner, or any other individual related by blood to the employee and any other individual whose close association with the employee is the equivalent of a family relationship with a serious health condition or for the birth of the employee's child (including the birth of a child conceived using a gestational carrier) or the placement of a child for adoption or foster care with the employee. Eligibility for benefits and the maximum weekly benefit are determined by the State of New Jersey. This program does not provide leave to employees, and employees must otherwise be eligible for leave, for example under the FMLA or NJFLA (described below), in order to take leave from work.

These benefits are administered by the New Jersey Department of Labor and Workforce Development. Employees must file a claim for benefits, which are a portion of usual wages, and they are subject to a waiting period before benefits begin. Claims are filed with the Division of Temporary Disability Insurance of the New Jersey Department of Labor and Workforce Development. Additionally, when an employee files such a claim, the employee must notify the Human Resources Department as soon as possible. Employees may obtain further information about paid family leave insurance benefits from the Human Resources Department, from the notice previously provided by the Company (and the sources referenced in that notice), or from New Jersey's Department of Labor and Workforce Development.

New Jersey Reporting Pay

A non-exempt employee who is scheduled to work for at least one hour and reports to work as scheduled but is sent home before working a full hour will be paid minimum wage for the portion of the shift, up to an hour, that was scheduled but not worked.

New Jersey Family Leave of Absence (NJFLA)

The Company provides eligible employees with up to 12 weeks of unpaid, job-protected leave in any rolling 24-month period for specified family reasons under the New Jersey Family Leave Act (NJFLA). To be eligible for NJFLA leave, you must have worked at least

12 months for the Company in New Jersey and have worked at least 1,000 hours for the Company over the previous 12 months.

You may take NJFLA leave for the following purposes:

- The birth of a son or daughter and in order to care for such son or daughter, including the birth of a child conceived using a gestational carrier agreement (leave to be completed within one year of the child's birth);
- The placement of a son or daughter with you for adoption or foster care and in order to care for the newly placed son or daughter (leave to be completed within one year of the child's placement);
- To care for a family member with a serious health condition.

Family member means a child, spouse, domestic partner, parent, sibling, grandchild or grandparent, the child or parent of an employee's spouse or domestic partner, or any other individual related by blood to the employee and any other individual whose close association with the employee is the equivalent of a family relationship.

NJFLA leave may be taken in a single block of time, as a reduced schedule leave, or as an intermittent leave. Reduced schedule leave may be taken by reducing your normal weekly work schedule in full-day increments for up to 12 consecutive months. Intermittent leave may be taken to care for a family member who has a serious health condition when medically necessary if the total time within which the leave is taken does not exceed 12 months. Intermittent leave may also be taken in the case of foster care placement, birth or adoption of a healthy child, in which case the employee must provide the Company, prior to commencement of intermittent leave, with a regular schedule of the days or days of the week on which the intermittent leave will be taken. Employees permitted to take intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the Company's operations.

Depending on the purpose of your leave, you may use any accrued paid leave concurrently with your NJFLA leave. In addition, you will not be eligible to accrue seniority or paid leave benefits, including vacation and holidays, during any period of your NJFLA leave. The Company will notify employees of their options to continue to participate in our group health plans during NJFLA leave.

When requesting intermittent leave you must give the Company 15 days' advance written notice. When requesting all other permitted NJFLA leave, you must give the Company 30 days' advance written notice. If advance written notice is not possible because of an emergency, you must give the Company oral notice as soon as reasonably possible and then follow up with written notice. You also must give the Company medical certification supporting the need for leave. The Company reserves the right to require second or third medical opinions and periodic re-certifications. You may also be required to provide periodic reports during your leave regarding your status and intent to return to work.

If you fail to provide the required documentation, the Company may delay the start of your leave, withdraw any designation of NJFLA leave or deny the leave, in which case your

absences will be treated in accordance with the Company's standard leave of absence and attendance policies and you may be subject to discipline up to and including termination of employment. If you provide false or misleading information or omit material information about a NJFLA leave, you will be subject to discipline up to and including immediate termination of employment.

On returning to work after NJFLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits and other employment terms and conditions. Any employee who fails to return to work as scheduled after NJFLA leave or exceeds the 12-week NJFLA entitlement will be subject to the Company's standard attendance and leave-related policies, including the Company's standard policies regarding unexcused absences.

Where an employee requests leave for a reason covered by both NJFLA and FMLA, the leave simultaneously counts against the employee's entitlement under both laws.

New Jersey Paid Sick Leave

Eligible employees may accrue paid sick leave ("PSL") in accordance with the law. Eligible employees accrue one hour of paid sick leave ("PSL") for every 30 hours worked, up to a maximum of 40 hours of PSL per year. Employees may use up to 40 hours of PSL per year. Accrued, unused PSL will carry over to the next year. Sick leave begins accruing on hire, and is available for use after 120 days of service with the Company.

Exempt employees are deemed to work 40 hours per week for purposes of this policy, unless their regular working hours are less than 40 hours per week, in which case sick leave will accrue based on those regular working hours.

PSL may be used in increments of one day and must be used for any absences resulting from: (1) the diagnosis, care, treatment, or recovery from an employee or an employee's family member's physical or mental illness or injury, or for preventative health care for the employee or a member of the employee's family; (2) absence for work for domestic violence, sexual assault, or stalking committed against the employee or the employee's family member, provided the leave is used by the employee to obtain medical attention, victim services, or legal services for the employee or the employee's family, or during the time the employee has temporarily relocated due to the domestic violence, sexual assault or stalking; (3) the employee's inability to work because of the closure of the employee's workplace, the school or childcare facility of the employee's child, by order of a public health official due to an epidemic or other public health emergency, or because a public health official has determined that an employee or a member of the employee's family would jeopardize the health of others through contagion; or (4) attending a parent-teacher conference, meeting with school officials, or other event requested by school administrators or teachers regarding the employee's child's education or health conditions or disability.

Family member means the employee's child (biological, adopted, foster, or stepchild or legal ward of the employee or the child of the employee's domestic partner or civil union partner), grandchild, sibling (biological, foster, or step-sibling), spouse, domestic or civil union partner, parent (biological, adoptive, foster, or stepparent or legal guardian of the employee or the employee's spouse or domestic or civil union partner, or a person who stood in loco parentis for the employee or the employee's spouse or domestic or civil union partner) or grandparent of the employee or the employee's spouse or domestic or civil union partner, or any other individual related by blood to the employee or whose close relationship with the employee is the equivalent of a family relationship.

If the need for PSL is foreseeable, the employee shall provide reasonable advance notification of the need for leave. If the need for PSL is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable. The Company reserves the right to require documentation of the appropriate use of paid sick leave to the extent permitted by law.

The Company will not discriminate or retaliate against an employee for requesting or using PSL in accordance with this policy. Unused PSL will not be paid out upon termination of employment.

PSL will run concurrently with any other available paid time off, such as vacation and/or personal time.

New Jersey Pregnancy Accommodation

The Company will provide reasonable accommodations to women affected by pregnancy, childbirth, breastfeeding or medical conditions related to pregnancy, breastfeeding or childbirth, including recovery from childbirth, if the employee requests the accommodation based on the advice of her physician, unless doing so would impose an undue hardship on the Company. In the case of a breastfeeding mother, the accommodation shall include reasonable break time each day and the provision of a suitable room or other private location, other than a toilet stall, in close proximity to the work area, for the employee to express breast milk for the child.

New Jersey Supplement to Drug and Alcohol-Free Workplace

In the event the Company conducts a drug test for applicants or prospective employees in accordance with the Company's Drug and Alcohol-Free Workplace Policy, and an applicant or an employee tests positive for marijuana, the Company will provide the applicant or employee with written notice of their right to provide, within three working days, a legitimate medical explanation for the positive result to the Company. The applicant or employee may either provide a legitimate medical reason for the positive test result (including authorization for medical marijuana use by a health care provider, proof of registration for medical marijuana use, or both), or may request retesting of the original specific at the applicant or employee's expense.

Original: February 2018
Updated: November 2018
Updated: January 2020