



Family & Medical Leave Act (FMLA) Military Family Leave, Qualified Exigency Leave

This document covers FMLA Leave for team members with a spouse, son, daughter, or parent on covered active duty (or call to active duty) in the Armed Forces, including the National Guard or Reserves who may use their 12 week leave entitlement to address certain qualifying exigencies arising from the covered active duty (or call to active duty). This leave provides an eligible team member up to 12 work weeks of unpaid leave in a rolling 12 month period.

Qualifying exigencies may include:

- Short-notice foreign deployment (may take 7 days leave)
- Attending certain military events
- Arranging for alternative childcare or for care for a covered service member's parent(s)
- Making financial and/or legal arrangements
- Attending certain counseling sessions
- Short-term temporary, rest and recuperation (may take 15 days leave)
- Attending post-deployment reintegration briefings
- Any other event that the team member and Company mutually agree is a qualifying exigency

1. Eligibility

A team member is eligible for FMLA if, at the time the request is made, both of the following requirements are met:

- **Service Requirement:** Team member must have been employed with the Company (any Macy's, Inc. division) for 12 months. While these 12 months need not be consecutive, service performed prior to a break in service of seven years or more does not count (with limited exceptions). The team member may be required to provide evidence of prior service, if the prior service occurred outside the Company's record retention period; **and**
- **Hours Worked Requirement:** The team member must have worked a minimum of 1,250 hours during the 12-month period immediately preceding the date the leave is scheduled to begin.

FMLA and State leave eligibility may vary for married couples who both work for the Company.

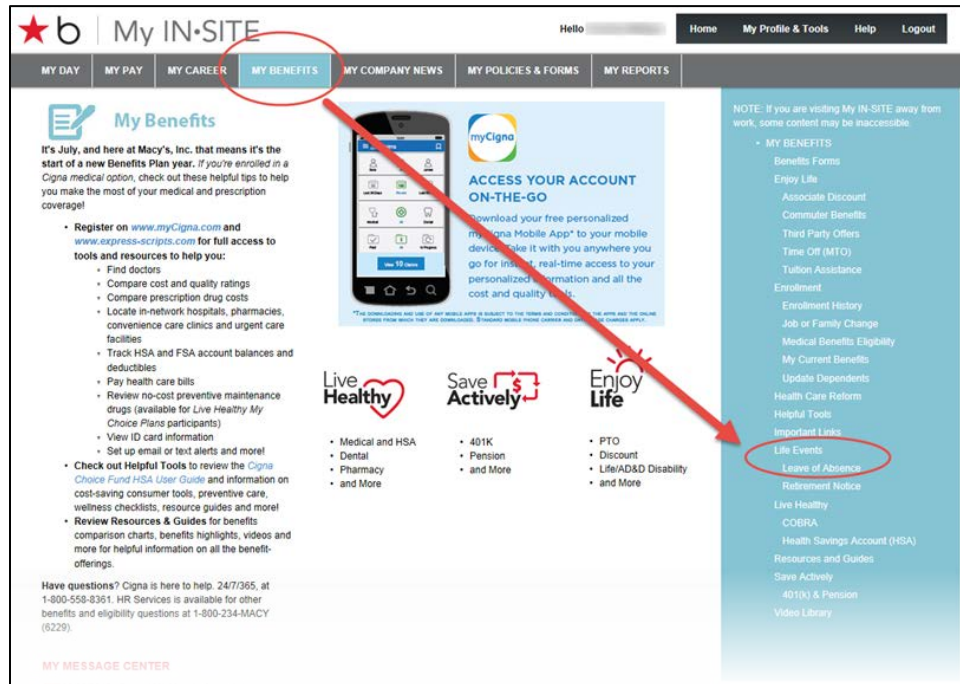
2. Definitions

"Son or Daughter on Active Duty or Call to Active Duty": For qualifying exigency leave, an eligible team member may take leave for his or her "son or daughter on active duty or call to active duty status," which is defined as the team member's biological, adopted, or foster child, stepchild, legal ward, or child for whom the team member stood "in loco parentis" (meaning persons with day-to-day responsibilities to care for and financially support a child, or in the case of an employee, who had such responsibility for the employee when the employee was a child; a biological or legal relationship is not necessary), who is on active duty or call to active duty status, and who is of any age.



3. Applying for this FMLA Leave

Requests for leave should be completed through My IN-SITE. After logging in to My IN-SITE, team members should select “Leave of Absence” from the Life Events menu on the My Benefits tab.



If the team member is unable to complete a request through My IN-SITE, he or she may call HR Services at 1-800-234-6229 for assistance requesting leave.

A team member should give 30 days' written notice of his or her intent to take leave by completing the Request for Leave form, unless such leave is unforeseeable (in which case the team member must give notice as soon as practicable).

A team member who requests leave for “qualifying exigency” arising out of the fact that a spouse, parent or child is on, or has been called to, active duty must provide certification that the team member’s covered family member is on active military duty.

4. Leave-taking Options

FMLA Leave may be taken continuously, in blocks of time, or may be taken on an intermittent or reduced leave schedule. If a team member needs to take leave on an intermittent or reduced schedule basis, the team member must make a reasonable effort to schedule leave so as not to disrupt the Company’s operations.

- **Reporting Intermittent or Reduced Schedule Leave**

In all cases, if a team member needs to take intermittent or reduced schedule leave, the team member is required to follow the normal call-in procedures to notify their work location.

For tracking purposes, team members must also report their time. In order for the time to be recorded and tracked, team members must report their intermittent time via My IN-SITE or to the HR Services Leave of Absence team.



To report intermittent time via My IN-SITE, log in to My IN-SITE and select "Leave of Absence" from the Life Events menu. After entering the Macy's Leave Management page, select 'Report Intermittent Time' from the menu, then follow the on-screen instructions to report your intermittent time.

If the team member does not self-report the absence upon their return to work, the absence will be addressed in accordance with the attendance policy (absent extenuating circumstances). If HR Services is closed on the day the team member returns to work, the team member must report on the next HR Services business day.

5. Benefits and Pay During Leave

While on a leave of absence, team members may be entitled to receive health benefits or pay based on applicable federal and state law and Company policy. For any leave that is unpaid, team members may be entitled to apply Company Paid Time Off (PTO). For Paid Time Off rules and entitlement follow the PTO policy.

6. Reinstatement

A team member returning from FMLA leave must be reinstated to the same or equivalent position (equivalent pay, benefits and other terms and conditions of employment). If during the course of the FMLA leave business needs require the position be filled, the position should be filled on a temporary basis only.

Team members on leave should provide the Company with at least two weeks' notice of the date they intend to return to work. Importantly, if a team member provides less than two days' notice, there may be a delay in scheduling the team member's return to work.

If a team member fails to return to work at the expiration of an approved leave and/or fails to notify the Company of his/her status or request a leave extension despite the Company's correspondence requesting such information, the team member may be deemed to have resigned.