

Effective Dates:

Cox Communications & Cox Enterprises: June 1, 2021; **Updated:** May 31, 2023

Cox Automotive: July 1, 2021; **Updated:** May 31, 2023

I. What This Is

Cox provides eligible employees short-term disability benefits to assist in loss of income if they become disabled, as defined by this Short-Term Disability Policy. Cox has partnered with a Third-Party Administrator (TPA) to administer this policy. Please review all applicable policies and terms carefully.

II. Who This Is For

Active Service: An employee will be considered in active service with Cox on a regularly scheduled workday if the employee performs all regular work on a full-time basis, either at one of Cox's locations, remotely, or at some location to which business travel is required. Employees also will be deemed inactive service on a day that is not a regularly scheduled workday only if the employee was active on the preceding scheduled workday. If you are on an approved company leave you also will be considered active.

Benefit Waiting Period: A benefit waiting period will be applied during the first seven (7) calendar days an employee is disabled by a non-work related illness or injury. Employees will be required to use any accrued and unused PTO or Wellness time during this Benefit Waiting Period:

- **Exempt Employees:** Exempt employees are required to use 40 hours of Paid Wellness time in accordance with the Paid Wellness policy. If Paid Wellness time is not available, the time will be unpaid.
- **Non-Exempt Employees:** Non-exempt employees are required to use 40 hours of accrued Paid Time Off (PTO) time in accordance with the PTO policy. If PTO is not available, the time will be unpaid.

Appropriate Care and Treatment: medical care and treatment is being provided by appropriate licensed medical professionals/clinical specialty; consistent with physician's diagnosis of disability; consistent in type, frequency and duration with relevant guidelines; intended to maximize medical and functional improvement.

Disability:

Total Disability, which is required to receive benefits under this policy exists when an employee is:

- Disabled by a non-work-related sickness or injury that prevents the employee from performing the material duties of regular and customary work for a continuous period greater than seven (7) calendar days.
- Receiving Appropriate Care and Treatment and complying with the requirements of such treatment.
- Unemployed during the disability period and not working in any other occupation.
- Maternity claims will be approved and paid for 8 weeks regardless of delivery type. Pre- and Post-partum complications, if approved by the TPA, may extend the benefit period.

Successive Periods of Disability

- A disability due to the same or related causes and separated by 60 calendar days or less of full-time work will be considered the same period of disability and is not subject to an additional waiting period.
- A new disability due to a cause or diagnosis different from that of any prior disability will be considered a new claim and is subject to an additional benefit waiting period.
- Any employee who applies for and/or obtains any type of leave of absence by falsifying or willfully misrepresenting his/her reason for the leave may be subject to discharge for misconduct.

Pre-disability Earnings: gross wages you were earning on your last day of active work before your disability began. Pay/Merit increase decisions made while an employee is on leave go into effect as of the date the employee returns to active work.

Unless otherwise required by applicable law, payment of STD will be based upon your base salary or base hourly rate, plus target commission (if paid on a commission basis) multiplied by the average hours scheduled. Employees paid on a piece rate or flag hour basis will be paid STD based on the average scheduled hours multiplied by the effective hourly rate derived from the prior year W-2 Box 5 earnings, if hired on or before January 1 of the prior year; otherwise, payment will be based on training pay. Hours or pay for STD will not be taken into account for any overtime calculations.

III. How It Works

Employee Eligibility

- All individuals classified by Cox as regular full-time employees who have completed 6 months of service. Non-permanent employees (e.g. contractor or agency-provided) are not eligible for short-term disability benefits.
- If an employee is not active on the date that participation would otherwise become effective, it will become effective on the date the employee returns to active service.
- The TPA in conjunction with Cox and in compliance with this policy makes the final decision regarding an employee's eligibility.
- All approved short-term disability will run concurrently with Family and Medical Leave (FMLA) and any other state leave or disability mandates, unless prohibited by law.
- If you are rehired into a benefits-eligible position within 1 month of the date your insurance ended/employment separated, you will not have to complete a new 6 month service period.

Filing for Benefits

- An employee should initiate a request for short-term disability if either the employee or the employee's licensed medical provider believes the disability will last more than three calendar days. Employees are required to provide notification to Cox at least 30-days prior to elective surgery or a known upcoming disability (e.g. childbirth). In the event of an unforeseen sickness/injury, employees are required to contact the TPA as soon as possible and, if able to do so, no later than seven (7) calendar days from the first day absent. Failure to do so will result in denied claim, and no benefit may be payable.
- To substantiate a disability, all necessary medical information which the employee wishes to rely upon must be submitted to the TPA within the time period specified. Failure to do so will result in a denied claim, and no benefit may be payable.
- Approval is based on objective medical evaluation by the TPA of all documentation provided in accordance with this policy. The TPA will notify the employee, the employee's supervisor or manager, and Employee Service Center (ESC) of the claim decision.

- Fees for Completing Forms or Furnishing Medical Records: It is the employee’s responsibility to pay any fees charged by their medical provider to complete required forms or furnish medical records. Delays may result in missed deadlines. Failure to meet required deadlines will result in a denied claim and no benefits may be payable.

Commencement and Duration of Benefits:

- Employees will retain access to [Workday](#) for updates of personal data, leave of absence, benefit updates, and paycheck reviews. This access should not be used to engage in and/or complete any work while on leave and will be audited. Access to other business systems will be disabled.
- Employees are required to advise the TPA regarding any changes in their disability leave or return to work status.
- Extensions: If an employee is unable to return to work at the end of an approved disability period, the employee must contact the TPA to request an extension as soon as feasible and prior to, but not later than, the last day of the approved disability period. The employee’s licensed medical provider must provide sufficient medical information to the TPA within 14 calendar days from the date the extension is requested. If the employee’s leave no longer qualifies under the STD policy, the employee may also request to extend his/her leave through the reasonable accommodation process.
- Employees must provide any applicable documentation mandated by Cox or the TPA for release to return to work at least 72 hours before work access and reinstatement can occur.

Disability Pay:

Payment of disability benefits will begin after the seven (7) calendar day benefit waiting period is satisfied and approval is given by the TPA. Any disability benefits that are payable will be processed on the next regularly scheduled payroll. At no time will total pay exceed 100% of an employee’s base salary or hourly pay rate.

Paid short-term disability benefits will be offset, subject to applicable laws, by:

- Any state mandates or voluntary temporary disability benefits.
- Any wage replacement benefits of any kind and/or settlements

Short-Term Disability Benefit Weeks Payable	
Benefit Service*	Eligible Paid Benefit Weeks (After Waiting Period)
At least 6 months, but less than 12 months	60% of Your Pre-disability Regular Earnings for earlier of 26 weeks or end of Disability**
12 months or more	100% of Your Pre-disability Regular Earnings for the first 12 weeks and 65% of Your Pre-disability Regular Earnings for the 13 th through 26 th weeks provided no benefit shall be provided after end of Disability**
Minimum weekly benefit: none	

*Benefit service starts from the date of hire of an employee into full-time employment with Cox. Note: If a benefit service date occurs during the disability period, the employee must return to active service to be eligible for any additional weeks of paid disability benefit.

** Employees who are eligible to receive 60% or 65% of the STD benefit may use their accrued and unused PTO (for non-exempt employees) or Wellness time (for exempt employees) to supplement their earnings, not to exceed 100% of pay. Employees who elect not to supplement their benefit with PTO must opt-out within 10 days of initiating the leave.

Recovery of Overpayments

If disability benefits are overpaid, Cox has the right to recover the amount overpaid by any of the following methods:

- 1) A deduction of the overpaid amount from any future disability payments.
- 2) A lump sum repayment of the overpaid amount by the employee.
- 3) A signed agreement by the employee to deduct the overpayment from income.

If an employee has taken PTO in excess of accrual, this will be considered an advance on salary and reimbursement to Cox is required at termination.

Maximum Duration of Benefits

The maximum disability period under this policy is 26 weeks. The first week is subject to the 7-day benefit waiting period. The STD plan provides up to 25 additional weeks of benefit subject to TPA approval.

The end of an employee's Disability which will cease benefit payments will occur on the earliest of the following dates:

- A. The date you decline to undergo an Independent Medical Examination (IME) and/or a second opinion.
- B. The date you are no longer under the regular and continuous care and treatment of a licensed medical provider.
- C. The earlier of the date your employment is separated or your approved disability period ends.
- D. The date you return to work in any occupation.
- E. The date you fail to comply with all plan requirements.
- F. The date the plan ends.
- G. The date you are no longer an eligible employee.
- H. The date you retire.
- I. Death.

Return to Work (RTW)

An employee must immediately notify the TPA and ESC of any changes in the return to work (RTW) date or leave status. An employee's failure to report to work on the first scheduled workday following an approved leave may constitute voluntary resignation.

When an employee is released to full return to work after a period of total disability, they must:

- 1) Obtain a return to work (RTW) note from their licensed medical provider(s) providing a full release or detailing any remaining medical restrictions and the length of time they will apply.
- 2) The return to work note must be provided to the Employee Service Center (ESC) 72 hours prior to returning to work. Failure to do so may result in a delayed return to work and risk of unpaid time.
- 3) Any restrictions outlined will be treated as a separate accommodation request; the original leave request will be closed if no extensions are outlined by a licensed medical provider.

Other Policy Provisions:

Independent Medical Examiner (IME)/Second Opinion:

Cox and/or the TPA have the right to have an employee examined by a licensed medical provider of its choice. The examination, called an Independent Medical Examination (IME) and/or second opinion, will be at Cox's expense. The TPA will notify the employee of the IME/second opinion and provide the licensed medical provider's name, address, phone number, date, and time of the appointment. The TPA will provide sufficient notice so that the employee can arrange for a copy of their medical records to be sent to the licensed medical provider conducting the IME/second opinion approximately three (3) days ahead of the appointment. Cox's determination based on the results of the IME will be binding. A copy of the IME report or results of the second opinion will be sent to the employee by the TPA. Failure to submit to an IME or second opinion will result in the stoppage of your disability benefit.

Denied Benefits:

If a short-term disability benefits claim is not approved, employee must immediately return to work or contact their Employee Service Center (ESC) to review other possible leave options available, including a reasonable accommodation. If an employee is not on an approved leave, time away from work will be subject to the Attendance Policy. Failure to report to work immediately following a leave denial may be considered voluntarily resignation.

Appeals:

If the TPA denies your claim, you may appeal the decision. Upon your written request, the TPA will provide you with copies of documents, records and other information relevant free of charge to your claim. You must submit your appeal to the TPA at the address indicated on the claim form within 180 days of receiving the TPA's decision. Appeals must be in writing and must include at least the following information:

- Employee Name.
- Name of This Program.
- Reference to the initial decision.
- An explanation why you are appealing the initial determination.

As part of your appeal, you may submit any written comments, documents, records, or other information relating to your claim.

Exclusions:

No Benefits Payable:

- For any fraudulent claim or any disability which is not supported by appropriate care and a form from a licensed medical provider (as defined in Section II above) that contains a diagnosis and diagnostic code prescribed in the International Classification of Diseases, or where no diagnosis has been obtained, a detailed statement of symptoms. Such certificate must also contain a Statement of Medical Facts including secondary diagnoses when applicable, within the physician's knowledge, based on physical examination and a documented medical history of the claimant by the physician indicating his or her conclusion as the claimant's disability, and a statement of his or her opinion as to the expected duration of the disability and a return to work date.
- For a sickness or injury due to war or any act of war, declared or undeclared or insurrection.
- For injury or sickness that is work-related or covered under Workers Compensation or similar law.
- For any period of disability for which money is paid or payable from any other source.
- For plastic surgery, reconstructive surgery, cosmetic surgery, or other services and supplies which improve, alter, or enhance appearance, whether or not for psychological or emotional reasons. This exclusion does not encompass disability related to certain non-cosmetic Gender Confirmation Surgery

and Gender Dysphoria procedures that are deemed medically necessary.

- For absences in connection with or related to any procedure that Cox considers to be elective.
- For any period of disability for which benefits are paid or payable under any Unemployment Compensation Act.
- When an employee works (for pay or as a volunteer), solicits, or accepts other employment while on any leave, including self-employment.
- For a sickness or injury caused by participation in a crime.
- For all sickness or injury for which you are not under appropriate care (as defined in Section II above) and following a prescribed course of treatment.
- When employee is unable to perform regular or customary work and not totally disabled, but employee was offered alternative employment with Cox and declined the alternative employment offer.
- When employee is incarcerated in any Federal, State, or local penal institution, jail, medical, facility, public or private hospital, or in any other place because of an arrest for breaking a Federal, State, or Municipal law or ordinance.
- When TPA does not receive all requested information by the date specified and employee's claim is denied.
- When receiving other paid wage replacement benefits and/or settlements.
- When an employee is under investigation or suspension for violation of policy or misconduct.

IV. Questions

We realize you may have questions if you're thinking a Leave of Absence might be the right option for you. Feel free to contact your Employee Service Center (ESC) or HR business partner for clarification.

- Cox Enterprises: CEIHRServices@coxinc.com
- Cox Communications: coxone.cox.com/myHR or 877-290-myHR (6947)
- Cox Automotive: <https://coxauto.service-now.com/ess/>, esc@coxautoinc.com, or 855-449-0010

V. Changes, Compliance and Enforcement of this Policy

Cox reserves the right to change this policy at any time in any way, with or without notice. A violation of this policy may result in disciplinary action, up to and including separation from employment.