

**ATTENDANCE POLICY –
and Michigan Salaried Non-Exempt**

Policy: HR-021	Page 1 of 3
Original Issue Date: 3/29/2019	Rev. Date: Rev. Letter:

1.0 Purpose: Attendance is essential to your job responsibilities and an important element of your overall performance. However, BorgWarner recognizes that, from time to time, it may be necessary for you to be absent from work. You and your supervisor can determine how best to manage your missed time. You should, however, provide your supervisor with as much advance notice as possible, speak directly with your supervisor, or have someone call on your behalf if you are incapacitated. Subject to the below and applicable laws, frequently reporting late to work, leaving work early, and excessive absenteeism can lead to serious performance problems and may result in disciplinary action, up to and including termination of employment.

2.0 Scope: Regular, full-time employees, who are salaried, non-exempt and working in Michigan (“Employee”), may take 40 hours of paid time off during a Benefit Year for the below reasons (“Sick and Safe Time”).

- a) *Unused Time:* Unused time granted under this policy does not carry over from one year to the following year. Unused time under this policy is not paid out at separation from employment.

3.0 Documentation: Employees taking time off work may be requested by Human Resources to provide documentation. If requested, employees have up to 3 days to provide any required documentation in support of their paid time off.

4.0 Definitions:

- a) Family Member: For purposes of Sick and Safe Time only, the term “family member” includes the following:
- Child: biological, adopted, foster, step, legal ward, or for whom the employee stands in loco parentis
 - Parent: biological, foster, step, an adoptive, or legal guardian of the employee; or, a person who stood in loco parentis when the employee was a minor child
 - Spouse: defined as legally married under the laws of any state
 - Extended family: grandparents; grandchildren; biological, foster, and adopted siblings
- b) Benefit Year: The benefit year for Sick and Safe Time is from January 1 through December 31. Consistent with the vacation policy, time is frontloaded at the beginning of the benefit year.
- c) Increments: Employees may take time for Sick and Safe Time in ½ day increments (i.e. 4 hours).

**ATTENDANCE POLICY –
Michigan Salaried Non-Exempt**

Policy: HR-021	Page 2 of 3
Original Issue Date: 3/29/2019	Rev. Date: Rev. Letter:

5.0 Policy: Use of an employee's annual vacation is not required, but other pay replacement may apply, such as short-term disability, for the following reasons:

- a) *Employee's Own Sickness:* The employee takes time for his/her own mental or physical illness, injury, or health condition, medical diagnosis, care, or treatment or preventive medical care.
- b) *Employee has a Communicable Disease:* Where the employee is determined to be at risk to others due to exposure to a communicable disease by health authorities or a health care provider.
- c) *Employee is a Victim of Domestic Violence or Sexual Assault:* Where the employee is the victim of domestic violence or sexual assault and the employee and needs:
 1. medical care, psychological or counseling
 2. to receive services from a victim's services organization
 3. relocation
 4. to obtain legal services, or participate in a civil or criminal proceeding related to or resulting from the domestic violence or sexual assaultuse of vacation is not required.
- d) *Closure of the Employee's Workplace:* Where the employee's primary workplace has been closed by order of a public official due to a public health emergency.

Use of annual vacation may apply for the following reasons:

- a) *Employee's Family Member's Sickness:* The employee takes time off for the employee's family member's mental or physical illness, injury, or health condition, medical diagnosis, care, or treatment or preventative medical care.
- b) *Employee's Family Member Has a Communicable Disease:* Where the employee's family is determined to be at risk to others due to exposure to a communicable disease by health authorities or a health care provider.
- c) *Employee's Family Member is a Victim of Domestic Violence or Sexual Assault:* Where the family member is the victim of domestic violence or sexual assault and the family member needs:
 1. medical care, psychological or counseling
 2. to receive services from a victim's services organization
 3. relocation
 4. to obtain legal services, or participate in a civil or criminal proceeding related to or resulting from the domestic violence or sexual assault.
- d) *Closures Ordered by a Public Official at Work or Child's School:* Where the employee must care for a child whose school or place of care has been closed by order of a public official due to a public health emergency.

**ATTENDANCE POLICY –
Michigan Salaried Non-Exempt**

Policy: HR-021	Page 3 of 3
Original Issue Date: 3/29/2019	Rev. Date: Rev. Letter:

New Hires: For employees in their first year of employment, employees may use a prorated amount of their vacation time for Sick and Safe Time, where required, during their initial calendar year of employment. For example, an employee hired six months into the benefit year would be eligible to use 20 hours of paid time off (using vacation) for the above reasons during the first benefit year.

6.0 Notice and Procedure: Employees taking time for the Sick and Safe Time should notify their immediate supervisor before the start of their scheduled work day and advise the following: (1) whether Sick or Safe Time applies and which reason specific above (2) how much time will be taken and (3) the expected return to work date.

7.0 Other Leaves and Benefits: Where applicable, the Sick and Safe Time will run concurrent with other leaves or pay replacements, including but not limited to Family and Medical Leave (“FMLA”), workers’ compensation, and short-term disability. For example, when an employee’s absences exceed 5 or more consecutive days of work due to a serious medical condition, the Employee may qualify for BorgWarner’s U.S. Short-Term Disability - Income Continuation Policy (“STD Policy”). Employees will also be required to apply for FMLA and STD if s/he has a serious health condition (as defined under the FMLA) when such conditions requires the Employee to miss 5 or more consecutive days of work. See FMLA Policy - LEG-042 Family & Medical Leave.

Employees, however, do not have to wait to apply for FMLA and are encouraged to apply for FMLA as soon as you anticipate you need leave due to a serious health condition of your own or a qualifying family member as defined under the FMLA. For specific information FMLA qualifying reasons, please see the Company’s FMLA Policy

For more information regarding this Policy, please contact Human Resources.

This Policy has been developed to comply with the requirements of the Michigan Paid Medical Leave Act PA 369 of 2018. Should this policy conflict with the Act, the Act shall be deemed controlling. The Company also retains all rights under the Act even though they may not be outlined in this policy. Nothing contained in this policy shall be construed to create greater rights or benefits than provided by the Act.

APPROVALS

Policy Committee

Corporate

REVISION HISTORY
