FAMILY AND MEDICAL LEAVE

Note: Each state may have its own FMLA laws that differ from the federal law. This policy describes only the federal requirements. See your HR Business Partner for any specific requirements of your state.

California residents: Please refer to the California Addendum for specific guidelines for employees residing in California, which may differ from those listed here.

Under the federal Family and Medical Leave Act (FMLA), Nielsen provides:

1. Up to a total of 12 weeks of unpaid leave during a rolling 12-month period if you are unable to work because of your own serious health condition, whether or not work-related, or you need to care for:
   - A newborn child
   - A child who has been placed with you for adoption or foster care
   - A parent, spouse, or child with a serious health condition

2. Up to a total of 12 weeks of unpaid leave during a rolling 12-month period if you are unable to work because of any qualifying exigency arising from the fact that your spouse, child, or parent is under a call or order to covered active duty in a foreign country (or has been notified of an impending call or order to such covered active duty) as a member of a regular component of the Armed Forces, the National Guard or Reserve or as a retired member of the Regular Armed Forces or Reserve ("Qualified Exigency Family Leave"). A “qualified exigency” is defined to include (1) short-notice deployment; (2) military events and related activities; (3) childcare and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; and (8) additional activities where Nielsen and you agree to the leave.

3. Up to a total of 26 weeks of unpaid leave in a single 12-month period to care for a Covered Service member ("Service member Family Leave"). A “Covered Service member” is a current member of the Armed Forces, National Guard, or Reserves who is undergoing medical treatment, recuperation, or therapy, or otherwise in outpatient status or on the temporary disability retired list for a serious injury or illness incurred in, or aggravated by, service in the line of duty in active duty. "Covered Service member" also includes a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness incurred in, or aggravated by, service in the line of duty in active duty, and who was a member of the Armed Forces, National Guard, or Reserves at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

In order to take leave to care for a Covered Service member, an eligible employee must be the spouse, son, daughter, parent, or next of kin of the Covered Service member. Service member Family Leave is available during a single 12-month period during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave. A husband and wife working for Nielsen are entitled to a combined total of 26 weeks of Service member Leave.
Important Note: Certain states have family leave laws that must be coordinated with FMLA. State FMLA laws may have different eligibility requirements, may cover other circumstances for leave, and/or may provide a greater maximum period of family and medical leave time than the 12 weeks provided under federal law. See your local Human Resources Business Partner for any additional requirements that may apply to your particular state.

ELIGIBILITY

Employees are eligible for family or medical leave if they have worked for Nielsen for at least 12 months and have worked at least 1,250 hours of service during the 12 months immediately preceding their request for family or medical leave. Further, to be eligible, employees must work at a work site where Nielsen employs at least 50 employees either at that site or within 75 miles of that site.

If, however, you have had a break in service with Nielsen that lasted for more than seven years, that prior service will not be counted for purposes of determining your FMLA eligibility, except if the break in service was due to National Guard or Reserve military service or if there was a written agreement in place at the time of the break in service that Nielsen would rehire you after the break.

FAMILY LEAVE

Up to 12 weeks of family leave is available to eligible employees for birth, or placement of a child with an employee for adoption or foster care. However, this leave must be completed within 12 months after the birth or placement of child. Family leave is also available to eligible employees if they are needed to provide physical or psychological care for their child, spouse, or parent (excluding in-laws) with a serious health condition.

A serious health condition is defined as an illness, injury, impairment, or physical or mental condition involving either:

- Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with such inpatient care, or
- Continuing treatment by a health care provider.

A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

- A period of incapacity (the inability to work, attend school or perform other regular daily activities) of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves: (1) treatment two or more times, within 30 days of the first day of incapacity (unless extenuating circumstances exist) by a health care provider or under orders of a health care provider; or (2) treatment by a health care provider on at least one occasion that results in a regimen of continuing treatment under the supervision of the health care provider.
- Any period of incapacity due to pregnancy, or for prenatal care.
- Any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.). For purposes of establishing a chronic serious health condition, there must normally be at least two visits to a health care provider each year.
- A period of incapacity that is permanent or long term due to a condition for which treatment may not be effective (e.g., Alzheimer's, a severe stroke, terminal disease, etc.).
• Any absences to receive multiple treatments (including any period of recovery that follows) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated, such as cancer (chemotherapy, radiation); severe arthritis (physical therapy); or kidney disease (dialysis).

EMPLOYEE MEDICAL LEAVE

Under the FMLA, up to 12 weeks of unpaid medical leave is provided to eligible employees to care for their own serious health condition that makes them unable to perform the functions of their position.

Short-Term Disability (STD) benefits provide income replacement during approved periods of an employee’s disability. STD benefits are payable for a maximum of 26 weeks.

The benefit that an employee receives is based on years of service, as indicated below:

<table>
<thead>
<tr>
<th>YEARS OF SERVICE</th>
<th>WEEKS AT 100%</th>
<th>WEEKS AT 70%</th>
</tr>
</thead>
<tbody>
<tr>
<td>90 days up to 2 years</td>
<td>6 weeks</td>
<td>20 weeks</td>
</tr>
<tr>
<td>2 years to 9 years</td>
<td>8 weeks</td>
<td>18 weeks</td>
</tr>
<tr>
<td>10 or more years</td>
<td>26 weeks</td>
<td>N/A</td>
</tr>
</tbody>
</table>

If an employee applies for and is eligible for STD and is also eligible for FMLA, the time during which the employee is on STD will count toward their FMLA leave time. Once STD benefits are exhausted, if an employee is eligible for Long-Term Disability (LTD) benefits, the time on LTD will also count toward their FMLA leave time. For more information on the STD or LTD plans and how to file a claim, please contact your Human Resources Business Partner.

If an employee’s serious health condition is due to a work-related injury or illness, the employee may be eligible for Workers’ Compensation benefits. The time during which an employee is out of work on Workers’ Compensation likewise will count toward their FMLA leave time.

AMOUNT OF LEAVE

During any rolling 12-month period, an employee may take up to 12 workweeks of family and medical leave in total or in a single 12-month period an employee may take up to 26 weeks of leave in total for qualified Service member Family Leave.

Before going on leave, the employee must give his/her manager at least 30 days’, written notice of the need for leave and the anticipated start date of the leave. If the need for leave is unforeseen, an employee must provide as much notice as feasible, after the employee becomes aware of the situation giving rise to the need for leave. An employee who wishes to request a leave of absence should complete a “Request for Leave” form, available from your supervisor or from your Human Resources Business Partner.

For planned medical procedures, the employee must make a reasonable effort to schedule the leave so as not to unduly disrupt company operations. FMLA leave for the employee’s own serious health condition or to care for a family member with a serious health condition may be taken on an intermittent or reduced-schedule basis if medically necessary. Please refer to the following section of this policy for further details on intermittent or reduced-schedule leave.
A husband and wife who are both employed by Nielsen requesting leave for the birth or adoption of a child, for the placement of a foster child, or to care for a parent with a serious health condition may take only a combined total of 12 weeks of family and medical leave during any 12-month period. This limitation does not apply to leave taken by either spouse to care for the other who is seriously ill, to care for a child with a serious health condition, or for the employee’s own serious illness.

The period of absence for an employee’s sick leave, Short Term or Long-Term Disability medical leave, and Workers’ Compensation leave will run concurrently with the period of leave as defined by the FMLA. In other words, receipt of paid sick time, disability benefits (whether short-term or long-term), or Workers’ Compensation benefits does not extend the maximum amount of leave time to which an employee is eligible under the FMLA.

INTERMITTENT OR REDUCED-SCHEDULE (PART-TIME) LEAVE

FMLA leaves taken for your own serious health condition or for you to care for a family member with a serious health condition (including Service member Family Leave) may be taken on an intermittent or reduced-schedule (part-time) basis, provided that the certifying physician substantiates the necessity for this work schedule. Qualified Exigency Family Leave may also be taken on an intermittent or reduced-schedule basis if the circumstances so warrant. However, leave requested due to the birth or placement of a child for adoption or foster care may be taken on an intermittent or reduced-schedule basis only if both you and Nielsen agree.

If you request intermittent or reduced schedule leave and the need for leave was foreseeable, you may be required to transfer temporarily to an available alternative position that better accommodates such a leave schedule.

CERTIFICATIONS

If leave is requested for an employee’s own serious health condition, or to care for a family member (including Covered Service members) with a serious health condition, the employee shall be required to submit a certification of a health care provider to support the request for leave. For Covered Service members, Nielsen will also accept either an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) in lieu of a health care provider’s certification. If an employee requests a Qualified Exigency Family Leave, the employee shall be required to submit a certification form to support the request for leave, including written documentation concerning the covered military member’s covered active duty or call to such active duty.

Depending on the circumstances and length of a leave requested (including any requested extensions), an employee may be required to provide periodic updated medical certifications or re-certifications.

Certification forms are available from your Human Resources Business Partner. Failure to submit a timely and complete certification may result in a delay or denial of an employee’s request for leave.
PAID VS. UNPAID FAMILY AND MEDICAL LEAVE

The federal Family and Medical Leave Act (FMLA) provides for leave on an unpaid basis. Nielsen employees, however, must utilize accrued vacation time for any unpaid part of the 12 or 26 weeks of leave. Additionally, accrued paid sick time, Short-Term or Long-Term Disability benefits or Workers’ Compensation benefits may provide income replacement during an employee’s own serious illness.

Employees may use personal time (with manager approval) or vacation time that has not been accrued, since “borrowing” vacation time is permissible during an unpaid leave. If a terminating employee has “borrowed” more days than accrued, he/she owes the company the equivalent dollar amount for the difference between the amount of vacation time accrued and the amount taken. To the extent permitted by law, the company automatically deducts this amount from the employee’s last check, or requires the employee to repay the difference. (Please see the Vacation Time at Termination section for more details).

In order to substitute personal paid time off for unpaid FMLA leave, employees must comply with any applicable terms and conditions regarding such paid time off (including call-in or other notification requirements). An employee who does not meet the terms and conditions of the paid leave nevertheless remains eligible for unpaid FMLA leave.

CONTINUATION OF BENEFITS FOR LEAVES UNDER THE FMLA

During FMLA leave, the employee remains enrolled in all current benefits. The employee is responsible for his/her portion of the benefit premiums during both the paid and unpaid portions of any leave. These premiums may be deducted from the employee’s paycheck during paid leaves. If an employee is on unpaid leave, the employee must make arrangements to continue paying their portion of the benefit premiums. Nielsen will not pay the employee’s portion of benefit premiums while the employee is on unpaid leave.

If an employee on leave fails to pay his or her portion of benefits premiums in a timely fashion, benefits may be terminated. The employee’s benefits will be reinstated upon their return to active employment with Nielsen if the employee so elects.

If an employee does not return to work following FMLA leave for a reason other than: (1) the continuation, occurrence, or onset of a serious health condition which would entitle you to FMLA leave; or (2) other circumstances beyond your control, the employee may be required to reimburse Nielsen for its share of health insurance premiums paid on the employee’s behalf during the FMLA leave.

401(k) contributions and matches will be suspended during an unpaid leave. Employees who have an outstanding 401(k) loan balance may either pay their loan in full or receive a monthly repayment loan coupon booklet from Fidelity to keep their loan payments up to date. If loan payments are not repaid, the outstanding loan balance would qualify as a taxable distribution.

During the time an employee is on unpaid leave, the employee will not earn vacation, sick days or personal days. Upon the employee’s return to active, full-time status, the employee will begin accruing vacation and other paid time off at the appropriate earning level.

Bonuses, awards, or other payments based on the achievement of a specific goal, such as perfect attendance, may be denied if the employee has not met the goal due to FMLA leave.
TEMPORARILY CEASING BENEFITS DURING FMLA LEAVE

An employee may elect not to continue any or all medical coverage during an unpaid FMLA leave. Upon return to work, the employee may be reinstated in any or all plans if the employee so elects, without an approved statement of health.

RETURN TO WORK

An employee who returns to work at the end of an authorized medical or family leave and whose accumulated family and medical leave did not exceed 12 weeks (or 26 weeks in the case of Service member Family Leave) during a rolling 12-month period will be restored to either the position held at the commencement of leave or an equivalent position with the same pay, benefits, working conditions, and responsibility—and to the same or geographically proximate work site except as permitted by the Family and Medical Leave Act (FMLA). However, an employee returning from a family and medical leave has no greater right to reinstatement than if the employee had been employed continuously, rather than on leave.

If an employee accepts a light-duty assignment while still eligible for FMLA leave, the employee has reinstatement rights to his or her original (or equivalent) job, but only until the end of the maximum FMLA period.

If an employee’s leave was related to his or her own serious health condition (including a maternity-related disability), the employee must provide a doctor’s note, before his or her actual return to work date, certifying that the employee is able to return. The employee is expected to contact his or her manager before returning to work to advise the manager of the anticipated return date.

An employee who does not return to work at the end of an authorized medical or family leave is subject to disciplinary action, up to and including termination of employment. An employee who has exhausted their FMLA leave time may apply for additional leave under Nielsen’s policy concerning personal leaves of absence, but approval of any such leave is at the sole discretion of Nielsen. Further, even if additional leave time is authorized, the employee does not have job restoration rights and re-employment at the end of a personal leave of absence is not guaranteed.

Note: Some states have family and medical leave laws that must be coordinated with the FMLA. State FMLA laws may have different eligibility requirements, may cover other circumstances for leave, and/or may provide a greater maximum period of family and medical leave time than the 12 weeks provided under federal law. See your Human Resources Business Partner for any additional requirements that may apply to your particular state.