

## **Brown & Brown Short-Term Income Replacement**

Benefit Summary April 1, 2023

Brown & Brown, Inc. and/or its subsidiaries (collectively and in each instance, the “Company”), provides a Short-Term Income Replacement (“Income Replacement”) benefit at no cost to an eligible Employee if the Employee is unable to work for at least 5 consecutive work days due to his/her own non-work related illness, injury, or disability. This Summary sets forth the eligibility requirements and scope of this benefit, and to the extent that there is a conflict between this document and information provided in the Employee Handbook, the provisions of this document shall control.

### **Eligibility**

Employees who work at least thirty (30) hours per week are eligible for this benefit. New Employees become eligible for this benefit on the 1st day of the month following thirty (30) days of employment.

Employees requesting Income Replacement must provide the Clinical Advisor appropriate documentation for their review, evaluation and clinical approval, pursuant to the Clinical Advisor's guidelines.

Income Replacement will end if the Employee fails to provide any additional information requested by the Clinical Advisor.

### **Periods of Disability – Two Types**

#### Continuous Absence

A period of disability may be approved if the Employee will be away from work due to a disability as determined by the Clinical Advisor, for at least 5 consecutive work days, due to his/her own non-work-related illness, injury, or disability.

OR

#### Intermittent Absence

If the disabling condition results in intermittent or reduced schedule absences, as defined by the Family Medical Leave Act, and;

- Absences are more than 25% of the Employee's regular work schedule in a given workweek, and;
- Absences occur during a period of disability approved by the Clinical Advisor, and;
- Are due to his/her own non-work-related illness, injury, or disability.

The Employee may qualify for this benefit, subject to the requirement of the clinical review process, for Income Replacement during the approved disability period.

Short Term Income Replacement may supplement any amount the Employee receives, or is eligible to receive, under any State disability income law or other benefit. The combination of any such amounts, inclusive of Short Term Income Replacement, shall not exceed 75% or 100% of base wages as described in the “Calculation of Short Term Income Replacement Benefit” section of this document.

If the disabling condition results in intermittent or reduced absences, as defined by the Family Medical Leave Act, totaling 25% or less of the Employee's work schedule in a given workweek, during a period of disability, due to his/her own non-work related illness, injury, or disability, the Employee will not qualify for this Income Replacement benefit. Intermittent leave is addressed in the Brown & Brown Employee Handbook in the section titled "Time Away from Work".

### **Waiting Period**

As of January 1, 2018, Short Term Income Replacement is available following a fourteen (14) calendar day waiting period for Non-Exempt Employees.

Notwithstanding, all Employees are subject to the requirement of the clinical review process for Short Term Income Replacement or commissions during a period of disability.

### **Disability Period and Maximum Benefit Period**

The disability period will begin with the first date the Employee is away from work due to the disabling condition and may continue for a maximum benefit period of 90 calendar days subject to clinical approval by the Clinical Advisor.

### **Recurrent Disability and Timeframe**

"Recurrent Disability" means a disability caused by an illness, injury, or condition which is the same as, or related to, the cause of a disability for which clinical approval was previously provided, and a claim for a Recurrent Disability is subject to a new clinical approval by the Clinical Advisor. Recurrent Disability in states with statutory disability rules will conform to the respective state's timeline for Recurrent Disability.

- (1) A Recurrent Disability will be treated as a new period of disability, subject to a new waiting period and a new maximum benefit period, if the employee:
  - (a) has returned to their own occupation; and
  - (b) has worked their regular schedule, for 181 days or more, since their return.
  
- (2) A Recurrent Disability will be treated as part of the prior disability, if the employee:
  - (a) has returned to their own occupation; and
  - (b) has worked their regular schedule, for 180 days or less, since their return.

If a different disability, other than a Recurrent Disability, occurs during a disability period a new waiting period and a new maximum benefit period will apply, subject to clinical approval by the Clinical Advisor.

### **Requesting Leave and Approval**

Employees should notify their Team Leader or the Team Resources representative in their Profit Center of all requests for time away from work. Income Replacement will be granted only upon clinical approval from the Company's Clinical Advisor by calling the number on the appropriate flyer.

## **Base Wages**

Base wages income shall refer to the Employee's base wages immediately prior to the disability period.

### Non-Exempt Positions:

Regular rate of pay multiplied by regularly scheduled weekly hours

### Exempt Positions:

Base bi-weekly rate of pay

Base wages do not include commissions, bonuses, incentives or overtime. For the purpose of this Income Replacement benefit, commissions are considered separately from base wages and are addressed in the sections below.

## **Calculation of Short Term Income Replacement Benefit**

Subject to the Employee opening a disability claim with the Clinical Advisor, an eligible Employee may receive:

### Non-Exempt Positions:

- Employees must use any accrued hours during the 14-day waiting period, thereby allowing Employees to receive up to 100% of the Employee's pre-disability income. Time would be used in the following order, STIR, PTO, Floating Holiday (full day).
- After the 14-day waiting period and through day 30 of the Disability Period, any remaining available banked hours may be used to supplement the 75% Income Replacement benefit thereby allowing Employees to receive 100% of pre-disability income for the first 30 days of the qualifying non-work-related injury, illness or disability.
- Thereafter, eligible Employees will receive the Short Term Income Replacement benefit which is the equivalent of up to 75% of their base wages for any period of time the Employee misses during their scheduled work time for their own qualifying non-work-related illness, injury or disability. Employee shall not be entitled to use any additional accrued time (including PTO or Floating Holiday) after 30 calendar days.

### Exempt Positions:

- Through day 30 of a Disability Period, Employee shall receive Short Term Income Replacement equivalent of up to 100% of their base wages for any period of time that the Employee has missed during their scheduled work time for their own qualifying non-work-related illness, injury or disability.
- After day 30 and through the disability Period, Employee shall receive Short Term Income Replacement equivalent of up to 75% of their base wages, inclusive of the amount the Employee receives, or is eligible to receive, under any State disability income law or other statutory benefit.

### Commission – Exempt or Non-Exempt:

During the Disability Period, Employee shall receive 100% of commissions for any period of time that the Employee has missed during their scheduled work time for their own qualifying non-work-related illness, injury or disability.

## **Generally**

For the benefits listed above (Non-Exempt and Exempt, excluding commission) short term income replacement for disability time (e.g. 75% or 100% of base wages) is calculated on a workweek basis.

At any time, the combination of amount(s) the Employee receives, or is eligible to receive, under any State Disability Income law or other benefit, inclusive of Income Replacement, shall not exceed 75% or 100% as described herein.

The above Short Term Income Replacement is subject to a maximum of ninety (90) calendar days (including the waiting period for Non-Exempt Employees).

This Short-Term Income Replacement benefit will terminate immediately if, for any reason, voluntarily or involuntarily, an individual's employment with the Company ends during this time period.

*(Revised 4/1/22)*