

A Guide to Gibson Dunn's Attorney Leave for the Birth of a Child, Adoption or Placement of a Foster Child

(U.S. Associates & Of Counsels)

Gibson Dunn appreciates the importance of family. Whether you are becoming a first-time parent or having another child, the Firm wants to help you enjoy this special time. Our attorney leave policy is one of the many programs we have in place to help our attorneys achieve meaningful work-life balance.

You have several leave options to consider when taking time off following the birth of a child, an adoption, or placement of a foster child. Although this information is meant as a guide, please reach out to Stacy Glover, Chief Human Resources Officer, to discuss your particular circumstances and for assistance in determining which leaves are right for you.

What types of leave are available?

The Firm has three maternity/paternity related leave options: 1. Pregnancy Disability Leave, 2. Family Leave, and 3. Primary Caregiver Leave. Subject to approval, you may also take an unpaid personal leave.

1. Pregnancy Disability Leave

The Pregnancy Disability Leave covers the period of time an expecting mother is considered to be disabled and unable to work due to pregnancy, childbirth or related medical condition.

When does the period of disability begin?

The date your disability begins will either be the date you deliver or the date your doctor indicates that you are disabled and unable to work as a result of your pregnancy or related medical condition. This may include time prior to birth and/or following date of delivery.

How much leave time is available under a Pregnancy Disability Leave?

Generally, the policy provides at least 8 weeks of pregnancy disability leave. If you are considered to be disabled for more than 8 weeks (for example, if you are placed on bed rest), the Firm will extend additional Pregnancy Disability Leave to you to cover the period of time that you are considered to be disabled. If you are considered to be disabled for less than 8 weeks, you are still entitled to a total of 8 weeks of pregnancy disability leave under the Firm's leave of absence policy.

Is Pregnancy Disability Leave paid?

Yes. You are eligible for up to 8 weeks of paid pregnancy disability leave, including time prior to birth (as long as you are considered to be disabled) and/or following delivery. The Firm will pay your regular salary less any California State Disability Insurance (“SDI”) benefits or voluntary short-term disability (“STD”) benefits (all other states) received. If you elect not to apply for SDI/STD benefits, or have not elected to participate in the Firm’s STD program, you will receive your regular salary less what the SDI/STD benefit would have been. If you are considered to be disabled for more than 8 weeks (for example, if you are placed on bed rest), the Firm will continue to pay your salary for up to 90 days or for the period of disability, whichever is shorter. If you are considered to be disabled for longer than 90 days, you may be eligible for long-term disability (“LTD”) benefits under the Firm’s LTD plan.

How and when do I enroll in Voluntary Short-Term Disability?

CA: Attorneys residing in the state of California participate in a mandated State Disability Insurance (“SDI”) program, so no enrollment is required.

DE, DA, DC, NY: You are eligible to enroll in the Firm’s voluntary short-term disability (“STD”) plan within your first 30 days of hire with Gibson Dunn. STD benefits are offered on a guaranteed issue basis if elected during this initial 30 day period. If you do not enroll in the voluntary STD program during your initial eligibility period, you may elect to enroll during any subsequent open enrollment period, which usually takes place each October with coverage becoming effective January 1 of the following year. It is important to note that if you elect to enroll in the voluntary short-term disability plan during an open enrollment period, STD coverage is subject to underwriting by the carrier and you will be required to complete a Statement of Health Form. Depending on your health situation, including pregnancy at the time of enrollment, the carrier may or may not approve coverage under the STD plan. Attorneys residing in the state of New York are also required to participate in a state-mandated Short Term Disability Plan, but may supplement this mandated coverage through the Firm’s Voluntary Short Term Disability Plan which is available to attorneys in all states other than California.

2. Family Leave

Family Leave offers both male and female attorneys up to 6 weeks of leave to care for a new baby, adopted child or child placed with you for foster care. The leave must be taken within 12 months of the baby’s birth or placement, and it may be taken in two separate segments, but in no less than two-week increments.



Is Family Leave paid?

Yes. If you have been employed with the Firm for at least 12 months, as of the date of the baby's birth or placement with you, you are entitled to receive up to 6 weeks of paid family leave. The Firm will pay your regular salary during this leave. In California, all paid leave is subject to reduction for any California Paid Family Leave Benefits (regardless of whether you apply for them).

3. Primary Caregiver Leave

Primary Caregiver Leave is provided to the person who is considered to be the primary caregiver for the newborn baby, adopted child or foster child during normal working hours. You are entitled to take up to 4 weeks of primary caregiver leave. This leave is available to male and female associates and of counsel attorneys, and must be taken within 12 months of the baby's birth, adoption or placement.

Is Primary Caregiver Leave paid?

Yes. If you have been employed with the Firm for at least 12 months, as of the date of the baby's birth, adoption or placement with you, you are entitled to take up to 4 weeks of paid primary caregiver leave. The Firm will pay your regular salary during this leave.

What information is required to substantiate that I am the primary caregiver?

At this time, no documentation or information is required to substantiate that you are the primary caregiver.

What is the total period of paid family leave that I can take following the birth, placement or adoption of my child?

If you are a female attorney and are pregnant, and have been with the firm for at least 12 months as of the date of your baby's birth, you are entitled to take up to 18 weeks of paid leave for the birth of your child. This would be comprised of:

- 8 weeks of Pregnancy Disability Leave (although this could be longer depending on your individual circumstances);
- 6 weeks of Family Leave; and
- 4 weeks of Primary Caregiver Leave.



Fathers and adoptive or foster mothers who have been with the Firm for at least 12 months as of the date of birth, adoption, or placement of the child are entitled to 10 weeks of paid leave. This leave can begin no earlier than the date of birth, adoption, or placement of your child and is comprised of:

- 6 weeks of Family Leave; and
- 4 weeks of Primary Caregiver Leave.

What if I am not eligible for paid family or primary caregiver leave?

If you are not eligible for paid leave because you have been with the Firm for less than 12 months as of the baby's birth, placement or adoption, you have the option of taking unpaid family and primary caregiver leave to care for your child. The amount of time available for an unpaid leave will vary by state, but you can generally take up to 12 weeks of unpaid leave under the federal Family and Medical Leave Act.

Can I take unpaid leave following paid leave?

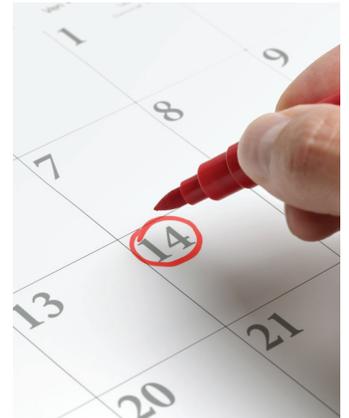
If you are eligible for paid leave and have taken it, the Firm may also approve additional unpaid time off for you to continue to care for your child. Personal leaves of 30 days or less may be approved by the partner(s)-in-charge of your office. The Management Committee must approve personal leaves of 30 days or more. Discuss your desire for a personal leave with Human Resources to help determine how best to submit your request.

What happens during my leave of absence?

While you are on an approved, paid leave of absence:

Billable Hours/Year-End Performance Bonus

- Your hours for the performance year will be annualized for any period of Pregnancy Disability, Family and/or Primary Caregiver Leave.
- Your year-end performance bonus will not be pro-rated for Pregnancy Disability Leave, Family and/or Primary Caregiver Leave relating to a new child for a leave of up to 18 weeks. Any leave in excess of 18 weeks will result in the pro-ration of your year-end performance bonus. (Note: The pro-ration factor for any performance bonus received is based upon the calendar year.)



Benefits

Your medical benefits will remain unchanged for up to six months, subject to the following:

- You will continue to pay the same premium as when you were actively working, for up to six months. After six months you would then be responsible for 100% of the premium.
- If you are receiving a paycheck from the Firm, premium contributions will continue to be deducted from your check as usual.
- If you are not receiving a paycheck from the Firm, premium payments must be made by personal check and are due no later than the end of the month.
- Your eligibility to participate in the Dependent Care Flexible Spending Account may be suspended during a leave of absence.

How do I request a leave of absence?

- Reach out to Human Resources as far in advance as possible. Discuss your particular circumstances and determine which leave(s) you would like to take.
- Be sure to discuss your leave plans with the partner(s)-in-charge of your office, your practice group leaders, and other attorneys with whom you work with closely.
- Complete and submit a Request for Leave of Absence form to Human Resources. This form may be obtained directly from the Human Resources Department.
- Obtain the CA State Disability Insurance or Voluntary Short-Term Disability Insurance claims form. The SDI/STD claims forms should be submitted just prior to the start of your disability leave.
- A few days following the birth of your baby or the placement of a child with you, call or e-mail Human Resources to confirm the date of birth or placement to ensure your leave time is accurately captured.



What else should I consider when having or adopting a child?

Adding your child to the Firm's health benefits

- Submit a Flex Change Form to the Benefits Department to enroll your child on the Firm's medical, voluntary life and disability plans. This form may be obtained directly from the Human Resources Department. Be sure to attach a record of birth, adoption, or placement with the form. You must enroll your child within 30 days from the date of birth, adoption, or placement. If you miss the 30 day deadline, your next opportunity to enroll will not be until the next annual open enrollment period.
- As a new parent, you may want to consider enrolling in, or increasing your contributions to, the Health Care Flexible Spending Account and/or the Dependent Care Flexible Spending Account.

Reviewing your Life, Long-Term Disability and AD&D Insurance policies

- Consider any potential changes to your life, voluntary long-term disability and accidental death & dismemberment ("AD&D") policies. If you would like to make changes to your current elections, or to add coverage for your new child, the changes must be made within 30 days from the date of birth, adoption, or placement of your child. If you miss the 30 day deadline, your next opportunity to make changes will not be until the next annual open enrollment period.

Review/Update Beneficiary Designations

- Review/update the beneficiary designations for your life and AD&D insurance, as well as your beneficiary designation for your 401(k) Retirement Plan.

Back-Up Child Care

- Bright Horizons offers back-up care when your regular arrangements are unavailable for your child. Back-Up care is available in-home or centerbased. In-home care is available for all office locations with back-up centers available for the following offices: Los Angeles, Orange County, Palo Alto, San Francisco, New York, and Washington, D.C. For more information or to enroll in Bright Horizons, please visit GDCNet.



To review the complete Attorney Leaves of Absence Policy, please visit GDCNet.

For additional information, please contact Stacy Glover, Chief Human Resources Officer.

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