



# **Marathon Oil Company Family Leave Plan**

**Amended and Restated  
as of January 1, 2015**

# Family Leave Plan



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# Family Leave Plan



## I. Introduction

- A. Family leave is provided to allow employees to balance their work and family life by taking reasonable unpaid leave for certain family and medical reasons. The Family Leave Plan covers absences to care for a child following birth, adoption, or foster placement, absences to care for a covered seriously-ill family member, absences to address certain qualifying exigencies arising from the active duty, or call to active duty, of a covered family member, and absences to care for a covered family member who has suffered a serious injury or illness in the line of duty while on active duty in the United States Armed Forces.
- B. The Family Leave Plan shall, at a minimum, conform to the requirements of the Family and Medical Leave Act of 1993 (FMLA), as amended, any regulations issued by the Department of Labor, and any applicable state or local laws that are more generous than the FMLA.

## II. Eligibility

- A. All Regular and casual employees are eligible to apply for a Family Leave for the purpose of the birth, adoption or foster placement of their child. Such Family Leave will be unpaid unless an employee is eligible to receive Parental Benefits as outlined in the Addendum to this Plan.
- B. All Regular and casual employees who have worked for the Company for at least 12 months (prior service with the Company counts unless a break of over 7 years occurred), who have worked at least 1,250 hours during the previous 12-month period, are eligible to apply for an unpaid Family Leave for the purpose of the care of a covered family member who has a documented serious health condition, to address certain defined qualifying exigencies arising from the active duty, or call to active duty, of a covered family member (also referred to as “qualifying exigency” leave), or to care for a covered family member who is a covered servicemember who has suffered a serious injury or illness in the line of duty while on active duty for the United States Armed Services (also referred to as “wounded warrior” leave).

## III. Reasons for Leave

Reasons for **Family Leave** are specifically defined and limited to the following:

- A. Because of the birth of your child, in order to care for that son or daughter within the 12-month period following the birth;
- B. Because of the placement of a child with you for adoption or foster care, within the 12-month period following the placement;
- C. To care for your spouse, qualified domestic partner, son, daughter, parent, sibling, grandparent, or other dependent household member or individual who depends on you for at least half of their support, who has a documented serious health condition [**Note:** for leaves due to your own serious health condition, refer to the Sick Leave Plan];
- D. To address a covered “qualifying exigency” arising out of the active duty, or call to active duty, of a spouse, qualified domestic partner, son, daughter or parent in the United States Armed Forces in support of a contingency operation (also referred to as “qualifying exigency” leave) [**Note:** the eight defined categories of “qualifying exigencies” are described below]; or

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- E. To care for a spouse, qualified domestic partner, son, daughter, parent, or next of kin who suffers a serious injury or illness in the line of duty while serving on active duty in the United States Armed Forces (also referred to as “wounded warrior” leave).

## IV. Definitions

“Spouse” means one man or one woman to whom the employee is lawfully married under the law of any domestic or foreign jurisdiction having the legal authority to sanction marriage.

“Qualified domestic partner” means the employee must complete and return to the Company a Marathon Oil Company Affidavit of Domestic Partner Relationship.

A “son” or “daughter” means a biological, adopted, or foster child, a stepchild, or a legal ward, who is either under the age of 18, or age 18 or older and incapable of self-care because of a mental or physical disability. For purposes of the “qualifying exigency” and “wounded warrior” leaves only, a “son” or a “daughter” may be of any age.

A “parent” under the Family Leave Plan means a biological parent or individual who stands or stood in for the day-to-day responsibility and financial support of an employee when the employee was under the age of 18, or age 18 or older and incapable of self-care because of a mental or physical disability. “Parent” does not include “in-laws.”

The Company may require that an employee who requests a Family Leave to care for a “dependent household member or individual” with a documented serious health condition submit proof that they provide at least half the support of that dependent household member or individual.

“Covered servicemember,” for purposes of “wounded warrior” leave, means a current member of the Armed Forces, Reserves or National Guard, either on active duty or on the temporary disability retired list — NOT on the permanent retired list — with a serious injury or illness incurred in the line of duty while on active duty, that renders the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating, and for which he or she is undergoing inpatient or outpatient medical treatment, recuperation, or therapy.

“Next of kin,” for purposes of wounded warrior” leave, include the following, in order of priority: an individual designated by the servicemember; blood relatives with legal custody; siblings; grandparents; aunts and uncles; first cousins. If the servicemember has designated someone in writing, that is the only person who will be considered “next of kin.” If there is no written designation, and there are multiple family members of the same level of relationship (i.e., 3 siblings), then all of those family members may serve as next of kin and may take leave under this provision either consecutively or simultaneously.

“Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves:

- In-patient care (an overnight stay) in a hospital, hospice or residential medical care facility, and/or any subsequent treatment in connection with such inpatient care;
- A period of incapacity of more than three consecutive calendar days and either:
  - Two visits to a health care provider within 30 days of the first day of incapacity, with the first visit occurring within seven days of the first day of incapacity; or

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- One visit to a health care provider within seven days of the first day of incapacity that results in a regimen of continuing treatment (i.e., a prescription or physical therapy) under the supervision of a health care provider;
- Any period of incapacity due to pregnancy or for prenatal care;
- Any period of incapacity or treatment for incapacity due to a chronic serious health condition. A “chronic serious health condition” is one in which a single underlying condition triggers episodic periods of incapacity which may last only a brief time and requires at least two visits to a health care provider annually for treatment. Examples may include asthma, diabetes, and epilepsy;
- A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. Examples may include Alzheimer’s, stroke, and terminal illnesses. In such instances, the covered family member must be under the continuing supervision of a health care provider, but need not be receiving active treatment; or
- Absences to receive multiple treatments by, or under the order of a provider of health care services, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment. Examples may include chemotherapy, and dialysis;
- **Exceptions:** Unless complications arise, absences for minor ailments such as the common cold, the flu, earaches, upset stomach, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, and periodontal disease do not qualify as “serious health conditions.”

Active duty” for purposes of “qualifying exigency” leave means only federal calls to active duty under specified federal laws. This does NOT include state calls to active duty. Further, “qualifying exigency” leave is available only to eligible employees with covered family members in the Reserves, National Guard, and retired Regular Armed Forces — NOT regular Armed Forces.

“Contingency operation” for purposes of “qualifying exigency” leave means a military operation that is specifically designated as such by the Secretary of Defense, Congress, or the President.

There are eight categories of “qualifying exigencies”:

1. Short-Notice Deployment — when a covered servicemember is notified of an impending call to active duty 7 or less calendar days before his or her deployment date.

Eligible employees can take up to 7 days leave starting on the date the servicemember is notified.

2. Military Events and Related Activities

Eligible employees can take leave to attend any official ceremony, program, or event sponsored by the military that is related to the active duty or call to active duty. They can also take leave to attend family support or assistance programs sponsored by the military, a military service organization, or the American Red Cross.

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3. Childcare and School Activities — when a call to active duty makes it necessary for an eligible employee to address childcare or school-related issues for a biological, adopted, or foster child, a stepchild, a legal ward of a covered servicemember, or a child for whom a covered servicemember stands in *loco parentis*, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability.

Eligible employees can take leave to:

- Arrange for alternate childcare if the covered servicemember's active duty disrupts a preexisting childcare arrangement.
  - Provide childcare on an urgent, immediate need basis — but NOT on a routine, regular or everyday basis.
  - Enroll or transfer a child to a new school or daycare facility.
  - Attend meetings with school or daycare staff, including meetings related to disciplinary issues, parent-teacher conferences, or meetings with school counselors — arising out of the servicemember's active duty — NOT related to routine academic or childcare concerns.
4. Financial and Legal Arrangements
- Eligible employees can take leave to make financial or legal arrangements to address a covered servicemember's absence while on active duty, for example, to prepare and execute financial and healthcare powers of attorney, to transfer bank account signature authority, to enroll in the Defense Enrollment Eligibility Reporting System (DEERS), to obtain military ID cards, to prepare a will or trust, to appear before a federal, state or local agency as the servicemember's representative for the purpose of obtaining, arranging, or appealing military benefits, etc. This provision is meant to address matters *directly related* to the servicemember's absence — NOT to routine matters, like paying bills.

5. Counseling

Eligible employees can take leave to attend counseling by *someone other than a healthcare provider*, if the need for counseling *arises from* a covered servicemember's active duty. The counseling can be for the employee, for the servicemember, or for a biological, adopted, or foster child, a stepchild, a legal ward of the covered servicemember, or a child for whom the covered servicemember stands in *loco parentis* who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability.

6. Rest and Recuperation

Eligible employees can take leave to spend time with a covered servicemember who is on temporary leave from active duty. Up to 5 days of leave may be taken each time the servicemember returns on a temporary leave from active duty.

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## 7. Post Deployment Activities

Eligible employees can take leave to attend arrival ceremonies, reintegration briefings and events, and other official military ceremony or program occurring up to 90 days after a covered servicemember's active duty status is terminated. Leave may also be taken to address issues related to the death of a servicemember while on active duty status, such as recovering remains and making funeral arrangements.

## 8. Additional Agreed Qualifying Exigencies

Eligible employees may take leave to address other circumstances arising out of a covered servicemember's active duty, providing that the employer and employee agree that the circumstances qualify as an exigency and also agree to the timing and duration of the leave.

"Wounded Warrior" leave is available to eligible employees on a per covered servicemember, per injury basis. However, multiple injuries incurred during the same incident — i.e., a broken leg and a punctured lung — would be considered a single injury.

## V. Duration of Leave

Eligible employees are entitled to up to a total of 12 unpaid workweeks of Family Leave under the FMLA during any 12-month period, except in the case of "wounded warrior" leave which entitles eligible employees to up to a total of 26 unpaid workweeks of Family Leave during a single 12-month period; and for Primary Caregivers, as defined in the Addendum for Parental Benefits, who are eligible for up to 20 workweeks of Family Leave immediately following an eligible birth or adoption; and for Secondary Caregivers, as defined in the Addendum for Parental Benefits, who are eligible for up to 14 workweeks of Family Leave immediately following an eligible birth or adoption.

A workweek is based on an employee's normal work schedule. The Company uses a rolling "12-month period" for purposes of Family Leave. That 12-month period is measured forward from the date an employee's first Family Leave begins. The next 12-month period would begin the first time Family Leave is taken after completion of any previous 12-month period.

"A single 12-month period" for purposes of "wounded warrior" leave means that each entitlement to "wounded warrior" leave must be used within a single 12-month period that begins with the first day of leave taken and ends 12 months from that date. Any portion of the 26 workweeks not used in the single 12-month period is forfeited.

Eligible employees are limited to a total of 26 workweeks in a 12 month period, including the regular 12 workweek entitlement for other qualifying reasons.

The duration (Start Date and End Date) of the leave should be established before the leave commences. Family Leave to care for a covered family member with a documented serious health condition, and "wounded warrior" leave, may be taken, when it is documented to be medically necessary, on an intermittent or reduced leave schedule. "Qualifying exigency" leave also may be taken on an intermittent or reduced leave schedule when necessary.

Family Leave for the birth, adoption or foster placement of a child may NOT be taken intermittently without express, written Company approval. **Approval of intermittent leave in these situations will only be granted if the Company needs the employee on leave to do a critical job as agreed to by the employee, the employee's supervisor, and the Manager, Benefits.**

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If an employee requests leave on an intermittent or reduced schedule basis and the leave is foreseeable based on planned medical treatment, the Company may require the employee to transfer temporarily to an available alternative position for which the employee is qualified, provided the alternative position has equivalent pay and benefits and better accommodates recurring periods of leave than the employee's regular position. The alternative position does not have to have equivalent duties.

A Family Leave interrupted by a Sick Leave will be considered consecutive provided a return to employment with the Company has not occurred. Any time period during which an employee is disabled and receiving sick benefits is not counted as part of a Family Leave but is counted towards FMLA entitlement.

## VI. Employment While On Leave

Employees are not permitted to perform in any position of employment with another employer while on an approved leave of absence, whether paid or unpaid, including FMLA, without prior written authorization from the Company.

## VII. Notification Requirements

### **For Birth/Adoption/Foster Care Placement and for Care of a Seriously Ill Family Member, Including Wounded Warriors:**

If the requested Family Leave is foreseeable, employees must provide the Company with at least 30 days advance notice of the anticipated Start Date. If 30 days advance notice is not provided, the employee may be required to explain why it was not provided. The Company can deny the taking of Family Leave until at least 30 days after the date the employee provides notice if the employee fails to give 30 days advance notice where the need for leave and the approximate Start Date were clearly foreseeable with no reasonable excuse for the delay.

If the employee's Family Leave is foreseeable based on planned medical treatment due to the serious health condition of a family member, the employee should make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the Company, subject to approval of the family member's health care provider.

If the requested Family Leave is/was not foreseeable, employees must provide notice "as soon as practicable." This means within the time prescribed by the Company's usual and customary notice requirements, and not less than the same or next business day, unless impossible.

### **For "Qualifying Exigency" Leave:**

Employees requesting "qualifying exigency" leave must give as much notice as is reasonable and practicable.

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## VIII. Documentation

An employee must follow the process established by the Benefits department and will be required to provide documentation that is relevant to the reason for the request and that is sufficient to allow the Company to determine that the leave is qualifying, the expected start date, and the duration of the leave.

### **For Birth/Adoption/Foster Care Placement and for Care of a Seriously Ill Family Member:**

If the requested leave is a Family Leave for the birth, adoption or foster care placement of a child, or to care for a covered family member with a serious health condition, it is the employee's responsibility to return to the Third Party Administrator, within 15 calendar days from receipt of the Notice of Eligibility and Rights and Responsibilities (Form WH-381), a "complete" and "sufficient" medical certification (Form WH-380-E or Form WH-380-F). If no certification is returned within that time period, your request for leave may be denied.

If the medical certification returned is incomplete (i.e., contains one or more blank entries) or insufficient (i.e., contains vague, ambiguous or unresponsive entries), the certification may be rejected. If so, the employee will be notified in writing of the deficiencies in the certification and given one (1) opportunity to correct those deficiencies. The employee will have 7 days to do so, otherwise the leave may be denied for failure to submit a complete and sufficient certification.

Should the Company have reason to question, or to doubt the validity of, a medical certification, it may require that the employee obtain a second or, if conflicting, a third and final opinion. Third opinions will be obtained from a health care provider designated or approved jointly by the Company and the employee (at the Company's expense). Health Services personnel may be involved in the review process but cannot provide the second opinion for certification.

The Company may require additional recertification on a reasonable basis, but usually not more often than every 30 days, for Family Leaves due to a family member's serious health condition.

### **For "Qualifying Exigency" Leave:**

If the requested Family Leave is to address a "qualifying exigency" arising from the active duty, or call to active duty, of a covered family member, it is the employee's responsibility to return to the Company, within 15 calendar days from receipt of the Notice of Eligibility and Rights and Responsibilities (Form WH-381), a complete and sufficient Certification of Qualifying Exigency for Military Family Leave (Form WH-384), including written documentation confirming a covered servicemember's active duty, or call to active duty, and any available documentation supporting the need for leave. If the required documentation is not returned within that time period, the request for leave may be denied.

If the certification returned is incomplete (i.e., contains one or more blank entries) or insufficient (i.e., contains vague, ambiguous or unresponsive entries), the certification may be rejected. If so, the employee will be notified in writing of the deficiencies in the certification and given one (1) opportunity to correct those deficiencies. The employee will have 7 days to do so, otherwise the leave may be denied for failure to submit a complete and sufficient certification.



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## **For “Wounded Warrior” Leave:**

If the requested Family Leave is to care for a covered family member who is a covered servicemember who has suffered a serious injury or illness in the line of duty while on active duty in the United States Armed Forces, it is the employee’s responsibility to return to the Company, within 15 calendar days from receipt of the Notice of Eligibility and Rights and Responsibilities (Form WH-381), a complete and sufficient Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave (Form WH-385). If the required documentation is not returned within that time period, your request for leave may be denied.

If the certification returned is incomplete (i.e., contains one or more blank entries) or insufficient (i.e., contains vague, ambiguous or unresponsive entries), the certification may be rejected. If so, the employee will be notified in writing of the deficiencies in the certification and given one (1) opportunity to correct those deficiencies. The employee will have seven days to do so, otherwise the leave may be denied for failure to submit a complete and sufficient certification.

In lieu of the required certification (Form WH-385), an eligible employee may provide to the Company, within 15 calendar days from receipt of the Notice of Eligibility and Rights and Responsibilities (Form WH-381), a copy of an ITO (Invitational Travel Order) or an ITA (Invitational Travel Authorization). These are both government orders that authorize a certain number of family members of a wounded servicemember to travel to the medical facility where the servicemember is being treated. If an ITO or ITA is timely provided, no additional documentation/certification will be required, at least until the expiration date of the ITO or ITA. If the need for leave extends beyond such expiration date, however, a valid Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave (Form WH-385) will need to be provided within 15 calendar days of the request for same.

## **IX. Approval Requirements and Considerations**

Family Leaves of 12 workweeks or less in a 12-month period under FMLA will ordinarily be automatically approved by the Company, subject to the employee’s satisfaction of eligibility and other prerequisites. Approval of Family Leave in excess of 12 workweeks in a 12-month period will be at the discretion of the Company, except in the case of the “wounded warrior” leave provision, where an employee is entitled to 26 workweeks in a single 12-month period; and for Primary Caregivers, as defined in the Addendum for Parental Benefits, who are eligible for up to 20 workweeks of Family Leave immediately following an eligible birth or adoption; and for Secondary Caregivers, as defined in the Addendum for Parental Benefits, who are eligible for up to 14 workweeks of Family Leave immediately following an eligible birth or adoption.

The employee’s years of service, job performance, etc., are examples of factors which will be considered before approving a Family Leave in excess of 12 workweeks.

## **X. Substitution of Paid Leave**

Employees may have the option to use any accrued paid leave (i.e., vacation, flex days, etc.) or any other eligible benefit, such as Parental Benefits as discussed in the Addendum to this Plan, to cover any or all of the Family leave. Such use will be governed by the terms of the applicable paid leave policy.

## **XI. Benefits Status During Family Leave**

For specific provisions governing the status of each benefit, refer to the respective plan document. For a summary of the status of all benefit plans while on any type of leave of absence, please refer to the document entitled, “Benefit Status for Leaves of Absence” located on the Benefits website.

## **XII. Intermittent or Reduced Schedule Leave**

“Intermittent leave” is leave taken in separate blocks of time due to a single illness or injury, rather than for one continuous period of time, and may include leave of periods from an hour or more to several weeks. Examples of intermittent leave would include leave taken on an occasional basis for medical appointments, or leave taken several days at a time spread over a period of six months, such as for chemotherapy.

A “reduced leave schedule” is a leave schedule that reduces an employee’s usual number of working hours per workweek, or hours per workday. In other words, a reduced leave schedule is a change in the employee’s schedule for a period of time, normally from full-time to part-time. Such a schedule reduction might occur, for example, where an employee, with the employer’s agreement, works part time because an employee’s family member who is recovering from a serious health condition is not strong enough to care for themselves.

Intermittent or reduced schedule leave can be taken to care for a covered family member with a serious health condition as long as (a) there is an FMLA qualifying and documented medical need for leave (as distinguished from voluntary treatments or procedures), (b) the employee is needed to care for the seriously ill family member, and (c) such medical need is best accommodated through an intermittent or reduced leave schedule. Only the amount of leave actually taken may be counted toward the 12 weeks of Family Leave to which the employee is entitled.

If an employee requests such a leave and it is foreseeable based on planned medical treatment of a family member, including during a period of recovery from a serious health condition, the Company may require the employee to transfer temporarily to an available alternative position for which the employee is qualified provided the alternative position has equivalent pay and benefits and better accommodates recurring periods of leave than the employee’s regular position but does not have to have equivalent duties. The employee must make a reasonable effort to schedule the family member’s treatment so as not to disrupt unduly the operations of the Company, subject to the approval of the health care provider.

Intermittent or reduced schedule leave may also be taken under the “qualifying exigency” and the “wounded warrior” entitlements to Family Leave.

An employee taking intermittent leave must make a reasonable effort to schedule their intermittent leave so as not to disrupt unduly the Company’s operations. In any event, an employee needing to take unforeseeable intermittent leave should be able, and will be expected, to give notice within the Company’s established call-in procedures, unless the circumstances simply do not permit — i.e., the employee is with his or her child in the emergency room, or the employee is receiving emergency medical care.

An employee on intermittent leave or a reduced leave schedule maintains eligibility status under the benefit plans as an active employee (rather than benefit eligibility as an employee on leave).



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### XIII. Job Reinstatement

An employee on Family Leave has the right to return to the same or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment upon return to active status provided the leave was not in excess of 12 workweeks within any 12-month period **(except in the case of the Service Member Caregiver leave, where the 26 workweek provision applies)**. Also, such jobs must not have been eliminated due to a general workforce reduction at the facility where the employee had worked.

For a Casual employee, job reinstatement means that such employee shall be returned to casual status, which by definition does not require the Company to provide additional employment. If further employment is not available as a Casual employee, the Company will terminate the employee in the same manner as any other Casual employee.

Restored employees are not entitled to accrue any seniority or employment benefits during any period of leave nor are they entitled to any right, benefit or position of employment other than any right, benefit or position to which the employee would have been entitled had the employee not taken the leave.

If a bonus or other payment made to employees is based on the achievement of a specified goal, such as hours worked, products sold, or perfect attendance, and the employee has not met the goal due to Family or FMLA leave, then the payment may be denied.

Job reinstatement for employees returning from a Family Leave in excess of 12 workweeks is NOT an entitlement (except in the case of the “wounded warrior” leave, where the 26 workweeks provision applies); and depends on employment needs at the time the employee wishes to return. If no suitable employment is available, the termination date is the later of (1) the date that the determination is made that no suitable employment exists, or (2) at the conclusion of the leave period granted to the employee.

Employees will be considered to have resigned from the Company:

- If they have not returned to work when their leave expires, or
- If they notify the Company that they will not return to work, the resignation will be effective upon the Leave End Date.

The Company has the right to recover all employer-paid health plan premiums for maintaining coverage during the leave in the event the employee fails to return from leave, provided the reason is not due to the continuation, recurrence or onset of a serious health condition which entitles the employee to leave, or other circumstances beyond the control of the employee. An employee who returns to work for at least 30 calendar days is considered to have “returned” to work.

### XIV. Anti-Discrimination/Retaliation

Employees will not be discriminated or retaliated against for requesting or using leave available under the FMLA.



## **XV. Participation by Associated Companies and Organizations**

Upon specific authorization and subject to such terms and conditions as it may establish, Marathon Oil Company may permit subsidiaries and affiliated organizations to participate in this Plan. Currently, these participating companies include Marathon Oil Company, Marathon Oil Corporation, and Marathon Service Company.

The term “Company” and other similar words shall include Marathon Oil Company and such affiliated organizations. The term “employee” and other similar words shall include any eligible employee of these companies.

## **XVI. Approval Authority for Minor Amendments**

In addition to the other methods of amending Marathon’s employee benefit plans, practices, and policies (hereinafter referred to as “MOC Employee Benefit Plans”) which have been authorized, or may in the future be authorized, by the Marathon Oil Corporation Board of Directors, the Company’s Vice President of Human Resources may approve the following types of amendments to MOC Employee Benefit Plans:

- (i) With the opinion of counsel, technical amendments required by applicable laws and regulations;
- (ii) With the opinion of counsel, amendments that are clarifications of plan provisions;
- (iii) Amendments in connection with a signed definitive agreement governing a merger, acquisition or divestiture such that, for MOC Employee Benefit Plans, needed changes are specifically described in the definitive agreement, or if not specifically described in the definitive agreement, the needed changes are in keeping with the intent of the definitive agreement;
- (iv) Amendments in connection with changes that have a minimal cost impact (as defined below) to the Company; and
- (v) With the opinion of counsel, amendments in connection with changes resulting from state or federal legislative actions that have a minimal cost impact (as defined below) to the Company.

For purposes of the above, “minimal cost impact” is defined as an annual cost impact to the Company per MOC Employee Benefit Plan case that does not exceed the greater of:

- (i) An amount that is less than one-half of one percent of its documented total cost (including administrative costs) for the previous calendar year; or
- (ii) \$500,000.



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### **XVII. Further Information**

The Company's Third Party Administrator will coordinate the administration of the Plan with review and oversight from the Benefits Department.

### **XVIII. Modification and Termination**

The Company reserves the right to modify or terminate this Plan, in whole or in part, in such manner as it shall determine, either alone or in conjunction with other plans of the Company under the Internal Revenue Code or to comply with applicable state or federal regulations. Such modification or termination can be applied, at the sole discretion of the Company, to any or all members.

## Addendum to the Family Leave Plan

This Addendum is part of the Marathon Oil Company Family Leave Plan (“the Plan”), but contains a separate and distinct benefit designed to provide eligible employees with compensation during the eight weeks of Family Leave immediately following an eligible birth or eligible adoption. These benefits are referred to as “Parental Benefits.” The amount of Parental Benefit an employee is eligible to receive during a calendar year is based on the employee’s designation as a Primary Caregiver or a Secondary Caregiver following an eligible birth or eligible adoption. Parental Benefits must be used in a continuous block of time.

### **Eligibility**

All regular employees are eligible for Parental Benefits provided the employee has attained six months (26 weeks) of continuous employment with the Company immediately preceding the effective date of the eligible birth or eligible adoption.

Employees are only eligible to receive Parental Benefits during the first eight weeks immediately following an eligible birth or eligible adoption. Parental Benefits may only be taken in conjunction with a Family Leave for an eligible birth or eligible adoption.

Neither the Primary Caregiver nor the Secondary Caregiver is eligible to receive Sick Benefits and Parental Benefits at the same time. If an employee would otherwise be eligible for both Sick Leave (and associated Sick Benefits) and Family Leave (and associated Parental Benefits) at the same time, the employee must choose which leave and associated benefit he or she would prefer to use.

### **Definitions**

- “Parent” — For purposes of Parental Benefits under this Plan, parent shall mean the two individuals who are related by birth of a child, or who have received court or legal documents regarding placement for eligible adoption.
- “Primary Caregiver” — Primary Caregiver status is defined as the one parent who has primary day to day responsibilities for the wellbeing of the child. An employee will not be considered a Primary Caregiver if the other parent is not employed. The employee will only qualify for one caregiver status per eligible birth or eligible adoption and must meet all other eligibility requirements under this Addendum.
- “Secondary Caregiver” — Secondary Caregiver is defined as the one parent who is not designated as the Primary Caregiver but meets the definition of “Parent” as defined above. The employee will only qualify for one caregiver status per eligible birth or eligible adoption and must meet all other eligibility requirements under this Addendum.
- “Adoption” — For purposes of Parental Benefits under this Plan, eligible adoption is any adoption that qualifies for favorable tax treatment under current Federal legislation. Adoption of a spouse’s child is excluded under this plan.

**Note:** If both parents are Marathon Oil employees, only one will be considered “Primary Caregiver” and only one will be considered “Secondary Caregiver” for the same event.

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## **Compensation for Parental Benefits**

The Primary Caregiver is entitled to eight calendar weeks of pay as defined below at 100% and the Secondary Caregiver is entitled to two calendar weeks of pay as defined below at 100%.

Pay shall include the weekly compensation paid to an employee for normal regularly scheduled hours for their classification as a Regular Full-time or Regular Part-time employee and at their regular base rate or rates, regardless of whether the employee is paid on an hourly, bi-weekly or monthly basis. Overtime, shift differential, other premium pay, commissions, bonuses, suggestion awards, military pay, travel pay, or other types of special pay or allowances shall be excluded. The employee will continue to receive benefits to which he or she is entitled based on applicable law and the terms of benefit plans and programs in which the employee is eligible to participate.

## **Documentation, Notification and Affirmation for Parental Benefits**

The employee must follow the same documentation and notification process as required for Family Leave through the Third Party administrator. In addition, the employee must affirm their caregiver status and intent to use the Parental Benefit during the notification process.

\* \* \* \* \*

Marathon Oil Company has caused its name to be hereunto subscribed to by Deanna L. Jones, Vice President, Human Resources and Administrative Services, Marathon Oil Company.

MARATHON OIL COMPANY

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Deanna L. Jones