

Benefits Handbook Date July 1, 2009

# Short Term Disability Benefits Policy MMC

**MERCER**



MARSH MERCER KROLL  
GUY CARPENTER OLIVER WYMAN

## Short Term Disability Benefits Policy

*Marsh & McLennan Companies, Inc. (“MMC”) provides salary continuation through the STD Payroll Policy. Under the STD Payroll Policy, an employee may receive replacement income for a period of up to 26 weeks for a qualifying serious health condition.*

*This section provides a summary of the STD Benefits Policy in effect as of January 1, 2009. STD Benefits are available to eligible employees based on a percentage of their base salary for a period of up to twenty-five (25) or twenty-six (26) weeks, depending on the Operating Company by which the employee is employed, for an absence due to a qualifying serious health condition. Coverage under the STD Benefits Policy automatically begins on the date an eligible employee meets the eligibility requirements.*

*The STD Payroll Policy is not governed by the Employee Retirement Income Security Act of 1974 (ERISA). For example, ERISA requirements such as providing a Summary Plan Description, filing an annual report (Form 5500 Series), or making a summary annual report available do not apply to the STD Payroll Policy. To the extent that the Administrative Information section of the Benefits Handbook refers to a Summary Plan Description, for purposes of this STD Payroll Policy that term should be replaced with the term STD Benefits Policy. Additionally, to the extent that the terms of this section conflict with the terms in the Administrative Information section, an employee’s rights will always be determined under the provisions of this STD Payroll Policy and the STD Benefits Policy’s administrative rules.*

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## Participating in the STD Benefits Policy

The STD Benefits Policy provides replacement income for up to 25 or 26 weeks in the event that an employee has an approved, qualifying non-work related serious health condition.

### Definition of an Eligible Employee

#### ***Employees of MMC, Marsh, Guy Carpenter, Mercer and Oliver Wyman***

An employee is eligible for the STD Benefits Policy if he/she is classified on payroll as a U.S. regular (salaried) employee.

Employees who are classified on payroll as contingent (hourly) employees or who are compensated as independent contractors are not eligible to participate.

#### ***Employees of Kroll***

An employee is eligible for the STD Benefits Policy if he/she is classified on payroll as a U.S. full-time regular employee of Kroll or any of its subsidiaries and scheduled to work at least 35 hours per week.

Employees who are classified on payroll as contingent or part-time employees or who are compensated as independent contractors are not eligible to participate.

#### ***All Operating Company Employees***

An employee is **not** eligible for the STD Benefits Policy if he/she:

- no longer meets the eligibility requirements;
- terminates his/her employment, either voluntarily or involuntarily, for whatever reason;
- is taking an Unpaid Personal Leave of Absence that is not covered by the Federal Family and Medical Leave Act or comparable state or local statute; and/or
- dies.

### When Coverage Begins

Coverage automatically begins on the eligibility date, provided that the employee is actively at work on that day.

### Eligibility Date

Certain operating companies have a 30 or 90 calendar day waiting period before the employee is eligible for coverage under the STD Benefits Policy while others are covered under the STD Benefits Policy on the first day they are actively at work. Please reference the chart below for a brief explanation of the Operating Company waiting periods.

Operating Company	Waiting Period		
	None	30 Days	90 Days
<b>MMC</b>	√		
<b>Guy Carpenter</b>	√		
<b>Mercer</b>	√		
<b>Oliver Wyman</b>	√		
<b>Marsh</b>		√	
<b>Kroll Security Group, Kroll Ontrack, Kroll Government Services</b>		√	
<b>Kroll Background America, Kroll Laboratory Specialists, Kroll Factual Data</b>			√

### ***No Waiting Period***

MMC, Guy Carpenter, Mercer and Oliver Wyman employees are covered under the STD Benefits Policy on the first day they are actively at work.

### ***Subject to the 30 Day Waiting Period***

Marsh and certain Kroll employees of Kroll Security Group, Inc (“Kroll Security Group”), Kroll Ontrack Inc. (“Kroll Ontrack”) and Kroll Government Services have a thirty (30) day waiting period before they are eligible for coverage under the STD Benefit Policy. This 30-day waiting period begins on the first day that the employee is actively at work. The eligibility date is the thirty-first (31<sup>st</sup>) calendar day from the first day that the employee is actively at work. For example, if the first day that an employee is actively at work is August 1, his/her eligibility date is August 31. If the first day that an employee is actively at work is February 1, his/her eligibility date is March 3.

### ***Subject to the 90 Day Waiting Period***

Kroll employees of Kroll Background America Inc. (“Background America”), Laboratory Specialists Inc. (“Laboratory Specialists”) and Kroll Factual Data Inc. (“Factual Data”) have a ninety (90) day waiting period before they are eligible for coverage under the STD Benefits Policy. This ninety (90) day waiting period begins on the first day that the employee is actively at work. The eligibility date is the ninety-first (91<sup>st</sup>) calendar day from the first day that the employee is actively at work. For example, if the first day that an employee is actively at work is August 1, his/her eligibility date is October 30.

## **Enrollment**

There is no need to enroll in the STD Benefits Policy as coverage begins automatically upon an employee’s eligibility date.

## **Cost of Coverage**

MMC pays the full cost for coverage under the STD Benefits Policy.

## Duration and Coverage Level of STD Benefits

An employee's STD Benefit is based upon the employee's base salary on his/her first day of absence from work, and depending on the Operating Company, may also be based on his/her years of service. For purposes of calculating STD Benefits, base salary does not include overtime, bonuses, commissions, salary increases that have been communicated but are not yet effective, or other extra compensation.

Any STD Benefits an employee is eligible to receive from the STD Benefits Policy are offset (reduced) by disability income he/she may receive from any of the following sources:

- state and federal disability benefits;
- Social Security disability income;
- benefit payments from MMC's U.S. Retirement Plan or the retirement plan of any of its subsidiaries;
- income replacement payments;
- another employer's disability income payment;
- no-fault automobile insurance; and/or
- portion of a settlement or judgment, minus associated costs, of a lawsuit that represents or compensates for the employee's loss of earnings.

Even if an employee's STD Benefits are reduced because he/she is receiving income from one (1) or more of these sources, the employee's total disability income from all sources will never be less than the total income that he/she is eligible to receive under the STD Benefits Policy.

## Unpaid Waiting Period

### ***Employees of MMC, Guy Carpenter, Mercer (other than Mercer Outsourcing), Oliver Wyman and Kroll***

The unpaid waiting period for coverage under the STD Benefits Policy is seven (7) calendar days, including Saturdays, Sundays and holidays. The waiting period is counted from the first day the employee is absent from work due to a serious health condition.

If an employee is approved for STD Benefits by the Company's Claims Administrator, his/her STD Benefits will be retroactive to his/her first day of absence. If the employee used any paid entitlements during this unpaid waiting period, those paid entitlements will be reinstated and the time will be paid as STD Benefits, subject to the policies of his/her Operating Company.

### ***Employees of Marsh***

The unpaid waiting period for coverage under the STD Benefits Policy is seven (7) calendar days, including Saturdays, Sundays and holidays. During this unpaid waiting period, an employee must use any available Sick Days. The waiting period is counted from the first day the employee is absent from work due to a serious health condition.

Once an employee's Sick Days are exhausted, he/she must use available Personal Days, Floating Holidays and/or vacation days (including borrowing vacation days in advance). If an employee exhausts all of his/her Sick Days, Personal Days, Floating Holidays and /or vacation days, then the seven (7) calendar day waiting period will be unpaid.

### ***Employees of Mercer Outsourcing***

The unpaid waiting period for coverage under the STD Benefits Policy is (7) calendar days, including Saturdays, Sundays and holidays. During this waiting period, an employee must use any available Sick Days. The waiting period is counted from the first day the employee is absent from work due to a serious health condition.

Once an employee's Sick Days are exhausted, he/she must use any available Floating Holidays and/or vacation days (including borrowing vacation days in advance). If an employee exhausts all of his/her Sick Days, Floating Holidays and/or vacation days, then the seven (7) calendar day waiting period will be unpaid.

## Coverage Level and Duration

### ***Employees of MMC, Guy Carpenter, Mercer (other than Mercer Outsourcing), Oliver Wyman, Kroll Security Group, Kroll Ontrack and Kroll Government Services***

The STD Benefits Policy may pay STD Benefits for up to twenty-six (26) weeks for covered absences as follows:

- for up to the first thirteen (13) weeks, 100% of base salary; and
- for up to the next thirteen (13) weeks, 80% of base salary.

### ***Kroll Employees of Background America, Laboratory Specialists and Factual Data***

The STD Benefits Policy may pay STD Benefits of 60% of base salary for up to twenty-six (26) weeks for covered absences.

### ***Marsh Employees***

The first week of the 26 week STD period is a one-week (7 calendar days) unpaid period during which an employee must use any available Sick Days. Once an employee's Sick Days are exhausted, he/she must use available Personal Days, Floating Holidays and/or vacation days (including borrowing vacation days in advance). If an employee exhausts all of his/her Sick Days, Personal Days, Floating Holidays and/or vacation days, then the seven (7) calendar day waiting period will be unpaid. After this initial one week unpaid period, the STD Benefit will be dependent upon an employee's service. Years of service will be determined based on the employee's most recent hire date. The following chart provides details about the STD benefits.

Years of Service	Coverage Level (% of salary)
Less than 2 years	60% for 25 weeks
2 years to 5 years	70% for 8 weeks; 60% for 17 weeks
5 years and above	80% for 8 weeks; 60% for 17 weeks

### ***Mercer Outsourcing Employees***

The first week of the 26 week STD period is a one-week elimination period during which an employee must use any available Sick Days. Once an employee's Sick Days are exhausted, he/she must use available Floating Holidays and/or vacation (including borrowing vacation days in advance). If an employee exhausts all of his/her Sick Days, Floating Holidays and/or vacation days, then the seven (7) calendar day waiting period will be unpaid. After this initial elimination period, the STD coverage will be dependent upon an employee's service. Years of service will be determined based on the employee's most recent hire date. The following chart provides details about the STD benefits.

Years of Service	Coverage (% of salary)
Less than 5 years	80% for 25 weeks
5 years and above	100% for 12 weeks; 80% for 13 weeks

### **Actively at Work**

In order to be eligible for STD Benefits, an employee must be at work performing his/her job responsibilities on the day coverage is scheduled to begin.

If an employee is not actively at work on the date coverage is scheduled to begin, coverage begins on the date he/she begins/returns to active work. For example, if the eligibility date is June 6, but the employee is out sick through June 8, coverage begins when he/she returns to active work on June 9.

**Note:** An employee on unpaid FMLA leave to care for a sick family member or to bond with a newborn/adopted child is eligible for STD benefits.

### **Qualifying for STD Benefits**

An employee may qualify for STD Benefits if and when all of the following conditions are satisfied:

- he/she has a non-work-related serious health condition (including pregnancy, mental health and substance abuse conditions);
- he/she has completed the unpaid waiting period (if applicable);
- he/she has filed a claim for STD Benefits and submitted all required documentation, including FMLA documentation, in a timely fashion;

- he/she complied, and continues to comply, with all requests for medical information, including submitting to an independent medical examination, or any other information pertaining to his/her claim in a timely manner;
- he/she provided and continues to provide, documentation of his/her continuing serious health condition when requested; and
- the claim has been approved for STD Benefits by the Claims Administrator through the disability review process.

## Definitions

### ***Serious Health Condition***

An employee may be considered to have a serious health condition (including pregnancy, mental health and substance abuse) if he/she satisfies all of the following conditions:

- he/she is under the regular care of a licensed health care provider who is qualified to treat his/her serious health condition
- he/she is not engaged in any other occupation or employment; and
- he/she is unable to continuously perform the substantial and material duties of his/her present occupation due to his/her serious health condition, as determined by the Claims Administrator.

### ***Work-Related and Non-Work Related***

A serious health condition is “work related” if it is:

- proximately caused by the actual performance of the employee’s work assignment; or
- arises out of or in the course of an employee’s employment.

All other serious health conditions are “non work related.”

## Exclusions

STD Benefits are not paid for:

- work-related injuries or work-related serious health conditions;
- serious health conditions not regularly treated by a licensed health care provider who is qualified to treat those disabilities;
- intentionally self-inflicted injuries;
- serious health conditions due to declared or undeclared act of war; and/or
- serious health conditions due to the commission of a felony by the employee.

## Filing a Claim

### ***Mandatory Claim Filing Process***

An employee who will be or has been absent from work due to a qualifying serious health condition for more than seven (7) consecutive calendar days is required to file a claim for STD Benefits.

The filing of a claim is handled in two parts under the terms of the STD Benefits Policy. The MMC Leave Management Team is responsible for determining whether an employee is eligible to participate in the STD Benefits Policy. Employees should refer to the “Participating in the STD Benefits Policy” sub-section to view the “Definition of an Eligible Employee” under the terms of the STD Benefits Policy. If it is determined that an employee is eligible to participate in the STD Benefits Policy, then the MMC Leave Management Team will forward all necessary documentation to The Hartford-Comprehensive Employee Benefit Services Company (“The Hartford”). MMC has engaged The Hartford as its Claims Administrator and, in that role, The Hartford is responsible for making any other determination not within the responsibility of the MMC Leave Management Team (as described above), including determining if an employee has a serious health condition, the duration of the benefits as a result of a serious health condition, and whether the employee qualifies to receive benefits under the STD Benefits Policy.

To initiate the claim filing process, an employee should contact the MMC Leave Management Team at (866) 374-2662. **Note:** Employees of Oliver Wyman will need to contact their Human Resources Representative.

The employee will be connected with a representative of the MMC Leave Management Team. The MMC Leave Management Team is available Monday through Friday from 9:00 a.m. to 5:00 p.m., Eastern time. An employee should contact the Leave Management Team before an anticipated STD-qualifying absence serious health condition begins (e.g., pregnancy, planned medical procedure), or as soon as the employee knows or reasonably expects that his/her absence due to a serious health condition may last more than seven (7) calendar days.

The MMC Leave Management representative will overnight a package of information to the employee’s home containing the documents that the employee and his/her health care provider must complete, including a Request for Short Term Disability Review Form. If an employee does not submit the Request for Short Term Disability Review Form and supporting documentation within fifteen (15) calendar days of the date he/she received the package, the employee will immediately be placed on unpaid leave of absence if the employee has not yet returned to work. The employee will be notified in writing by MMC Leave Management that his/her documentation was not received, and will be given one (1) additional week to either submit the appropriate documentation or return to work. If the employee fails to submit the required documentation by the end of the one-week period or does not return to work, this will be treated as his/her voluntary resignation and his/her employment will be terminated for voluntary resignation. In addition, if the employee has been paid for time he/she was absent from work that was not approved by the Claims Administrator, he/she will be required to repay these funds; the MMC Leave Management Team will apply any accrued unused paid time (e.g., vacation, Floating Holidays, Personal Days, PTO) to offset this overpayment.

The employee is responsible for any costs he/she may incur to qualify, or continue to qualify, for STD Benefits. Some examples include costs associated with exams or visits to a health care provider, providing medical records, and/or completing required paperwork.

## Disability Review Process

If the MMC Leave Management Team determines that an employee is eligible to participate in the STD Benefits Policy (as described under “Filing a Claim”), they will forward all necessary documentation to the Claims Administrator, The Hartford, to make all other determinations including the determination whether the employee has a serious health condition, the duration of the benefits as a result of a serious health condition and whether the employee qualifies to receive benefits under the STD Benefits Policy. The details of this process are described below.

An Ability Analyst and, when appropriate, a Clinical Case Manager, at the Claims Administrator will review the medical information provided by the employee’s health care provider and the employee’s job duties and, based on this information, will determine whether the employee meets the requirements for STD Benefits. The employee’s health care provider must be qualified to treat the employee’s serious health condition.

The Claims Administrator will review the claim throughout the period that the employee is absent from work due to his/her serious health condition and will, when appropriate, periodically check with the employee and his/her health care provider to see how the employee is progressing. The employee’s health care provider may be asked to complete an Attending Physician’s Statement issued by the Claims Administrator and/or the health care provider may be asked to speak with a representative of the Claims Administrator.

From time to time, the Claims Administrator may request information from the employee and/or his/her health care provider concerning his/her serious health condition. If such information is not provided in the time frame set by the Claims Administrator, the employee will be notified in writing by MMC Leave Management that his/her documentation was not received, and will be given seven (7) calendar days to either submit the appropriate documentation or return to work. If the employee fails to submit the required documentation by the end of the seventh (7<sup>th</sup>) calendar day or return to work, the employee will be deemed to have voluntarily resigned his/her employment, and MMC will treat the employee accordingly. In addition, if the employee has been paid for time he/she was absent from work that was not approved by the Claims Administrator, he/she will be required to repay these funds; MMC will apply any accrued unused paid time (e.g., vacation, Floating Holidays, Personal Days, PTO) to offset this overpayment.

As the claim progresses, the Claims Administrator may adjust the anticipated return-to-work date or consider modified work hours or duties.

## Payment Information

This section provides information related to the payment of STD Benefits.

### Initiation of Payments

If an employee is determined to be eligible to participate, is determined to have a serious health condition that has qualified and been approved for STD Benefits, and has completed the unpaid waiting period (if applicable), payment of STD Benefits will begin.

### Method of Payments

STD Benefits are paid through the Payroll Department using the employee's selected method of payment (i.e., direct deposit or live check); the employee's current deductions and elections will remain the same. Employees can make modifications to their method of receiving payment (e.g., change from a live check to direct deposit) while out on STD, but cannot change their benefit elections or deductions unless they have a qualified family status change.

### Taxes on STD Benefits

STD Benefits received under the STD Benefits Policy are taxable income, and are reported for federal, state, local (if any), and FICA tax purposes. The Payroll Department will withhold taxes on these payments according to the W-4 Form on file at the time payments begin, and the STD income will be reported on the employee's annual W-2 Form.

### Effect on Other Benefits

While an employee is receiving STD Benefits, all other MMC benefits in which he/she is enrolled will continue, and any before-tax and/or after-tax contributions the employee usually pays may be deducted from his/her STD Benefits assuming he or she has sufficient remaining income after federal, state and local taxes have been deducted.

### Merit Increases

If an employee is out on STD leave as of the effective date of any annual merit increase, he/she will not receive the increase until his/her return to work at the end of his/her STD leave, at which time the increase will be retroactive to the normal effective date of the increase. If an employee is out on approved STD leave for the full twenty-six (26) week period and does not return to work at the end of that time, he/she will not receive any merit increase.

### Termination of Payments

Payment of STD Benefits will end once an employee no longer qualifies for STD Benefits. For example, STD Benefits will end on the earliest of the following events:

- the employee no longer has a serious health condition that prevents the employee from performing the substantial and material duties of the job as determined by the Claims Administrator;

- the employee fails to submit to a required medical exam within requested time frames; and/or
- the employee fails to submit continuing proof of his/her serious health condition, such as medical records, within the requested time frames.

Similarly, payment of STD Benefits may end for other reasons as well. For example, STD Benefits will end on the earliest of the following events:

- the employee no longer meets the eligibility requirements;
- the employee dies;
- the employee has exhausted his/her STD Benefits as he/she has been out receiving STD Benefits for a qualifying serious health condition for the full twenty-six (26) weeks of coverage; or
- the employee refuses to return to work under accommodations made available by the employer.

## Additional Periods of Disability

The maximum twenty-five (25) or twenty-six (26) week STD Benefits Policy period applies to each continuous period an employee has a qualifying serious health condition. The following explains how periods of time that an employee has a qualifying serious health condition are counted and what happens if an employee returns to work and then is absent again due to the same or related serious health condition or an unrelated serious health condition as determined by the Claims Administrator.

## Modified Work Schedule

If an employee is approved to return to work by the Claims Administrator on a modified/reduced work schedule, each day of part-time work, regardless of the number of hours, will be counted as actual hours not worked under the STD Benefits Policy. If the schedule cannot be accommodated by the business, the employee will remain on normal STD Benefits.

## Recurring Disabilities

### ***Absences Due to the Same or Related Causes***

If an employee returns to work and then is absent again due to the same and/or a related serious health condition, the amount of time he/she has been back at work determines whether the later absence is counted as part of the same STD absence or a new STD absence, subject to approval by the Claims Administrator.

***Recurrence within Twenty-Six (26) Weeks of Return to Work***

If the employee returns to work and then is absent again due to the same or a related serious health condition within twenty-six (26) weeks of his/her return to work, the absence will be treated as one (1) continuous period of disability. This means any remaining STD Benefits can begin immediately, without an unpaid waiting period, at the level of STD Benefits to which the employee is entitled, subject to approval by the Claims Administrator.

If an employee returns to work and then is absent again due to the same or a related serious health condition within twenty-six (26) weeks of his/her return to work, but the employee had already used all of his/her twenty-five (25) or twenty-six (26) weeks of STD Benefits (depending on Operating Company) he/she will not be eligible for any additional STD Benefits and will have to apply for Long Term Disability benefits.

***Recurrence More Than Twenty-Six (26) Weeks After Return to Work***

If an employee returns to work for twenty-six (26) weeks or longer, an absence due to the same or a related serious health condition will be treated as a new STD event. For example, if an employee had been absent from work for exactly eight (8) weeks following surgery, returned to work for twenty-eight (28) weeks and then was absent again due to complications from the surgery, the new absence would be considered a new STD event and a new period of disability. The employee would have to satisfy the unpaid waiting period and have the absence approved by the Claims Administrator in order to be eligible for STD Benefits.

***Absence Due to New Serious Health Condition Before the Employee Returns to Work***

If an employee out on approved STD absence suffers from a second and unrelated serious health condition before returning to work from the first serious health condition, the entire absence is treated as one STD leave for which the employee can receive up to twenty-five (25) or twenty-six (26) weeks of STD Benefits (depending on Operating Company) related to the new serious health condition.

***Absence Due to New Serious Health Condition After the Employee Returns to Work***

If an employee returns to work and is absent again due to a new serious health condition, he/she is immediately eligible to apply for STD Benefits of up to twenty-six (26) weeks related to the new serious health condition and will be subject to the 7 day unpaid waiting period.

**In all cases, the employee must satisfy the eligibility requirements and qualifications for STD Benefits, and his/her claim must always be approved by the Claims Administrator.**

## Federal and State Family and/or Medical Leave Laws

Employees who are applying for STD Benefits will also be required to comply with applicable federal and state family and/or medical leave laws. Additional details regarding leave laws are contained in the Employee Handbook for each Operating Company.

## Returning to Work

The Claims Administrator will notify the employee of the date that he/she is estimated to return to work based on the medical information provided. Once the employee receives this notification, he/she must have his/her health care provider complete the Return to Work form supplied to him/her with his/her initial application paperwork. The completed Return to Work form must be returned to the MMC Leave Management Team on or before the employee's return to work date; Oliver Wyman employees must return the form to their HR representative. The employee must also contact his/her manager and inform his/her manager of the return to work date.

## Contact with Manager

An employee who is absent on approved STD leave must contact his/her manager every week during business hours to update the manager of his/her status and intent to return to work.

## Subrogation

To the maximum extent permitted by law, MMC is entitled to equitable or other permitted remedies, including a lien or constructive trust, to recover any amounts received as a result of a judgment, settlement or other means of compensation for conditions or injuries which have resulted in the payment of benefits under this STD Benefits Policy. This shall include, but is not limited to, damages for pain and suffering and lost income.

MMC is entitled to recover these amounts from the participant; any covered family member or beneficiary, or any other person holding them, up to the amount of all payments made or payable in the future plus costs of recovery. MMC has a priority interest in any and all funds recovered in any full or partial recovery, including funds intended to compensate for attorney's fees and other expenses.

As a condition of receiving benefits under this STD Benefits Policy, the employee agrees that:

- he/she will promptly notify MMC of any settlement negotiations, settlement, or judgment in any litigation related to an event or condition for which he/she has received, or expects to receive, benefits under this STD Benefits Policy; and
- future benefits, even for an unrelated event or condition, may be reduced by the amount of any judgment or settlement, or similar compensation which MMC would be entitled to under the rules above but is unable to recover.

## Overpayment

If an employee receives an erroneous or excess STD benefit payment, MMC is entitled to take action to correct the error. To the extent permitted by applicable law, such employee will be required to repay these funds. The MMC Leave Management Team or HR representative for Oliver Wyman employees will apply any accrued unused paid time (e.g., vacation, Floating Holidays, Personal Days, PTO) to offset this overpayment. The recovery of the overpayment may be made by arranging for repayment by the employee or via a promissory note.

## Denial of a Claim

As noted under “Qualifying for STD Benefits”, an employee must be both eligible to participate in the STD Benefits Policy as determined by the MMC Leave Management Team and have a serious health condition that qualifies to receive benefits in the STD Benefits Policy as determined by The Hartford as the Claims Administrator.

## Eligibility to Participate and Procedural Step Appeals

If the employee disagrees with the determination as to whether he/she comes within the definition of an eligible employee, or the determination as to whether he/she satisfies an eligibility date requirement or otherwise complied with the mandatory claim filing process as described in this policy, the employee must appeal to the Plan Administrator in writing within thirty (30) calendar days of the Plan Administrator’s determination. The Plan Administrator’s decisions on any STD Benefits Policy matter related to the interpretation of who is an “eligible employee”, or whether eligibility date requirements and/or the mandatory claim filing process has been complied with shall be final, binding and conclusive with respect to all interested persons.

### **For Eligibility to Participate and Procedural Step Appeals contact:**

MMC Global Benefits  
Marsh & McLennan Companies, Inc.  
121 River Street – 6<sup>th</sup> Floor  
Hoboken, NJ 07030

The employee will be advised of the appeal decision, when practicable, in writing, by the Plan Administrator within ninety (90) days of the appeal request. The Plan Administrator’s decision on any Plan Administrator appeal (as described above) shall be final, binding and conclusive with respect to all interested persons.

## Claims Administrator Appeal

For all other matters not covered by the Plan Administrator Appeal process described above, including if the employee disagrees with the Claims Administrator’s determination as to whether the employee has a serious health condition, the duration of the benefits as a result of a serious health condition, whether the employee qualifies to receive benefits under the STD Benefits Policy, or regarding the Claims Administrator’s disability review process as described in this policy, the employee must appeal the Claim Administrator’s determination in writing to the Claims Administrator within thirty (30) calendar days of the Claims Administrator’s determination.

**The written appeal should be sent to:**

The Harford-Comprehensive Employee Benefit Services Company  
Maitland Claim Appeal Unit  
P.O. Box 946710  
Maitland, FL 32794

The employee may submit any additional clinical information from his/her health care provider as part of the appeal request. The Claims Administrator will review the original determination of STD Benefits eligibility and confirm or modify the determination.

The employee will be advised of the appeal decision, when practicable, both verbally and in writing, by the Claims Administrator's Appeal Coordinator within sixty (60) days of the appeal request. The Claims Administrator's decision on any Claims Administrator appeal (as described above) shall be final, binding and conclusive with respect to all interested persons.

If the original period of approved STD Benefits ends during the appeal process, STD Benefits will cease and the employee will be placed on an unpaid leave pending the appeal process.

If an employee's appeal is approved, he/she will receive STD Benefits retroactively for the period approved by the Claims Administrator for which he/she has not yet been paid.

If the employee's appeal is denied, the employee will be notified in writing by MMC Leave Management that his/her appeal was denied, and will be given one (1) additional week to return to work. If the employee fails to return to work, the employee will be deemed to have voluntarily resigned his/her employment, and MMC will treat the employee accordingly. In addition, if the employee has been paid for time he/she was absent from work that was not approved by the Claims Administrator, he/she will be required to repay these funds; MMC will apply any accrued unused paid time (e.g., vacation, Floating Holidays, Personal Days, PTO) to offset this overpayment.

## Amendment or Termination of This STD Policy

MMC reserves the right to amend or terminate this STD Benefits Policy, and/or to alter, reduce or eliminate any pay practice, policy or benefit, in whole or in part, with or without advance notice; provided, however, any eligible employee receiving benefits at the time of any such amendment or termination shall continue to receive such benefits until he/she returns to work or has exhausted the twenty-six (26) week benefit period.