

2023 OXY **BENEFITS**

# **SHORT-TERM DISABILITY PROGRAM**







### **IMPORTANT !**

Click on the **information icon** ⓘ next to highlighted key terms to read the definition.

These key terms and definitions are also available in the [Glossary](#).

# OVERVIEW

The following summarizes the Short-Term Disability (STD) Program which provides you with continuing income in case of a covered **illness** or **injury**.

For updates to this information, go to the [STD page](#) on My HR.

## WHO'S ELIGIBLE

Eligible employees include non-represented hourly or salaried employees paid on a U.S. dollar payroll scheduled to work at least 20 hours per week or 80 hours per month. Union-represented employees are eligible if included in the collective bargaining agreement.

## KEY FEATURES

### Elimination Period

You must satisfy an **elimination period** before STD benefits begin. The elimination period is 40 work hours (42 if you are a GoM rotational employee). The elimination period must be related to the same health condition for a **qualified disability** and satisfied within 90 calendar days of your date of disability. You must use and report time under the elimination period as Paid Time Off (PTO).

### STD Benefit Amount

If you are disabled from performing your job because of a qualified disability and you meet Program requirements, you may receive STD benefits. The amount of your STD benefit is 100% of your base pay for up to 25 weeks. With the elimination period, the STD Program covers a maximum of 26 weeks. STD benefits are subject to an offset for other benefits received for the same leave.

### Occupational Qualified Disability

If you are unable to work because of an **occupational qualified disability** and you meet all the requirements of the Program, you will receive 100% of your base pay for up to 26 weeks, subject to a deduction for benefits received from another source. The elimination period is not applicable to an occupational qualified disability.

## INITIATING STD BENEFITS

To initiate the STD process or if you have any questions about the process, please contact your HR representative or [Oxy Leave Administration](#).

## AUTOMATIC ENROLLMENT

If eligible, you are **automatically enrolled** in the STD Program on your hire date, if **actively at work**.

## PAYING FOR COVERAGE

Oxy pays for 100% of the cost of the STD Program; there is no employee premium or cost.

### ABOUT THE STD PROGRAM

The STD Program is a pay practice and is exempt from the requirements of ERISA. The STD Program includes Occidental's Pregnancy Leave (OPL). For more information about OPL, see the [Time Away Programs](#) guide.





## For STD Program Information

### OxyLink Online

Log into [OxyLink Online](#) with your employee/network ID and your password to access the Employee Self Service portal.

- Access your personal and payroll information
- View your current Benefit Summary
- Make new hire or Open Enrollment elections
- Make a Status Change benefit election

### OxyLink Leave Administration

For questions about your Short-Term Disability benefits:

- [LeaveAdminOxyLink@oxy.com](mailto:LeaveAdminOxyLink@oxy.com)
- **918-610-1907**

For questions about other Oxy health and welfare benefit plans:

- [oxylink@oxy.com](mailto:oxylink@oxy.com)
- **800-699-6903** or **918-610-1990**, outside the U.S.

# SHORT-TERM DISABILITY PROGRAM

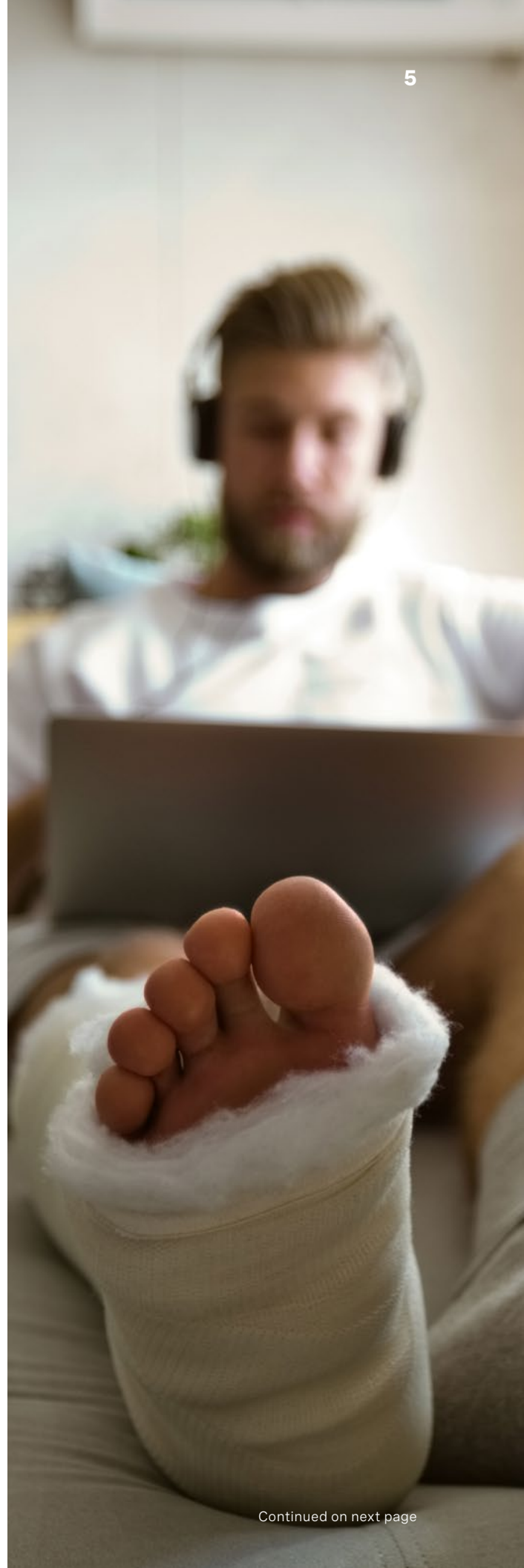
The STD Program is designed to provide pay continuation if you are disabled and unable to perform your job. Benefits are paid according to the requirements of the STD Program and all applicable absence management policies and procedures.

## YOUR STD BENEFIT

For purposes of calculating the STD benefit, your base pay is defined as your regular salary, straight time hourly wages and regularly scheduled overtime. Base pay excludes bonuses, overtime, geographic premiums, other premiums, or additional forms of compensation. Any adjustment in base pay after a qualified disability begins will be used to compute the STD benefit on and after the effective date of the adjustment.

### **You must satisfy an elimination period under the STD Program.**

Generally, any protected leaves of absence under a family or medical leave policy (e.g., Family and Medical Leave Act (FMLA), state provided disability leave) will run concurrently with your STD benefits. OPL benefits also run concurrently with STD.



## OTHER SOURCES OF INCOME

If you are not at work while receiving STD benefits and are subsequently approved to return to work for Oxy on a part-time basis, you may be approved to continue receiving the STD benefit. Your STD benefit will be reduced by the earnings you receive while working.

The amount of your STD payments will be reduced or offset dollar for dollar by any disability income you receive or are eligible to receive, regardless of whether or not you apply for *other income*, including:

- Workers' compensation
- Any other Oxy-sponsored disability program, other than individual disability income policies
- Any government-sponsored disability program
- Any primary Social Security disability benefits

If you are unable to work due to an illness or injury, you must apply for all other income for which you are eligible, as a condition of receiving STD benefits. Once you have applied for and begin receiving benefit payments from other income, you must immediately notify your Human Resources representative of the type and amount of benefit payments you are receiving or may become if eligible to receive.

If you work in a state with a mandated disability and/or paid family leave program, your Oxy paid leave benefit will be reduced by the maximum amount of state benefits. Your total pay will not exceed 100% of your base pay. If you receive an amount from the state that is different than the maximum amount, provide a copy of the award amount to us and we will adjust your benefit accordingly.

Oxy may reduce STD benefits based upon an estimate of other income that you will receive. If your payment has been reduced by an estimated amount for other income, your payment may be further adjusted when Oxy receives proof:

- Of the amount awarded; or
- Claims for other income have been denied and all appeals have been completed.

You must repay Oxy for any overpayment of STD benefits. For more information, see [STD Overpayments](#).





## BENEFIT DURATION

STD benefits end on the earliest of:

- The date you return to active Oxy employment on your regular schedule (Note, if your regular schedule was full-time but you are authorized to return to work on a part-time basis and have a qualified disability, you may be eligible to receive STD benefits for the time not worked).
- The date you no longer have a qualified disability.
- The date you fail to comply with any applicable leave management policies or procedures, including failure to provide medical information required to certify the disability and the plan for your medical care .
- The date you are medically able to return to work with restrictions and are offered an opportunity to do so, but you decline the offer.
- The date you are notified that your employment will end, including but not limited to the Occidental Petroleum Corporation Notice and Severance Pay Plan.
- Your death.
- The date you cease to be eligible for STD benefits under the Program for any reason.
- The date you terminate employment or retire under any one of Oxy's retirement plans.
- The date you have received the maximum benefit under the Program in connection with any one qualified disability.
- The date you perform services for an employer (including self-employment) other than Oxy, even if you were employed with the other employer before the date your disability was incurred.
- The date the Program is terminated or the date the Program is amended to eliminate or modify the STD benefits.

## WORKING WHILE RECEIVING STD BENEFITS

If you work at Oxy *and* have a job with a second employer, you may not work for the other employer, even on a part-time basis, while you are receiving Oxy STD benefits. If Oxy determines that you were working for another employer while receiving STD benefits under this Program, your STD benefits will cease retroactively to the first date you worked for the other employer while receiving STD benefits. Oxy reserves the right to require repayment of these amounts and to take appropriate disciplinary action.

## SUCCESSIVE DISABILITIES

If you become disabled from another medical condition while on STD for an existing qualified disability, it will be considered the same STD case until you are released to return to work.

If you have a qualified disability, return to work, and become disabled again due to the same or a related cause, the second disability will be considered a continuation of the first period of disability, as long as you had returned to work for less than 90 calendar days. The same terms, provisions, and conditions will apply as the original disability.

If your second disability is unrelated to the first, or if you have returned to work for more than 90 calendar days, the second period of a qualified disability will be considered a separate claim and a new elimination period, if any, must be satisfied.

## STD BENEFITS AND LEAVES OF ABSENCE

Your eligibility for a leave of absence and right to reinstatement, if any, is governed by the Family and Medical Leave Act (FMLA), applicable federal, state and local laws, and any applicable Oxy leave policies.

**Your receipt of STD benefits under this Program does not guarantee you any right to reinstatement.** For example, if you are not eligible for FMLA or are unable to return to work once you have exhausted your available FMLA, you may still be eligible to receive STD benefits. However, you would not be guaranteed any right to reinstatement. Oxy reserves the right to replace you and terminate your employment, subject to all applicable legal requirements. If you are medically able to return to work, you may apply for any open and available positions for which you are qualified. You will be considered on the same terms as other applicants but including your prior work performance and conduct with Oxy.

Similarly, even if you qualify for disability or FMLA, an Oxy policy, and/or applicable law, you may not be eligible for STD benefits unless you independently provide all requested medical documentation and meet all the requirements of this STD Program. Requirements under Oxy's STD Program may be more stringent than those required to qualify for a disability or leave of absence under other laws or programs.

## EVIDENCE OF DISABILITY

For Oxy to confirm a qualified disability under the STD Program, you are required to provide **Objective Medical Evidence** within 15 calendar days of your leave commencement.

You must provide Oxy with any requested medical information within 15 calendar days of the request. You may also be required to provide periodic follow-up statements at specified times or upon request. Oxy may require an examination, (at its expense), by an Oxy-designated **Physician** to determine your eligibility for STD benefits. Your STD benefits will be discontinued if you fail to provide requested medical documentation, fail to return an authorization allowing Oxy and its representatives to communicate with your health provider or receive relevant medical documentation, or refuse to see Oxy's designated Physician (or cooperate with the Physician) when requested to do so. Oxy shall determine, in its sole discretion, whether you are eligible to receive STD benefits under the Program.

## RETURN TO WORK

A Return-to-Work release form completed by your Physician must be provided to and approved by the Occupational Health Department, prior to your returning to work. You should keep your Human Resources representative and supervisor informed about your plans to return to work and confirm your actual return to work date. In addition, you must follow your business unit procedures for return to work.



## BENEFITS WHILE ON STD

You will be covered under Oxy's other benefit plans and programs while receiving STD payments as outlined below (subject to the right of the plan sponsor to modify, amend, or terminate such plans and programs on a prospective basis):

- **Medical, Dental and Vision Plans** — If you are enrolled in the Medical, Dental and/or Vision Plan on your last day actively at work, coverage for you and your dependents will continue in accordance with Plan terms as long as you continue to make the required monthly contributions.
- **Health Savings Account (HSA)** — If you are contributing to an HSA, your payroll deductions will continue unless you elect otherwise. Oxy will automatically make a company contribution to your HSA.
- **Flexible Spending Accounts (FSAs)** — If you are contributing to an FSA, your payroll deductions will continue. Call the OxyLink Employee Service Center for FSA continuation options if your pay does not cover the contributions.
- **Long-Term Disability (LTD) Plan** — Your coverage will continue while on STD. If you are enrolled in a contributory plan, your coverage will be continued as long as you continue to pay the required monthly premiums.

**NOTE:** You should monitor your anticipated absence. If you believe that you will not return to work at the end of STD, it is strongly recommended you file a long-term disability (LTD) claim with Prudential (the LTD insurance carrier) approximately 13 weeks before your STD benefits end.

- **Basic Life and Basic Accidental Death & Dismemberment (Basic AD&D) Insurance Plans** — Your coverage will continue.
- **Group Universal Life Insurance (GUL) Plan** — Your coverage will continue as long as you continue to pay the required monthly premiums.
- **Voluntary Accidental Death & Dismemberment (Voluntary AD&D) Insurance Plan** — Your coverage will continue as long as you continue to pay the required monthly premiums.
- **Occupational Accidental Death & Dismemberment (OAD&D) Insurance Plan** — Your coverage will end if you are not actively at work.
- **Critical Illness, Accident Insurance, Hospital Indemnity, Allstate Identity Protection, MetLife Legal** — Your coverage will continue as long as you continue to pay the required monthly premiums.
- **Retirement Plans** — You will continue to accrue benefits based on your eligible earnings and any eligible annual bonus you receive.
- **401(k) Savings Plan** — You may continue to make contributions to your 401(k) Savings Plan based on the monthly base earnings and any eligible annual bonus you receive. Oxy will continue to make any applicable employer contributions.
- **PTO** — You will continue to accrue PTO.
- **Holidays** — You are not eligible to receive holiday pay for any day you receive STD benefits. If a holiday occurs during the period you are receiving STD benefits, the holiday will not extend your STD period.

## REQUESTING STD BENEFITS

Generally, if you have been or will be absent for more than 40 consecutive work hours (42 if GoM rotational employee), you must submit a new leave case as follows:

- 1 Log into [OxyLink Online](#)
- 2 Under the Employee Self-Service portal, click *My STD or Paid Family Leave*.
- 3 Select *AbsenceSoft ESS Portal*.

Refer to the [AbsenceSoft Employee Self-Service Guide](#) on My HR for instructions on how to file your leave.

Once you request a leave of absence, HR will review your information and Leave Administration will email you a leave packet within five (5) workdays from your leave request. This information is also attached to your case in the AbsenceTracker portal.

Your leave packet will include an authorization that allows Oxy's Occupational Health Department to obtain medical information on your behalf. Your Physician will need to complete the required certification to support your leave, and the Return-to-Work Release prior to the date you return to work. Oxy's Occupational Health may periodically request you to send proof of continuing disability.

To complete your leave request, it is your responsibility to ensure your Physician returns any requested information to Oxy. You must pay any costs incurred to obtain and submit information required by Oxy.

Once all required forms are received and reviewed, Leave Administration will notify you of the determination of your leave case.

If you disagree with the decision made by Oxy regarding STD benefits, you may request that Oxy review its decision by providing a written request for review to the address below within 30 calendar days after you receive the original decision.

### REQUEST FOR REVIEW

#### Attn: Short-Term Disability Program

Human Resources Department  
Occidental Petroleum Corporation  
5 Greenway Plaza  
Houston, TX 77046

## STD OVERPAYMENTS

If you receive a benefit payment over the amount you are entitled to under the Program, you are obligated to return the overpayment to Oxy.

- Consistent with applicable law, Oxy may reduce or eliminate future payments instead of requiring repayment.
- Oxy may collect the overpayment by deducting from any payments due to you, including pay or other earnings.
- The Program will not recover more than the amount paid to you. This does not affect any other right of overpayment recovery.

# WHEN COVERAGE ENDS

Your coverage under the Program ends on the first of the following events:

- The STD Program is discontinued;
- The date you are notified your employment will end under the Occidental Petroleum Corporation Notice and Severance Pay Plan;
- Termination of your employment (voluntary or involuntary);
- Your death; or
- You are no longer eligible, as defined by the Program.

## DURING MILITARY LEAVE

The STD Program will be administered in compliance with the requirements of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and any other similar laws. Coverage under the Program may continue as specified under law (USERRA rules). In the absence of any USERRA rules on length of coverage, coverage may not be continued beyond six months from your date of leave. You must make any required contributions. Reenrollment will be permitted if you return to work and request reinstatement through the OxyLink Employee Service Center within 31 days (even if you elected to discontinue your coverage during your USERRA military leave).

Contact your Human Resources representative or the OxyLink Employee Service Center with any questions regarding continued coverage under USERRA.

More information about the types of military service, the maximum length of military service, your deadline for returning to work, and other requirements for reemployment rights under USERRA is available online at [dol.gov/vets](https://dol.gov/vets).





# IMPORTANT INFORMATION

The following information provides important guidelines that govern the STD Program.

## PROGRAM CONTINUATION

Oxy expects and intends to continue the STD Program but does not guarantee any specific level of benefits or the continuation of any benefits during any periods of active employment, inactive employment, disability or retirement. Benefits are provided solely at Oxy's discretion. Oxy reserves the right, at any time or for any reason, to suspend, withdraw, amend, modify or terminate the STD Program (including altering the amount you must pay for any benefit), in whole or in part. In the case of material changes in this description of the STD Program, such action will be evidenced by a written announcement to affected individuals.

## DISCRETIONARY AUTHORITY

Oxy has the complete discretionary authority to construe and interpret the STD Program document and make all factual determinations relevant to the STD Program.

This includes, but is not limited to, all determinations on eligibility to participate, whether a Qualified Disability is present, other income available to an employee, whether any offset or reimbursement is due to Oxy, and whether coverage should be terminated. In the event of legal review of a determination made by Oxy, the review will defer to the discretion of Oxy unless shown by clear and convincing evidence that the determination was made arbitrarily and capriciously.

## NO IMPLIED PROMISES

This STD Program does not affect the at-will status of employees whereby Oxy or the employee may terminate the employment relationship at any time, for any reason, and with or without notice.



# GLOSSARY

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## Actively at Work

You are being paid regularly for working at Oxy and are performing the material and substantial duties of your own occupation. You must be regularly scheduled to work at least 20 hours per week or 80 hours per month.

Your worksite must be:

- your usual place of business;
- an alternate work site at the direction of Oxy; or
- a location to which your job requires you to travel.

You must be actively at work for your STD coverage to go into effect. If you are not, your coverage will not take effect until you are at (or return to) full-time work for one full day.

For eligibility purposes, you will be deemed to be actively at work during weekends, approved vacation/PTO, holidays, business closures or if you are on an approved leave of absence if you were actively at work on the last scheduled workday preceding such time off.

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## Elimination Period

The period of time that you must be absent from work before receiving benefits under this Program.

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## FMLA

The federal Family and Medical Leave Act (FMLA) provides eligible employees with, among other things, an unpaid protected leave of absence for up to 12 weeks. For more information, review Oxy's [Family and Medical Leave Act \(FMLA\)](#) on My HR.

## Illness

A pathological condition of the body that presents a group of clinical signs and symptoms and laboratory findings peculiar to it and that sets the condition apart as an abnormal entity differing from other normal or pathological body states.

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## Injury

An accidental bodily injury that is the sole and direct result of:

- An unexpected or reasonably unforeseen occurrence or event; or
  - The reasonable unforeseeable consequences of a voluntary act by the person. Such occurrence, act or event must be definite as to time and place.
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## Objective Medical Evidence

A measurable abnormality that is evidenced by one or more standard medical diagnostic procedures including laboratory tests, physical exam findings, X-rays, MRIs, EEGs, ECGs, CAT scans or similar tests that support the presence of a disability or indicate a functional limitation. Objective Medical Evidence does not include Physician opinions based solely on the acceptance of subjective complaints (e.g., headache, fatigue, pain, nausea), age, transportation, local labor market and other non-medical factors. To be considered an abnormality, the test result must be clearly recognizable as out of the range of normal for a healthy population; the significance of the abnormality must be understood and accepted in the medical community.

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### Occupational Qualified Disability

A Qualified Disability that is finally adjudged to be work-related and compensable under the Workers' Compensation laws of the state in which you are employed.

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### Physician

A person who:

- Is performing tasks that are within the limits of his or her medical license; or
- Is licensed to practice medicine and administer drugs or to perform surgery; or
- Has a doctoral degree in psychology (Ph.D. or Psy.D.) whose primary practice is treating patients; or
- Is a legally qualified medical practitioner according to the laws and regulations of the governing jurisdiction.

A relative, including but not limited to, you, your spouse, or a child, sibling or parent of you or your spouse will not be recognized as a Physician under the Program.

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### Qualified Disability

An illness or injury:

- That prevents you from performing your job and requires your absence from work (the loss of a professional or occupational license or certification, in and of itself, does not meet the definition of qualified disability);
- That is supported by objective medical evidence;
- For which you are receiving appropriate care from a Physician; and
- For which you provide Oxy with appropriate initial notification and ongoing documentation of your need for such absence in accordance with any absence management policy or procedure.

A qualified disability does not include illness or injury that is:

- An expected result of elective cosmetic surgeries or procedures that are used primarily to change appearances (but complications as a result of such elective procedures will be covered subject to the terms of the program); or
- incurred as a result of an act of war—either declared or undeclared; or
- incurred during or resulting from the commission of a crime in which the employee is a perpetrator.





## 2023 OXY **BENEFITS**

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# **SHORT-TERM DISABILITY PROGRAM**

This STD Program is intended to comply with all legal obligations including but not limited to the Americans with Disabilities Act, the Family and Medical Leave Act, all equal employment opportunity laws, and any applicable state or local laws. This STD Program will be interpreted and administered in compliance with all applicable laws.

The Short-Term Disability Program is not subject to Employee Retirement Income Security Act of 1974 (ERISA) and is governed by state law.

