

EMPLOYMENT-RELATED EVENTS AFFECTING COVERAGE

If You Terminate Your Employment

Your eligibility to make **pre-tax** contributions to the **HCRA** and/or the **CECRA** ends if your employment with a **Participating Company** ends for any reason. However, you may still be able to receive benefits through the Plan. For more information, see “What Happens When Participation Ends.”

If You Become Disabled

Your participation in the **HCRA** and **CECRA** may be affected if you become disabled. The duration of your disability determines the effect it will have on your participation.

Disabilities/Effect on Coverage

If you become totally disabled as determined under The Avaya Inc. Sickness and Accident Disability Benefit Plan, your eligibility to make contributions to the **HCRA** and the **CECRA** may continue for the remainder of that Plan Year, or until you are no longer eligible for those disability benefits. However, your participation may not end at that time. For more information, see “What Happens When Participation Ends.” If you return to work during the same Plan Year, your contributions will automatically resume for the remainder of that Plan Year.

Different rules apply after you become eligible for Long-Term Disability benefits. Your eligibility to make **pre-tax** contributions to the **HCRA** and/or the **CECRA** ends when you become eligible for long-term disability benefits under The Avaya Inc. Long-Term Disability Plan. However, your ability to receive benefits from the Reimbursement Account Plans may not end at that time. For more information, see “What Happens When Participation Ends.”

If You Take an Approved Leave of Absence

If you are participating in the **HCRA** and/or the **CECRA** during an approved leave of absence (other than an **FMLA** leave) that begins and ends during the same Plan Year, your contributions will stop during your leave. When you return to work, your accounts will be reinstated upon return and monthly contribution amounts will be adjusted accordingly. Changes to the **HCRA/CECRA** annual election upon return from leave will be permitted as consistent with a **qualified status change** (i.e., a participant who returns from leave with a new child may increase or begin an **HCRA** or **CECRA** to account for the additional expenses for the child).

If you are on an approved leave of absence (other than an **FMLA** leave) during the next **annual enrollment**, you *cannot* enroll at that time. However, if you return to active employment during the next Plan Year, you can enroll within 31 days of your return to work.

If you are eligible for an **FMLA** leave, Avaya Inc. will comply with this legislation.