

Comcast Solutions

Frequently Asked Questions

1. What is Comcast Solutions?

Comcast Solutions is a three-tiered alternative dispute resolution program specifically designed to effectively and efficiently address certain employment-related claims that assert a violation of law.

Comcast Solutions provides both employees and the Company with multiple opportunities to reach a resolution acceptable to all parties, without expending the time and cost typically associated with traditional, full scale litigation.

If you decided to bring a Case under Comcast Solutions, the three steps of the Comcast Solutions process are:

- **Step 1: Review/Facilitation.** Your Case is reviewed by a member of the Comcast Solutions Program team at Cable Corporate Headquarters or at the Divisional level, who will attempt to work with you and your local management team to resolve the complaint internally.
- **Step 2: Mediation.** If you are not satisfied with the results of the Review/Facilitation process, you may request that the Case proceed to an outside, professional dispute resolution organization (“DRO”) for Mediation. At this step, a formal mediation (also known as a settlement conference) is held between the parties. If Mediation is successful, the Case will be resolved by a signed, written settlement agreement.
- **Step 3: Arbitration.** If Mediation is unsuccessful, you may request that the Case be submitted to final, binding Arbitration. This stage is also handled through a DRO. Arbitration is a 2-day hearing (like a mini-trial) where an arbitrator hears witness testimony and reviews the evidence presented and submits a final written opinion, which is binding on the parties.

2. What is the difference between Comcast Listens and Comcast Solutions?

Comcast Listens is part of our Open Door policy and is available for *all* kinds of workplace or integrity issues, big or small, legal and non-legal, affecting your employment. Comcast Solutions, on the other hand, is a program created for certain legal claims affecting your employment, such as allegations of unlawful discrimination based on a protected category, wage and hour violations, and sexual harassment. Comcast Solutions sets up a procedure to resolve covered legal claims outside of the court system.

3. Will all legal claims be covered by Comcast Solutions?

No. Certain legal claims, including claims for worker’s compensation benefits, unemployment compensation benefits, claims governed by the Employee Retirement Income Security Act (“ERISA”) with respect to a company sponsored benefit plan, and claims under the National Labor Relations Act (“NLRA”) will not be handled through Comcast Solutions. (A more complete description of included and excluded claims is set forth in the answer to Question No. 12, below.) If you participate in Comcast Solutions and a claim arises in one of these excluded categories, you will be able to pursue the claim through local, state and/or federal courts or agencies, as applicable.

4. Are all employees in my Region or Business Unit going to be covered by Comcast Solutions?

Not necessarily. Current employees (*i.e.*, employees who are actively employed on the date that Comcast Solutions is rolled out in their region or business division) will be given the choice to “opt out” of the program if they do not wish to participate. Employees who are newly hired (or rehired) into the Region or Business Unit *after* the program roll-out date for that Region/Business Unit will be automatically enrolled in the program in consideration of their decision to become employed with the Company. Excluded from the program are any employees who are subject to a collective bargaining agreement or an employment agreement with the company (unless the collective bargaining

agreement or employment agreement specifically references and incorporates the Comcast Solutions program). These individuals are generally already subject to dispute resolution terms and/or arbitration programs/procedure under the terms of their agreements.

5. What about pending legal claims? Can I still participate in Comcast Solutions?

Yes. Enrollment in Comcast Solutions will only affect claims brought at a future date. Claims that have already been filed in a court or governmental agency at the time of Comcast Solutions roll out in your area will continue outside of the Comcast Solutions process, even for those who participate in the Comcast Solutions program.

6. If I participate in Comcast Solutions, do I waive my right to go to the EEOC, the NLRB, other federal/state/local agencies, and/or to court?

Absolutely not. Comcast Solutions does not affect your right to go to the EEOC or any federal, state or local agency. You will still be able to do so. By participating in Comcast Solutions, however, both you and the company are waiving the right to have covered legal claims heard by a judge or jury in a court of law or equity.

7. What is the difference between Mediation and Arbitration?

Mediation is a process where an external, professional mediator works to get both sides of a dispute (in this case, an employee and the company) to reach a mutually acceptable resolution to the claims. The mediator does this by reviewing the facts and talking to both sides (the employee and the Company), together and separately, about the claims and the facts of the Case—in an attempt to get both sides to understand the other side’s position and determine a possible resolution that is mutually acceptable.

Arbitration, in contrast, is like a mini-trial. An external, professional arbitrator acts as a “judge” and listens to the evidence presented by both sides, including witness testimony, before making a final, binding determination on the claims in the Case. The arbitrator also can make rulings on procedural or related issues raised by either side. The arbitrator has the authority to award money damages, attorney’s fees and other forms of relief that would be available through a court. “Binding” arbitration means that both the employee and the Company are bound by the final determination of the arbitrator. This means, absent some kind of abuse of the arbitration process or laws, the outcome must be accepted as final and cannot be challenged by the Company or the employee in court.

8. What is a Dispute Resolution Organization (or “DRO”)?

A DRO is an outside, independent entity that offers professional mediation and arbitration services to help resolve legal disputes outside of the local, state or federal court systems. Professional mediators and arbitrators often include retired judges, experienced attorneys and/or trained professionals. One of two well-known and very reputable DROs—either Judicial Arbitration and Mediation Services (JAMS) or the American Arbitration Association (AAA)—will be used to resolve mediation and arbitration matters submitted to the Comcast Solutions program, depending on the geographic location of the dispute. The rules and procedures of both organizations are available through the Comcast Solutions page on the HR/Benefits tab of TeamComcast. You also may learn more about JAMS and AAA (including getting copies of their rules/procedures) by visiting the following websites:

- **JAMS:** www.jamsadr.com
- **AAA:** www.adr.com

Generally, employees working in California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia and Washington will be covered by JAMS; all others will be covered by AAA. For an updated map of what DRO will apply to your geographic area, as well as the DRO’s published

procedures and rules, please consult the map available at the Comcast Solutions tab on the HR/Benefits page of TeamComcast.

9. I went on the DRO website(s) and saw that there are some fees/costs associated with mediation and arbitration. Will I have to pay these?

No. You will not have to pay any fees at all for a Stage 2 Mediation. For a Stage 3 Arbitration, the most you will have to pay is \$150 (which you will get back if you are successful on any of your claims). The Company will pay the remainder of any fees that are charged.

10. Should I be worried that the Mediator or Arbitrator will favor the Company because the Company is paying most of the costs?

No. Although the Company will pay for most of the costs of the Mediation and/or Arbitration, the individual mediator and/or arbitrator will not be informed by the Company of this fact.

11. What happens if I don't like the Mediator or Arbitrator who is assigned to my case?

Both DROs have a process designed to help the parties select a mutually acceptable Mediator or Arbitrator. The DRO will send a list of possible names and backgrounds for mediation or arbitration, and the Company and employee can mutually agree on a choice. If there is a no agreement, then a process is used whereby each side expresses/ranks their preferences and the DRO chooses the best (most mutually agreeable) choice.

12. What kinds of claims are eligible for resolution through Comcast Solutions?

Most claims that assert a violation of law relating to your employment are eligible for Comcast Solutions (including federal, state or local statutory laws, regulations and/or common law claims). Generally speaking, legal claims covered by the program are claims that involve an allegation that the employee personally has been harmed or damaged by an unlawful action taken by the Company or its representatives related to the employment relationship and are seeking damages or other forms of relief that otherwise would be available through a court. By way of example, the following is a non-exhaustive list of the types of claims would be covered by Comcast Solutions:

- Claims that a portion of your compensation was wrongfully withheld or not paid and/or that improper deductions were taken;
- Claims that you were discriminated against or harassed based on some characteristic protected by law (e.g., age, disability, gender, national origin, race, religion, veteran status or other legally protected characteristics);
- Claims that you were not provided with appropriate reasonable accommodations and/or were discriminated against on the basis of your disability, the perception of a disability or the disability of someone close to you, as provided under the Americans with Disability Act ("ADA") or other state or local disability laws
- Claims that you were not provided with reasonable accommodations for your religious beliefs or practices;
- Claims that you were unlawfully retaliated against for previously raising a complaint or claim protected by law (also known as "whistleblower" claims);
- Claims that you were not permitted to take leave under the Family and Medical Leave Act ("FMLA"), under the Uniformed Services Employment and Reemployment Rights Act ("USERRA") or another under federal, state or local leave law, as well as claims that you were not reinstated and/or were retaliated against for taking such leave; and
- Claims that you did not receive minimum wage, were not paid overtime and/or were not properly compensated for all of your hours worked in accordance with applicable federal, state or local wage and hour laws.

Note: each of these general categories of covered claims include any and all applicable federal, state or local statutory claims pertaining to such matters, as well as any common law claims arising out of or related to the employment relationship.

Legal claims that are excluded from the Comcast Solutions program are the following:

- Unemployment Compensation claims;
- Claims for Workers' Compensation benefits;
- Claims for health and welfare benefits under a Company-sponsored benefit plan covered by the Employee Retirement Income Security Act ("ERISA");
- Claims under the National Labor Relations Act ("NLRA") or under the terms of a collective bargaining agreement;
- Claims under the federal False Claims Act, federal procurement laws or federal or state intellectual property laws (including claims related to patents, trademarks, trade secrets and copyrights);
- Claims for breach of data privacy or unauthorized use or disclosure of private, confidential or trade secret information under statutory or common law; and
- Any claim that is expressly precluded from arbitration by a federal statute or regulation.

You will need to proceed to court and/or the applicable federal, state or local agencies for excluded claims.

13. What happens if I submit a Case and it is found to be ineligible for resolution through Comcast Solutions?

If you file a Case with Comcast Solutions that does not assert a legal claim or asserts an excluded legal claim (such as a claim for unemployment compensation benefits), you will be so informed and directed to bring the non-covered claim in the appropriate forum. You also will be given the chance to amend your Comcast Solutions Case to state a covered legal claim, if applicable. If a Case is ultimately determined to be ineligible for Comcast Solutions, in whole or in part, the non-covered (particularly non-legal) claims may be referred to the Comcast Listens program for investigation, if appropriate.

14. Do I have to go through Comcast Listens before I raise a claim through Comcast Solutions?

While we encourage participation in our Open Door and Comcast Listens programs – including by raising concerns locally to your supervisor, Human Resources or another local manager, to a local Comcast Listens Representative, or through the Comcast Listens phone line/web portal – these steps are not required before raising a claim through Comcast Solutions.

15. Do I have to have an attorney in order to participate in Comcast Solutions?

No. You and the company both are welcome to bring attorneys with you at the mediation and arbitration stages (Steps 2 and 3), but you are not required to retain one or have one present with you.

The Company also will reimburse you for up to \$1,500 in attorney's fees for any Case that you bring which proceeds through to arbitration, provided the Case is not determined by the arbitrator to be frivolous. The arbitrator may also award you full attorney's fees (to be paid by the company), if you prevail on your Case, to the extent permitted by applicable law.

16. Will I be able to depose witnesses and collect evidence from the Company?

During the Step 3 Arbitration process, both you and the Company will be able to conduct discovery, including by submitting document requests (to request copies of documents), interrogatories (to ask questions, that will be answered in writing), subpoenas (to obtain information from third parties) and/or deposing witnesses (to ask questions orally, in person).

17. Do I have to pay anything for the costs of the Dispute Resolution Organization?

There is no charge for the Review/Facilitation or the Mediation phase. The company will cover the DRO costs of the Arbitration, with the exception of a \$150 Arbitration initiation fee, which you are expected to cover. (This is less than the typical cost of filing a lawsuit and serving process/papers in court, particularly federal courts.) If the Arbitrator ultimately rules in your favor on any of your claims, you will be reimbursed by the company for this \$150 initiation fee. (Note: Neither the mediator nor the arbitrator will be told that the company is paying the full costs of the Mediation and/or Arbitration.)

18. Is there a time limit on when I can bring a claim?

Claims that assert a violation of law must be brought forward in a timely fashion. This is true when you bring a claim before a court or agency and also when you bring a claim to the Comcast Solutions program. The "Statute of Limitations" is a legal term that defines how long you have to assert a particular type of legal claim, measured from the date on which the claim first arose. Statutes of Limitations will vary based on the type of claim raised. Some Statutes of Limitations are very short (such as for discrimination claims under federal law, which typically need to be brought to the appropriate agency within 180 or 300 days of the act of discrimination). You should consult with an attorney regarding any Statute of Limitations that may be applicable to your particular claim. If you bring a claim late (*i.e.*, after the Statute of Limitations has expired), it may be dismissed by the arbitrator.

For purposes of claims brought under the Comcast Solutions program, the date the Comcast Solutions Program leads first received your initial complaint form (Step 1) is the date that will be used throughout the process for purposes of determining if your claim was brought in a timely fashion.

19. How do I know if Comcast Solutions is right for my problem?

Your local HR representative will always be able to guide you to the proper program to have your issue resolved. You may also call the Comcast Solutions Program Lead, toll-free, at 1-855-838-4180, or email us at Comcast_Solutions@cable.comcast.com with any questions.

20. What if I did not opt out by the deadline that I was given? Can I opt out later?

No. Once your designated "opt out" period passes, if you did not "opt out," then both you and the company are bound by the Comcast Solutions Program for covered legal claims.

21. What if I opted out of the program during my designated opt out period and want to opt in later? Can I change my mind about participation?

No. If you opt out of the Program during a designated "opt out" period, you will not be considered in the Program.

22. What if I want to participate in the program, but I currently have a legal claim against the Company that is pending in Court or with a governmental agency? Am I excluded from participating?

No. You may still participate in Comcast Solutions. The Comcast Solutions program will only apply to claims that are brought *after* the roll out of the Comcast Solutions program in your area. If you have any pending claims that are currently already in a court or agency, these claims will not be affected by the program.

23. How do I get copies of Comcast Solutions materials or opt out forms if I can't access Team Comcast?

You can get them by calling your local HR person or the Employee Service Center (ESC) at 1-877-909-HR4U (4748), by emailing Comcast_Solutions@cable.comcast.com or calling the Comcast Solutions team (toll free) at 1-855-838-4180.