

Mister Car Wash (MCW) understands that employees may require an unpaid approved absence from work for a specified period of time for medical, parental, military or personal reasons.

If you must be or are out of work for more than five (5) days, you should contact Human Resources (HR) to determine if you qualify for an unpaid approved leave of absence from work for a specified period of time (LOA). Contact HR at 1-844-529-7392 or HRhelp@mistercarwash.com. To request a LOA, you must submit a Request Leave of Absence form, available at <http://benefits.mistercarwash.com/leaves-of-absence/how-to-request/> or through your Dayforce Employee Self Service portal.

Generally, you must provide 30 days' advance notice when the need for the LOA is foreseeable, for instance, if medical treatments or other events are planned or known in advance. If the LOA is not foreseeable, you must provide notice to your manager or supervisor as soon as practicable and must comply with MCW normal call-in procedures.

Typically, LOAs are granted without pay. However, an employee may use accrued unused paid time off (PTO) to pay for all or a portion of a LOA. Exempt employees who do not have a PTO bank will be paid for the first three weeks of any approved LOA. LOAs will start on the date of request or date of need, not after the exhaustion of any PTO.

While on a LOA, an employee must contact the HR Department at least every 30 days. Failure to contact HR every 30 days may result in termination. Failure to return to work on the expiration of the LOA or refusing an offer of reinstatement for which the employee is qualified will also result in termination. A LOA will not be granted to allow an employee time off to seek employment elsewhere or to work for another employer. Employees who begin employment elsewhere while on LOA, except for military reserve duty, are considered to have resigned voluntarily.

MCW may grant a LOA as an accommodation under the Americans with Disabilities Act (ADA) when the employee has exhausted, or is not eligible for, other statutorily governed leave programs.

The maximum amount of LOA time an employee may take is subject to approval by the Human Resources Department and will be evaluated and approved on a case-by case basis.

### **FAMILY MEDICAL LEAVE ACT**

MCW complies with all requirements of the Family and Medical Leave Act of 1993, as amended (FMLA). The provisions of the FMLA generally are incorporated into the policies below. For additional rights applicable to military families, see "Military Family Leave" below.

MCW will grant eligible employees up to 12 weeks of FMLA leave for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition (defined below); or for a serious health condition that makes the employee unable to perform the employee's job.

To be eligible for a leave under FMLA, an employee must have been employed by MCW for at least 12 months and have 1,250 hours of service in the past 12 months. Documentation or certification will be required to determine if the LOA qualifies for FMLA.

### **Definition of Serious Health Condition**

A serious health condition is:

- An illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.
- Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition.
- Other conditions may meet the definition of continuing treatment.

### **Use of FMLA**

- An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt MCW's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis. Employees may take leave including reduced or intermittent leave as long as their total leave in a rolling year does not exceed the twelve (12) weeks for family leave or twenty-six (26) weeks for military family leave.
- If an employee is eligible for short-term disability (STD) benefits, the employee may apply for those benefits in conjunction with their FMLA leave.
- PTO accruals will be suspended during FMLA leave and will resume upon return to active employment.
- Upon return from FMLA leave, employees will be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms, provided that medical documentation requirements have been met.

### **Employee Responsibilities**

- Employees must provide sufficient information for MCW to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave.
- Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave.
- Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

### **Company Responsibilities**

- MCW must inform employees requesting leave whether they are eligible under FMLA. If the employee is eligible, the notice must specify any additional information required as well as the employee's rights and responsibilities. If the employee is not eligible, MCW must provide the employee a reason for the ineligibility.
- MCW must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If MCW determines that the leave is not FMLA-protected, MCW must notify the employee.

### **Benefits While on Leave**

During an eligible leave and if the employee is enrolled in health benefits, MCW will maintain the employee's health coverage. However, the employee will remain responsible for his or her portion of the premiums while out on leave. Premium costs and payment arrangements will be sent to the employee when MCW responds to a leave request. Failure to keep current on premium payments may result in cancellation of health coverage. No benefits will be accrued while an employee is on LOA. For qualified FMLA and/or military leaves, time spent on a LOA will not be counted against an employee in determining an employee's eligibility for benefits that are based on hours worked and/or length of service.

### **Return from Leave**

Employees returning from a LOA will be reinstated to their same or equivalent job with equivalent status or pay if required by law. Employees returning from sick leave may be required to provide a release to work document. Employees returning from a military leave also must comply with all of the reinstatement requirements specified by federal law. If an employee fails to return to work at the conclusion of an approved LOA, including any extension for the leave, the employee will be considered to have resigned.

### **Additional Information**

Additional information and definitions can be found on the Family Medical Leave Act poster located at each store and at Headquarters; employees can contact their store manager, or Human Resources Department at 1-844-529-7392, for further information and forms. See: <https://www.dol.gov/whd/fmla/> for additional information.

### **Military Family Leave**

The FMLA also includes two provisions applicable to military families. The following is a brief summary of these provisions. Additional eligibility requirements may apply.

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

## LEAVE OF ABSENCE



FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves or veteran, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service-member is undergoing medical treatment, recuperation, therapy or is in outpatient status; or is on the temporary disability retired list.

See: [https://www.dol.gov/whd/fmla/2013rule/FMLA\\_Military\\_Guide\\_ENGLISH.pdf](https://www.dol.gov/whd/fmla/2013rule/FMLA_Military_Guide_ENGLISH.pdf) or [https://www.dol.gov/whd/fmla/2013rule/FMLA\\_Military\\_Guide\\_Spanish.pdf](https://www.dol.gov/whd/fmla/2013rule/FMLA_Military_Guide_Spanish.pdf) for additional information.

### **UNIFORM SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)**

USERRA provides for unpaid leaves of absence for military service. MCW will comply with all requirements under USERRA. For more information on this item, please contact Human Resources at 1-844-529-7392.

### **JURY DUTY**

If you are summoned for jury duty, notify your manager immediately. Compensation for jury duty will be paid according to applicable state law. Proof of jury duty must be submitted to your manager in advance of serving and upon completion of jury duty.

### **VOTING**

MCW encourages all employees to participate in all federal, state and local elections. Whenever possible, we encourage the use of mail-in or early balloting. If that is not possible, please work with your manager to schedule an appropriate amount of time off to vote. Where applicable, MCW will comply with all state voting regulations.

This Addendum to the Leave of Absence policy of Mister Car Wash ("Policy") modifies and amends the Policy to ensure compliance with Illinois law with respect to pregnancy accommodations for employees and controls between any inconsistency between the Addendum and the Policy. The Policy and this Addendum apply to all employees who work at MCW locations in the State of Illinois.

### **Pregnancy Accommodation**

The Policy and this Addendum apply to all applicants and employees working for Mister Car Wash (MCW) in or reporting to locations in the State of Illinois. Employees and applicants for employment may request a reasonable accommodation for pregnancy, childbirth or related medical conditions to enable them to perform the essential functions of their job. In accordance with the Illinois Human Rights Act, a reasonable accommodation will be provided unless the accommodation would impose an undue hardship to MCW's ordinary business operations of MCW.

Reasonable accommodations may include but are not limited to: more frequent or longer bathroom, water or rest breaks; assistance with manual labor; light duty; temporary transfer to a less-strenuous or -hazardous position; acquisition or modification of equipment; reassignment to a vacant position; private, non-restroom space for expressing breast milk and breastfeeding; job restructuring; a part-time or modified work schedule; appropriate adjustment to or modification of examinations, training materials or policies; seating; an accessible worksite; and time off to recover from conditions related to childbirth or a leave of absence necessitated by pregnancy, childbirth or medical or common conditions resulting from pregnancy or childbirth.

Employees who take leave as an accommodation under this policy will be reinstated to their original job or to an equivalent position with equivalent pay, seniority, benefits and other terms and conditions of employment upon their notification to MCW of their intent to return to work or when the employee's need for a reasonable accommodation ends. Reinstatement is not required, however, if an undue hardship would result to MCW's business operations of MCW.

MCW may request certain documents from the individual's health care provider regarding the need for an accommodation. It is the employee's or applicant's duty to provide requested documentation to the Company.

MCW will not deny employment opportunities or take adverse employment actions against employees or otherwise qualified applicants for employment based on the need to make such reasonable accommodations, nor will MCW retaliate against applicants or employees who request accommodations or otherwise exercise their rights under the Illinois Human Rights Act.

Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact Human Resources AT 1-844-529-7392 or HRhelp@mistercarwash.com.

# STATE OF MARYLAND LEAVE OF ABSENCE ADDENDUM



This Addendum to the Leave of Absence policy of Mister Car Wash ("Policy") modifies and amends the Policy to ensure compliance with Maryland law with respect to reasonable accommodations for pregnant employees and controls between any inconsistency between the Addendum and the Policy. The Policy and this Addendum apply to all employees who work at MCW locations in the State of Maryland.

## **Reasonable Accommodation for Pregnant Employees**

Pregnant employees who have a temporary disability (as defined under Maryland law) that is caused or contributed to or by pregnancy, may request the following accommodations:

- (1) Changing of job duties;
- (2) Relocating a work area;
- (3) Providing mechanical or electrical aids;
- (4) Transferring to a less strenuous or less hazardous position;
- (5) Temporary change in work hours; or
- (6) Providing leave

After an employee has made a request for accommodation under this policy, she and MCW will engage in an interactive process to determine what accommodation, if any, may be appropriate.

An employee requesting an accommodation under this policy may be required to provide a health care provider's certification that includes the date the accommodation became medically advisable, the probable duration of the accommodation and an explanatory statement as to the medical advisability of the accommodation.

Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact Human Resources at 1-844-529-7392 or [HRhelp@mistercarwash.com](mailto:HRhelp@mistercarwash.com).

# STATE OF TENNESSEE

## LEAVE OF ABSENCE ADDENDUM



This Addendum to Leave of Absence policy of Mister Car Wash ("Policy") modifies and amends the Policy to ensure compliance with Tennessee law with respect to parental leave rights and controls between any inconsistency between the Addendum and the Policy. The Policy and this Addendum apply to all employees who work at MCW locations in the State of Tennessee.

### **PARENTAL LEAVE**

#### **Eligibility and Leave Entitlement**

Full-time employees, employed with Mister Car Wash (MCW) for at least 12 consecutive months, are eligible for up to four months of leave for adoption, pregnancy, childbirth and/or nursing an infant. For leaves taken due to adoption, the four-month period will begin at the time the employee receives custody of the child. Leave under this policy will run concurrently with any other leave to which the employee is entitled including, when applicable, the federal Family and Medical Leave Act (FMLA).

#### **Pay and Benefits During Leave**

Leave taken under this policy will be without pay. Such leave will not affect an employee's right to receive benefits such as vacation time, sick leave, bonuses, advancement, seniority level, length of service credit, benefits, plans or programs for which the employee was eligible on the date the leave began.

MCW will not pay for the cost of any benefits, plans or programs during a leave of absence taken under this policy unless otherwise required to do so by law. For example, employees may be entitled to certain health care benefits under the FMLA if the time off qualifies for protection under that law.

#### **Reinstatement**

An employee will be restored to his or her previous position, or to a similar position with the same status, pay, length of service credit and seniority as he or she had on the date leave began provided at least three months' advance notice was given of the anticipated date of departure for such leave, the length of the leave and the employee's intention to return to full-time employment after the leave.

An employee will not forfeit the right to reinstatement solely due to failure to give three months' advance notice if:

- Medical emergency necessitates that the leave begins earlier than originally anticipated, or
- The notice of adoption was received less than three months in advance of the leave.

Employees may be denied reinstatement under the following conditions:

- When the employee's job position is so unique that, after reasonable efforts, MCW is unable to fill the position temporarily.
- If MCW learns that the employee actively pursued other employment opportunities during the leave period.
- If MCW learns that the employee worked part-time or full-time for another employer during the period of leave.

MCW will notify an employee that he or she will not be reinstated as soon as it learns that one of the above conditions applies.

Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact Human Resources at 1-844-529-7392 or [HRhelp@mistercarwash.com](mailto:HRhelp@mistercarwash.com).

# STATE OF WASHINGTON LEAVE OF ABSENCE ADDENDUM



This Addendum to the Leave of Absence policy of Mister Car Wash ("Policy") modifies and amends the Policy to ensure compliance with Washington law with respect to the Washington Family Leave Act and controls between any inconsistency between the Addendum and the Policy. The Policy and this Addendum apply to all employees who work at MCW locations in the State of Washington.

## **Washington Family Leave Act**

The Company complies with the Washington Family Leave Act (the WA FMLA), as well as the Federal FMLA. Leave available under the WA FMLA generally mirrors, and does not add to, leave available under the federal law, but with the following differences:

1. WA FMLA leave is in addition to any leave granted for a period of physical disability due to pregnancy or childbirth. This means that, in most cases, when a covered employee gives birth the employee will be eligible for leave for the period of physical disability, plus up to 12 weeks of leave under the WA FMLA for child care and bonding.
2. Under the WA FMLA, employees who are returned to an "equivalent" position after taking leave will be returned to a workplace within 20 miles of the employee's original workplace.
3. Leave under the WA FMLA may be used to care for your state-registered domestic partner who has a serious health condition.
4. Leave is not available under the WA FMLA for Military Emergency Leave or Military Caregiver Leave.

Except for these differences, use of WA FMLA is subject to the same rules as federal FMLA leave. In most cases, leave taken under the two laws will run concurrently and cannot be "stacked" or added together.

Regardless of whether an employee qualifies for leave under the federal or Washington FMLA, MCW provides pregnancy leave to all female employees in the state of Washington for the time they are sick or temporarily disabled because of pregnancy or childbirth.

Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact Human Resources at 1-844-529-7392 or HRhelp@mistercarwash.com.