

PURPOSE

Mister Car Wash (Mister) understands that employees may require an unpaid, approved absence from work for a specified period of time for medical, parental, military or personal reasons. For more information on state-specific leave of absence provisions, see addenda below. See also Related Standards, Policies, and Processes below.

SCOPE

This Policy applies to all Mister employees, whether part-time, full-time, interns, or independent contractors.

POLICY STATEMENT

If you must be or are out of work for more than five (5) days, 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, follow the instructions in the "Request a Leave of Absence" form in Dayforce.

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 Mister normal call-in procedures up and until LOA is officially approved by Mister.

Typically, LOAs are granted without pay. An employee must use accrued and unused paid time off (PTO) during a LOA before going unpaid. Exempt employees who are eligible for Tier 3 PTO will be paid for up to the first three weeks of any Mister-approved LOA, which will be considered sick time under any applicable state law and will be reflected as such in Dayforce. LOAs will start on the date of request or date of need, not after the exhaustion of any available PTO. Employees may also be eligible for pay under paid parental leave, for more information please see Mister's *Paid Parental Leave Policy*.

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 may result in termination. When applicable, Mister 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.

LOA will not be granted to allow an employee time off to seek employment elsewhere or to work for another employer. LOA will not be granted due to the incarceration of the employee. Employees who begin employment elsewhere while on LOA, except for military reserve duty, are considered to have resigned voluntarily.

FAMILY MEDICAL LEAVE ACT

Mister 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 Caregiver Leave” below.

Qualifying Leave Reasons

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

- For incapacity due to pregnancy, prenatal medical care, or childbirth.
- 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).
- For a serious health condition that makes the employee unable to perform the employee’s job.
- Qualifying exigency (defined below) leave for families of members of the National Guard or Reserve or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

Military Caregiver Leave

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. An employee whose son, daughter, parent or next of kin is a covered servicemember may take up to 26 weeks of leave in a single 12-month period to care for that servicemember.

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 their 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.

FMLA ELIGIBILITY

To be eligible for a leave under FMLA, an employee must have been employed by Mister for at least 12 months and have 1,250 hours of service in the past 12 months. In addition, the following conditions apply:

- The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement stating the employer’s intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- The employee must have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. The 1,250 hours do not include time spent on paid or unpaid leave. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

Qualifying Exigency

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following:

- short-notice deployment
- military events and activities
- child-care and school activities
- financial and legal arrangements
- counseling
- rest and recuperation
- post-deployment activities
- additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave

Eligible employees are entitled to FMLA leave to care for a current member of the Armed Forces, including a member of the National Guard or Reserve, or a member of the Armed Forces, the National Guard or Reserve who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserve, or members on the permanent disability retired list.

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 participation 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 eligible employee can take up to 12 weeks for the FMLA circumstances (No. 1) through (No. 5) above under this policy during any 12-month period.
- Mister will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, Mister will compute the amount of leave the employee has taken under this policy in the last 12 months

and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

- 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 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. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt Mister's operations.
- Leave due to qualifying exigencies (e.g., call to active duty in the Armed Forces) may also be taken on an intermittent basis.
- 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 an approved FMLA leave, an employee 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 medical documentation or certification 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

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

Benefits While on Leave

During an eligible leave and if the employee is enrolled in health benefits, Mister will maintain the employee's health coverage. Upon an employee's return to work after an eligible leave, the missed payments will be deducted from the employee's paycheck along with normal premium payments. Premiums will be equal to one and a half times the normal deduction amount until the missed premiums are caught up.

LEAVE OF ABSENCE POLICY



If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, Mister will require the employee to reimburse Mister the amount it paid for the employee's health insurance premium during the leave period.

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

Mister may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

Additional Information

Additional information and definitions can be found on the Family Medical Leave Act poster located at each store and at HQ; 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.

UNIFORM SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)

USERRA provides for unpaid leaves of absence for military service. Mister will comply with all requirements under USERRA. For more information, 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

Mister 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, Mister will comply with all state voting regulations.

GENERAL PROVISIONS

Mister prohibits discrimination and retaliation against employees who request or use LOA or who make a complaint about suspected violations of this Policy or for other exercise of time-off related rights.

This LOA Policy is intended to meet or exceed the requirements of all applicable federal, state, county, and local laws and regulations. If any provision of this policy conflicts with applicable laws and regulations, the applicable laws and regulations will govern. Questions can be directed to Human Resources at 1-844-529-7392 or emailing HRhelp@mistercarwash.com.

RELATED STANDARDS, POLICIES, AND PROCESSES

- Attached state addendums (WA, IL, TN, MD, CA)
- PTO Policy (HR.3004-MCW-POL)
- Paid Parental Leave Policy (HR.3006-MCW-POL)

This Addendum to the Leave of Absence policy of Mister Car Wash ("Policy") modifies and modifies 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. Employees may also be eligible for pay under paid parental leave, please see Mister's *Paid Parental Leave Policy*.

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 childcare 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.

This Addendum to the Leave of Absence policy of Mister Car Wash ("Policy") modifies and modifies 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. Employees may also be eligible for pay under paid parental leave, please see Mister's *Paid Parental Leave Policy*.

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 less-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.

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. Employees may also be eligible for pay under paid parental leave, please see Mister's *Paid Parental Leave Policy*.

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.

STATE OF TENNESSEE LEAVE OF ABSENCE ADDENDUM



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.

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. Employees may also be eligible for pay under paid parental leave, please see Mister's *Paid Parental Leave Policy*.

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 any of the following accommodations:

- Changing of job duties
- Relocating a work area
- Providing mechanical or electrical aids
- Transferring to a less strenuous or less hazardous position
- Temporary change in work hours
- 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.

This California Family Rights Act Addendum to the Leave of Absence Policy of Mister Car Wash (Policy) modifies and amends the Policy to ensure compliance with the California Family Rights Act (CFRA) and controls as between any inconsistency between this Addendum and the Policy. The Policy and this Addendum apply to all employees working in MCW locations in the State of California.

MCW will grant family and medical leave in accordance with the requirements of applicable federal and state law in effect at the time the leave is granted. Although the federal and state laws have different names, MCW refers to the federal Family and Medical Leave Act (Fed-FMLA) and the CFRA collectively as "FMLA Leave." In any case, California resident employees will be eligible for the most generous benefits available under either applicable law. Employees may also be eligible for paid parental leave, for more information please see Mister's *Paid Parental Leave Policy*.

Reasons for Leave

Federal and state laws allow FMLA Leave for several reasons. Because employees' legal rights and obligations may vary depending upon the reason for the FMLA Leave, it is important to identify the purpose or reason for the leave. Federal-FMLA leave and CFRA leave run concurrently except for the following reasons: to care for a registered domestic partner or a child of a registered domestic partner (CFRA only), incapacity due to pregnancy or prenatal care as a serious health condition (Fed-FMLA only), qualifying exigency leave (Fed-FMLA only), and military caregiver leave (Fed-FMLA only). Additionally, CFRA coverage for an employee's own serious health condition that also constitutes a disability under the California's Fair Employment and Housing Act (FEHA) is separate and distinct from FEHA protections. If the employee cannot return to work at the expiration of the CFRA leave, MCW will engage the employee in the interactive process to determine whether an extension of the leave would be a reasonable accommodation under the FEHA.

FMLA Leave may be used for any of the following reasons:

- The birth, adoption or foster care of an employee's child within 12 months following birth or placement of the child (Bonding Leave)
- To care for an immediate family member (spouse, registered domestic partner, child, child of a registered domestic partner or parent) with a serious health condition (Family Care Leave)
- An employee's inability to work because of a serious health condition (Serious Health Condition Leave)
- A "qualifying exigency," as defined under the FMLA, arising from a spouse's, child's or parent's "covered active duty" as a member of the military reserves, National Guard or Armed Forces (Qualifying Exigency Leave)
- To care for a spouse, child, parent or next of kin (nearest blood relative) who is a "Covered Servicemember" (Military Caregiver Leave)

Length of Leave

If the reason for leave is common to both Fed-FMLA and CFRA and, therefore, running concurrently, the maximum amount of FMLA Leave will be 12 workweeks in any 12-month period when the leave is

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LEAVE OF ABSENCE ADDENDUM



taken for: (1) Bonding Leave; (2) Family Care Leave; and (3) Serious Health Condition Leave. If the reason for leave is not common to both Fed-FMLA and CFRA and, therefore, not running concurrently, then an eligible employee may be entitled to additional leave under applicable law.

When the reason for leave is Bonding Leave under the CFRA or Fed-FMLA and both spouses work for MCW and are eligible for leave under this policy, the spouses will be limited to a total of 12 workweeks off between the two of them. However, MCW will not limit the spouses' entitlement to CFRA for any qualifying reason other than Bonding Leave. A 12-month period begins on the date of the employee's first use of FMLA Leave. Successive 12-month periods commence on the date of the employee's first use of such leave after the preceding 12-month period has ended.

Employees requesting leave for CFRA-qualifying reasons must respond to any questions designed to determine whether an absence is potentially qualifying for leave under this policy. Failure to respond to permissible inquiries regarding the leave request may result in denial of CFRA leave protections. Similarly, an employee or an employee's spokesperson may be required to provide additional information needed to determine whether a requested leave qualifies for Fed-FMLA protections. An employee's failure to adequately explain the reason for the leave may result in the denial of FMLA protections. Certification forms are available from Human Resources at 1-844-529-7392, or HRhelp@mistercarwash.com.

Compensation During Leave

Generally, FMLA Leave is unpaid. However, employees may be eligible to receive benefits through state-sponsored programs or may use paid time off (PTO) (see Paid Time Off Policy).

Job Reinstatement

Under most circumstances, employees will be reinstated to the same position they held at the time of the leave or to an equivalent position with equivalent pay, benefits and other terms and conditions of employment. MCW may grant an employee's request to work a different shift, in a different or better position, or in a different location, that is better suited to the employee's personal needs upon returning from CFRA leave. MCW will also consider a reasonable accommodation under the FEHA if the employee is returning from CFRA leave for his or her own serious health condition. However, employees have no greater right to reinstatement than if they had been continuously employed rather than taken leave.

Nondiscrimination

MCW will not interfere with or discriminate on the basis of the exercise of any rights provided by the Fed-FMLA or the CFRA. If an employee believes that his or her Fed-FMLA or CFRA rights have been violated in any way, he or she should immediately report the matter to Human Resources at 1-844-529-7392, or HRhelp@mistercarwash.com.

REVIEW

This procedure will be reviewed **annually** and updated as necessary.

Name and Title	Date (YYYY-MM)
Anna Zappia, Vice President of Human Resources	2021-02

APPROVAL

Name, Title, and Signature	Date (YYYY-MM)
<i>Anna Zappia</i> Anna Zappia, Vice President of Human Resources	2021-02

HISTORY

Version	Issue Date	Updated by	Revisions
V.1	2018-02	Anna Zappia	Original policy statement
V.2	2021-02	Anna Zappia	Updated military leave and qualified leave sections and health insurance premium payments