



# **Marathon Petroleum Paid Sick Leave Program**

**Effective January 1, 2023**



# Paid Sick Leave Program



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# Paid Sick Leave Program



## I. Overview

The Marathon Petroleum Paid Sick Leave Program (“Paid Sick Leave” or “Program”) provides eligible employees with a period of paid time off to provide employees with protection against loss of income if they are ill or injured or need time off from work for necessary or routine health care, or in the event of domestic violence, sexual assault, or stalking. Paid Sick Leave also may be used to meet those same needs for qualifying family members and close personal relations, as defined below. Additionally, eligible employees may use Paid Sick Leave when the employee’s place of business or employee’s child’s school or place of care is closed by order of a public official for a health-related reason or for risk of infection as a result of a declared health pandemic and identified as high risk by the U. S. Government Centers for Disease Control and Prevention.

The Program contains benefit provisions designed to comply with state and local mandates requiring the Company to provide job-protected paid sick leave and safe time. For purposes of this policy, references to “a law requiring the Company to provide job-protected paid sick leave and safe time” means: Arizona Fair Wages & Healthy Families Act, California Healthy Workplace Healthy Families Act, Los Angeles Minimum Wage Ordinance, San Diego Earned Sick Leave & Minimum Wage Ordinance, Colorado Healthy Families & Workplaces Act, District of Columbia Accrued Sick & Safe Leave Act, Chicago Minimum Wage & Paid Sick Leave Ordinance, Michigan Paid Medical Leave Act, New Mexico Healthy Workplaces Act, Bernalillo County Employee Wellness Act, New York State Paid Sick Leave Law, Allegheny County Paid Sick Days Act, Philadelphia Promoting Healthy Families & Workplaces Ordinance, Pittsburgh Paid Sick Days Act, and Washington Minimum Wage Act (Initiative Measure No. 1433). Eligible employees receive their state or local mandated paid sick and safe time leave as part of this Program; there shall be no duplication of paid sick leave and safe time to employees. The Program is not an employee benefit plan covered by ERISA.

## II. Eligibility

1. You are eligible for coverage under this Program if you are employed by the Company.

Additionally, if you are subject to a collective bargaining agreement, you will be covered by this Program to the extent consistent with the terms of the applicable collective bargaining agreement and any applicable legal guidelines.

2. You are not eligible for coverage under this Program if you are classified by the Company as an “independent contractor” or a “leased employee” (and regardless of whether your status as an employee is the result of a judicial or administrative determination), or you are in an employee group for whom another paid sick benefit program has been established to which the Company or another member of the controlled group to which Marathon Petroleum Corporation belongs makes contributions or provides benefits.

For purposes of the Program’s eligibility requirements:

- An “independent contractor” is an individual who has signed an agreement, or has otherwise agreed, to provide services to the Company as an independent contractor, regardless of the tax or other legal consequences of such an arrangement; and
- A “leased employee” is an individual who is compensated through a leasing entity, whether or not they fall within the definition of “leased employee” as defined in Section 414(n) of the Internal Revenue Code.



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### **III. Enrollment**

You are automatically enrolled in this Program as of the date eligibility requirements are met, as described in the “Eligibility” section, above.

### **IV. Cost**

This Program is provided entirely at Company cost.

### **V. Annual Grant of Paid Sick Leave Benefits**

Eligible employees are credited with seven (7) days of Paid Sick Leave upon becoming eligible for participation in this Program and, thereafter, at the beginning of each successive calendar year, provided that they remain eligible. If the amount of paid sick leave credited at the beginning of the calendar year is less than the amount an employee is entitled to accrue or to be frontloaded that calendar year under a law requiring the Company to provide job-protected paid leave, the employee’s Paid Sick Leave bank will be adjusted in accordance with state or local law.

Employees may begin using Paid Sick Leave as they earn it for the purposes specified below in the “Usage” section. Accrued unused Paid Sick Leave carries over from year to year, up to a maximum of 14 days (unless a greater amount is otherwise required by law), meaning at no point in time can an employee’s Paid Sick Leave bank exceed this amount.

For employees covered by a law requiring the Company to provide job-protected paid sick leave and safe time, the Company meets its compliance obligations via a frontloading method rather than an accrual-based method in jurisdictions that allow the Company to provide a specific amount of leave each year and not carry-over unused leave at the end of the year. At its sole discretion, the Company allows employees to carry-over unused leave frontloaded in one year to the subsequent year, subject to the policy’s 14-day overall cap.

### **VI. Compensation While on Paid Sick Leave**

Benefits, while expressed in days, are administered in hours based on your normal work schedule (unless otherwise required by law). Benefits are paid as 100% of your regular base pay or equivalent or rate required by applicable law for the workweek in which the employee takes paid sick time. The benefit hours paid under this Program do not generally count toward hours worked in a day or in a week (unless required by wage and hour laws, labor agreement or local practice).

Benefits under this Program, when aggregated with payments received by you from other sources, may not exceed 100% of your base salary.

### **VII. Usage**

Eligible employees may use available Paid Sick Leave to be absent from work for the following purposes:

- Employee’s diagnosis, care or treatment of an existing illness, injury, or health condition or that of a Covered Person.
- Obtain preventive medical care for a Covered Person. (Preventive care includes annual physicals and flu shots.)

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- Specified purposes in the event of domestic violence, sexual assault, or stalking committed against any Covered Person.
- Employee's health is at risk due a public health emergency.
- Employee's workplace or the employee's child's school or child care provider is closed by order of a public official for a public health-related reason.
- Care for a Covered Person who is exposed to a communicable disease when it has been determined by public health authorities having jurisdiction or by a health care provider that the Covered Person's presence in the community may create a health risk to others.
- If the employee and the Company are both subject to a law requiring the Company to provide job-protected paid sick leave or safe time, for any additional reason expressly provided for under such law, including but not limited to Appendix A.

For purposes of this Program, a Covered Person includes you and your "family members" and "close personal relations," as defined below:

- Your child, including biological, adopted, foster, stepchild, legal ward, child of a domestic partner, or a child to whom the employee stands in loco parentis or stood in loco parentis when the individual was a minor. The definition of child is applicable regardless of age or dependency status;
- Your spouse;
- Your registered domestic partner;
- Your parent, including biological, adoptive, de facto, or foster parent, stepparent, or parents of your spouse, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee or employee's spouse or domestic partner was a minor child;
- Your grandparent;
- Your grandchild, including a step-grandchild, and a biological, adopted, and foster grandchild;
- Your sibling or the sibling of your spouse or registered domestic partner;
- Spouse or registered domestic partner of your children and siblings;
- Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship; or
- A person with whom the employee shares or has shared, for not less than the preceding 12 months, a mutual residence and with whom the employee maintains a committed relationship.
- Additionally, if the employee and Company are both subject to a law requiring the Company to provide job-protected paid sick leave or safe time, it includes any individual such law considers a family member for whom the employee can use leave.



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Use of Paid Sick Leave benefits under this Program must meet the usage requirements specified above. The Company may take disciplinary action, up to and including termination, against an employee who uses Paid Sick Leave for purposes other than those authorized under this Program or who provides false or misleading information in connection with Paid Sick Leave benefits.

### **VIII. Applying for Benefits**

Requests for leave under this Program are made through your normal time/absence reporting processes, upon your oral or written request, as required by your worksite. It is your responsibility to provide reasonable advance notification if your need for sick leave is foreseeable. If your need for Paid Sick Leave is unforeseeable, you should report your sick leave as soon as practicable.

When using Paid Sick Leave benefits, you should specifically report your absence as Paid Sick Leave under this Program, in order to distinguish the absence from other available paid leaves. A failure to designate an absence as a sick time absence in a timely manner may cause a delay in the absence being processed and/or paid. It is an employee's responsibility to apply for any applicable benefits for which the employee may be eligible as a result of illness or disability, including company programs, workers' compensation insurance and/or any disability compensation in lieu of wages paid under the Federal Jones Act, Federal Employers' Liability Act, or any other federal or state disability compensation program, including Social Security. If an employee elects to integrate sick time with other paid benefits, the Company will integrate all paid benefits such that an employee will not be paid more than the employee's regular compensation at any time.

Paid Sick Leave under this Program can be requested for any increment of hours, subject to a minimum absence of one (1) hour of leave (unless otherwise required by law). Once your absence has been properly reported and recorded, you will receive Paid Sick Leave benefits as part of your regular payroll process.

As referenced above, employees entitled to paid sick leave benefits under state or local mandates will receive their state or local mandated paid sick benefits as part of this Program such that there is no duplication of benefits.

Employees may, where permitted by law, be asked to provide documentation supporting their use of Paid Sick Leave for absences exceeding three (3) consecutive days an employee is scheduled to work. To protect employee (and family member) privacy, employees need not disclose the underlying reason for a medical or dental appointment, or any specific diagnosis information related to a medical condition. Information concerning an eligible employee or a Covered Person that the Company receives in connection with sick time use will be kept confidential pursuant to federal, state, and/or local law. Such information will not be disclosed unless the employee consents to disclosure or disclosure is consistent under a federal, state, and/or local law.

### **IX. Benefits While on Paid Sick Leave**

Benefit eligibility and participation will continue while on Paid Sick Leave just as if you were taking any other company paid leave such as paid vacation or Paid Parental Leave. Any required deductions will be made from your regular paycheck.

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## **X. Protection From Retaliation**

Company policy prohibits discrimination and/or retaliation against employees who request or use Paid Sick Leave benefits for which they are otherwise entitled to under federal, state or local laws or as otherwise provided by law.

## **XI. Events Affecting Coverage**

### **A. Change in Work Schedule**

If your normal work schedule changes during the year, your Paid Sick Leave benefits may change to reflect a daily hour increase in your new work schedule, if required by law.

### **B. Layoff or Termination of Employment**

Your participation and Paid Sick Leave benefits end when your employment terminates. No payout of unused benefits is available to you at separation. To the extent required by applicable law, accrued unused paid sick leave will be reinstated if you are rehired by the Company at a later date.

### **C. Death**

Your participation ends as of the date of your death.

## **XII. Participation by Affiliates**

Upon specific authorization and subject to such terms and conditions as it may establish, Marathon Petroleum Company LP may permit subsidiaries and affiliated companies to participate in the Program. Currently, these participating companies include Marathon Petroleum Service Company, Marathon Petroleum Logistics Services LLC, Marathon Refining Logistics Services LLC, and MW Logistics Services LLC.

For purposes of the Program: (i) the term “Company” and other similar terms means Marathon Petroleum Company LP and, where the context requires, such participating affiliates; and (ii) the term “You” and other similar terms mean an eligible you of Marathon Petroleum Company LP, and, where the context requires, an eligible you of a participating affiliate.

## **XIII. Modification and Termination**

The Company reserves the right to modify or terminate the Program, in whole or in part, in such manner, as it shall determine, either alone or in conjunction with other plans of the Company and in a manner that meets or exceeds the requirements of applicable State or local paid sick leave legislation. Modification or termination of the Program may be made by the Company for any reason.

## **XIV. Questions**

Questions regarding the Marathon Petroleum Paid Sick Leave Program may be directed to:

Marathon Petroleum Absence Management  
(888) 421-2199 (option 3)  
[HelpBenefitsFMLA\\_Leaves@marathonpetroleum.com](mailto:HelpBenefitsFMLA_Leaves@marathonpetroleum.com)



## Appendix A

### **Colorado Public Health Emergency Leave**

In addition to the Paid Sick Leave described in the Marathon Petroleum Paid Sick Leave Program, the Company will provide qualifying Colorado employees with Public Health Emergency Leave (PHEL) in accordance with the terms below.

For purposes of this policy, a “public health emergency” is:

- An act of bioterrorism, a pandemic influenza or an epidemic caused by a novel and highly fatal infectious agent, for which:
  - An emergency is declared by a federal, state or local public health emergency; or
  - A disaster emergency is declared by the governor; or
- A highly infectious illness or agent with epidemic or pandemic potential for which a disaster emergency is declared by the Governor.

On the day a public health emergency is declared, employees will immediately be able to access a one-time supplement of PHEL in addition to whatever amount of Paid Sick Leave employees have accrued prior to the declaration of the public health emergency. Employees who normally work forty or more hours in a week will have access to up to 80 hours of total paid leave. Employees who normally work fewer than 40 hours per week will have access to paid leave equaling the greater of: (1) the amount of time the employee is scheduled for work or paid leave in the 14-day period after the leave request; or (2) the amount of time the employee actually worked in the 14-day period prior to the declaration of the public health emergency or the leave request, whichever is later.

From the declaration of a public health emergency until four weeks after the official termination or suspension of the emergency declaration, PHEL can be used for any of the following reasons:

- To self-isolate and care for oneself or a family member who is self-isolating because the employee or family member is diagnosed with, or experiencing symptoms of, a communicable illness that is the cause of a public health emergency;
- To seek or obtain for oneself or care for family member who needs a medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- To seek for oneself or a family member preventive care concerning a communicable illness that is the cause of a public health emergency;
- An employee is unable to work because the employee has a health condition that may increase susceptibility to or risk of communicable illness that is the cause of the public health emergency;



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- Either the Company or a public health authority with appropriate jurisdiction determines that an employee's presence on the job or in the community would jeopardize the health of others because of the individual's exposure to a communicable illness that is the cause of a public health emergency or because the individual is exhibiting symptoms of such a communicable illness, regardless of whether the individual has been diagnosed with the illness;
- To care for a family member after either the family member's employer or a public health authority with appropriate authority determines that the family member's presence on the job or in the community would jeopardize the health of others because of the family member's exposure to a communicable illness that is the cause of a public health emergency or because the family member is exhibiting symptoms of such a communicable illness, regardless of whether the family member has been diagnosed with the illness; and
- To care for a child or other family member when their child care provider is unavailable due to a public health emergency or their school or place of care has been closed due to a public health emergency (including when the school or place of care is physically closed but providing instruction remotely).

PHEL will become available on the date a public health emergency is declared and will remain available until four weeks after the official termination or suspension of the public health emergency. Employees are only eligible for these amounts of PHEL one time during the entirety of a public health emergency (even if the public health emergency is extended, amended, restated or prolonged).

Any accrued, unused Paid Sick Leave an employee has remaining at the time the need to be absent for a PHEL reason arises will be counted in determining the amount of PHEL available.\*

To provide notice of the need to use PHEL, employees should notify their supervisor and Absence Management for the need to use PHEL. (Absence Management can be reached by calling 888-421-2199 and selecting option 3 or by email at [HelpBenefitsFMLA\\_Leaves@marathonpetroleum.com](mailto:HelpBenefitsFMLA_Leaves@marathonpetroleum.com).)

\* The Colorado Department of Labor and Employment's INFO #6B states that employers must supplement the employee's unused, accrued leave "at the time of the [PHEL] request with enough PHE leave to ensure the employee can take leave in the [requisite] amounts." In email correspondence, the Division of Labor Standards and Statistics confirmed that this means that the "calculation isn't necessary until an employee needs to take PHE leave."