

3.8 CHILDBEARING LEAVE AND PARENTAL LEAVE

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Congratulations! Liberty Energy is excited to help you welcome new additions to your family. The Company wants to lend support to you and your family and offers both childbearing leave to birth mothers to recuperate medically from the birth of their children, as well as parental leave to new parents to bond with their new child(ren).

Eligibility

You are eligible for Childbearing Leave and/or Parental Leave if you are classified as a Regular Full- Time employee of Liberty. (You must have successfully completed 90 days of employment and be actively employed to be eligible for Childbearing Leave and/or Parental Leave).

Childbearing Leave if you give birth to a child (or children). Parental Leave if you are a “New Parent,” meaning you are:

- the parent giving birth to the child(ren) (the mother);
- the legal spouse (including legal same-sex spouse) of the birth parent of the child(ren);
- the biological father of the child(ren); or
- the legal parent of the adopted child(ren).

Childbearing Leave

Birth mothers (as defined in the Eligibility section above) may take up to ten (10) weeks of paid medical leave in order to medically recuperate from birth. Childbearing Leave begins one week after the child’s birth and must be taken in one consecutive block. Simultaneous births of multiple children (such as twins) does not entitle birth mothers to additional Childbearing Leave.

Birth mothers who receive short-term disability coverage for their child’s birth will have their pay Supplemented by Liberty so they receive 100% of their base pay during the approved Childbearing Leave while concurrently receiving short-term disability (e.g., an eligible birth mother using short-term disability who is paid 80% of her base pay rate via short-term disability pay replacement will be paid the remaining 20% of her base pay rate by Liberty for the duration of the leave period).

Birth Mothers may take Parental Leave in addition to Childbearing Leave. Parental leave will be paid out on week 1, 2, 13 and 14 for birth mothers.

Parental Leave

All New Parents (as defined in the Eligibility section above) may take four (4) weeks of paid Parental Leave to bond with their new child(ren). For a non-birthing parent, Parental Leave must be taken in one consecutive block at the time of birth or adoption. Paid Parental Leave is limited to one four-week period in a rolling 12-month period starting with the first Parental Leave.

Leave payments are based on a 40-hour work week.

Documentation regarding your child's birth or adoption is required to qualify for Parental Leave.

Notice

While a child's arrival or placement is not always predictable, you should provide at least 30 days' notice of your anticipated need for Parental Leave and/or Childbearing Leave when the need for leave is foreseeable. For unforeseeable leaves under this policy, notice of the need for leave should be given as soon as practical by the employee to his/her supervisor and the HR Department.

Concurrent Leave

Employees remain eligible for any and all other federal, state or local leaves for which they are eligible. If you have leave available under the Family & Medical Leave Act (FMLA) or any state/local leave law at the time you take Childbearing Leave or Parental Leave under this policy, then leave under this policy will run concurrently with any other leave for which you are eligible under federal, state or local law, unless the law requires otherwise.

Benefits

You will receive benefits at active employee rate during Childbearing Leave and/or Parental Leave. While you are receiving a paycheck from Liberty, benefits premiums and/or contributions for medical, dental, 401(k), 401(k) loans, etc., will continue to be deducted from your paycheck. You must coordinate with Liberty's HR Department how any premium payments not deducted while you are on leave will be paid.

Additional Terms

You are responsible for complying with this policy and for completing any documentation, notice and/or paperwork requirements. If any employee provides false or misleading information in connection with these leaves, such actions can lead to disciplinary action up to and including termination of employment. You will not be paid for any portion of unused leave at termination. Any questions about Childbearing Leave and/or Parental leave should be directed to your HR Department.

3.9 FAMILY AND MEDICAL LEAVE

The Company provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- 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, daughter, or parent who has a serious health condition.

Serious health condition that makes the employee unable to perform his/her job.

Benefits and Protections

During FMLA leave, the Company maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave. If the employee is able to but does not return to work after the expiration of the leave, the employee will be required to reimburse the Company for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. As with other types of unpaid leaves, paid leave will not accrue during the unpaid leave. Holidays, bereavement leave, or employer's jury duty pay are not granted on unpaid leave.

Eligibility Requirements

Employees are eligible if they have worked for this Company for at least 12 months, for 1,250 hours over the previous 12 months and if they work at a work site with at least 50 employees within 75 miles.

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 a 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 three full 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 Leave

The maximum time allowed for FMLA leave is either 12 weeks in the 12-month period as defined by the Company, or 26 weeks as explained above. LBRT uses the twelve (12) month calendar year.

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 the Company's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the Company's agreement, may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates this type of leave. FMLA leave is without pay.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with normal call-off procedures. Employees must provide sufficient information for the company 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 must inform the Company if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees will be required to provide certification and periodic recertification supporting the need for leave. LBRT may require second and third medical opinions at the Company's expense.

Documentation confirming family relationship, adoption, or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with the Company's attendance guideline. Employees on leave must contact the HR Manager at least two days before they are scheduled to return to work. Employees will be required to have a full-duty release to work from their doctor, without any restrictions, before they may start the return-to-work process.

The Company's Responsibilities

LBRT/third party administrator (TPA) will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, LBRT/TPA will provide a reason for the ineligibility.

LBRT/TPA will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If LBRT/TPA determines that the leave is not FMLA-protected, LBRT/TPA will notify the employee.

Unlawful Acts

FMLA makes it unlawful for the Company to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA.
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

Intermittent and continuous leave must be recertified, at a minimum, every 60 days. FMLA not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

3.10 FAMILY CARE ACT LEAVE (CO)

Liberty Energy provides up to 12 weeks of unpaid leave to eligible employees to care for their partners in a civil union or domestic partnership who have serious health conditions. Generally, leave under the Family Care Act is administered consistent with FMLA regulations. Contact your supervisor or Human Resources if you need family care leave.

3.14 PREGNANT WORKERS FAIRNESS ACT

Effective June 27, 2023, the Pregnant Workers Fairness Act ("PWFA") was enacted federally.

In accordance with the PWFA, Liberty Energy ("Company") is giving notice to our employees and applicants that it will provide Reasonable accommodations to perform the essential functions of the job to an applicant for employment or an employee for health conditions related to pregnancy or the physical recovery from childbirth, if the applicant or employee requests the reasonable accommodations, unless the accommodation would impose an undue hardship on the Company's business.

Reasonable accommodations under the PWFA may include, but are not limited to, more frequent or longer breaks; more frequent restroom, food, and water breaks; acquisition or modification of equipment or seating; limitations on lifting; temporary transfer to a less strenuous or hazardous position if available and if the employee or applicant is qualified for the new position, with return to the current position after pregnancy; job restructuring; light duty, if available; assistance with manual labor; or modified work schedules. The company is not required, however, to create a new position as an accommodation.

If an employee or applicant feels accommodation is necessary, the employee or applicant should contact Tracee M. Quinnell, Vice President of Human Resources. Upon the Company's receipt of such a request or the Company's awareness of the need for such an accommodation, the Company will timely engage in an interactive process with the employee or applicant to determine a reasonable accommodation, where possible. The Company will not (a) refuse to make reasonable accommodations to the known limitations of an employee or applicant related to pregnancy, physical recovery from childbirth, or a related condition, unless the accommodation would impose an undue hardship; (b) take an adverse action against an employee or applicant who requests or uses a reasonable accommodation ("adverse action" means an action where a reasonable employee or applicant would have found the action materially adverse, such that it might have dissuaded a reasonable employee or applicant from making or supporting a charge of discrimination); (c) deny employment opportunities to an employee or applicant based on the need to make reasonable accommodations to known limitations related to pregnancy, physical recovery from childbirth, or a related condition; (d) require an employee or applicant affected by pregnancy, physical recovery from childbirth, or a related condition to accept an accommodation the employee or applicant chooses not to accept if the employee or applicant does not have a known limitation related to pregnancy, physical recovery from childbirth, or a related condition, or if the accommodation is not necessary for the employee or applicant to perform her duties; or (e) require an employee or applicant to take leave if a reasonable accommodation other than leave can be provided.

The Company may require employees or applicants to provide certification from the employee's or applicant's health care provider concerning the medical advisability of a reasonable accommodation. If certification is required, the certificate shall include: (1) the date the accommodation became or will become medically advisable; (2) a statement explaining the medical condition and the advisability of providing the accommodation; and, (3) the probable duration the accommodation will need to be provided.

This notice is a summary of employees' and applicants' rights and obligations under the PWFA. For more information about rights for pregnant employees and applicants, please

contact Tracee M. Quinnell, Vice President of Human Resources, or the Colorado Department of Labor Civil Rights Division at (303) 894-2997.

3.15 COLORADO'S PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM ("FAMLI")

The Company will comply with Colorado's newly enacted state-run Paid Family and Medical Leave Insurance Act ("FAMLI"). The intent and purpose of this policy is to comply with FAMLI. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

Eligibility

Colorado employees become eligible to take FAMLI leave after they have earned at least \$2,500

in wages within the State within the employee's "base period" or "alternative base period."

"Base period" is the first four of the last five completed calendar quarters immediately preceding the first week the employee files a valid claim for FAMLI benefits. "Alternative Base Period" is the last four completed calendar quarters immediately preceding the first week the employee files a valid claim for FAMLI benefits. After working for the Company for at least 180 days, the employee is entitled to return to the same position, or an equivalent position, upon their return from FAMLI leave.

FAMLI Payroll Tax

The Company will collect FAMLI payroll tax premiums each pay period. From January 1, 2023 through the end of 2024, premiums will be 0.9 percent of the employee's wage (0.45 percent to be paid by the Company and 0.45 percent to be paid by the employee).

Beginning in 2025, the premium may be adjusted by the relevant Colorado agency, up to a maximum of 1.2 percent of each employee's wages.

Leave under FAMLI

Beginning January 1, 2024, FAMLI will provide Colorado employees with twelve weeks of paid family and medical leave funded through a payroll tax paid half by employers and half by employees. Employees who take leave for pregnancy or childbirth complications, may receive up to sixteen weeks of FAMLI leave.

FAMLI leave supplements other forms of paid leave provided by the Company, such as PTO, but does not replace them. Upon the execution of a written agreement between an employee and the Company, an employee may use accrued paid leave to supplement the employee's pay while on FAMLI leave.

To the extent permitted by law, FAMLI leave runs concurrently with leave under the Family Medical Leave Act ("FMLA"), short term disability, long term disability, or any other separate bank of time off solely for the purpose of paid family and medical leave, such as paid parental leave, so long as the reason for leave is also a reason for leave under such laws and policies.

Covered Reasons for FAMLI Leave

Employees covered by FAMLI may use leave for the following reasons:

- To care for a child following birth adoption, or placement through foster care;
- To care for a family member with a serious health condition;

- To care for the employee's own serious health condition;
- To take "qualifying exigency leave," meaning the employee's family member is active duty military service or has notice of an impending call to active duty;
- To take "safe leave."

To qualify for benefits under the act's "safe leave" provision, an employee must be using the leave from work to: (1) obtain a civil protection order; (2) receive medical care or mental health counseling for themselves or a family member; (3) secure the home from the perpetrator; or (4) seek legal assistance to address issues that arise from domestic violence, stalking, sexual assault, or abuse.

For purposes of FAMLI, a "serious health condition" is any illness, impairment, pregnancy, recovery from childbirth, or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility, or continuing treatment by a health-care provider. "Family Member" includes a child (whether biological, adopted, a stepchild, a child of a domestic partner or a child to whom the individual stands in loco parentis), a parent, a person to whom the covered individual is legally married or a domestic partner, a grandparent, grandchild or sibling of the covered individual or the covered individual's spouse or domestic partner, and any other individual with whom the individual has a significant personal bond that is or is like a family relationship.

Applying For Leave

Employees must apply for leave through the State FAMLI Division and may do so at the following link: <https://myfamliplus.state.co.us/Core/Login>.

Employees must make a reasonable effort to schedule FAMLI leave so as not to unduly disrupt Company operations. When the need for FAMLI leave is foreseeable, an employee must provide at least 30 days-notice. When the need for leave is not foreseeable, or 30 days-notice is not possible, employees only must provide notice as soon as practicable.

Taking Leave

While on leave, employees may receive up to 12 weeks of paid family or medical leave, with an additional four weeks of leave for pregnancy or childbirth complications. Benefits under FAMLI are capped, but the caps adjust year to year. Employees are permitted to take leave in increments of one hour but will not receive benefits under the act until the employee accumulates at least eight hours of FAMLI leave.

While an employee is on FAMLI leave, the employee is entitled to the same healthcare benefits. The employee will still be responsible for paying the employee's portion for the benefits the employee would pay while working.

Anti-Retaliation

Retaliation against employees for taking FAMLI leave will not be tolerated and should be reported promptly to Human Resources so that an investigation and appropriate action may take place. For more information, please refer to the FAMLI Notice provided herewith or direct any questions to Human Resources.