



# Employee Handbook 2020

## **WELCOME!**

Welcome to the Diego Hills Central Public Charter School (hereinafter referred to as the “Organization”). We believe that outstanding people are the key to our success. Through the efforts of our employees, we have established ourselves as a leading organization in our community. To ensure our continued success, we feel it is important that all employees understand our policies and procedures. This handbook is intended to help familiarize you with them, as you are required to comply with all applicable policies in this handbook. We encourage you to use this handbook as a valuable resource for understanding our organization.

If you have questions regarding your employment or anything contained in these policies, please speak with your supervisor or the People Services Division.

Our best wishes to you and thank you for taking this step in getting to know our organization.

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## **SECTION ONE – INTRODUCTORY POLICIES**

### **1.1 The Purpose of this Handbook**

The Employee Handbook (hereinafter referred to as “Handbook”) is designed to acquaint you with the Organization and provide you with information about working conditions, employee benefits, and some of the policies affecting employment. You must read, understand, and comply with all the provisions of this Handbook. (See **Appendix A** for the “Acknowledgement of Receipt of Handbook and Compliance with Handbook Form.”) It describes many of your responsibilities as an employee and outlines the programs developed by the Organization to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

These policies are not meant to explain every employment situation but rather serve as guidelines; however, they are binding on employees. The Board of Directors may change any policy, procedure, rule or benefit affecting its operations at any time with notice to employees. You are required to comply with the policies herein.

This Handbook is not intended to create any contractual guarantees of future employment for anyone employed by the Organization. Employment at the Organization is at-will and may be terminated at the will of either the Organization or the employee at any time, with or without cause or advance notice. An employee’s status as an at-will employee may not be changed except in writing signed by the Chief Executive Officer of the Organization. All Organization employees are at-will. At-will employment is the sole and entire arrangement between the Organization and its employees concerning the duration of employment and the circumstances under which employment may be terminated by either party.

If anything in this Handbook is not compliant with current or future applicable law, the policies herein will be deemed altered only to the degree necessary to bring the policies into compliance with then-current law.

### **1.2 Integration Clause/Right to Revise**

This Handbook contains the employment policies and practices of the Organization in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements, or memoranda are superseded.

The Organization reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this Handbook or in any other document.

Any written changes to this Handbook will be distributed to all employees either in writing or an electronic format so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way alter the provisions of this Handbook.

This Handbook sets forth the entire agreement between you and the Organization as to the duration of employment and the circumstances under which employment may be terminated. Nothing in this Handbook or in any other employee document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment for any employee.

### **1.3 Workplace Equality**

We are committed to promoting equality in our choices and practices and to ensuring equality of opportunity and outcomes for our employees. We make every effort to ensure that our policies and processes are free of bias and that they support employees to balance work and life commitments.



All employees are afforded opportunities for training and support, professional conversations and reflections, job assignments and promotion. Opportunities abound for all employees to develop capacity in current positions and/or positions of added responsibility.

#### **1.4 Workplace Diversity**

The Organization is committed to foster a work environment of trust, fairness, and equality which allows everyone to contribute and share in success. We believe that virtues of goodness, truth, and humility are necessary elements in our work that benefits all employees, customers, and the communities we serve. We support the development of a work culture whereby individual differences and similarities are respected and embraced. This diversity helps to create a stronger, more unified, and more successful organization.

We encourage employees at all levels to make decisions that are in accord with principles of equal opportunity and in the spirit of partnership. Our culture is revolutionizing the way business gets done, the way we interact with each other, and the way we think and behave. Through a shared vision of equality, compassion, reciprocity and the common pursuit of care, our employees are empowered to change the lives of our students, one person at a time.

#### **1.5 Notice of Non-Discrimination**

The Organization is an equal opportunity employer and makes employment decisions on the basis of multiple factors that include merit, skill, and knowledge. We want to have the best available employees in every position.

Organization policy prohibits unlawful discrimination based on race; color; gender (including gender identity, gender expression, and transgender identity, whether or not the employee is transitioning or has transitioned); sex (including pregnancy, childbirth, breastfeeding, and medical conditions related to such); religious creed (including religious dress and grooming practices); marital/registered domestic partner status; age (forty (40) and over); national origin or ancestry (including native language spoken and possession of a driver's license issued to persons unable to prove their presence in the U.S. is authorized by federal law); physical or mental disability (including HIV and AIDS); medical condition (including cancer and genetic characteristics); taking of a leave of absence pursuant to the Family Medical Leave Act ("FMLA"), Pregnancy Disability Leave ("PDL") law, Americans with Disabilities Act ("ADA"), California Family Rights Act ("CFRA"), the Fair Employment and Housing Act ("FEHA"), or laws related to domestic violence, sexual assault and stalking; genetic information; sexual orientation; military and veteran status; or any other consideration made unlawful by federal, state, or local laws. The Organization also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics.

The Organization is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to **all** persons involved in Organization operations and prohibits unlawful discrimination by any employee of the Organization, including supervisors and coworkers. We will make reasonable accommodation for religious practices, including religious attire and grooming.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Organization will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact People Services Division and request such an accommodation. The individual with the disability should specify what accommodation the employee needs to perform the job. The Organization then

will conduct an investigation to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform his or her job. The Organization will identify possible accommodations, if any, that will help eliminate or accommodate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the Organization will make the accommodation.

### **1.6 At-Will Employment Status**

All employees are employed on an at-will basis. Employment at-will may be terminated with or without cause, with or without notice, and at any time by the employee or the Organization. Nothing in this Handbook shall limit the right to terminate at-will employment. No manager, supervisor, or employee of the Organization has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms. Only the Chief Executive Officer has the authority to make any such agreement, which is binding only if it is in writing.

### **1.7 Policy Prohibiting Unlawful Harassment, Discrimination, and Retaliation**

The Organization is committed to providing a work and educational atmosphere that is free of unlawful harassment, discrimination, and retaliation. The Organization's policy prohibits unlawful harassment, discrimination, and retaliation based upon: race; color; gender (including gender identity, gender expression, and transgender identity, whether or not the employee is transitioning or has transitioned); sex (including pregnancy, childbirth, breastfeeding, and related medical conditions); religious creed (including religious dress and grooming practices); marital/registered domestic partner status; age (forty (40) and over); national origin or ancestry (including native language spoken and possession of a driver's license issued to persons unable to prove their presence in the U.S. is authorized by federal law); physical or mental disability (including HIV and AIDS); medical condition (including cancer and genetic characteristics); taking a leave of absence authorized by law; genetic information; sexual orientation; military and veteran status; or any other consideration made unlawful by federal, state, or local laws.

Employees, volunteers, unpaid interns, individuals in apprenticeship programs, and independent contractors shall not be harassed, or discriminated or retaliated against, based upon the characteristics noted above.

The Organization does not condone and will not tolerate unlawful harassment, discrimination, or retaliation on the part of any employee (including supervisors and managers) or third party (including independent contractors or other person with which the Organization does business). Supervisors and managers are to report any complaints of unlawful harassment to the People Services Division or designee.

When the Organization receives allegations of unlawful harassment, discrimination, or retaliation, the Board (if a complaint is about the Organization's Principal) or the People Services Division or designee will conduct a fair, timely and thorough investigation that provides all parties an appropriate process and reaches reasonable conclusions based on the evidence collected. The investigation will be handled in as confidential a manner as possible, although complete confidentiality cannot be guaranteed. Complainants and witnesses shall not be subject to retaliation for making complaints in good faith or participating in an investigation. The Organization is committed to remediating any instances where investigation findings demonstrate unlawful harassment, discrimination, or retaliation has occurred.

#### Prohibited Unlawful Harassment

- Verbal conduct such as epithets, derogatory jokes or comments or slurs;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement, or interfering with work because of sex, race or any other protected basis;
- Retaliation for reporting or threatening to report harassment; or

- Disparate treatment based on any of the protected classes above.

### Prohibited Unlawful Sexual Harassment

The Organization is committed to providing a workplace free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to, and including dismissal, of the offending employee.

Sexual harassment consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire, when: (1) submission to the conduct is either made explicitly or implicitly a term or condition of an individual's employment; (2) an employment decision is based upon an individual's acceptance or rejection of that conduct; and/or (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

It is also unlawful to retaliate in any way against an employee who has articulated a good faith concern about sexual harassment against him or her or against another individual.

All supervisors of employees will receive two (2) hours of sexual harassment prevention training within six (6) months of hire or their assumption of a supervisory position and every two (2) years thereafter. All other employees will receive one (1) hour of sexual harassment prevention training within (6) months of hire and every two (2) years thereafter. Such training will address all legally required topics, including information about the negative effects that abusive conduct has on both the victim of the conduct and others in the workplace, as well as methods to prevent abusive conduct undertaken with malice a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. Abusive conduct includes but is not limited to repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. Supervisors shall also be trained on how to appropriately respond when the supervisor becomes aware that an employee is the target of unlawful harassment. Other employees will receive sexual harassment prevention training as required by law.

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, in particular employees with supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct. Any employee who believes they have been sexually harassed or has witnessed sexual harassment is encouraged to immediately report such harassment to the People Services Division. (See **Form 1** for the "Harassment/Discrimination/Retaliation Complaint Form".)

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
  - Rape, sexual battery, molestation or attempts to commit these assaults and
  - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
  - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
  - Preferential treatment or promises of preferential treatment to an employee for submitting

- to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or disparate treatment for rejecting sexual conduct.
- Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of the employee's sex.
- Sexual or discriminatory displays or publications anywhere at the workplace by employees, such as:
  - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing to work or possessing any such material to read, display or view at work;
  - Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic; and
  - Displaying signs or other materials purporting to segregate an employee by sex in an area of the workplace (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this policy. Moreover, please note that while in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities. As such, consensual relationships in the workplace may violate Organization policy.

### **1.8 Safe Place to Learn**

The Organization prohibits harassment, unlawful discrimination, intimidation and bullying of employees and students. Organization personnel that witness an act of bullying, harassment, abusive conduct, unlawful discrimination or intimidation must take immediate steps to intervene when it is safe to do so. In addition, employees must immediately notify their supervisor or Area Superintendent.

### **1.9 Employment Application**

All candidates for employment must fully complete, date and sign the standard Organization Employment Application. The Organization relies on the accuracy of the information reflected in the employment application and expects the employee and their references to provide accurate and true information during the hiring process and employment. Should the Organization subsequently discover any information is misleading, false, or was intentionally omitted; the Organization may reject an applicant from further consideration, or terminate the existing employee based upon the misinformation.

### **1.10 Child Abuse and Neglect Reporting**

California Penal Code section 11166 requires any child care custodian who has knowledge of, or observes, a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident.

The Organization will provide annual training on the mandated reporting requirements, using the online training module provided by the State Department of Social Services, to employees who are mandated reporters. Mandated reporter training will also be provided to employees hired during the course of the school year. This training will include information that failure to report an incident of known or reasonably

suspected child abuse or neglect, as required by Penal Code section 11166, is a misdemeanor punishable by up to six (6) months confinement in a county jail, or by a fine of one-thousand dollars (\$1,000), or by both that imprisonment and fine.

All employees required to receive mandated reporter training must provide proof of completing the training within the first six (6) weeks of each school year or within the first six (6) weeks of that employee's employment.

By acknowledging receipt of this Handbook, employees acknowledge they are childcare custodians and are certifying that they have knowledge of California Penal Code section 11166 and will comply with its provisions.

### **1.11 Criminal Background Checks**

The organization conducts background checks in compliance with applicable federal and state laws. , All individuals working or volunteering at the Organization will be required to submit to a criminal background investigation No condition or activity will be permitted that may compromise the Organization's commitment to the safety and the well-being of students taking precedence over all other considerations. Conditions that preclude working at the Organization include conviction of a controlled substance or sex offense, or a serious or violent felony. Additionally, should an employee, during his/her employment with the Organization, be charged or convicted of any offense, the employee must immediately report the charge or conviction to the People Services Division.

### **1.12 Tuberculosis Testing**

All employees of the Organization must submit written proof from a physician of a risk assessment examination for tuberculosis (TB) within the last sixty (60) days. If TB risk factors are identified, a physician must conduct an examination to determine whether the employee is free of infectious TB. The examination for TB consists of an approved TB test, which, if positive, will be followed by an x-ray of the lungs, or in the absence of skin testing, an x-ray of the lungs. All employees will be required to undergo TB risk assessments and, if risk factors are found, the examination at least once every four (4) years. Volunteers and interns are required to undergo a TB examination as necessary. The TB risk assessment and, if indicated, the examination is a condition of initial employment with the Organization and the cost of the exam will be borne by the applicant.

Food handlers may be required to have annual TB exams. Documentation of employee and volunteer compliance with TB risk assessments and examinations will be kept on file in the office. This requirement also includes contract food handlers, substitute teachers, and student teachers serving under the supervision of an educator. Any entity providing student services to the Organization will be contractually required to ensure that all contract workers have had TB testing that shows them to be free of active TB prior to conducting work with Organization students.

### **1.13 Immigration Compliance**

The Organization will comply with applicable immigration law, including the Immigration Reform and Control Act of 1986 and the Immigration Act of 1990. As a condition of employment, every individual must provide satisfactory evidence of his or her identity and legal authority to work in the United States. However, the Organization will not check the employment authorization status of current employees or applicants who were not offered positions with the Organization unless required to do so by law.

The Organization shall not discharge an employee or in any manner discriminate, retaliate, or take any adverse action (*e.g.*, threatening to report the suspected citizenship or immigration status of an employee or a member of the employee's family) against any employee or applicant for employment because the

employee or applicant exercised a right protected under applicable law. Further, the Organization shall not discriminate against any individual because he or she holds or presents a driver's license issued per Vehicle Code § 12801.9 to persons who have not established their federally authorized presence in the United States. Finally, in compliance with the Immigrant Worker Protection Act, the Organization shall not allow a federal immigration enforcement agent to enter any nonpublic areas of the Organization without a judicial warrant, or voluntarily give consent to an agent to access, review or obtain employee records without a subpoena or judicial warrant.

#### **1.14 Americans with Disabilities Act ("ADA")**

The Organization is committed to providing equal opportunity in employment to qualified individuals with disabilities in accordance with the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, and Amendments Act of 2008, and all state fair employment statutes. It is the Organization's policies that all qualified individuals with disabilities are not discriminated against in regard to any employment practices, terms, conditions and/or privileges of employment. This includes but is not limited to recruiting, testing, hiring, assignments, evaluations, corrective actions, training, promotions, layoffs/recalls, terminations, compensation, leaves and benefits.

##### Reasonable Accommodation:

When required, the Organization will work to make reasonable accommodations for employees with identified disabilities. We invite all individuals with disabilities to participate in good faith in the interactive process when requesting a reasonable accommodation.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact People Services Division and request such an accommodation. The individual with the disability should specify what accommodation is needed to perform the job. The Organization then will conduct an investigation to identify the barriers that interfere with the employee or applicant's performance of their job or the job for which they have applied. The Organization will identify possible accommodations, if any, that will help eliminate or accommodate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the Organization will make the accommodation.

##### Discrimination and Retaliation Prevention:

If you believe you have been subjected to any form of unlawful discrimination, submit a written complaint to your supervisor or the People Services Division. Your complaint should be specific and should include the names of the individuals involved, the names of any witnesses, and the timeline surrounding the activity. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact People Services Division. The Organization will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation.

If the Organization determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future discrimination. The Organization will not retaliate against you for filing a good faith complaint and will not knowingly permit retaliation by management employees or your coworkers.

#### **1.15 Electronic Signature Policy**

The Organization is committed to encouraging a proficient and efficient workplace wherein each individual, whether applicant or employee, shall conduct his or her potential or actual employment by the use of electronic signatures. To that end, the Organization has adopted an electronic signature policy to be read and acknowledged by each applicant and employee in compliance with California's Uniform Electronic Transaction Act (UETA, Cal. Civ. Code §§ 1633.1-1633.17). (See Appendix B) for the "Electronic Signature Policy Acknowledgement.").

## **SECTION TWO – EMPLOYMENT POLICIES AND PRACTICES**

### **2.1 Employee Classifications**

It is the intent of the Organization to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at-will at any time is retained by both the employee and the Organization. An employee will not change from a designated employment status to another status unless specifically informed of such a change in written or electronic form.

The following define the Organization’s employment categories:

#### Regular Full-Time

Regular full-time employees are those who are scheduled for and perform work at least thirty (30) hours or more per week, unless specifically designated in the offer of employment. For purposes of benefits eligibility, full-time employment is defined as working at least thirty (30) hours per week.

#### Regular Part-Time

An employee who, at the time of hire, is assigned to a regular schedule of less than thirty (30) hours per week. Employees falling within this classification are subject to all policies and procedures as any other Organization employee.

#### Temporary

An employee who is hired with the understanding that they are being employed temporarily, usually relating to special projects, abnormal workloads or emergencies. Temporary employment remains on an at-will basis.

#### Seasonal Employment

An employee designated with seasonal employment status is hired for a limited period of time or an identified work project. Seasonal employment remains on an at-will basis.

#### Inactive Status

Employees who are on any type of leave of absence, work-related or non-work-related, will be placed on inactive status. During the time the employee is on inactive status, no vacation or sick time will be earned and will not continue to accrue except as specifically noted in this Handbook.

### **2.2 Non-exempt and Exempt Employees**

In addition to the classifications above, employees will also be classified as either “exempt” or “non-exempt” for purposes of computing overtime pay and certain other benefits. For questions concerning appropriate classification, contact a supervisor or People Services Division.

#### Non-Exempt

An employee, salaried or not, who is covered by the overtime provisions of applicable wage and hour laws. Non-exempt employees are entitled to an overtime premium in accordance with applicable law.

#### Exempt

A salaried employee whose work duties and amount of pay exempt them from applicable wage and hour laws.

**2.3 Workweek**

The workweek begins at 12:00 a.m. Sunday and ends at 11:59 p.m. on Saturday.

**2.4 Work Schedule**

Work schedules are based on department or facility functions and individual job responsibilities. Work schedules may vary from department to department and employee to employee. The employee’s immediate supervisor shall designate hours. All schedules are subject to change and require a supervisor’s approval.

**2.5 Job Descriptions**

Your job description will be explained during the initial interview process and throughout the course of your employment. Your job description is not designed to spell out all the duties and tasks associated with your employment; all Organization employees are expected to fulfill both essential and secondary job duties and requirements. Job descriptions are not set in stone and may change, in whole or in part, over time. Employees may be asked to perform work on special assignments in addition to normal duties. You are expected to discuss any significant changes in your functions and responsibilities with your supervisor, who has the authority to request People Services Division to formalize changes in job descriptions. All changes in job descriptions must be approved by People Services Division. The Organization reserves the right to change job responsibilities, transfer job positions, or assign additional job duties at any time.

**2.6 Performance Assessment and Employee Development**

The work performance of an employee is a vital key to the success of our Organization. Performance assessments, observations, or evaluations are conducted with employees. A Supervisor may initiate a performance assessment, observation or evaluation with an employee during their employment. Written performance assessments will be recorded in an employee’s personnel record.

The Organization is committed to providing a supportive learning environment designed to encourage employees to pursue their professional goals and career objectives through training and advancement. In line with this commitment, training and development opportunities are offered to employees to increase their skills and enhance their contributions to the Organization. Employees are encouraged to speak with their supervisor regarding requests for training and development.

**2.7 Meal and Rest Periods**

The law requires that non-exempt employees working in excess of five (5) hours be provided a minimum thirty (30) minute meal break. The Organization permits its employees to take a sixty (60) minute meal break each day. Accordingly, it is Organization policy that a meal break must be taken each day by employees working five (5) or more hours per shift, unless six (6) hours completes the shift and the non-exempt employee waives their meal break in writing. Meal periods must be taken no later than the end of the employee’s fourth hour of work (in other words, no later than four hours and 59 minutes into employees shift).

Time	Hours of Work
08:00 – 09:00 a.m.	1 <sup>st</sup> hour
09:00 – 10:00 a.m.	2 <sup>nd</sup> hour
10:00 – 11:00 a.m.	3 <sup>rd</sup> hour
11:00 – 12:00 a.m.	4 <sup>th</sup> hour
12:00 – 01:00 p.m.	5 <sup>th</sup> hour (provide meal period no later than four hours and 59 minutes into employees shift)

If a non-exempt employee’s workday exceeds ten (10) hours, then that employee is entitled to a second meal period of thirty (30) minutes. However, if the workday does not exceed twelve (12) hours, the second meal



period may be waived if the employee and the Organization voluntarily agree, so long as the first meal period was not waived. Non-exempt employees must punch out and punch in for their meal breaks. Meal punches in the Organization's timekeeping system are real time (live). There is no grace period.

Meal breaks must be taken at a location separate from the employee's desk or work area, and employees are not permitted to work during their meal break or rest breaks. Unless approved by your immediate supervisor, a meal break may only be taken at the employee's regularly scheduled meal break time. A meal break may not be skipped in order to accommodate a late arrival or early departure from an employee's normal workday unless waived in writing and approved by the employee's immediate supervisor.

Rest breaks are provided at the rate of fifteen (15) consecutive minutes for each four (4) hour work period or major fraction thereof for non-exempt employees. No break is provided for employees working less than 3.5 hours. Those employees who work between 3.5 hours and six (6) hours are provided a fifteen (15) minute break. Those employees working between six (6) and (10) hours are provided two fifteen (15) minute breaks. The rest period should occur as near as possible to the middle of the work period. Upon request, reasonable accommodations, including privacy and increased break time, will be made to accommodate lactating employees.

It is Organization policy that employees are required to take all meal and rest breaks as set forth above (unless you waive a meal period as set forth above). If you miss a meal or rest period (other than a waived meal period), you must report to your supervisor People Services Division that you missed the meal or rest period and whether you missed the meal or rest period due to employer needs. If you miss a meal or rest period and do not report it, it will be considered your voluntary choice to skip the required break.

## **2.8 Lactation Accommodation**

The Organization accommodates lactating employees by providing a reasonable amount of break time to any employee who desires to express breast milk for an infant child. The break time shall, if possible, run concurrently with any break time already provided to the employee. Any break time provided to express breast milk that does not run concurrently with break time already provided to the non-exempt employee shall be unpaid.

The Organization will make reasonable efforts to provide employees who need a lactation accommodation with the use of a room or other private location that is located close to the employee's work area. Such room/location shall not be a bathroom. Employees with private offices will be required to use their offices to express breast milk. Employees who desire lactation accommodations should contact their supervisor to request accommodations.

## **2.9 Timekeeping Requirements**

All exempt and non-exempt employees, whether salaried or not, are required to use the Organization's timekeeping system to record time worked for payroll purposes. Time Records must reflect an accurate accounting of time. Non-exempt employees must punch in and punch out to record their own time at the start and at the end of each work period, including before and after the lunch break. All punches in the Organization's timekeeping system are real time (live).

Hourly employees also must record their time whenever they leave the worksite for any reason other than Organization business. Any errors on your time sheet must be reported immediately to your supervisor and amended by using the punch change request process. Punching in or out for another employee, allowing another employee to punch in and punch out for you, or altering time record is not permissible and is subject to appropriate corrective action, up to, and including termination.

Time records are required by law and are used for computing paychecks to ensure that you are compensated correctly for the work you have performed.

Employees are required to record time taken off (vacation, holiday, sick days, jury duty, and bereavement, military leave, workers' compensation, etc.). Request for time off without available sick and vacation accruals will be designated as unpaid. Please use the appropriate no pay selection in the time keeping system. If you require time off for a leave of absence, please contact the Leave of Absence designees.

### **2.10 Payment of Wages**

The Organization We currently pay employees on the 10<sup>th</sup> (Hours worked from the 16<sup>th</sup> through the end of month) and 25<sup>th</sup> (Hours worked from the 1<sup>st</sup> through the 15<sup>th</sup>) of each month unless that payday falls on a holiday or weekend. In that case, employees will be paid on the last working day before the holiday or weekend. Due to changes in payroll companies or for other unforeseen reasons, the Organization retains the option to change payroll dates at any time.

### **2.11 Payroll Direct Deposit**

Direct deposit is the most convenient method of ensuring that your pay is immediately available on paydays. With Payroll Direct Deposit, your pay is electronically deposited into a checking or savings account of your choice and will be available to you even if you are on vacation. Instead of a paycheck, regular employees receive a non-negotiable statement listing gross pay, taxes, other deductions, and the net amount deposited. Employees can enroll by completing the *Direct Deposit* in the Payroll system.

### **2.12 Overtime Work Hours**

When Organization operating requirements or other needs cannot be met during regular working hours, employees may be asked to work overtime. All overtime work performed by non-exempt employees must be pre-approved, in writing, by the employee's supervisor. Non-exempt employees working unapproved overtime may be disciplined. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

### **2.13 Overtime Pay**

Overtime compensation is paid to all non-exempt employees in accordance with applicable wage and hour requirements. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Non-exempt employees will be paid one and one-half (1.5) their normal hourly rate of pay for approved overtime hours worked in excess of forty (40) hours per week, or eight (8) hours per day.

Exempt employees paid on a salary basis do have more flexible work schedules and therefore no overtime will be recorded or paid if/when workdays exceed eight (8) hours or workweeks exceed forty (40) hours.

### **2.14 Double Time Work Hours and Pay**

Non-exempt employees will be paid two times their regular hourly rate of pay for all hours they are required to work in excess of twelve (12) in any one workday and for all hours worked in excess of eight (8) hours on the seventh (7th) consecutive day of work in any one workweek.

Double time work performed by Non-Exempt Employees must be pre-approved, in writing, by the employee's supervisor.

### **2.15 Wage Garnishments**

We hope you will manage your financial affairs so that we will not be obligated to execute any court ordered wage garnishments. However, when court-ordered deductions are to be taken from your paycheck, you will be notified, and we will be required to comply with any court order instructing us to garnish wages.

### **2.16 Payroll Deductions**

Your payroll and earnings deductions are detailed with your check. Mandated deductions usually include, but are not limited to the following:

- Deductions Mandated by Federal and State Law
- Federal Income Tax
- State Income Tax
- Social Security, Medicare Contribution
- State Disability Insurance ("SDI")
- Garnishment & Wage Attachments

Any questions about your paycheck should be directed to the Payroll Department. It is the employee's responsibility to ensure the accuracy of their paychecks (including deductions). You must bring, in writing, any discrepancies or errors in your paycheck to the attention of the Payroll Department immediately.

### **2.17 Compensation Philosophy**

At the Organization, we strive for fairness and equity in all our policies and practices, including those that affect compensation. We administer a compensation and benefits program in a manner that is free of unlawful discrimination or retaliation and respect an employee's right to discuss their own pay. The Organization complies with applicable laws concerning fair pay.

Our compensation practices are based on many factors, including the Organization's financial position, business objectives, and salary survey information. Positions are compensated in a manner that includes, but not limited to, service time, merit, skill, effort, responsibility, knowledge, experience, training, and degree of authority. In addition, we update position pay ranges, administer market pay adjustments or other types of compensation as reviewed and authorized by Executive Management.

We offer a compensation package (your annualized pay plus benefits) that reflects competitiveness in the marketplace and concern for our employees' ability to balance their work and personal lives. The Organization adheres to Minimum Wage ordinances. All pay to employees shall be made after employee has worked the pay period employer designates.

### **2.18 Expense Reimbursement**

Employees must complete a record of all expenses for which they seek reimbursement and submit receipts along with the expense record for reimbursement. Reimbursement requests must be submitted within thirty (30) days after date of expenses. Requests submitted after thirty (30) days will require executive review (approval/denial) before processing.

Reimbursement will be processed for items that are eligible expenses and are supported with complete and detailed documents. Requests with incomplete/unclear documents will be put on hold until complete information is received. Approved reimbursement will be paid out within a reasonable time approval of the reimbursement request.

The Organization maintains a meal reimbursement policy as follows:

Breakfast	\$16.00
Lunch	\$17.00
Dinner	\$28.00

Alcohol is not reimbursed by the Organization. For questions regarding eligible reimbursable expenses, please contact the Finance Department.

**2.19 Personnel Files and Record Keeping Protocols**

At the time of employment, a personnel file is established for each employee. It is each employee’s responsibility to keep the People Services Division advised of changes that should be reflected in their personnel file. Such changes include change in address, telephone number, marital status, number of dependents and person(s) to notify in case of emergency. Prompt notification of these changes is essential and will enable the Organization to contact an employee should the change affect their other records.

Employees have the right to inspect documents in their personnel file, as provided by law, in the presence of an Organization representative, at a mutually convenient time. Employees also have the right to obtain a copy of their personnel file as provided by law. Employees may add comments to any disputed item in the file. The Organization will restrict disclosure of personnel files to authorized individuals within the Organization. To inspect or obtain copies of your employment records, submit a written request to People Services Division. Request forms are available to you upon request from the People Services Division. The Organization will comply with requests as required by law. Only the People Services Division or designee is authorized to release information about current or former employees. Disclosure of information to outside sources will be limited. However, the Organization will cooperate with requests from authorized law enforcement or local, state or federal agencies conducting official investigations or as otherwise legally required.

Credible complaints of substantiated investigations into or discipline for egregious misconduct will not be expunged from an employee’s personnel file unless the complaint is heard by an arbitrator, administrative law judge, or the Board and the complaint is deemed to be false, not credible, unsubstantiated or a determination was made that discipline was not warranted.

**2.20 Personal Information Changes**

It is the responsibility of each employee to promptly notify People Services Division and/or Payroll of any and all status changes including name, address, marital status, and changes in withholding information for tax purposes. The Organization must send W-2’s to each employee for tax purposes. Having updated employee information is imperative for this task as well as many others. You must notify People Services Division and/or Payroll in writing of your changes. People Services Division and/or Payroll will also be able to provide you with new tax forms for tax withholding allowance changes. The Organization will not discriminate, retaliate, discharge or take other adverse action against an employee when updating or attempting to update their personal information based on a lawful change of name, social security number or federal employment authorization document.

**2.21 Nepotism Policy**

The Organization shall maintain a nepotism policy. No employee shall be directly supervised or evaluated by a family member. If applicable, any and all nepotism provisions specified in the Organization's Charter or Memorandum of Understanding with the sponsoring school district are hereby incorporated into this Handbook.

## **2.22 Employment Verifications and Reference Requests**

It is the Organization's policy to generally not give employee references to inquirers, whether by telephone or in writing. All calls, contacts, and written inquiries concerning current or former employees are to be handled by the People Services Division only. Disclosure of personnel information to outside sources will be limited.

People Services Division will verify employment and cooperate with requests from authorized law enforcement, or local, state, or federal agencies conducting official investigations, and as otherwise legally required.

## **2.23 Open-Door Policy**

The Organization is committed to maintaining a positive, pleasant environment, and an open-door policy. All employees are encouraged to provide input and suggestions concerning the overall operations and programs of the Organization, via appropriate communication channels (following the Chain of Command).

We operate in an open-door manner. All input from employees will be considered and can be presented without fear of personal recrimination.

## **2.24 Outside Employment**

There are times when employees have the opportunity or the need to simultaneously hold another job position with separate employers at one time. It is important that another job position does not interfere in any way with an employee's primary job position with the Organization.

## **2.25 Conflicts of Interest**

Organization employees are prohibited from engaging in any activity, practice or act which conflicts with the interests of the Organization or its students. If applicable, any and all conflicts of interest provisions specified in the Organization's Charter or Memorandum of Understanding with the sponsoring school district are hereby incorporated into this Handbook.

It is difficult, if not impossible, to describe all of the situations that may arise involving conflicts of interest. If you have a question concerning a possible conflict of interest, consult your supervisor or the People Services Division.

## **2.26 Voluntary Separation of Employment**

Voluntary separation results when an employee voluntarily resigns their employment with the Organization. All Organization-provided property including, but not limited to, vehicles, keys, cell phones, technology, identification badges and credit cards must be returned immediately upon termination of employment.

If an employee fails to report to work for three (3) consecutive scheduled workdays without notice to, or approval by, their supervisor, or fails to return from an approved leave of absence on the date specified, it will be considered job abandonment.

## **2.27 Notice of Resignation**

If an employee finds it necessary to resign, it is requested that you give advance notice in writing to your supervisor specifying the last day you will be at work. This date will be considered the effective date of your resignation. Full-time or regular part-time employees are asked to give at least two (2) weeks' notice of the effective date of a resignation.

### **2.28 Involuntary Separation of Employment**

Involuntary separation results when the Organization terminates your employment for any reason. The Organization has established rules and procedures applicable to all such separations. Privacy and care is extended to individuals whose actions result in a separation.

### **2.29 Corrective Action**

The Organization is **not** required to follow any specific “steps” or order of corrective action. The following are examples of forms that corrective action may take:

- Coaching
- Verbal warning
- Written warning
- Additional training

It is important that all employees perform, at all times, to the best of their abilities. The Organization seeks to resolve conduct and performance problems in the most constructive manner possible. Any corrective action taken in no way alters or impacts the at-will nature of employment with the Organization.

### **2.30 Reduction in Force**

Under certain circumstances, the Organization may need to restructure, reduce working hours or reduce its workforce. If it becomes necessary to restructure operations, reduce or modify working hours, or reduce the number of employees, the Organization will attempt to provide advance notice, if possible, so as to minimize the impact on those affected. Also, if possible, employees subject to a reduction in force will be informed of the nature of the reduction and the foreseeable duration of the reduction, whether short-term or indefinite.

### **2.31 Final Pay**

The time requirement for a final paycheck depends upon whether the employee terminated employment without notice, quit with at least 72-hours’ notice or was terminated or laid off. The final paycheck will be issued in compliance with applicable law in any one of the foregoing scenarios.

Upon separation from the Organization you are entitled to final pay. This includes pay for any work performed within the most recent pay period, any accrued vested time off benefits (e.g. vacation), and any overtime pay due. Unused sick leave is not paid at the time of termination of employment. Any outstanding commissions earned prior to the time of termination will be paid at the time of termination. Any outstanding business expenses will be processed in normal business course and paid to you at the Organization’s regularly scheduled processing dates for these types of reimbursements. Please be sure that information concerning outstanding commissions and/or business expenses is submitted in a timely manner so that these payment deadlines may be relied upon. Please note that if you terminate employment and the Organization has paid insurance benefits on your behalf, applicable deductions, previously authorized by you to be deducted from your payroll will be deducted in accordance with the law from the final paycheck.

Employees separated from employment will be paid as follows:

- Voluntary Resignation with at least 72-hours’ notice: due and payable on last day of work.
- Voluntary Resignation with less than 72-hours’ notice: due and payable no later than 72-hours after notice is given.
- Involuntary Termination: all wages due and payable last day of work.

### **2.32 Exit Interview**

Employees who voluntarily leave the Organization may be interviewed about the reason for resignation. Constructive suggestions offered by terminating employees are valued by the Organization. Employees involuntarily terminated may also have an exit interview.

**2.33 Re-Employment**

If you leave the Organization and are rehired within six (6) months, you will receive credit for your prior service date. In this case, you will be given the original hire date as the adjusted service date. To be re-employed by the Organization, you must meet employment eligibility requirements.

## SECTION THREE – STANDARDS OF CONDUCT

### 3.1 Workplace Conduct

We promote a cooperative and productive work environment. You are always expected to behave in a professional manner. In our relationships with each other, we strive to be open and respectful in sharing our ideas and thoughts, and in receiving input.

Certain conduct, on or off work duty, may subject an employee to appropriate corrective action whether such conduct is specifically addressed in the Employee Handbook. The following conduct is prohibited, whether on or off duty unless otherwise specified, and will not be tolerated by the Organization. This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee or customer welfare, and Organization operations or other incidents may also be prohibited.

#### EXAMPLES OF UNACCEPTABLE BEHAVIORS (VIOLATIONS OF THIS POLICY):

- Falsifying employment records, employment information, or other Organization records;
- Recording the work time of another employee or allowing any other employee to record your work time, or falsifying any time sheet, either your own or another employee's;
- Theft and deliberate or careless damage or destruction of any Organization property, or the property of any employee or customer;
- Removing or borrowing Organization property without prior authorization;
- Unauthorized use of Organization equipment, time, materials, or facilities;
- Provoking a fight or fighting during working hours or on Organization property;
- Participating in horseplay or practical jokes on Organization time or on Organization premises;
- Carrying firearms or any other dangerous weapons on Organization premises at any time;
- Engaging in criminal conduct whether or not related to job performance;
- Causing, creating, or participating in a disruption of any kind during working hours on Organization property;
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor, member of management, or any other Organization stakeholder, including students and parents;
- Using threatening or abusive language at any time on Organization premises;
- Failing to notify a supervisor when unable to report to work;
- Unreported absence of three (3) consecutive scheduled workdays;
- Failing to obtain permission to leave work for any reason during normal working hours;
- Failing to observe working schedules, including rest and lunch periods;
- Failing to provide a physician's certificate when required to do so;
- Sleeping or malingering on the job;
- Making or accepting personal telephone calls, including cell phone calls, of more than three minutes in duration during working hours, except in cases of emergency;
- Using Organization's computer to access the Internet for personal use during working hours, beyond reasonable incidental or brief usage
- Working overtime without authorization or refusing to work assigned overtime;
- Violating any safety, health, security or Organization policy, rule, or procedure;
- Conduct that has gained sufficient notoriety so as to impair the employee's on-campus relationships;
- Committing a fraudulent act or a breach of trust under any circumstances;
- Immoral or indecent conduct;
- Committing, or involvement in, any act of unlawful harassment, discrimination or retaliation against another individual;



- Inefficiency, including deliberate restriction of output, carelessness or unnecessary wastes of time or material, neglect of job duties or responsibilities;
- Unauthorized soliciting, collecting of contributions, distribution of literature, written or printed matter in violation of Organization policy;
- Posting any notices on Organization premises without prior written approval of management, unless posting is on an Organization bulletin board designated for employee postings;
- Violations of the drug and alcohol policy;
- Gambling on premises;
- Engaging in sabotage or espionage (industrial or otherwise);
- Failure to report a job-related accident to the employee's manager or failure to take or follow prescribed tests procedures or treatment;
- Release of confidential information without authorization;
- Refusal to speak to supervisors or other employees;
- Dishonesty;
- Failure to possess or maintain the credential/certificated required of the position; and
- Any other conduct detrimental to other employees or the Organization's interests or its efficient operations.

### 3.2 Professional Boundaries: Employees & Student Interaction Policy

The Organization recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning-conducive environment possible.

#### Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student.

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, employees or other persons or to prevent damage to property.

For clarification purposes, the following examples are offered for direction and guidance of Organization personnel:

- A. Examples of PERMITTED actions (NOT corporal punishment)
  1. Stopping a student from fighting with another student;
  2. Preventing a pupil from committing an act of vandalism;
  3. Defending yourself from physical injury or assault by a student;
  4. Forcing a pupil to give up a weapon or dangerous object;
  5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
  6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.
- B. Examples of PROHIBITED actions (corporal punishment)
  1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
  2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
  3. Paddling, swatting slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

### Acceptable and Unacceptable Employees & Student Behavior

This policy is intended to guide all Organization faculty and employees in conducting themselves in a way that reflects the high standards of behavior and professionalism required of Organization employees and to specify the boundaries between students and employees.

Although this policy gives specific, clear direction, it is each employees member's obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or Organization leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, "Would I be engaged in this conduct if my family or colleagues were standing next to me?"

For the purposes of this policy, the term "boundaries" is defined as acceptable professional behavior by employee members while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust.

Some activities may seem innocent from an employee's perspective but can be perceived as flirtation or sexual insinuation from a student or parent point of view. The objective of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between employees and students, but to prevent relationships that could lead to, or may be perceived as, sexual misconduct.

Employees must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities. Although sincere, competent interaction with students certainly fosters learning, student & employee's interactions must have boundaries surrounding potential activities, locations and intentions.

### Duty to Report Suspected Misconduct

When any employee reasonably suspects or believes that another employees member may have crossed the boundaries specified in this policy, he or she must immediately report the matter to an Organization administrator. All reports shall be as confidential as possible under the circumstances. It is the duty of the administrator to investigate and thoroughly report the situation. Employees must also report to the administration any awareness or concern of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.

The following examples of specific behaviors are not an exhaustive list.

### Unacceptable Employee & Student Behaviors (Violations of this Policy):

- Giving gifts to an individual student that are of a personal and intimate nature.
- Kissing of any kind
- Any type of unwelcomed and unnecessary physical contact with a student in a private situation.
- Making or participating in sexually inappropriate comments, listening to or telling stories that are sexually oriented, or participating in sexual jokes, stories of a sexual nature, or inappropriate sexual comments.
- Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- Seeking emotional involvement with a student for your benefit.
- Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.

- Intentionally being alone with a student away from the Organization or in a room with a student with the door and blinds of an interior window closed.
- Inappropriate remarks about the physical attributes or development of anyone.
- Allowing students in your home.
- Communication with students through use of technology or social media, where the content of such communication is not about Organization or Organization activities.
- Excessive attention toward a particular student.

**(These behaviors should only be exercised when an employee has parent and supervisor permission.)**

- (a) Giving students a ride to/from the Organization or Organization activities.
- (b) Being alone in a room with a student at Organization with the door closed.
- (c) Allowing students in your home.

#### Cautionary Employees/Student Behaviors

**(These behaviors should only be exercised when a reasonable and prudent person, acting as an educator, is prevented from using a better practice or behavior. Employees members should inform their supervisor of the circumstance and occurrence prior to or immediately after the occurrence)**

- (a) Remarks about the physical attributes or development of anyone.
- (b) Excessive attention toward a particular student.
- (c) Sending emails, text messages or letters to students if the content is not about Organization activities.

#### Acceptable and Recommended Employees/Student Behaviors

- Getting Organization and parental written consent for any after-hours Organization activity.
- Obtaining formal approval to take students off Organization property for Organization-related activities.
- Keeping all communication with students through the use of technology and social media professional and related to Organization activities or classes and conducted on Organization technology systems.
- Keeping the door and/or blinds of an interior window open when alone with a student.
- Keeping reasonable physical distance from students.
- Stopping and correcting students if they cross your own personal boundaries.
- Keeping after-class discussions with a student professional and brief.
- Asking for advice from fellow employees or administrators if you find yourself in a difficult situation related to boundaries.
- Involving the Organization's principal or your supervisor if an inappropriate situation, including conflict, arises with a student.
- Informing your principal or supervisor about situations that have the potential to become more severe.
- Making detailed notes about an incident that could evolve into a more serious situation later.
- Recognizing and acting in accordance with the responsibility to stop unacceptable behavior of students or coworkers.
- Asking another employee to be present when you must be alone with a student.
- Asking another employees member to be present when you must be alone with a student after regular Organization hours.
- Giving students praise and recognition without touching them.
- Pats on the back, high fives, and handshakes are acceptable.

- Keeping your professional conduct, a high priority.
- Emails, text, phone and instant messages to students must be very professional and pertaining to Organization activities or classes (Communication should be limited to Organization technology).
- Keeping parents informed when a significant issue develops about a student.
- Making detailed notes about an incident that could evolve into a more serious situation later.
- Asking yourself if your actions are worth your job and career.

This statement of prohibited conduct does not alter the Organization's policy of at-will employment. Either you or the Organization remains free to terminate the employment relationship at any time, with or without reason or advance notice.

### **3.3 Use of Electronic & Social Media**

Any use of electronic media or social media by an employee to interact or participate with students must be limited to Organization business and conducted on Organization technology systems. Any interaction not limited to Organization business is inappropriate. Refer to Sections 3.3 and 3.4 below.

The Organization understands that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of your social media also presents certain risks and carries with its certain responsibilities. To assist you in making responsible decisions about your use of social media, the Organization provides the following guidelines for appropriate use of social media. The policy applies to all employees.

#### GUIDELINES:

In the rapidly expanding world of electronic communication, "social media" can mean many things. "Social media" includes all means of communicating or posting information or content of any sort on the internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with the Organization, as well as any other form of electronic communication.

The same principles and guidelines found in the Organization's policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects customers, people or businesses working with the Organization, or people who work on behalf of the Organization or its legitimate business interests may result in corrective action.

Carefully read these social media guidelines and the Organization's other policies contained in this Handbook, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to corrective action.

#### BE RESPECTFUL

Always be fair and courteous to fellow employees, customers, and people or organizations working with or on behalf of the Organization. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers, management, People Services Division, or by utilizing the Organization's Open-Door policy. If you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, employees or people or organizations that work with the Organization, or that might constitute harassment, abusive conduct, or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could

contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or Organization policy.

#### BE HONEST AND ACCURATE

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about Organization, fellow employees, customers, people or organizations working with or on behalf of the Organization, or competitors.

#### HANDLING ORGANIZATION INFORMATION & CONFIDENTIALITY

Maintain the confidentiality of Organization business and trade secrets and confidential proprietary information such as information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal Organization-related confidential communications.

Express only your personal opinions. Never represent yourself as a spokesperson for the Organization. If the Organization is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the Organization, fellow employees, customers, and people or organizations working with or on behalf of the Organization. If you do publish a blog or post online related to the work you do or subjects associated with the Organization, make it clear that you are not speaking on behalf of the Organization. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the Organization."

#### NON-USE OF SOCIAL MEDIA WHILE ON WORK TIME

Refrain from using social media while on work time or on equipment provided by the Organization, unless it is work-related as specifically authorized by your manager and consistent with Organization policy on using Organization technology and property. Do not use Organization email addresses to register on social networks, blogs or other online tools utilized for personal use.

### **3.4 Employee and Job Applicant Rights**

The Organization will not request or require employees or job applicants to disclose their personal social media usernames or passwords, nor will it request or require employees or job applicants to access their personal social media sites in the Organization's presence. Additionally, the Organization will not request or require employees or job applicants to divulge any personal social media, unless the Organization reasonably believes the media is relevant to an investigation or proceeding related to employee misconduct, violation of law or violation of regulation provided the Organization uses the divulged social media only for this purpose. The Organization is not restricted from requesting or requiring the disclosure of usernames, passwords or other access methods for Organization equipment or technology. The Organization will not retaliate against an employee or job applicant for not complying with a request or requirement in violation of this paragraph.

Refer to the Organization's Electronic Communications and Internet Usage Policies herein. Each of the Social Media, Electronic Communications and Internet Usage policies must be followed.

### **3.5 Electronic Communications**

All employees, independent contractors, advisors and volunteers ("Personnel") have a responsibility to maintain only appropriate communications with students and other individuals at all times. With the advances in communication technology, the school recognizes that more opportunities exist for school and non-school related communications between Personnel and students. As the opportunities increase for such communications, Personnel and students have an increased responsibility to ensure that all forms of

communication between Personnel and students are appropriate and comply within applicable law and requirements to protect against inappropriate and unsolicited electronic and text messages.

The Organization realizes that there are many convenient and efficient means of communication available to Personnel who need to contact students. For example, Personnel can contact students via telephone, school email accounts, a school-wide notification system, texting messaging and/or other forms of electronic and social media.

Personnel should be respectful and courteous to students and other individuals. Each individual should consider the appropriateness of any content before sending the message to another. The sender will be solely responsible for what they communicate. Inappropriate content that may include discriminatory remarks, harassment, threats of violence, lewd, sexually explicit or similar inappropriate or unlawful conduct will not be tolerated and may subject the sender to corrective action.

Parents/guardians of all students (or students 18+) are requested in the school enrollment package to complete and submit a permission form as to whether the school's Personnel may or may not send and receive text message to the cell phone of students and communicate by other forms of electronic communications. Before sending/receiving any electronic communications to/from specific students, Personnel must check as to whether such student's parent/guardian (or student 18+) has given suitable consent to the types of electronic communications intended to be sent/received.

### **3.6 Complaint Procedures**

As a matter of general policy, supervisors at all levels will provide an open door for discussion and a receptive ear and will review all employee suggestions or complaints concerning our work practices and procedures.

If an employee wishes to make an informal complaint about something other than illegal activity, it should be done immediately after the incident has occurred or the issue has arisen. We consider an open discussion between employee and supervisor as the first step in the Complaint Procedure. The supervisor must respond to the complaint in a timely manner. If the supervisor does not resolve the complaint within a reasonable time frame or if the employee disagrees with the supervisor's solution, the employee may appeal directly to a manager.

At this point, the complaint must be written down, with the nature of the complaint clearly outlined. (See **Form 2** for the "Complaint Form".) The manager will investigate the complaint and notify the employee, in writing, of a decision within a reasonable amount of time. If the complainant employee disagrees with the manager's decision, the complainant employee may direct complaints to the Regional School Administrator or the People Services Division.

As a last resort, an employee may take a complaint to the Executive Vice President, or Chief Executive Officer. That Officer's decision constitutes the Organization's final word on the matter.

Complaints will not be disclosed to anyone except those persons involved in resolving the matter. While confidentiality cannot be guaranteed by the Organization, employees shall be free from retaliation of any kind for making good faith complaints.

### **3.7 Whistleblower Policy**

Introduction. The Organization is committed to integrity and ethical behavior. The Organization thus encourages employees and affiliated non-employees (such as a board member) of the Organization (collectively, "Persons") who reasonably believe that they are aware of any actual or suspected violation of a federal or state law, or of a local rule or regulation (each, a "violation"), to report any such violation, without

any fear of retaliation, discrimination, or harassment with respect to their employment or affiliation. This policy does not replace or supersede the Organization's unlawful harassment and discrimination policy, other grievance procedures and any relevant local, state and/or federal laws governing whistleblowing applicable to the Organization. Such policies, procedures and laws are important components of the Organization's commitment to providing a professional work environment.

Prohibition: Reporting in Good Faith. The Organization strictly prohibits any retaliation, discrimination, or harassment against any person who reports what the employee reasonably believes to be violations of a federal or state law, or of a local rule or regulation. This includes non-retaliation against an employee because a family member of the employee has engaged in or perceived to have engaged in a protected whistleblowing activity. The Organization will not retaliate against any person who participates in an investigation of such complaints. The Organization also strictly prohibits any retaliation or harmful action against any person on the basis that the person provided truthful information to law enforcement authorities relating to the violation (or possible violation) of any federal or state law. This policy presumes that the Person reporting a violation will act in good faith, without malice to the organization, will not make false accusations, and has reasonable grounds for believing such violation has occurred. Any report made maliciously or which the Person has good reason to believe is false will be viewed as a serious corrective offense.

No Retaliation. The Organization will not retaliate, discriminate, harass or cause adverse employment consequences against a Person who discloses, or may disclose (or who the Organization believes disclosed or may disclose) information regarding alleged violations to (i) a law enforcement or government agency, (ii) an employee with authority over the Person, or (iii) an employee who has authority to investigate, discover or correct the violation. Any employee within the Organization who retaliates against a Person who in good faith has reported a claim or has cooperated or participated in the investigation of a violation is subject to discipline, including termination of employment with the Organization. If a person believes that they (or someone else) is suffering from harassment, retaliation or other adverse employment/affiliation consequences as a result of reporting a violation or having cooperated in the investigation of a violation, such individual should contact such officer of the Organization as designated below.

Report Procedure. A person who becomes aware of any act or behavior described above is encouraged to report such incidents immediately **to the Chief Executive Officer of the Corporation operating the school ("CEO")**. Reports may be provided in writing or in person. Reports should be as complete as possible, including the details of the incident(s), names of the individual(s) allegedly involved, date(s), and the name(s) of any witness(es).

You may send the report or complaint by letter (which may be anonymous, at your discretion) to the CEO of the Organization, in a sealed envelope marked "Confidential" at the following address:

**177 Holston Drive  
Lancaster, California 93535**

**If** the subject of the report involves the Chief Executive Officer of the Organization, you should report your concern directly to the **Corporate General Counsel at the Corporate Administration Office.**

Investigation and Confidentiality. The Organization will promptly investigate the complaint and will endeavor to protect the privacy and confidentiality of all parties involved, to the maximum extent possible, consistent with the Organization's obligations to conduct a thorough investigation, to comply with all applicable laws, and/or to cooperate with law enforcement authorities. The Organization will explore anonymous allegations to the extent possible. However, will weigh the prudence of continuing such investigations against the likelihood of confirming the alleged facts or circumstances from attributable sources. If necessary, legal

counsel and/or an independent auditing firm will be involved in any investigation. Corrective action will be taken at the conclusion of the investigation

The Organization's employees should be aware that certain violations of the Organization's policies and practices could subject the Organization and/or the individual(s) involved to civil and/or criminal penalties. Before issues or behavior rise to that level, employees are encouraged to report to the designated officer of the Organization any violation of federal or state law, or local rule or regulation, or any retaliation related to such reports.

### **3.8 Violence-Free Workplace**

The Organization is committed to providing a safe workplace, and in this regard will not tolerate abusive or violent behavior that includes, but is not limited to, making threatening remarks, physical intimidation, or assault. Carrying firearms or any other dangerous weapon on Organization premises or at Organization sponsored events is prohibited.

Employees involved in physical altercations of any kind will be subject to immediate corrective action.

### **3.9 Reporting Violent Behavior**

Employees who believe they are being threatened, intimidated, verbally abused, or has been physically assaulted, must notify their supervisor immediately. If the behavior involves a supervisor, employees must immediately notify People Services Division. The Organization will not tolerate any form of retaliation against any employee who makes a good faith report under this policy.

In addition, employees who witness such behavior or are informed of a co-worker's intention to harm another employee or student must immediately notify a supervisor or law enforcement authorities and People Services Division.

### **3.10 Drug and Alcohol-Free Workplace**

The Organization is concerned about the use of alcohol, marijuana, illegal drugs, or controlled substances as it affects the workplace. Use of these substances, whether on or off the job, can detract from an employee's work performance, efficiency, safety, and health, and therefore seriously impair the employee's value to the Organization. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the Organization to the risks of property loss or damage, or injury to other persons.

An employee who is using or under the influence of any type of substance, including but not limited to, marijuana, alcohol, or prescription/over the counter drugs that impairs the employee's ability to effectively and safely preform the job, or affect the safety of well-being of others, must notify a supervisor of such use immediately before starting or resuming work. Employees who have prescription drug dependencies are to maintain the same job performance standards as other employees.

The Organization prohibits the use, abuse, sale, transfer, manufacture, or possession of illegal or controlled drugs, alcohol, marijuana, the abuse of prescribed drugs, being under the influence of illegal, controlled drugs, alcohol or marijuana, or abused prescription drugs whenever the employee is (1) on Organization premises; (2) conducting or performing Organization business, regardless of location; (3) operating, or responsible for the operation, custody, or care of Organization equipment or other property; (4) driving an Organization-provided vehicle or your own vehicle on Organization business while under the influence of any substance that alters or impairs judgment; or (5) responsible for the safety of others in connection with, or while performing, Organization-related business.



In order to enforce this policy, the Organization reserves the right to conduct searches of Organization property or employees and/or their personal property, and to require employees who are reasonably suspected of being under the influence of illegal or controlled substances, drugs, alcohol, or marijuana, to undergo a drug and/or alcohol test. The result of test(s) may be used as a basis for corrective action. Failure to cooperate in any such search or test will result in termination of employment.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while off Organization property will not be tolerated.

The Organization will comply with California Labor Code Sections 1025, 1026 etc., relating to reasonable accommodation of employees who wish to enter a treatment program for substance use. However, the Organization retains the right to execute corrective action up to and including the right to terminate employment of an employee whose drug or alcohol use interferes with job duties or workplace safety.

Because even a minimal consumption of alcohol or marijuana can negatively influence an individual's performance, the Organization strictly prohibits any consumption of alcohol or marijuana in situations where the employee may be returning to the workplace.

Employees are encouraged to use benefits, services and resources available through the Employee Assistance Program.

### **3.11 Alcohol at Organization-Sponsored Events and on Organization Premises**

On occasion, alcohol is available at Organization-sponsored social events that are held off premises. At such events, employees may choose to purchase alcohol, but the Organization will not be purchasing alcohol for its employees. Additionally, alcohol will occasionally be available at community fundraisers held on Organization premises. Students will not be present for such fundraisers.

Employees who choose to consume alcohol at Organization-sponsored events or community fundraisers held on Organization premises are responsible for their own behavior and must remain professional at all times. The Organization requires employees to comply with legal requirements as to alcohol consumption and driving. The Organization strongly suggests that employees have a "Designated Driver" available should the need arise.

None of the Organization insurance carriers will be liable for the payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, athletic, or community fundraising activity that is not part of the employee's work-related duties.

### **3.12 Reasonable Suspicion**

The Organization reserves the right to conduct drug-screening tests when in its sole discretion there is reason to believe that substance abuse, including but not limited, to alcohol and marijuana, is affecting the safety, productivity, and/or work-related performance of any employee. An employee who is suspected of illegal or controlled drug and/or alcohol/marijuana abuse (including the abuse of prescription drugs) will be interviewed by a supervisor/manager who shall look for physical and/or behavioral changes in the employee. Should the supervisor observe a significant change has occurred without any reasonable explanation and a reasonable suspicion is determined, the employee shall be required to undergo a drug and/or alcohol test. The employee shall be placed on paid administrative leave pending the outcome of the test. Should the test results indicate no abuse of illegal, controlled drugs, alcohol, marijuana (including prescription drugs), the employee shall be reimbursed for the workdays missed during the suspension. Refusal to participate in the testing procedures will be grounds for immediate termination of employment. An employee may be disciplined, up to and including termination if the test is positive.

### **3.13 Reporting Substance Abuse**

Any employee who believes that a co-worker is in violation of the Drug and Alcohol-Free Workplace policy must immediately notify a supervisor. When an employee believes that the supervisor is in violation of the Drug and Alcohol-Free Workplace policy, the employee must notify the People Services Division.

Absent evidence of workplace intoxication, if an employee voluntarily enters rehabilitation for drug or alcohol abuse, a leave of absence will be granted.

### **3.14 Attendance**

As an employee of the Organization you are expected to be punctual and regular in attendance. Any tardiness or absence causes problems for your fellow employees and your supervisor. When you are absent, your assigned work must be performed by others.

### **3.15 Absences**

An employee is considered absent anytime they do not report to work for their regular work shift that is not due to a scheduled time off. For unscheduled absences, the employee will need to notify their supervisor/designee within one hour of expected start time. If a return date is unknown, the employee must notify supervisor/designee an hour or before the start time of regular work shift.

Unscheduled absences place an unfair burden on co-workers and clients and normal business operations and should be avoided when possible. Frequent unscheduled absences, including late arrivals, early departures and failures to report to work, are grounds for corrective action, up to and including termination.

Excessive absences and failure to report absences on time may lead to corrective action, up to and including termination. Unscheduled absences are excessive if they occur frequently (6 or more occasions in a rolling calendar year); they may also be excessive if they show a pattern. Absences immediately before or after holidays and weekends are suspect.

The Organization reserves the right to request a physician's statement for absences due to illness or injury. Any employee who is absent for three (3) consecutive working days without notification is deemed to have resigned voluntarily.

### **3.16 Tardiness**

Employees are expected to report to work as scheduled, on time, and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for meal periods or when required to leave on authorized Organization business. Late arrival, early departure, or other unanticipated and unapproved absences from scheduled hours are disruptive and must be avoided.

We know that traffic or weather conditions may cause you to be late on occasion. If this happens, notify your supervisor that you will be late and when you will be able to report for work. However, you are expected to plan for traffic and weather problems and to allow for extra time to commute to work, if necessary.

Although voicemail may be available, the Organization expects you to speak directly with a supervisor when you will be late for work. You must call your supervisor as soon as possible.

You will be considered tardy if you are not signed in or clocked in and/or are not ready to begin work when your period begins.

Repeated or excessive tardiness will lead to disciplinary action up to and including termination of employment. Tardiness is excessive if you are frequently or unnecessarily late. You may also be excessively tardy if you demonstrate a pattern of tardiness.

### **3.17 Excessive Absenteeism and Tardiness**

Frequent or excessive absenteeism or tardiness affects the efficiency and effectiveness of the department or office, and will subject you to corrective action, including possible termination.

In the case of absences due to uncontrollable factors (such as personal health), every consideration will be given to the employee's circumstances. However, even in these situations, the Organization must also consider its business needs and therefore may not be able to accommodate such circumstances for extended periods.

### **3.18 Grooming and Attire**

It is expected that employees will maintain a clean and neat appearance and will project a professional and businesslike image in dealing with other employees, customers, volunteers and the general public. Proper grooming and attire have a positive impact on the Organization's image and will not conflict with an employee's ability to safely perform the essential functions of their job.

The Organization reserves the right to define appropriate standards of appearance for the workplace. All employees are required to wear neat and clean clothing that is not torn, ripped, or dirty. Employees shall dress and present a professional appearance. Employees who are inappropriately dressed will be sent home and directed to return to work in proper attire. Such employees will not be compensated for the time away from work. The Organization will make reasonable accommodation for religious practices, including religious attire and grooming.

Listed below is a general overview of acceptable and unacceptable grooming and attire. Neither group is intended to be all-inclusive.

#### Acceptable:

- Suits and sport coats
- Slacks, twill pants, leggings, and corduroy pants, (knee-length or longer.)
- Polo shirts, collared shirts, banded-collar shirts, blouses, knit tops, tops that cover the shoulder, sweaters, turtlenecks, and V-neck sweaters
- Dresses and skirts (knee-length or longer)
- Belts, ties, and nylons
- Loafers, boots, flats, dress sandals, clogs, leather dock shoes
- Denim jeans (Fridays only)
- Jewelry and/or tattoos are permitted within the following guidelines:
  - Not offensive to co-workers, customers, vendors or others in the workplace based on racial, sexual, religious, ethnic, or other characteristics or attributes of a sensitive or legally protected nature
  - Does not detract from a professional appearance
  - Does not pose safety concernsIf management determines an employee's jewelry or tattoos may present conflict, the employee will be directed by management to remove the jewelry or cover the tattoo to an acceptable extent possible.

### Unacceptable

- Low-cut tops or dresses
- Midriff-baring clothing
- Denim (jeans, shirts, skirts, dresses), including colored denim
- Shorts (except as approved by management for warehouse workers)
- Overalls, sweatpants, and sweatshirts
- Clothing with offensive slogans or pictures
- Clothing with large lettering, logos or slogans
- Beach clothing
- See-through or mesh clothing
- Sports headgear (except as approved by management)
- Mini-skirts and other attire above the knee
- Halter tops, tank tops, and spaghetti straps
- Hiking boots, Velcro sandals, flip-flops, slippers, tennis shoes, Tevas, Birkenstocks

A good rule of thumb is that if you are not sure if something is acceptable, choose something else or inquire first. Any questions regarding the Grooming and Attire policy should be directed to your supervisor or the People Services Division.

In work areas that have approval for specified "dress down" or "casual" days, management shall determine appropriate attire standards for those days.

The Organization is committed to not discriminating against employees on the basis of religion, including religious dress and grooming practices. Contact People Services Division if you require a reasonable accommodation to the Grooming and Attire Policy due to religious practice.

Violation of this Grooming and Attire policy will subject the violating employee to appropriate discipline.

### **3.19 Customer Relations**

Our "customers" are our students and parents. Employees are expected to be polite, courteous, prompt, and attentive to every customer while in the course and scope of Organization business. When an employee encounters an uncomfortable situation that they do not feel capable of handling, the supervisor should be called immediately.

Customers are to be treated courteously and given proper attention at all times. Never regard a customer's question or concern as an interruption or an annoyance. You must respond to inquiries from customers, whether in person or by telephone, promptly and professionally.

Never place a telephone caller on hold for an extended period. Direct incoming calls to the appropriate person and make sure the call is received.

Through your conduct, show your desire to assist the customer in obtaining the help needed. If you are unable to help a customer, find someone who can.

All correspondence and documents, whether to customers or others, must be neatly prepared and error-free. Attention to accuracy and detail in all paperwork demonstrates your commitment to those whom we serve.

Never argue with a customer. If a problem develops or if a customer remains dissatisfied, please ask your supervisor to intervene.

We have developed certain guidelines to reflect what we believe are good business practices. We strive to develop and maintain a pleasant, efficient, and fair work environment that fosters cooperation and understanding.

All employees are expected to be:

- On time and ready for work at the beginning of their workday
- Careful and conscientious in the performance of their work
- Respectful and considerate of others
- Courteous and helpful when dealing with other employees and with volunteers, supporters, and the general public

### **3.20 Confidentiality**

Employees must keep matters relating to the Organization's business confidential. (See **Appendix C** for the "Confidentiality Agreement.") These business matters include but are not limited to any of the following items:

- No unauthorized disclosure of:
  - Business or trade secrets and confidential proprietary information such as information regarding the development of systems, processes, products, know-how and technology.
  - Intellectual property such as designs, ideas, or innovations.
  - Any documents, emails, faxes, U.S. mail, or other materials that relate to the Organization or employees of the Organization.
  - Organization business dealings.
  - Organization financial documents, data, transactions, etc.
  - Student information and records.
  - Confidential financial data, or other non-public proprietary Organization information.
  - Confidential information regarding business partners, vendors or customers.

No employee may use trade secrets or confidential proprietary information obtained during or through employment with the Organization for the purpose of furthering current or future outside employment or activities, for obtaining personal gain or profit, or for any other purpose not related to the employee's work with the Organization.

No employee may make unauthorized copies of Organization business matters or information or remove Organization business matters or information from Organization premises without authorization.

At no time may an employee disclose business or trade secrets or confidential proprietary information without the Organization's prior consent, except as may be necessary in the ordinary course of performing their duties as an employee of the Organization.

Employees must promptly advise the Organization of any knowledge that they may have of any unauthorized release or use of the Organization's trade secrets or confidential proprietary information, and shall take reasonable measures to prevent unauthorized persons or entities from having access to, obtaining, or being furnished with any trade secrets or confidential proprietary information.

During their employment, employees may not access confidential proprietary information which they are not authorized to access.

This policy also applies in a cybersecurity context. This policy applies at all times during employment. Employees who violate this policy will be subject to legal action.

Employment is contingent upon signing the Confidentiality Agreement included in this Handbook. Employees should contact their supervisors with any questions regarding these provisions prior to disclosure or use of confidential proprietary information.

### **3.21 Business Ethics and Conduct Policy**

The successful business operation and reputation of the Organization is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of the Organization is dependent upon our customers' trust and we are dedicated to preserving that trust. Employees owe a duty to the Organization, its customers, and sponsoring school district to act in a way that will merit the continued trust and confidence of the public.

The Organization will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and Organization policies, and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor and, if necessary, with People Services Division for advice and consultation.

Compliance with this policy of Business Ethics and Conduct is the responsibility of every employee. Disregarding or failing to comply with this policy could lead to corrective action.

## **SECTION FOUR – OPERATIONS**

### **4.1 Inclement Weather**

The Organization, through the Executive Office, may decide to close its offices due to inclement weather. All employees will be paid for such time off if normally scheduled to work that day and only for those hours which the employee would normally work.

When the Organization's offices are kept open during inclement weather conditions, all employees will be expected to make reasonable efforts to get to work. All employees who are unable to report to work should call their supervisor and report their absence as soon as possible prior to the start of their work shift. Employees unable to arrive for work will be charged their vacation hours. If no vacation hours are available, the absence will be unpaid.

### **4.2 Organization Property**

Lockers, desks, vehicles, computers, internet access, and certain other property are property of the Organization and must be maintained according to Organization rules and procedures. Employees do not have a reasonable expectation of privacy with respect to their use of or access to any Organization property, both physical and electronic. Organization property must be used only for work-related purposes, unless otherwise specified below. The Organization reserves the right to inspect all of its property to ensure compliance with its rules and procedures, without notice to the employee and/or in the employee's absence.

Telephones, voicemail and/or electronic mail (email) and internet access are to be used for business purposes only, unless otherwise specified below. Chatting online, instant messaging, surfing and other similar misuses of Organization time, property and internet services are strictly prohibited. Transmitting, retrieving, downloading or storing messages or images that are offensive, derogatory, defamatory, off-color, sexual in content (including all forms of pornography) are considered inappropriate in the business environment. Gambling, monitoring sports scores and playing electronic games are also restricted activities on Organization time. The Organization reserves the right to listen to, monitor and record phone and voicemail messages and to access and disclose computer files, email messages and internet records to ensure compliance with this policy, without notice to the employee and/or in the employee's absence. Violation of these guidelines may result in corrective action.

It may be necessary to assign and/or change passwords and personal codes for Organization voicemail, email, and computers. These items are to be used for the Organization's business and they remain the property of the Organization. The Organization may keep a record of all passwords/codes used and/or may be able to override any such password system.

### **4.3 Return of Organization Property**

Any Organization property issued to you, such as keys, tools, cell phones or any other items issued must be returned to the Organization at the time of your termination. You will be responsible for any lost or damaged items.

Regardless of whether your employment ends on a voluntary or involuntary basis, it is your responsibility to return all equipment, computers, telephones, Organization passwords, tools, keys, clothing, or any other property issued to you by the Organization. Failure to return property in good working condition may result in your being invoiced for the fair market value of such property in accordance with applicable law.

### **4.4 Personal Property/Employee Property**

Employees should not leave or store personal belongings of value in the workplace, for security reasons. The Organization is not responsible for personal belongings that are lost or stolen.

Terminated employees must remove all personal items at the time they leave the Organization. Personal items left in the workplace by previous employees are subject to disposal if not claimed at the time of the employee's termination.

#### **4.5 Searches and Inspections**

The Organization believes that maintaining a workplace that is free of weapons, illegal or controlled drugs, alcohol, marijuana, and other harmful materials is vital to the health and safety of its employees and to the Organization's success. Accordingly, the Organization has established this Policy concerning inspections, searches and monitoring on Organization premises. The Organization intends to protect against the unauthorized use and removal of Organization property. In addition, the Organization intends to assure its access at all times to Organization premises and Organization property, equipment, records, documents, and files. This Policy applies to all employees of any and all subsidiaries and/or affiliates.

For purposes of this Policy:

"Prohibited materials" means firearms or other weapons; explosives and/or hazardous materials or articles; alcoholic beverages, marijuana, illegal drugs or other controlled substances; drug-related paraphernalia; and Organization property that an employee is not authorized to have in their possession.

"Organization property" includes all documents, records, software, data and files relating to Organization business; and all inventories, equipment, hardware, and other property of any kind, whether owned, leased, rented, or used by the Organization.

"Reasonable suspicion" includes a suspicion that is based on specific personal observations such as an employee's manner, disposition, muscular movement, appearance, behavior, speech or breath odor; information provided to management by an employee, by law enforcement officials, by a security service, or by other persons believed to be reliable; or a suspicion that is based on other surrounding circumstances.

"Possession" means that an employee has the substance on Organization property on their person or otherwise under their control.

In order to assure access at all times to Organization property, and because employees properly in possession of Organization property or information related to Organization business may not always be available to produce the property or information when needed in the ordinary course of Organization business, the Organization reserves the right to conduct a routine inspection or search at any time for Organization property on Organization premises. (In addition, the Organization reserves the right to access information and communications and email stored in Organization computer files, on Organization disk drives, and in employee voice mailboxes).

Routine searches or inspections of Organization property may include an employee's office, desk, file cabinet, closet, computer files, voice mail, email, Internet records or similar places where employees may store Organization property or Organization-related information, (whether or not the places are locked or protected by access codes).

Because even a routine search for Organization property might result in the discovery of an employee's personal possessions, all employees are encouraged to refrain from bringing into the work place any item of personal property that they do not wish to reveal to the Organization during the course of an inspection. Inspections or searches for prohibited materials in or on Organization premises also will be conducted whenever the Organization has reasonable suspicion to believe that a particular employee (or other employees) may be in possession of such materials in violation of this Policy.



In cases involving an inspection or search of an employee's pockets, purse, briefcase, or other item of personal property that is being worn or carried by the employee, the employee will be requested to conduct a self-search (i.e., by turning out or emptying pockets, purses, etc.) in the presence of an observer.

Employees who refuse to cooperate during an inspection or search will not be forcibly detained or searched. They will be informed, however, that the Organization will base any corrective action decision on the information that is available, including their refusal to consent to the search as well as the information that gave rise to a reasonable suspicion that the employee was in possession of prohibited materials, if applicable, and that their failure or refusal to cooperate could deprive the Organization of information that may clear them of suspicion. In addition, the Organization reserves the right to take appropriate action to prevent the unauthorized removal of Organization property from Organization premises.

The Organization reserves the right to monitor the use by employees of Organization telephones, computer networks, and electronic mail systems. Monitoring may be performed by observation, or through aural, mechanical, electronic, or other means.

Monitoring may take place on a regular or random basis and will be used to monitor an employee's job performance, for training or quality control purposes, or in instances in which the Organization has a reasonable suspicion that an employee is using Organization property in an unauthorized manner.

All inspections or searches may be conducted as necessary and will be approved in advance by the People Services Division, who will inform supervisors of the impending inspection prior to its occurrence.

Employees who are found to be in possession of prohibited materials in violation of this Policy and the Drug and Alcohol-Free Workplace policy, or employees who are found to have used Organization property in an unauthorized manner, will be subject to corrective action.

Any prohibited materials, or any materials that are suspected of being prohibited by this Policy, that are found in an employee's possession during an inspection or search will be collected by the Organization or by the independent security service, and will be placed in a container, sealed, and marked with (1) the date collected, (2) names of persons present, (3) circumstances of discovery, and (4) a general description of the contents placed in the container.

The employee who was in possession, or who was suspected of being in possession of the prohibited materials will be given a receipt for the materials collected during the search. If, after further investigation, it is determined that the materials collected were not prohibited by this Policy, the collected materials will be returned to the employee, except as provided below, and a receipt will be obtained from the employee. In cases in which it is suspected that the collected materials consist of illegal drugs or other controlled substances, the Organization will arrange for disposition in accordance with advice from the Drug Enforcement Administration or other appropriate law enforcement authorities. In cases in which the collected materials consist of, or are suspected of consisting of, firearms or other weapons, explosives, or other hazardous materials or articles, the Organization reserves the right to dispose of the materials in whatever manner it deems to be in the interest of its employees' safety or to return the materials to the employee at a designated time and location.

In cases in which it is suspected that the collected materials consist of illegal drugs or other controlled substances, the Organization reserves the right to arrange for the materials to be tested and to be notified of the results, for the purpose of determining whether the employee has violated this Policy.

Supervisors should restrict communications concerning a violation or possible violation of this Policy to persons who have an important work-related reason to know.

#### **4.6 Security and Safety**

The Organization has developed guidelines to help maintain a secure workplace. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities to a supervisor or manager immediately. Secure your desk or office at the end of the day by following “end-of-the day” shut-down procedures. When called away from your work area for an extended length of time, do not leave valuable and/or personal articles in or around your workstation that may be accessible. Do not leave your computer logged-on and accessible by others.

The security of our facilities and the welfare of our employees depend upon the alertness and sensitivity of every individual to potential security risks. Refrain from wearing headphones and earphones (except for Organization-issued Personal Protective Equipment (PPE) that will prevent you from hearing alerts and emergency notifications. You should immediately notify your supervisor when unknown or known persons are acting in a suspicious manner in or around the facilities, or when keys, security passes, or identification badges are missing.

Additional safety measures may be considered for employees that are victims of domestic violence, sexual assault, and stalking. If you feel that you are a victim of such situations and would like to know about or request additional safety measures, contact the People Services Division and the Security Coordinator.

#### **4.7 Restraining Orders and Domestic Violence**

One issue that crosses from home to work is domestic violence. If you are being threatened at work, immediately tell your supervisor, People Services Division, or the Police. These situations can be very dangerous for you and other employees.

If you have a civil order, like an Emergency Protective Order, a Stay-Away Order, or a Temporary Restraining Order against you must tell your supervisor and People Services Division about it. We will keep it on a confidential basis, and we will work with you to develop a workplace safety plan.

Employees are encouraged to team up with a co-worker leaving at the same time of day, as the parking lot may be dark. When leaving your vehicle in the parking lot, be sure to lock your vehicle to secure personal property and your safety when returning to your vehicle at the end of your shift. When you get into your vehicle, immediately lock your doors and fasten your seatbelt. When departing from the parking lot, and if you feel you are being followed, you should contact 911 via your cell phone or drive to the nearest police/sheriff station to get help. Once you have contacted the authorities and are safe, be sure to report any incidents to your site administrator or supervisor immediately.

In order to promote the safety of employees and Organization visitors, as well as the security of its facilities, the Organization reserves the right to conduct video surveillance of its premises at any time. Video cameras will be positioned in appropriate places within and around Organization buildings. The only exception to this policy is private areas of restrooms and designated lactation areas. Requests for additional guidance on workplace security procedures should be directed to the Security Coordinator.

#### **4.8 Identification Badge**

All employees are required to wear Organization-issued identification badges in a visible manner while on Organization premises. We are committed to ensuring the safety and security of all employees and wearing identification badges distinguishes employees from guests or unauthorized personnel. Compliance to the

Identification badge policy is subject to the same conditions with other Safety and Security policies wherein violations may subject the employee to corrective actions.

#### **4.9 Workplace Safety**

All employees are responsible for their own safety, as well as that of others in the workplace. To help us maintain a safe workplace, everyone must always be safety-conscious. Report all work-related injuries or illnesses immediately to your supervisor and to the People Services Division.

The Organization adheres to a Code of Safe Workplace Practice. Compliance to the Code of Safe Workplace Practices is a requirement for the continuation of your employment. Violations of the Code of Safe Practices shall lead to corrective actions. In compliance with California health and safety laws, and to promote the concept of a safe workplace, Organization maintains an Injury and Illness Prevention Program and Safety Manual. All employees should be aware of where the Injury and Illness Prevention Program Guide and Safety Plans are located at their worksite.

In compliance with Proposition 65, the Organization will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

In compliance with the Asbestos Hazard Emergency Response Act, information on asbestos at Organization sites can be found in site-specific Asbestos Management Plans. To review the Asbestos Management Plan for a given site, please contact the Safety Manager.

The Organization always requires that all equipment be in proper working order and safe to work with. If any equipment breaks down, do not use it until a qualified technician makes sure that it is repaired and safe.

Never try to fix broken equipment yourself. Tell your supervisor of any equipment breakdown as soon as it happens. If the breakdown requires emergency repairs, your supervisor will deal with the emergency situation as soon as possible.

From time-to-time the Organization conducts formal safety training. Your attendance at safety training sessions is mandatory. The Organization also provides information to all employees through bulletin board postings, memos or other written communication.

#### **4.10 Communicable Illness**

The Organization regards employees' health and wellness as a prime concern. All employees are to adhere to basic health guidelines by practicing good hand hygiene and respiratory etiquette. It is recommended that employees give careful consideration to reporting to the workplace when experiencing a communicable illness.

The Organization's decisions involving persons who have communicable illness shall be based on current and well-informed medical judgments concerning the illness, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable illness, and a careful weighing of the identified risks and the available alternative for responding to an employee with a communicable illness.

The Organization will not discriminate against an employee based on the individual having a communicable illness. It is permissible and legal for management to ask employees who appear to have symptoms to go home and not return to work until they have been medically released by their attending physician. The Organization will comply with applicable laws and regulations that protect the privacy of an employee's medical information.

If applicable, any and all health and safety provisions specified in the Organization's Charter or Memorandum of Understanding with the sponsoring school district are hereby incorporated into this Handbook.

#### **4.11 Safety Suggestions**

You are encouraged to suggest better and safer methods and routines. Please present and discuss your suggestions with your supervisor, the Safety Manager, or People Services Division. You have the right to report safety and security related matters anonymously to our Safety Manager without fear of retaliation.

#### **4.12 Safety Equipment**

If needed, the Organization will provide you with Personal Protective Equipment (PPE). Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to corrective action.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the People Services Division and their supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

#### **4.13 On-The-Job Injuries**

Every employee is responsible for their own safety as well as others in the workplace. To achieve our goal of maintaining a safe workplace, everyone must be safety conscious at all times.

If you are injured on the job, you must notify a supervisor immediately. Under workers' compensation law, you will receive help if you are injured. If necessary, an ambulance may be called to provide emergency medical care. It is not permissible for any employee to transport an injured employee to seek medical attention. The Supervisor may contact the injured employee's emergency contact should they need transportation to seek medical attention. If the injury is less serious, leadership along with the employee are responsible for contacting People Services Division to assess the situation. Injured employees will be referred to an Organization-designated Medical Provider Network physician for medical treatment unless the employee has Pre-designated a Personal Physician in writing before an injury occurs. However, in emergency situations, this may not be possible or practical.

All newly hired employees will be provided with workers' compensation information and the Medical Provider Network. For additional information, please contact the People Services Division.

#### **4.14 Workers' Compensation Insurance**

The Organization provides Workers' Compensation no-fault insurance coverage for all employees to protect them in the event of an on-the-job injury, illness or exposure. The Organization pays the full cost of the insurance. If the applicable insurance carrier determines that you cannot work because of a work-related injury, illness or exposure, you will be placed on a Workers' Compensation Leave of Absence in accordance with the laws of the State of California. A Workers' Compensation Leave may be designated in conjunction with State and Federal family and medical leaves.

You must notify your supervisor immediately upon knowledge of any accident, injury, illness or occupational exposure. Failure to report any accident, injury, illness or occupational exposure may result in corrective action.

Your supervisor, in conjunction with People Services Division, will take the necessary steps, in accordance with applicable state law, to report a Workers' Compensation injury. A full release from the attending

physician is required to return to work (medical restrictions will be reviewed through interactive process on a case by case basis by the Organization's People Services Division.

#### **4.15 Ergonomics**

The Organization is subject to Cal/OSHA ergonomics standards for minimizing workplace repetitive motion injuries. The Organization will make necessary adjustments to reduce exposure to ergonomic hazards through modifications to equipment and processes and employee training. The Organization encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines.

The Organization believes that reduction of ergonomic risk is instrumental in maintaining an environment of personal safety and well-being and is essential to our business. We intend to provide appropriate resources to create a risk-free environment. If you have any questions about ergonomics, please contact the Safety Manager.

#### **4.16 Workplace Smoking Ban**

The Organization is committed to providing a healthy and safe workplace. Smoking or use of any tobacco product or e-cigarettes is strictly prohibited in the office or within twenty-five (25) feet of it, in any Organization building or within twenty-five (25) feet of it, or in any enclosed premises of the Organization, including restrooms. Smoking will be permissible in outside areas designated by the Organization. This policy applies to all employees, customers and visitors. Smoking is prohibited while inside Organization-owned, rented or leased vehicles.

#### **4.17 Housekeeping**

All employees are expected to keep their work areas clean and organized. Common areas such as lunchrooms, locker rooms and rest rooms should be kept clean by those using them. Please clean up after meals. Please dispose of trash properly.

#### **4.18 Solicitations**

No soliciting or distribution is allowed during working time (working time means times when you are expected to be performing your work duties, as opposed to non-working time such as rest and meal periods and before and after your shift) or in working areas (working areas means areas where work duties are being completed, as opposed to nonworking areas such as break rooms and parking lots). We recognize an employee's right to be provided with working conditions free from the distractions which could result from fund-raising appeals or other solicitations on Organization premises.

The Organization recognizes the importance of community outreach and may engage in certain fund-raising campaigns for 501(c)(3) Non-Profits only. Special campaigns on Organization premises may be conducted upon specific approval from Executive Management after liability review. Employee participation is completely voluntary and is not intended to interfere, advance, conflict, or be discriminatory in nature to an employee's employment relationship with the Organization. We respect an employee's individual right to voluntarily contribute to such campaigns.

#### **4.19 Conducting Personal Business**

Employees may not conduct personal business or business for another employer on Organization premises. However, employees may conduct reasonable personal business on Organization premises in case of emergency, or during meal or break periods, provided Organization property is not used in ways prohibited by Organization policies.

#### **4.20 Organization Equipment and Technology**

The Organization maintains all rights pertaining to the use of its equipment. All Organization equipment, including desks, computer systems, computer software, diskettes, computer or computing device—

specifically including but not limited to laptops, workstations, printers, servers, and handhelds—is to be used for Organization business only.

The Organization maintains all rights pertaining to the use of its resources. All Organization resources—specifically including but not limited to its electronic network, electronic mail, voicemail, and the data residing on its computer systems—are to be used for Organization business only, unless otherwise stated in this Handbook.

The primary purpose of the electronic mail (email) is to expedite necessary business communications between two or more individuals. Use of email is a privilege and may be revoked at any time.

Employees should not use personal devices or email accounts for Organization-related communications. Such communications should only take place using Organization-issued devices and via the employee’s email account.

**All employees are expected to maintain proper and ethical use of electronic mail.**

#### Employee Privacy

Neither permission to use the Organization’s computing resources, nor the issuance to any employee of a password, authentication credential, or digital certificate confers any right of privacy upon any employee of the Organization. Thus, employees must not expect that any information maintained on or transferred over the Organization’s systems, including electronic and voicemail messages, are private.

Employees are encouraged and advised to retain personal records and engage in personal business using personal equipment at home, as employees have no right to privacy for information contained on the Organization’s computer, electronic or telephonic systems.

DO NOT USE ORGANIZATION EQUIPMENT, COMPUTERS, OR INFORMATION SYSTEMS FOR NON-ORGANIZATION BUSINESS, UNLESS OTHERWISE STATED IN THIS HANDBOOK.

(See **Appendix F** for the “Voicemail, Email, and Use of Organization Technology Acknowledgement.”)

#### Organization Access to Information

At all times, the Organization retains the right to access and search all directories, indices, diskettes, files, databases, email messages, and other electronic transmissions contained in, or used in conjunction with, the Organization’s computer, electronic, and voicemail systems and equipment without prior notice. This right applies both during your employment with the Organization, as well as after its cessation, whether the cessation is voluntary or involuntary, or by death or disability.

The Organization purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the Organization does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. The Organization prohibits the illegal duplication of software and its related documentation.

The Organization retains the right to enter any of its systems or any system connected to its network, at its sole discretion. The Organization reserves the right to monitor the use by employees of Organization

telephones, computer networks, and electronic mail systems. Monitoring may be performed by observation, or through aural, mechanical, electronic, or other means. Monitoring may take place on a regular or random basis and may be used to monitor an employee's job performance, for training or quality control purposes, or in instances in which the Organization has a reasonable suspicion that an employee is using Organization property in an unauthorized manner, or other lawful reasons.

By placing information on the Organization's computer systems, employees grant to the Organization the right to edit, delete, copy, republish, and distribute such information. By connecting non-Organization equipment to the Organization's network, employees grant to the Organization the right to scan or monitor the electronic communication into and out of such equipment without limitation.

Computer, electronic, or voicemail messages deleted or erased by employees may remain stored in the Organization's computer or telephone systems. Accordingly, the Organization retains the right to access computer, electronic, and voicemail messages for as long as the information may be obtained from any source.

Employees should notify their immediate supervisor, the People Services Division or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to corrective action.

#### Appropriate Use

Employees are expected to present a professional and business-like image when using Organization technology and email. Employees may not send offensive or discriminatory messages, nor may they access inappropriate images or materials. Employees will be subject to corrective action for violations of this rule.

#### Passwords

Passwords, authentication credentials, and/or digital certificates are designed to allow employees access to all or part of the Organization's computer, electronic, and/or telephone systems, and to prevent unauthorized access to information. Employees are expected to maintain their passwords as confidential and must not access co-workers' systems without express authorization.

In the event of the cessation of employment, you will deliver to the Organization, if requested, all passwords or other authentication credentials to access all Organization documents, disks, computer, electronic or voicemail systems, whether these were issued to by the Organization or created by you or any other party.

### **4.21 Internet Usage**

Internet access to global electronic information resources on the World Wide Web is provided by the Organization to assist employees in obtaining work-related data and technology. Remember, the truth and accuracy of information on the Internet should be considered suspect until confirmed by a separate reliable source. The following guidelines have been established to help ensure responsible and productive internet usage. While Internet usage is intended for job-related activities, incidental and occasional brief personal use is permitted within reasonable limits.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the Organization and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the internet remain at all times the property of the Organization. As such, the Organization reserves the right to monitor internet traffic, and inspect, retrieve and/or read any data composed, sent, or received through our online connections and stored in our computer systems.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, gender identity, gender expression, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not received authorization for its use, it should not be put on the internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

To ensure a virus-free environment, no files may be downloaded from the internet without prior authorization from your Supervisor. Downloading of any executable files or programs which change the configuration of your system by anyone other than Information Systems personnel is prohibited. Installing programs or accessing sites that circumvent the Organization's internet filtering system is prohibited.

In addition to this policy, employees must also comply with the other applicable policies contained in this Handbook, including but not limited to the Organization's Social Media policy.

Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are expressly prohibited and can result in corrective action:

- Sending or posting discriminatory, harassing, or threatening messages or images
- Using the organization's time and resources for personal advantage
- Stealing, using, or disclosing someone else's code or password without authorization
- Copying, pirating, or downloading software and electronic files without permission
- Sending or posting trade secrets or confidential proprietary information such as information regarding the development of systems, processes, products, know-how and technology outside of the Organization
- Violating laws protecting the privacy of student information
- Violating copyright law
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted internet services and transmissions
- Sending or posting messages or material that could damage the Organization's image or reputation
- Participating in the viewing or exchange of pornography or obscene materials
- Sending or posting messages that defame or slander other individuals
- Malicious tampering with or attempting to break into the computer system of another organization or person
- Refusing to cooperate with a security investigation
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities



- Using the internet for political causes or activities, religious activities, or any sort of gambling
- Jeopardizing the security of the organization's electronic communications systems
- Sending or posting messages that disparage another organization's products or services
- Passing off personal views as representing those of the Organization
- Engaging in any illegal activities

Abuse of the Internet access provided by the Organization in violation of law or Organization policies will result in corrective action.

Refer to the Organization's Social Media Policy herein. Both the Social Media and the Internet Usage policies must be followed.

#### **4.22 Employee Emails**

Routine emails generated by personnel will automatically be deleted from the Inbox, Sent and Deleted folders 180 days after they are generated. All personnel are to move any emails requiring retention beyond this period to a specific folder other than Inbox, Sent or Deleted.

#### **4.23 Personal Use of Organization Telephones**

Personal telephone calls should generally not be made during work time, except in the case of an emergency. Instead, they should be made during breaks or meal periods. Because telephones are a significant expense to the Organization, you should not use Organization telephones (including Organization-owned cell phones) for personal calls, unless it is an emergency. If you must make a personal call either during work hours or from an Organization telephone, please practice discretion and refrain from doing so in the presence of customers, vendors or visitors. Should circumstances require that you place a long-distance call, we ask that you use a personal calling card or call collect or ask for authorization from your supervisor.

If the Organization determines that an employee is using Organization telephones to conduct personal business, or is making or receiving excessive personal calls during work hours (whether or not using an Organization telephone), the employee may be subject to corrective Action or may be asked to pay for the charges associated with use of the Organization telephone.

#### **4.24 Cell Phone Usage**

The Organization provides cellular telephones to some employees as a business tool. They are provided to assist employees in communicating with management and other employees, their customers, associates, and others with whom they may conduct business. Cell phone use is primarily intended for business-related calls but may be used for personal reasons in emergency situations. 411 calls are to be made only when business and telephone directories are not readily available. *Downloads* and *text messaging* are for business purposes only. However, occasional, brief personal use is permitted within a reasonable limit. Cell phone invoices will be regularly monitored.

Employees may have access to a cell phone while in their cars and should remember that their primary responsibility is driving safely and obeying the rules of the road. Employees are prohibited from using cell phones for any reason when driving an Organization-provided vehicle or when driving on Organization business, unless they are using hands-free technology.

As employees of the Organization, cell phone users are reminded that the regular business etiquette employed when speaking from office phones or in meetings applies to conversations conducted over a cell phone.

#### **4.25 Use of Personal Cell Phones**

All use of personal cell phones during work hours is not allowed. Personal cell phones should remain in silent mode or turned off during working hours. Use of personal cell phones is limited to break and mealtimes only.

#### **4.26 Keys and Key Cards**

Certain positions within the Organization, approved by a member of the management team, will be issued a key/key card to the premises. Each individual to whom an Organization key/key card is given is responsible for proper use of that key/key card and will be required to sign for it. A lost or misplaced key/key card must be reported immediately. Never duplicate or loan a key/key card to anyone for any reason. Keys/key cards must be returned in the exit interview to either the Risk Management Department or a direct supervisor. Employees who take a leave of absence must turn in any keys prior to beginning their leave.

#### **4.27 Media**

The Organization strives to anticipate and manage crisis situations in order to reduce disruption to our employees and to maintain our reputation as a high-quality organization. To best serve these objectives, the Organization will respond to the news media in a timely and professional manner *only* through the designated spokespersons. Only Officers of the Organization are authorized to speak on behalf of the Organization. Please refer all inquiries to the CEO of the Corporation operating the school or Corporate Vice President. If unavailable, please refer inquiries to any Executive Vice President. Events may occur at our locations that will draw immediate attention from the news media. It is imperative that one person speaks for the Organization to deliver an appropriate message and to avoid giving misinformation in any media inquiry. Every employee is expected to adhere to the following media policy. Answer all media/reporter questions like this: "I am not authorized to comment for the Organization, or I do not have the information you want. Let me have our public affairs office contact you". Employees are expected to protect the privacy of the Organization and its employees and customers and are prohibited from disclosing personal employee and nonemployee information and any other proprietary and nonpublic information to which employees have access. Such information includes but is not limited to customer information, business or trade secrets, financial information and strategic business plans.

#### **4.28 Publicity**

In the course of advertising, public relations or other similar conduct for business purposes, the Organization may utilize media resources. The Organization may use employee photographs, pictures, and/or voice transcriptions for promotion or advertising at any time without compensation. Please notify the Organization's representative if you do not wish to be captured in Organization media or marketing materials.

#### **4.29 Internal Communication**

We use bulletin boards, attachments to payroll advices, Intranet, and office email to communicate important information to employees on a regular basis. Each of our employees is responsible for reading posted or distributed information on a timely basis.

#### **4.30 Business Travel and Use of Organization Vehicles**

The Organization maintains a separate policy applicable to business travel and use of Organization vehicles. This policy is available with the Travel Department. (See **Appendix E** for the "Business Travel and Use of Organization Vehicles Acknowledgement.") Employees who drive an Organization vehicle (a vehicle owned, rented, or leased by the Organization) will be required to show proof of a current driver's license. Employees who drive a non-Organization vehicle (a vehicle that is not owned, rented, or leased by the Organization) for Organization business will be required to show proof of a current driver license and proof of California minimum insurance. The Organization participates in a system that checks the DMV records of all such employees, with employee consent.

Before an employee may engage in Organization business travel or drive an Organization vehicle, the employee must speak with Risk Management regarding additional policies. Risk Management must verify that the employee meets Organization requirements for business travel and use of Organization vehicles, and the employee must agree to the additional Organization policies regarding business travel and use of Organization vehicles. All employees are prohibited from engaging in Organization business travel and driving Organization vehicles until this process has been completed. Employees approved by Risk Management for business travel and use of Organization vehicles are required to report to Risk Management any convictions suspending or revoking their driver's license, or any convictions for driving while impaired, such as driving under the influence of alcohol or drugs.

Employees who use their own vehicles on Organization business **must** carry California minimum insurance coverage and have a valid driver license. Employees will be reasonably reimbursed for mileage. Reimbursement rates are subject to change at the Organization's discretion, but the rate will always be at least that of the Internal Revenue Service.

Only hands-free technology cell phone use is permitted while driving on Organization business or when driving an Organization vehicle. Any employee who is involved in a traffic accident while on Organization business or while driving an Organization vehicle should never admit fault at the scene of the accident. Employees are encouraged to cooperate fully with law enforcement authorities, collect as much information as possible and return it to Risk Management Department. Employees injured as a result of the accident should seek immediate medical care and report information concerning the accident following receipt of medical treatment.

#### Excluded Drivers:

In the event an Employee is notified by the Risk Management Department that they have an unsatisfactory driving record with the California Department of Motor Vehicles, the employee may be considered an Excluded Driver from the Organization commercial auto insurance policy. Excluded drivers are not eligible to travel on Organization business and may have the following restrictions:

Employee cannot drive on Organization business using an Organization leased vehicle, rented vehicle, and/or personal vehicle, including but not limited to:

- Driving between site locations
- Driving to and from outside vendors and/or third-party agencies
- Driving to and from training locations, professional development, meetings and/or conferences.

If an employee's position requires them to drive on Organization business, please be advised that failure to adhere to the above restrictions may result in disciplinary action up to termination.

#### General Driving Safety:

##### PREPARING AND PLANNING

Poor weather conditions such as rain, ice, snow, high winds and fog will reduce visibility. They will also reduce the ability to stop quickly and affect steering and braking. In addition, traffic congestion may cause long delays or cause re-routing onto unfamiliar roads.

The following advice will help you judge when it is safe to drive:

- Ensure the vehicle is in good working order.
- Spend time planning the route.
- Consult the internet for driving directions and maps.

- Dress appropriately for the weather conditions.
- Carry food and warm drink in case the journey becomes prolonged or delayed
- Do not drive if suffering from illness.
- Remember that prescription drugs can cause drowsiness
- Be prepared to delay or cancel the trip if weather or traffic conditions worsen
- Maintain contact with the Organization to apprise them of your whereabouts at all times.

#### SEAT BELTS SAVE LIVES

All available evidence shows that people are much less likely to be hurt in an accident if they are wearing a seat belt.

It is Organization policy that all drivers wear their seatbelt at all times when operating an Organization-provided vehicle and while driving on Organization business. There are no exceptions to this rule as it is the law. If you have an accident and are cited for not wearing a seat belt, you may face corrective Action.

#### KEEP A SAFE DISTANCE

Failure to stop a car in time is one of the most dangerous and common mistakes that drivers make. To ensure safety, drivers must be confident that a complete stop can be made in the distance that is seen to be clear.

Typical stopping distances are listed below to help driver's judge safe speeds.

#### In good road conditions:

At 30mph: The average car stops in 75 feet

At 60 mph: The average car stops in 240 feet, or 18 car lengths

#### SAFE DRIVING

It is important that you drive safely at all times. Do not engage in distracting activities such as reading, eating, make-up application, attending to children or making calls on a hand-held cell phone.

While driving on Organization business or while driving an Organization vehicle, you are responsible for complying with all traffic, parking and other vehicular laws. You will be individually responsible for all driving, traffic, parking, etc. violations that you commit.

#### **4.31 Outside Use of Organization-Provided Equipment**

Some employees use Organization-provided equipment outside of the standard work environment as a regular part of their job. If you use Organization-provided equipment, you are responsible for:

- Ensuring the equipment is properly maintained and that only Organization authorized personnel performs all maintenance or repairs to the equipment.
- Ensuring that Organization equipment is not used in an unauthorized manner. You are the only one authorized to use the equipment. Third parties are not authorized to use your equipment unless approved, in advance, by senior management.
- Taking adequate safeguards to avoid loss, damage, or theft. If loss, damage, or theft occurs and it is determined to have occurred due to your negligence, the Organization may take corrective action and/or you may be financially responsible for repair or replacement costs.
- Immediately reporting to your supervisor all incidents of loss, damage, or theft including a written account describing the events surrounding the incident. If necessary, a police report must be filed.
- Immediately returning all Organization-provided equipment when you transfer, are reassigned, or terminate employment.

#### **4.32 Organization-Sponsored Social and Recreational Activities**

The Organization may from time to time sponsor social and/or recreational activities for its employees. Employee attendance at such activities is completely voluntary and is not work-related. Neither the Organization nor its insurer will be liable for the payment of workers' compensation benefits for any injury that arises out of any employee's voluntary participation in any activity that is not part of work-related duties. Employees may be asked to complete and sign a waiver of liability as part of their participation in an Organization sponsored social or recreational activity.

### **SECTION FIVE – EMPLOYEE BENEFITS**

#### **5.1 Eligibility**

Regular, full-time employees are those that regularly work at least thirty (30) hours per week. Generally, regular, full-time employees will be entitled to participate in the employee benefits offered by the Organization. Employees will be compensated for any unused vacation time on their last day of employment.

For more information about insurance, benefits and eligibility, please contact our Benefits Department.

#### **5.2 Vacation Time**

We offer paid vacation time to eligible employees for their rest and recreation away from work. Because we believe that time away from work is beneficial for rest and rejuvenation, we do not allow employees to take pay in lieu of vacation time.

##### Accrual:

Regular, full-time employees are eligible to begin accruing vacation on their first day of full-time employment.

Eligible employees may accrue a maximum of ten (10) days of vacation time per calendar year for the first five (5) years of employment (unless noted in the table below). After five (5) years of continuous employment, vacation time shall start accruing for fifteen (15) days per year. After ten (10) years of continuous employment, vacation time shall start accruing for twenty (20) days per year.

The maximum accrual rate will be capped at the annual accrual rate, which depends on the length of continuous employment, plus fifteen (15) additional days in any calendar year. Vacation time is cumulative and not to exceed fifteen (15) additional days in any calendar year, unless approved by a Division Vice President or an Officer of the Organization.

After the maximum vacation accrual has been reached, employees will stop accruing vacation time until the surplus is used. Therefore, we encourage eligible employees to use all accrued vacation benefits on a timely basis. No negative accrual balance will be allowed. The Organization reserves the right to modify the vacation accrual benefit.

To earn vacation time, an employee must be "actively employed". "Actively employed" does not include any period of unpaid absence, and no vacation time shall be earned during such absence. Employees out on paid sick time will still be accruing vacation time. To use accrued vacation time, new hires must be employed for a period of ninety (90) calendar days.

The date on which the employee's vacation takes place should be arranged thirty (30) days or more in advance and the dates must be approved by the employee's supervisor. Vacation dates shall be arranged so

as not to conflict with departmental peak work periods and shall not be arranged in a manner that might cause undue hardship to the Organization.

Use:

Usually, vacation requests are granted in the order received. Extenuating circumstances will be reviewed by a supervisor. Employees may utilize vacation time to observe religious holidays not covered in the Holiday policy. Vacation time may be used when an employee is unable to report to work due to severe weather conditions.

Payment:

Payment of vacation time shall be made at the employee's regular rate of pay at the time of vacation and shall not include any premium or differential payment. Vacation time is not considered "hours worked" for purposes of calculating overtime. Below is a chart explaining how the Organization calculates vacation accrual by job classification. This chart may be amended to accommodate changes in policy.

I. Regular, full-time employee accruals	
Years of Qualifying Service	Maximum Annual Vacation Accrual (Days Per Calendar Year)
Less than 5	10
5 but less than 10	15
10 or more	20
II. Senior Directors, Area Superintendents, Vice Presidents, Sr. Vice Presidents	
Less than 5	15
5 but less than 10	20
10 or more	25

**5.3 Holidays and Holiday Pay**

Employees are eligible to receive holiday pay if they are regular, full-time employees and have been continuously employed as such by the Organization for at least thirty (30) calendar days, unless otherwise agreed to in writing by People Services.

Our eligible employees receive paid time off for the following holidays:

- |                            |                            |
|----------------------------|----------------------------|
| New Year's Day             | Independence Day           |
| Martin Luther King Jr. Day | Labor Day                  |
| Lincoln's Birthday         | Veteran's Day              |
| Presidents Day             | Thanksgiving Day           |
| Memorial Day               | Day after Thanksgiving Day |
|                            | Christmas Day              |

The following situations should be noted regarding holiday pay:

- An eligible employee who is absent for a valid reason (as determined by their supervisor) either a business day prior to or after a holiday, or both, may be paid for the holiday;
- When an eligible employee terminates and the last day of work is the day before a holiday, the eligible employee will not be paid for the holiday; and
- Eligible employees will not be paid for holidays that fall within a leave of absence period.

#### 5.4 Sick Time

To help prevent loss of earnings that may be caused by accident or illness, or by other emergencies, the Organization offers paid sick leave to its employees. Sick leave may be taken to receive preventive care (including annual physicals or flu shots) or to diagnose, treat, or care for an existing health condition. Employees may also use sick leave to assist a family member (i.e., children, parents, spouses/domestic partners, grandparents, grandchildren, or siblings) or any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship who must receive preventative care or a diagnosis, treatment, or care for an existing health condition. Employees may also take paid sick leave to receive medical care or other assistance to address instances of domestic violence, sexual assault, or stalking.

We provide paid sick time to eligible employees to provide protection against loss of income if you are ill or injured or if you need time off from work for necessary or routine health care for yourself or an immediate family member. Immediate family includes the employee's spouse, registered domestic partner, parent, stepparent, child, sibling, grandparent, grandchild, stepchild, child of spouse, child of registered domestic partner, registered domestic partner's parent, or spouse's parent. Additionally, employees may use accrued sick time for the death of a student enrolled/formerly enrolled in the School/Charter that they are employed with.

Accrued paid sick leave time is available for part time, seasonal employees who have worked for thirty (30) or more calendar days in accordance with the Healthy Workplaces, Healthy Families Act – a law that was passed in 2014.

##### Accrual:

Employees, including part-time, seasonal, and temporary employees, will earn at least one (1) hour of paid leave for every thirty (30) hours worked. An employee may use accrued paid sick time beginning on the 90th day of employment.

Regular, full-time employees are eligible to begin accruing sick time on their first day of full-time employment.

Eligible employees accrue a maximum of six (6) sick days per calendar year. Employees may carry forward accrued sick time not used during the year. Satisfactory proof of inability to work, illness in the family, bereavement, or other permissible use of the accrued sick time will be required before sick hours will be applied.

##### Use:

Eligible employees who are ill or injured and anticipate being away from work for more than five (5) business days should speak with their health care provider or our People Services Division for information about Leave of Absence (LOA) or State Disability Insurance benefits. Under some circumstances, we may require verification of an employee's medical condition, especially if a pattern of frequently used sick time develops. The Organization reserves the right to require such verification from an employee at any time.

##### Payment:

Payment of sick time shall be made at the employee's regular rate of pay at the time of sick pay and shall not include any premium or differential payment.

We do not offer pay for unused sick time, and employees do not receive payment for accrued sick time when they leave our employ. If your employment ends and you are later re-employed by the Organization, additional policies may apply with regard to reinstatement of accrued sick leave. People Services Division can be contacted for additional information.

## **5.5 Insurance Benefits**

At the Organization, we believe that all regular, full-time employees should have access to health insurance coverage for themselves and their dependents. The Organization will provide medical insurance in compliance with current law. Employees with regular part-time and full-time status are provided information on healthcare coverage options.

The Organization offers Medical, Dental and Vision health benefits, a 403(b) Retirement Savings Plan as well as Short-Term & Long-Term Disability Insurance, Long Term Care, Basic and Voluntary Life Insurance, Basic and Voluntary Accidental Death and Dismemberment Insurance.

If electing or removing benefits, the Organization will require eligible employees to provide proof of legal guardianship for dependents, and copies of valid marriage licenses, divorce decrees and/or domestic partnership certificates or dissolutions within 30 days of the benefit effective date.

As with most policies, our insurance benefits are subject to change, and employees may be subject to a waiting period before coverage and benefits begin. For more information about insurance and retirement benefits and eligibility, please contact our Benefits Department.

### Benefits during a Medical Leave:

The Organization will continue to provide insurance benefits to eligible employees during a medical leave consistent with applicable law, provided that the employee regularly continues to pay their share of the premium, if applicable.

Benefits that are accrued for hours worked, including sick and vacation accruals, will not accrue during a medical leave. However, leave time will be counted toward your service date.

## **5.6 Life Events and Benefits Enrollment**

The Organization allows changes to benefit selections outside of the Open Enrollment period (March of every calendar year for an effective date of April 1st.) only when a Life Changing Event has occurred.

### Qualifying Life Events:

- New Birth/Adoption/ Legal Guardianship of a child
- Marriage/New Domestic Partnership
- Loss/Gain of Coverage
- Overage Dependent - Dependent Child no longer meets the requirement age. (26 years)
- Dependent becomes Disabled
- Divorce
- Death
- Court Ordered Coverage
- Entitlement to Medicare/Medicaid

Life Event changes require enrollment within thirty-one (31) days of Life Event to ensure benefit coverage. Supporting documentation (i.e. Marriage License, Proof of Domestic Partnership, Birth Certificate for child dependents only.) will need to be submitted to confirm eligibility.

## **5.7 State Disability Insurance (SDI)**

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits.



As a California employee, you pay for State Disability Insurance (SDI) through payroll deduction and should apply for State Disability Insurance benefits whenever you are medically unable to work due to an illness or injury outside of the workplace and are unable to work for one week. Claim forms are available from your doctor, hospital or the Employment Development Department.

State Disability Insurance benefits do not replace all of your usual wages. Your State Disability Insurance benefits will be supplemented with any accrued sick or vacation time.

### **5.8 Long-Term Illness or Permanent Disability**

An employee whose leave is necessitated by a disabling non-work-related physical or mental impairment, which substantially limits one of the employee's major life activities and is expected to be ongoing for a substantial period of time or is of permanent duration, may be accommodated with longer and more frequent leaves as long as such leaves will not result in an undue hardship on the Organization.

Such employees will be returned to the job they left unless, for organizational reasons, the Organization was unable to hold the job open or to fill it temporarily because to do so would have resulted in an undue hardship on the Organization. Under those circumstances, the Organization will offer the employee a substantially similar job if one exists that the employee is qualified to perform.

The Organization offers Long Term Disability Insurance and Long-Term Care coverage. Information can be obtained from the Benefits Department.

### **5.9 COBRA/Cal-COBRA**

Federal Law and California State Law require most employers sponsoring health plans, or their insurance carrier, to offer employees and their families the opportunity to elect a temporary extension of health coverage through the Consolidated Omnibus Budget Reconciliation Act (COBRA) (called "continuation coverage" or "COBRA coverage") in certain instances where coverage under the health plan would otherwise end. You do not have to show that you are insurable to elect continuation coverage. However, you will have to pay the entire premium for your continuation coverage and applicable third-party administrator service fees. At the end of the maximum coverage period, you must be allowed to enroll in an individual conversion health plan if it is otherwise available under the Plan. The Benefits Department can assist you with respect to your COBRA or Cal-COBRA needs.

If you resign or leave the Organization, or if your hours are reduced below thirty (30) per week due to a schedule change or leave of absence; or if another "qualifying event" such as death, divorce or legal separation occurs; or if a dependent child no longer meets eligibility requirements, you and/or your eligible dependents may be eligible for continuation of your health benefits through COBRA. However, it is the employee's responsibility to notify the Benefits Department in writing of any qualifying events and to keep the Benefits Department informed of current addresses for the employee and all covered family members. At the time you would become eligible, you will receive information regarding COBRA and HIPAA benefits.

For more information about COBRA and HIPAA benefits, please contact the Benefits Department.

### **5.10 Health and Wellness**

The Organization provides voluntary physical and recreational activities to support the health and well-being of its employees.

The Organization values the health of its employees and encourages employees to take advantage of the organizational wellness opportunities provided. Participation does not require disclosure of medical history nor will it discriminate against an employee based on their health status.

### **5.11 Education Assistance Program**

The Organization has a long-term commitment to recruiting and retaining teaching, administrative, and support employees with the knowledge, skills and abilities to support the organization's mission to change lives. To honor our commitment, we support academic activities and encourage employees to pursue additional formal education in an effort to enhance knowledge and skills, thus improving potential for future opportunities.

Employees may apply for this benefit throughout the year. We offer reimbursement to regular, full-time employees who have completed one (1) consecutive year of full-time active employment with the Organization to be eligible for payout of the benefit. Eligible employees may request up to \$5,000 a calendar year in tuition reimbursement. However, an application should be completed and submitted in advance of this criteria for review and approval of the educational program and institution. Employees who submit applications in advance of the one (1) year full-time active employment period will be notified on their one-year anniversary of their eligibility for benefit payout.

The Educational Assistance Program provides financial assistance to help cover costs paid by the employee for tuition and books associated with approved educational programs. Please note that the Organization does not reimburse employees for tuition and books paid for by student loans.

#### Procedure

To participate in the Program, the employee must complete an Education Assistance Program Request Form and obtain Supervisor/Management approval. The form is to be submitted to the Benefits Department for additional authorization. If the employee's application meets the program's eligibility requirements, the employee will be advised of approval and the amount approved. If the employee's application does not meet program requirements, then the employee will be notified.

### **5.12 Employee Assistance Program**

In an effort to promote work-life balance, the Organization provides confidential and voluntary assistance through its Employee Assistance Program (EAP) to all employees and their family members. The EAP consists of six (6) different services: Ability Assist Counseling Services, Travel Assistance Services with ID Theft Protection and Assistance, Beneficiary Assist Counseling Services, Estate Guidance Will Services, Funeral Planning and Concierge Services and Travel Assistance Services with ID Theft Protection and Assistance. We encourage employees to take advantage of these valuable benefits.

#### Procedure

Employees and their family members can access the EAP twenty-four (24) hours a day on weekdays and weekends. The EAP is strictly confidential and is designed to safeguard an employee's privacy.

There is no charge for employees or their families to access the EAP. EAP advisors may suggest a referral to an outside resource, such as a therapist, agency, physician, treatment facility or other professional that would be appropriate to assist in resolving the problem or situation. Additional fees may apply to use of outside resource services. For more information please contact the Organization's Benefits Department or contact the EAP vendor directly at (800) 96-HELPS (1-800-964-3577) or [www.guidanceresources.com](http://www.guidanceresources.com)

Participation in the EAP does not jeopardize employment or promotional opportunities. However, it does not excuse the employee from following Organization policies and procedures or from meeting required standards for satisfactory job performance except where specific accommodations are required by law.

### **5.13 Retirement Savings Plan**

The Organization sponsors a 403(b)retirement savings plan in which regular, full time and part time employees are eligible to participate. You may make pre-tax contributions to the plan and the Organization may make matching contributions to the amounts you have contributed. You will receive a quarterly statement of your retirement benefits throughout the plan.

## SECTION SIX – LEAVE OF ABSENCE AND MISCELLANEOUS REQUEST FOR TIME OFF

### 6.1 Leaves of Absence

Sometimes employees may need to take time off work in the form of a Leave of Absence (LOA). Employees of the Organization may be eligible for unpaid leaves of absence in accordance with applicable leave laws. Leaves of absence may be taken on a continuous or intermittent basis.

#### Intermittent LOA

Under some circumstances, employees may take a leave of absence on an intermittent or reduced schedule basis when medically necessary. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the Organization's operations. Intermittent leave can be taken in increments of no less than fifteen (15) minutes. The Organization's call out procedures as outlined in the policy herein regarding "Absences" apply during intermittent leave.

#### Request/Notification:

Employees must submit a request to his or her supervisor and the People Services Division in advance of the desired leave, or, in the case of medical disability or emergency, as soon as possible after the disability or emergency occurs. Such request may be in written and/or verbal form. Written requests are to be completed and provided to the People Services Division via a "Request for Leave of Absence" form. *If the need for leave is foreseeable (for example, in cases of military or pregnancy leave), or intermittent leave is required, the Organization requires at least 30 days' written notice of the intention to take leave, prior to the date leave is to begin. The written notice must set forth the reason for the leave as well as the anticipated start date and duration of the leave. If the leave is **not** foreseeable, as in cases of medical emergency or other unforeseen events, such as a premature birth, or unexpected pregnancy complication, 30 days' advance notice is not required. Instead, you must give verbal notice as soon as possible. This verbal notice must immediately be followed with written notice, but not later than 72 hours after you have begun the emergency leave.*

#### Compensation During LOA

Generally, leaves of absence are unpaid by the Organization. However, employees may apply for State Disability Insurance benefits or workers' compensation insurance benefits, whichever is appropriate. Employees are considered inactive when they are no longer being paid and are on a leave of absence and therefore do not accrue vacation, sick time and do not receive payment for holidays.

#### Use of Accruals:

Use of your accrued sick or vacation benefits provides pay for you during the LOA until the accrued time is exhausted; however, using accrued time does not extend the period of the leave. Employees may use any accrued sick time at the beginning of the employee's own medically driven leave. After accrued sick time is exhausted, an employee may use accrued vacation time.

#### Return to Work/Reinstatement:

If you take a LOA, you must return to work on the next regular working day after your approved leave of absence ends. If you fail to return to work promptly at the end of your leave, without prior approval from the Organization, the Organization may assume that you voluntarily resigned.

If you are ready to return from a leave of absence before the scheduled date of return, you must notify the People Services Division as soon as practical to request a new scheduled date of return.

Except as required by law, the Organization cannot guarantee that your position will still be open when you return from your LOA. Under most circumstances, you will be reinstated to the same position held at the time the leave began. If your original position is no longer available or has been filled or eliminated, the Organization will try to find you a comparable job with comparable pay, benefits, and other employment terms and conditions.

An employee returning from a LOA has no greater right to reinstatement than if they had been continuously employed rather than on leave. For example, if an employee's position has been eliminated during the leave and there is no comparable job available, the employee would not be entitled to reinstatement.

Employees returning from a medical LOA are required to provide a signed release from their physician that releases them from care and outlines any job duty limitations, if applicable. The Organization reserves the right to determine whether a limited/modified duty release can be accommodated.

Benefit Continuation:

If you are eligible for health insurance benefits at the time you begin a LOA, the Organization will maintain your health benefits to the extent required by law; however, you must pay your portion of the premium costs, if applicable. The People Services Division will notify you of your payment obligations and you must pay this amount each month you are on leave in order to maintain your insurance benefits. If paid leave is used for any portion of an approved LOA, premium payments may be deducted from your paycheck. If benefits are cancelled during the leave, you may re-enroll during a subsequent Open Enrollment period. If an employee does not return to work after an approved leave, then they will be required to reimburse the Organization for any premiums paid on the employee's behalf during the leave consistent with applicable law.

Accumulated fringe benefits such as retirement and service credit shall be preserved at the level accrued as of commencement of the leave but shall not accrue further during any such leave period.

Listed below are the types of leaves of absence or accommodations permitted by the Organization.

**6.2 Family Care and Medical Leave**

This policy explains how the Organization complies with the federal Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA"), both of which require the Organization to permit each eligible employee to take up to twelve (12) workweeks (or twenty-six (26) workweeks where indicated) of FMLA leave in any twelve (12) month period for the purposes enumerated below. For purposes of this policy, all leave taken under FMLA or CFRA will be referred to as "FMLA leave."

- Employee Eligibility Criteria

To be eligible for FMLA leave, the employee must have been employed by the Organization for a total of at least twelve (12) months, worked at least 1,250 hours during the twelve (12) month period immediately preceding commencement of the FMLA leave, and work at a location where the Organization has at least fifty (50) employees within seventy-five (75) miles, (except for purposes of baby-bonding where the threshold is twenty (20) employees).

- Events That May Entitle an Employee To FMLA Leave

The twelve (12) week (or twenty-six (26) workweeks where indicated) FMLA allowance includes any time taken (with or without pay) for any of the following reasons:

1. To care for the employee's newborn child or a child placed with the employee for adoption or foster care. Leaves for this purpose must conclude twelve (12) months after the birth, adoption, or placement. If both parents are employed by the Organization, they will be entitled to a combined total of twelve (12) weeks of leave for this purpose.

2. Because of the employee's own serious health condition (including a serious health condition resulting from an on-the-job illness or injury) that makes the employee unable to perform any one or more of the essential functions of his or her job (other than a disability caused by pregnancy, childbirth, or related medical conditions, which is covered by the Organization's separate pregnancy disability policy).
    - a. A "serious health condition" is an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or a child, parent, or spouse of the employee that involves either inpatient care or continuing treatment, including, but not limited to, treatment for substance abuse.
    - b. "Inpatient care" means a stay in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity. A person is considered an "inpatient" when a health care facility formally admits him/her to the facility with the expectation that he/she will remain at least overnight and occupy a bed, even if it later develops that such person can be discharged or transferred to another facility and does not actually remain overnight.
    - c. "Incapacity" means the inability to work, attend the Organization, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.
    - d. "Continuing treatment" means ongoing medical treatment or supervision by a health care provider.
  3. To care for a spouse, domestic partner, child, legal ward or child of the employee standing in loco parentis, a parent with a serious health condition or military service-related injury. When an employee is providing care to a spouse, son, daughter, parent, or next of kin who is a covered Armed Forces service member with a serious injury or illness, the employee may take a maximum of twenty-six (26) weeks of FMLA leave in a single twelve (12) month period to provide said care.
  4. For any "qualifying exigency" because the employee is the spouse, son, daughter, or parent of an individual on active military duty, or an individual notified of an impending call or order to active duty, in the Armed Forces.
- Amount of FMLA Leave Which May Be Taken
    1. FMLA leave can be taken in one (1) or more periods but may not exceed twelve (12) workweeks total for any purpose in any twelve (12) month period, as described below, for anyone, or combination of the above-described situations. "Twelve workweeks" means the equivalent of twelve (12) of the employee's normally scheduled workweeks. For a full-time employee who works five (5) eight-hour days per week, "twelve workweeks" means sixty (60) working and/or paid eight (8) hour days.
    2. In addition to the twelve (12) workweeks of FMLA leave that may be taken, an employee who is the spouse, son, daughter, parent, or next of kin of a covered Armed Forces service member shall also be entitled to a total of twenty-six (26) workweeks of FMLA leave during a twelve (12) month period to care for the service member.

3. The “twelve-month period” in which twelve (12) weeks of FMLA leave may be taken is the twelve (12) month period immediately preceding the commencement of any FMLA leave.
  4. If a holiday falls within a week taken as FMLA leave, the week is nevertheless counted as a week of FMLA leave. If, however, the Organization’s business activity has temporarily ceased for some reason and employees are generally not expected to report for work for one or more weeks, such as the Winter Break, Spring Break, or Summer Break, the days the Organization’s activities have ceased do not count against the employee’s FMLA leave entitlement. Similarly, if an employee uses FMLA leave in increments of less than one (1) week, the fact that a holiday may occur within a week in which an employee partially takes leave does not count against the employee’s leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday.
- Pay during FMLA Leave
    1. An employee on FMLA leave because of his/her own serious health condition may elect to use all accrued paid sick or vacation time at the beginning of unpaid FMLA leave period. If an employee is receiving a partial wage replacement benefit during the FMLA leave, the Organization and the employee may agree to have Organization-provided paid leave, such as vacation or sick time, supplement the partial wage replacement benefit unless otherwise prohibited by law.
    2. An employee on FMLA leave for childcare or to care for a spouse, domestic partner, parent, or child with a serious health condition may use any or all accrued sick time at the beginning of any otherwise unpaid FMLA leave.
    3. If an employee has exhausted his/her sick leave, leave taken under FMLA shall be unpaid leave.
    4. The receipt of sick leave pay or State Disability Insurance benefits will not extend the length of the FMLA leave. Sick pay accrues during any period of unpaid FMLA leave only until the end of the month in which unpaid leave began.
  - Health Benefits

The provisions of the Organization’s various employee benefit plans govern continuing eligibility during FMLA leave, and these provisions may change from time to time. The health benefits of employees on FMLA leave will be paid by the Organization during the leave at the same level and under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period. When a request for FMLA leave is granted, the Organization will give the employee written confirmation of the arrangements made for the payment of insurance premiums during the leave period.

If an employee is required to pay premiums for any part of his/her group health coverage, the Organization will provide the employee with advance written notice of the terms and conditions under which premium payments must be made.

The Organization may recover the health benefit costs paid on behalf of an employee during his/her FMLA leave if:

1. The employee fails to return from leave after the period of leave to which the employee is entitled has expired. An employee is deemed to have “failed to return from leave” if he/she works less than thirty (30) days after returning from FMLA leave; and
2. The employee’s failure to return from leave is for a reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to FMLA leave, or other circumstances beyond the control of the employee.

- Seniority

An employee on FMLA leave remains an employee and the leave will not constitute a break in service. An employee who returns from FMLA leave will return with the same seniority he/she had when the leave commenced.

- Medical Certifications

1. An employee requesting FMLA leave because of his/her own or a relative’s serious health condition must provide medical certification from the appropriate health care provider on a form supplied by the Organization. Absent extenuating circumstances, failure to provide the required certification in a timely manner (within fifteen (15) days of the Organization’s request for certification) may result in denial of the leave request until such certification is provided.
2. The Organization will notify the employee in writing if the certification is incomplete or insufficient and will advise the employee what additional information is necessary in order to make the certification complete and sufficient. The Organization may contact the employee’s health care provider to authenticate a certification as needed.
3. If the Organization has reason to doubt the medical certification supporting a leave because of the employee’s own serious health condition, the Organization may request a second opinion by a health care provider of its choice (paid for by the Organization). If the second opinion differs from the first one, the Organization will pay for a third, mutually agreeable, health care provider to provide a final and binding opinion.
4. Recertifications are required if leave is sought after expiration of the time estimated by the health care provider. Failure to submit required recertifications can result in termination of the leave.

- Procedures for Requesting and Scheduling FMLA Leave

1. An employee should request FMLA leave by completing a Request for Leave form and submitting it to the People Services Division. An employee asking for a Request for Leave form will be given a copy of the Organization’s then-current FMLA leave policy.
2. Employees should provide not less than thirty (30) days’ notice for foreseeable childbirth, placement, or any planned medical treatment for the employee or his/her spouse, domestic partner, child, or parent. Failure to provide such notice is grounds for denial of a leave request, except if the need for FMLA leave was an emergency or was otherwise unforeseeable.
3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt the Organization’s operations.



4. If FMLA leave is taken because of the employee's own serious health condition or the serious health condition of the employee's spouse, domestic partner, parent or child, the leave may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition.
  5. If FMLA leave is taken because of the birth of the employee's child or the placement of a child with the employee for adoption or foster care, the minimum duration of leave is two (2) weeks, except that the Organization will grant a request for FMLA leave for this purpose of at least one day but less than two (2) weeks' duration on any two (2) occasions.
  6. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment for the employee or a family member, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits and that better accommodates recurring periods of leave than the employee's regular position.
  7. The Organization will respond to an FMLA leave request no later than five (5) business days of receiving the request. If an FMLA leave request is granted, the Organization will notify the employee in writing that the leave will be counted against the employee's FMLA leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.
- Return to Work
    1. Upon timely return at the expiration of the FMLA leave period, an employee (other than a "key" employee whose reinstatement would cause serious and grievous injury to the Organization's operations) is entitled to the same or a comparable position with the same or similar duties and virtually identical pay, benefits, and other terms and conditions of employment unless the same position and any comparable position(s) have ceased to exist because of legitimate business reasons unrelated to the employee's FMLA leave.
    2. When a request for FMLA leave is granted to an employee (other than a "key" employee), the Organization will give the employee a written guarantee of reinstatement at the termination of the leave (with the limitations explained above).
    3. Before an employee will be permitted to return from FMLA leave taken because of his/her own serious health condition, the employee must obtain a certification from his/her health care provider that he/she is able to resume work.
    4. If an employee can return to work with limitations, the Organization will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from the Organization.
  - Limitations on Reinstatement
    1. The Organization may refuse to reinstate a "key" employee if the refusal is necessary to prevent substantial and grievous injury to the Organization's operations. A "key" employee is an exempt salaried employee who is among the highest paid 10% of the Organization's employees within seventy-five (75) miles of the employee's worksite.

2. A “key” employee will be advised in writing at the time of a request for, or if earlier, at the time of commencement of, FMLA leave, that he/she qualifies as a “key” employee and the potential consequences with respect to reinstatement and maintenance of health benefits if the Organization determines that substantial and grievous injury to the Organization’s operations will result if the employee is reinstated from FMLA leave. At the time it determines that refusal is necessary, the Organization will notify the “key” employee in writing (by certified mail) of its intent to refuse reinstatement and will explain the basis for finding that the employee’s reinstatement would cause the Organization to suffer substantial and grievous injury. If the Organization realizes after the leave has commenced that refusal of reinstatement is necessary, it will give the employee at least ten (10) days to return to work following the notice of its intent to refuse reinstatement.

- Employment during Leave

No employee, including employees on FMLA leave, may accept employment with any other employer without the Organization’s written permission. An employee who accepts such employment without the Organization’s written permission will be deemed to have resigned from employment at the Organization.

### 6.3 Pregnancy Disability Leave

This policy explains how the Organization complies with the California Pregnancy Disability Act, which requires the Organization to give each female employee an unpaid leave of absence of up to four (4) months per pregnancy, as needed, for the period(s) of time a woman is actually disabled by pregnancy, childbirth, or related medical conditions.

- Employee Eligibility Criteria

To be eligible for pregnancy disability leave, the employee must be disabled by pregnancy, childbirth, or a related medical condition and must provide appropriate medical certification concerning the disability.

- Events That May Entitle an Employee to Pregnancy Disability Leave

The four (4) -month pregnancy disability leave allowance includes any time taken (with or without pay) for any of the following reasons:

1. The employee is unable to work at all or is unable to perform any one or more of the essential functions of her job without undue risk to herself, the successful completion of her pregnancy, or to other persons because of pregnancy or childbirth, or because of any medically recognized physical or mental condition that is related to pregnancy or childbirth (including severe morning sickness); or
2. The employee needs to take time off for prenatal care.

- Duration of Pregnancy Disability Leave

Pregnancy disability leave may be taken in one or more periods, but not to exceed four months total. “Four months” means the number of days the employee would normally work within four months. For a full-time employee who works five (5) eight (8) hour days per week, four (4) months means 693 hours of leave (40 hours per week times 17 1/3 weeks).

For employees who work more or less than forty (40) hours per week, or who work on variable work schedules, the number of working days that constitutes four (4) months is calculated on a pro rata or

proportional basis. For example, for an employee who works twenty (20) hours per week, “four months” means 346.5 hours of leave entitlement (20 hours per week times 17 1/3 weeks). For an employee who normally works forty-eight (48) hours per week, “four months” means 832 hours of leave entitlement (48 hours per week times 17 1/3 weeks).

At the end or depletion of an employee’s pregnancy disability leave, an employee who has a physical or mental disability (which may or may not be due to pregnancy, childbirth, or related medical conditions) may be entitled to reasonable accommodation. Entitlement to additional leave must be determined on a case-by case basis, taking into account a number of considerations such as whether an extended leave is likely to be effective in allowing the employee to return to work at the end of the leave, with or without further reasonable accommodation, and whether or not additional leave would create an undue hardship for the Organization. The Organization is not required to provide an indefinite leave of absence as a reasonable accommodation.

- Pay during Pregnancy Disability Leave

1. An employee on pregnancy disability leave must use all accrued paid sick leave and may use any or all accrued vacation time at the beginning of any otherwise unpaid leave period.
2. The receipt of vacation pay, sick leave pay, or state disability insurance benefits, will not extend the length of pregnancy disability leave.
3. Vacation and sick pay accrue during any period of unpaid pregnancy disability leave only until the end of the month in which the unpaid leave began.

- Health Benefits

The Organization shall provide continued health insurance coverage while an employee is on pregnancy disability leave consistent with applicable law. The continuation of health benefits is for a maximum of four (4) months in a twelve (12)-month period. The Organization can recover premiums that it already paid on behalf of an employee if both of the following conditions are met:

1. The employee fails to return from leave after the designated leave period expires.
2. The employee’s failure to return from leave is for a reason other than the following:
  - The employee is taking leave under the California Family Rights Act.
  - There is a continuation, recurrence or onset of a health condition that entitles the employee to pregnancy disability leave.
  - There is a non-pregnancy related medical condition requiring further leave.
  - Any other circumstance beyond the control of the employee.
  - Seniority

An employee on pregnancy disability leave remains an employee of the Organization and a leave will not constitute a break in service. When an employee returns from pregnancy disability leave, she will return with the same seniority she had when the leave commenced.

- Medical Certifications

1. An employee requesting a pregnancy disability leave must provide medical certification from her healthcare provider on a form supplied by the Organization. Failure to provide the required certification in a timely manner (within fifteen (15) days of the leave request) may result in a denial of the leave request until such certification is provided.
2. Recertifications are required if leave is sought after expiration of the time estimated by the healthcare provider. Failure to submit required recertifications can result in termination of the leave.

- Requesting and Scheduling Pregnancy Disability Leave

1. An employee should request pregnancy disability leave by completing a Request for Leave form and submitting it to the People Services Division. An employee asking for a Request for Leave form will be referred to the Organization's then current pregnancy disability leave policy.
2. Employee should provide not less than thirty (30) days' notice or as soon as is practicable, if the need for the leave is foreseeable. Failure to provide such notice is grounds for denial of the leave request, except if the need for pregnancy disability leave was an emergency and was otherwise unforeseeable.
3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt the Organization's operations.
4. Pregnancy disability leave may be taken intermittently or on a reduced leave schedule when medically advisable, as determined by the employee's healthcare provider.
5. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits that better accommodates recurring periods of leave than the employee's regular position.
6. The Organization will respond to a pregnancy disability leave request within ten (10) days of receiving the request. If a pregnancy disability leave request is granted, the Organization will notify the employee in writing and leave will be counted against the employee's pregnancy disability leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.

- Return to Work

1. Upon timely return at the expiration of the pregnancy disability leave period, an employee is entitled to the same position unless the employee would not otherwise have been employed in the same position at the time reinstatement is requested. If the employee is not reinstated to the same position, she must be reinstated to a comparable position unless one of the following is applicable:
  - a. The employer would not have offered a comparable position to the employee if she would have been continuously at work during the pregnancy disability leave.

- b. There is no comparable position available, to which the employee is either qualified or entitled, on the employee's scheduled date of reinstatement or within sixty (60) calendar days thereafter. The Organization will take reasonable steps to provide notice to the employee if and when comparable positions become available during the sixty (60) day period.

A "comparable" position is a position that involves the same or similar duties and responsibilities and is virtually identical to the employee's original position in terms of pay, benefits, and working conditions.

2. When a request for pregnancy disability leave is granted to an employee, the Organization will give the employee a written guarantee of reinstatement at the end of the leave (with the limitations explained above).
  3. In accordance with Organization policy, before an employee will be permitted to return from a pregnancy disability leave of three (3) days or more, the employee must obtain a certification from her healthcare provider that she is able to resume work.
  4. If the employee can return to work with limitations, the Organization will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from the Organization.
- Employment during Leave

No employee, including employees on pregnancy disability leave, may accept employment with any other employer without the Organization's written permission. An employee who accepts such employment without written permission will be deemed to have resigned from employment.

#### **6.4 Personal Leave**

A personal leave of absence without pay may be granted at the discretion of the Organization. Requests for personal leave should be limited to unusual circumstances requiring an absence of longer than two weeks. Approved personal absences of shorter duration are not normally treated as leaves, but rather as unpaid absences approved by your manager. Personal leaves of absence will be limited to thirty (30) continuous calendar days in duration. Personal Leave cannot be taken intermittently. Request for extended time off under a Personal Leave designation requires approval from the People Services Division.

#### **6.5 Victims of Abuse Leave**

The Organization provides reasonable and necessary unpaid leave and other reasonable accommodations to employees who are victims of domestic violence, sexual assault, or stalking. Such leave may be taken to attend legal proceedings or to obtain or attempt to obtain any relief necessary, including a restraining order, to ensure the employee's own health, safety or welfare, or that of the employee's child or children. Employees may also request unpaid leave for the following purposes:

- Seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
- Obtain services from a domestic violence shelter, program, or rape crisis center.
- Obtain psychological counseling for the domestic violence, sexual assault, or stalking.
- Participate in safety planning, such as relocation, to protect against future domestic violence, sexual assault, or stalking.

To request leave under this policy, an employee should provide the Organization with as much advance notice as practicable under the circumstances. If advance notice is not possible, the employee requesting leave

under this policy should provide the Organization one (1) of the following certifications upon returning back to work:

1. A police report indicating that the employee was a victim of domestic violence, sexual assault, or stalking.
2. A court order protecting the employee from the perpetrator or other evidence from the court or prosecuting attorney that the employee appeared in court.
3. Documentation from a licensed medical professional, domestic violence or sexual assault counselor, licensed health care provider, or counselor showing that the employee's absence was due to treatment for injuries or abuse from domestic violence, sexual assault, or stalking.

Employees requesting leave under this policy may choose to use accrued paid leave. In addition, the Organization will provide reasonable accommodations to employees who are victims of domestic violence, sexual assault or stalking for the employees' safety while at work. To request an accommodation under this policy, an employee should contact the People Services Division.

### **6.6 Crime Victim Leave**

An employee who is a victim of a serious crime, victim of human trafficking, or whose immediate family member is a crime victim may be eligible for Crime Victim Leave of Absence. Crime victims may take time off work for judicial proceedings related to specific serious crimes and to appear in a court proceeding where a victim's right is at issue. This leave only applies to specific crimes and employees must follow certain requirements and provide documentation when requesting leave.

Employees can use accrued sick and vacation time, or unpaid time under this leave. The Organization will maintain the information surrounding an employee's absence from work for this purpose as confidential as possible.

The Organization will not discriminate against employees as a result of the approved use of leave or a proper request for such leave.

Please contact the People Services Division for additional information.

### **6.7 Paid Family Leave Program**

California has enacted a program called Paid Family Leave (PFL) that provides eligible employees with payments for up to six (6) weeks of benefits, in a twelve (12) month period, for work lost due to certain qualifying temporary disabilities. All employees who are currently having payroll deductions made by their employer to the State Disability Insurance (SDI) fund will be eligible for PFL benefits.

Any eligible employee who is unable to work due to the sickness or injury of a child, spouse, parent, or registered domestic partner, or the birth, adoption, or foster care placement of a new child of the employee or registered domestic partner will qualify for partial compensation for lost wages under the PFL program. PFL benefits are available for eligible employees to care for siblings, grandparents, grandchildren, and parents-in-law.

### **6.8 Bone Marrow and Organ Donor Leave**

As required by law, eligible employees who require time off to donate bone marrow to another person may receive up to five (5) workdays off in a 12-month period. Eligible employees who require time off to donate an organ to another person may receive up to thirty (30) workdays off in a twelve (12) month period.

To be eligible for bone marrow or organ donation leave (“Donor Leave”), the employee must have been employed by the Organization for at least ninety (90) days immediately preceding the Donor Leave.

An employee requesting Donor Leave must provide written verification to the Organization that he or she is a donor and that there is a medical necessity for the donation of the organ or bone marrow.

An employee must first use five (5) days of accrued paid leave for bone marrow donation and two (2) weeks of accrued paid leave for organ donation. If the employee has an insufficient number of paid leave days available, the leave will otherwise be paid.

Employees returning from Donor Leave will be reinstated to the position held before the leave began, or to a position with equivalent status, benefits, pay and other terms and conditions of employment. The Organization may refuse to reinstate an employee if the reason is unrelated to taking a Donor Leave. A Donor Leave is not permitted to be taken concurrently with an FMLA/CFRA Leave.

### **6.9 Military and Military Spousal Leave of Absence**

The Organization shall grant a military leave of absence to any employee who must be absent from work due to service in the uniformed services in accordance with the Uniformed Services Employment and Re-Employment Rights Act of 1994 (“USERRA”). All employees requesting military leave must provide advance written notice of the need for such leave, unless prevented from doing so by military necessity or if providing notice would be impossible or unreasonable.

If military leave is for thirty (30) or fewer days, the Organization shall continue the employee’s health benefits. For service of more than thirty (30) days, employee shall be permitted to continue their health benefits at their option through COBRA. Employees are entitled to use accrued vacation or paid time off as wage replacement during time served, provided such vacation/paid time off accrued prior to the leave.

Except for employees serving in the National Guard, the Organization will reinstate those employees returning from military leave to their same position or one of comparable seniority, status, and pay if they have a certificate of satisfactory completion of service and apply within ninety (90) days after release from active duty or within such extended period, if any, as required by law. For those employees serving in the National Guard, if he or she left a full-time position, the employee must apply for reemployment within forty (40) days of being released from active duty, and if he or she left part-time employment, the employee must apply for reemployment within five (5) days of being released from active duty.

An employee who was absent from work while fulfilling his or her covered service obligation under the USERRA or California law shall be credited, upon his or her return to the Organization, with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. Exceptions to this policy will occur wherever necessary to comply with applicable laws.

The Organization shall grant up to ten (10) days of unpaid leave to employees who work more than twenty (20) hours per week and who are spouses of deployed military servicemen and servicewomen. The leave may be taken when the military spouse is on leave from deployment during a time of military conflict. To be eligible for leave, an employee must provide the Organization with (1) notice of intention to take military spousal leave within two (2) business days of receiving official notice that the employee’s military spouse will be on leave from deployment, and (2) documentation certifying that the employee’s military spouse will be on leave from deployment during the time that the employee requests leave.

### **6.10 School Appearance and Activities Leave**

As required by law, the Organization will permit an employee who is a parent or guardian (including a stepparent, foster parent, or grandparent) of school children, from kindergarten through grade twelve (12), or a child enrolled with a licensed child care provider, up to forty (40) hours of unpaid time off per child per school year (up to eight (8) hours in any calendar month of the school year) to participate in activities of a child's school or child care. If more than one (1) parent or guardian is an employee of the Organization, the employee that first provides the leave request will be given the requested time off. Where necessary, additional time off will also be permitted where the school requires the employee(s) appearance.

The employee requesting school leave must provide reasonable advanced notice of the planned absence. The employee must use accrued but unused paid leave (e.g., vacation or sick leave) to be paid during the absence.

When requesting time off for school activities, the employee must provide verification of participation in an activity as soon as practicable. When requesting time off for a required appearance, the employee(s) must provide a copy of the notice from the child's school requesting the presence of the employee.

### **6.11 Jury Duty/Witness Leave**

Both regular, full time exempt and nonexempt employees are eligible for up to five (5) workdays paid leave when called on to serve as a juror or witness at a trial, unless otherwise approved by Senior Management. The employee is required to notify their supervisor within forty-eight (48) hours of receiving any Jury Summons and/or subpoena. You are required to provide documentation showing your required days of attendance. If the court releases you after serving a partial day, you are expected to report to work and complete your normal workday unless you make other arrangements with your supervisor.

### **6.12 Bereavement Leave**

Bereavement leave allows time for making funeral arrangements and attending the funeral. Regular, full-time employees are eligible for bereavement leave on their first day of full-time employment.

Eligible full-time employees receive up to three (3) paid days per occurrence for bereavement leave in cases of a death in the immediate family. Employees who need additional time to attend to the affairs of the deceased or for personal reasons may request to use accrued vacation or sick time or take time off without pay. Verification of the need for bereavement leave is required and to be submitted with an employee's timesheet.

Immediate family includes the employee's spouse, registered domestic partner, parent, stepparent, child, sibling, grandparent, grandchild, stepchild, child of spouse, child of registered domestic partner, registered domestic partner's parent, or spouse's parent.

The Organization understands the deep impact that death can have on an individual or a family, therefore special circumstances will be considered in the area of bereavement leave.

### **6.13 Time Off for Adult Literacy Programs**

The Organization will reasonably accommodate and assist any employee who reveals a problem of illiteracy and requests employer assistance in enrolling in an adult literacy education program. Employees will be required to bear the cost associated with enrollment in an adult literacy education program, but the Organization will assist the employee by providing the locations of local literacy education programs. The Organization may also arrange for a literacy education provider to visit its location(s).



An employee who wishes to reveal a problem of illiteracy and requests Organization assistance should contact People Services Division. The Organization will take all reasonable steps to safeguard the employee's privacy. Nonexempt employees may use accrued vacation pay if available to make up for the work that is missed to attend literacy classes.

#### **6.14 Voting**

If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may take off enough working time to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time, and the time taken off shall be combined with the voting time available outside of working hours. Under these circumstances, an employee will be allowed a maximum of two hours of time off during an election day without loss of pay. When possible, an employee requesting time off to vote shall give their supervisor at least two days' notice.

**Appendix A**

**ACKNOWLEDGEMENT OF RECEIPT OF HANDBOOK AND COMPLIANCE WITH HANDBOOK**

I hereby acknowledge that I have received a copy of the Employee Handbook for the Organization and will read all of its provisions. I agree to abide by the provisions of this Handbook, and any future changes, at all times during my employment. I understand that if at some point during my employment, I no longer agree to abide by the provisions contained in this Handbook or any future changes to Organization policies, I must notify People Services Division and that my employment with the Organization may cease. I understand that by continuing in my employment, I am reaffirming my agreement to abide by then-current Organization policies.

I understand that the Organization retains the right and sole discretion to modify, delete, or add to any of the policies set forth in the Employee Handbook at any time with notice to employees. I understand that no supervisor has the authority to modify, delete, or add to the policies in the Handbook, and that in the event of a conflict between the terms of the Handbook and anything told to me by a supervisor or co-worker, the terms of the Handbook shall govern.

I also understand that my employment with the Organization is on an at-will basis and is not for any specific period of time. This means that I am free to resign at any time and that the Organization has the right to terminate my employment at any time, with or without cause, and with or without advance notice. Employment at-will also means that the terms and conditions of my employment may be changed at any time, with or without cause and with or without notice, including but not limited to transfer, promotion, demotion, compensation, benefits, duties, work hours, and location of work. I further understand that I will continue to be an at-will employee at all times during my employment regardless of my job position, status, compensation, or length of employment. The Organization's discretionary use of any Corrective Action, counseling, or warning does not in any way change my at-will employment status. I understand the only way in which the Organization's Employment at-will policy can be amended or modified is by a written agreement signed by me and the CEO of the corporation operating the school. This acknowledgment represents the entire understanding between me and the Organization with respect to my at-will employment and supersedes any and all prior or contemporaneous oral, written, or implied agreements, understandings and representations regarding this matter.

\_\_\_\_\_  
**Date Handbook Received by Employee**

\_\_\_\_\_  
**Signature of the Employee**

\_\_\_\_\_  
**Date Signed**

\_\_\_\_\_  
**Printed Name of the Employee**

**Appendix B**

**ELECTRONIC SIGNATURE POLICY ACKNOWLEDGEMENT**

I hereby acknowledge that I have read and agree to the Organization’s electronic signature policy designed to comply with California’s Uniform Electronic Transaction Act (UETA, Cal. Civ. Code §§ 1633.1-1633.17) which policy reads as follows:

I understand, agree and authorize all transactions relating to my potential employment or actual employment to be conducted by electronic means.

This means that the Organization will rely upon my signature electronically for all electronic employment related documents or records signed by me in electronic format.

I understand that my electronic signature is any electronic sound, symbol or process attached to or logically associated with a record executed by me or adopted by me with the intent to sign the record.

The term electronic employment document or record means a contract or other record created, generated, sent, communicated, received or stored by electronic means.

I hereby acknowledge that this authorization is voluntary on my part and may be relied upon by the Organization when determining whether I have received, understood and signed any and all employment related documents.

\_\_\_\_\_  
**Signature of the Employee**

\_\_\_\_\_  
**Date Signed**

\_\_\_\_\_  
**Printed Name of the Employee**

\_\_\_\_\_  
**Signature of the Employer Representative**

\_\_\_\_\_  
**Date Signed**

## Appendix C

### CONFIDENTIALITY AGREEMENT

Employees must keep matters relating to the Organization's business confidential. These business matters include but are not limited to any of the following items:

- No unauthorized disclosure of:
  - Business or trade secrets and confidential proprietary information such as information regarding the development of systems, processes, products, know-how and technology.
  - Intellectual property such as designs, ideas, or innovations.
  - Any documents, emails, faxes, U.S. mail, or other materials that relate to the Organization or employees of the Organization.
  - Organization business dealings. Organization financial documents, data, transactions, etc.
  - Student information and records.
  - Confidential financial data, or other non-public proprietary Organization information.
  - Confidential information regarding business partners, vendors or customers.

No employee may use trade secrets or confidential proprietary information obtained during or through employment with the Organization for the purpose of furthering current or future outside employment or activities, for obtaining personal gain or profit, or for any other purpose not related to the employee's work with the Organization.

No employee may make unauthorized copies of Organization business matters or information or remove Organization business matters or information from Organization premises without authorization.

At no time may an employee disclose business or trade secrets or confidential proprietary information without the Organization's prior consent, except as may be necessary in the ordinary course of performing their duties as an employee of the Organization.

Employees must promptly advise the Organization of any knowledge that they may have of any unauthorized release or use of the Organization's trade secrets or confidential proprietary information, and shall take reasonable measures to prevent unauthorized persons or entities from having access to, obtaining, or being furnished with any trade secrets or confidential proprietary information. During their employment, employees may not access confidential proprietary information which they are not authorized to access.

This policy also applies in a cybersecurity context. This policy applies at all times during employment. Employees who violate this policy will be subject to legal action.

Employment is contingent upon signing the Confidentiality Agreement included in this Handbook. Employees should contact their supervisors with any questions regarding these provisions prior to disclosure or use of confidential proprietary information.

I have read and understand all of this agreement, and my signature below represents that I will comply with this agreement.

\_\_\_\_\_  
**Signature of the Employee**

\_\_\_\_\_  
**Date Signed**

\_\_\_\_\_  
**Printed Name of the Employee**

\_\_\_\_\_  
**Signature of the Employer Representative**

\_\_\_\_\_  
**Date Signed**

## Appendix D

### VOICEMAIL, EMAIL, AND USE OF ORGANIZATION TECHNOLOGY ACKNOWLEDGEMENT

**Organization-maintained systems:** Voicemail and electronic mail (email) systems are maintained by the Organization in order to facilitate Organization business. Therefore, all messages sent, received, composed, and/or stored on these systems are property of the Organization.

**Personal use extremely limited:** These systems are to be used by employees in conducting Organization business and are not for employees' personal use. The Organization understands that on occasion, limited personal use may be necessary, and it is willing to accommodate such personal use of to a limited degree. However, personal use of email and the voicemail system, which interferes with an employee's work performance, will not be tolerated.

**Privacy not guaranteed:** The Organization reserves the right to access an employee's Organization voicemail (outgoing and incoming) and email messages at any time. Therefore, an employee's voicemail message or email must not indicate that their messages will be confidential or private. The existence of a password on either system is not intended to indicate that messages will remain private.

**Erasure not reliable:** Employees should be aware that even when a message has been erased, it still may be possible to retrieve it from a backup system. Therefore, employees should not rely on the erasure of messages to assume a message has remained private.

**Message access:** Messages on the voicemail and email systems are to be accessed only by the intended recipient and by others at the direct request of the intended recipient. However, the Organization reserves the right to access messages on both systems at any time. Any attempt by persons other than the above to access messages on either system will constitute a serious violation of Organization policy.

**Harassment and discrimination:** Messages on the Organization's voicemail and email systems are subject to the same policies regarding harassment and discrimination, as are any other workplace communications. Offensive, harassing or discriminatory content in such messages will not be tolerated.

I acknowledge reading the policies in my Employee Handbook and this Appendix, and I agree to follow said policies:

\_\_\_\_\_  
Signature of the Employee

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Printed Name of the Employee

\_\_\_\_\_  
Signature of the Employer Representative

\_\_\_\_\_  
Date Signed

## Appendix E

### BUSINESS TRAVEL AND USE OF ORGANIZATION VEHICLES ACKNOWLEDGEMENT

The Organization maintains a separate policy applicable to business travel and use of Organization vehicles. This policy is available with the Risk Management Department. Employees who drive an Organization vehicle (a vehicle owned, rented, or leased by the Organization) will be required to show proof of a current driver's license. Employees who drive a non-Organization vehicle (a vehicle that is not owned, rented, or leased by the Organization) for Organization business will be required to show proof of a current driver's license and proof of California minimum insurance. The Organization participates in a system that checks the motor vehicle records of all such employees, with employee consent, to determine an employee's eligibility to drive on Organization business.

Before an employee may engage in Organization business travel or drive an Organization vehicle, the employee must speak with the Risk Management Department regarding additional policies. Risk Management must verify that the employee meets Organization requirements for business travel and use of Organization vehicles, and the employee must agree to the additional Organization policies regarding business travel and use of Organization vehicles. All employees are prohibited from engaging in Organization business travel and driving Organization vehicles until this process has been completed. Employees approved by Risk Management for business travel and use of Organization vehicles are required to report to Risk Management any convictions suspending or revoking their driver's license, or any convictions for driving while impaired, such as driving under the influence of alcohol or drugs.

Employees who use their own vehicles on Organization business **must** carry California minimum insurance coverage and have a valid Driver License. Employees will be reasonably reimbursed for mileage. Reimbursement rates are subject to change at the Organization's discretion, but the rate will always be at least that of the Internal Revenue Service.

Only hands-free technology cell phone use is permitted while driving on Organization business or when driving an Organization vehicle. Any employee who is involved in a traffic accident while on Organization business or while driving an Organization vehicle should never admit fault at the scene of the accident. Employees are encouraged to cooperate fully with law enforcement authorities, collect as much information as possible and return it to Risk Management. Employees injured as a result of the accident should seek immediate medical care and report information concerning the accident following receipt of medical treatment.

By signing and dating this acknowledgement, I am indicating that I have read, understand and will comply with all elements of the Organization's policy on Business Travel and Use of Organization Vehicles as contained in this handbook, and that I will refrain from engaging in Organization business travel or driving Organization vehicles until I have been approved by Risk Management and have agreed to the additional policies.

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Signature of the Employee

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Date Signed

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Printed Name of the Employee

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Signature of the Employer Representative

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Date Signed

**Form 1**

**HARASSMENT/DISCRIMINATION/RETALIATION COMPLAINT FORM**

It is the policy of the Organization that all of its employees be free from harassment, discrimination, and retaliation. This form is provided for you to report what you believe to be harassment, discrimination, or retaliation so that the Organization may investigate and take appropriate disciplinary or other action when the facts show that there has been harassment, discrimination, or retaliation.

If you are an employee of the Organization, you may file this form with the Principal or Board President.

Please review the Organization’s policies concerning harassment, discrimination, and retaliation for a definition of such unlawful conduct and a description of the types of conduct that are considered unlawful.

The Organization will undertake every effort to handle the investigation of your complaint in a confidential manner. In that regard, the Organization will disclose the contents of your complaint only to those persons having a need to know. For example, to conduct its investigation, the Organization will need to disclose portions of your factual allegations to potential witnesses, including anyone you have identified as having knowledge of the facts on which you are basing your complaint, as well as the alleged offender.

In signing this form below, you authorize the Organization to disclose to others the information you have provided herein, and information you may provide in the future. Please note that the more detailed information you provide, the more likely it is that the Organization will be able to address your complaint to your satisfaction.

Charges of harassment, discrimination, and retaliation are taken very seriously by the Organization both because of the harm caused by such unlawful conduct, and because of the potential sanctions that may be taken against the offender. It is therefore very important that you report the facts as accurately and completely as possible and that you cooperate fully with the person or persons designated to investigate your complaint.

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

Date of Alleged Incident(s): \_\_\_\_\_

Name of Person(s) you believe harassed, or discriminated or retaliated against, you or someone else:  
\_\_\_\_\_  
\_\_\_\_\_

List any witnesses that were present: \_\_\_\_\_  
\_\_\_\_\_

Where did the incident(s) occur? \_\_\_\_\_

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

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I acknowledge that I have read and that I understand the above statements. I hereby authorize the Organization to disclose the information I have provided as it finds necessary in pursuing its investigation.

I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Complainant

\_\_\_\_\_  
Received by Employer Representative

\_\_\_\_\_  
Date



**Form 2**  
**COMPLAINT FORM**

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

Date of Alleged Incident(s): \_\_\_\_\_

Name of Person(s) you have a complaint against: \_\_\_\_\_

\_\_\_\_\_

List any witnesses that were present: \_\_\_\_\_

\_\_\_\_\_

Where did the incident(s) occur? \_\_\_\_\_

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby authorize the Organization to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand providing false information in this regard could result in disciplinary action up to and including termination.

\_\_\_\_\_  
**Signature of Complainant**

\_\_\_\_\_  
**Date Signed**

\_\_\_\_\_  
**Employee Printed Name**

\_\_\_\_\_  
**Received by the Organization Representative**

\_\_\_\_\_  
**Date Received**