



# Employee Handbook 2024-2025

## 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 People Services - Human Resources Department.

Our best wishes to you and thank you for using this tool in getting to know our organization.

## OUR MISSION

The organization sees the potential in every student to graduate and succeed. Our mission is to create a safe, nurturing environment where a passionate faculty works with students, one-on-one, to support their education and empower them to change their future.

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## SECTION ONE – INTRODUCTORY POLICIES

### 1.1 The Purpose of this Handbook

This Employee Handbook (hereinafter referred to as “Handbook”) is designed to acquaint employees with the organization and provide employees with information about working conditions, employee benefits, and the policies affecting employment. The employee 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”.) It describes responsibilities as an employee and outlines the programs developed by the organization to benefit employees. The organization objectives are to provide a work environment that is conducive to both personal and professional growth.

These policies are not meant to explain every employment situation; however, they are binding on employees. The Board of Directors (“Board”) may change any policy, procedure, rule or benefit affecting its operations at any time with notice to employees. Employees 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. 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.

This Handbook is developed according to the requirements of California and Federal employment laws. Employees living and working outside of California may be subject to employment laws applicable to that state.

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 declared out of date and no longer applicable.

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

All approved changes to this Handbook will be distributed to all employees either in writing or electronic format so employees will be aware of the new policies or procedures. Unless received in the above manner, there are no changes to the provisions on this Handbook.

This Handbook sets forth the entire agreement between the employee 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 At-Will Employment Status**

All employees are employed on an at-will basis. Employment at-will states that employment may be terminated at any time, with or without cause or advance 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.

### **1.4 Mandatory Arbitration Policy and Agreement**

The organization has a mandatory arbitration policy and agreement. Each employee is required to sign a copy of the mandatory arbitration policy and agreement upon hire as well as annually. **Appendix F** to this Handbook sets forth such agreement, which is intended to be a binding contract.

### **1.5 Workplace Equality**

The organization is committed to promoting equality in our choices and practices and to ensuring equality of opportunity and outcomes for our employees. The organization makes every effort to ensure that 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.

### **1.6 Workplace Diversity**

The organization is committed to fostering 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 work that benefits all employees, stakeholders, 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.

The organization 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, employees are empowered to change the lives of our students.

### **1.7 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. It is the policy of the organization to afford equal employment and advancement opportunity to all qualified individuals without regard to:

Race (including traits historically associated with race, such as hair texture and hairstyle, including but not limited to braids, locks, and twists); color; gender (including gender identity, gender expression, and transgender identity, whether or not the employee is transitioning or has transitioned); sex (including reproductive health decision making, pregnancy, childbirth, breastfeeding, and medical conditions related to such); sex stereotype (including an assumption about a person's appearance or behavior, gender roles, gender expression, or gender identity, or about an individual's ability or inability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual's sex); 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 by federal, state, or local laws. The organization also prohibits 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. Employees may also file a complaint under the Department of Fair Housing Act and Equal Employment Opportunity. Additional information is available at [CRD | Civil Rights Department \(ca.gov\)](#) and [www.eeoc.gov](#).

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 discrimination by any employee of the organization. We will make reasonable accommodation for religious practices, including religious attire and grooming.

The Notice of Discrimination policy extends to all job applicants and employees and to all aspects of the employment relationship, including the hiring of new employees and the training, transfer, promotion, discipline, termination, compensation, and benefits of existing employees.

#### **Interactive Process and Reasonable Accommodation:**

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. An employee requesting reasonable accommodation will provide medical or other professional evidence of the condition for which accommodation is being requested. A remote work arrangement will not generally be considered as an approved accommodation request.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact People Services and request such an accommodation. The individual with the disability should specify what accommodation is needed to perform the essential functions of their job. The organization then will investigate to identify the barriers that interfere with the employee or applicant's ability to perform 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 when feasible. If the accommodation is reasonable and will not impose an undue hardship on the staff or the students we serve, the organization will make the accommodation. Americans with Disabilities Act (ADA)/Fair Employment and Housing Act (FEHA) prohibits excluding individuals with disabilities from the workplace for health or safety reasons unless individuals pose a "direct threat" (i.e., to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation.)

#### **1.8 Policy Prohibiting Harassment, Discrimination, and Retaliation**

The organization is committed to providing a work and educational atmosphere that is free of harassment, discrimination, and retaliation. The organization's policy prohibits harassment, discrimination, and retaliation based upon: race (including traits historically associated with race, such as hair texture and hairstyle, including but not limited to braids, locks, and twists; color; gender (including gender identity, gender expression, and transgender identity, whether or not the employee is transitioning or has transitioned); sex (including reproductive health decision making, pregnancy, childbirth, breastfeeding, and related medical conditions); sex stereotype (including an assumption about a person's appearance or behavior, gender roles, gender expression, or gender identity, or about an individual's ability or inability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual's sex); 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 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 harassment, discrimination, or retaliation on the part of any employee or third party (including independent contractors or other person with which the organization does business). Supervisors and managers are to report any complaints of harassment to People Services or its designee.

When the organization receives allegations of harassment, discrimination, or retaliation, the principal or his or her their designee (or Chief Executive Officer if a complaint is about the organization's Principal, or the attorney of the school if the complaint is about the CEO) or People Services or its 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 harassment, discrimination, or retaliation has occurred.

### **Prohibited Harassment**

- (1) Verbal conduct such as epithets, derogatory jokes, or comments or slurs;
- (2) Physical conduct including assault, unwanted touching, intentionally blocking normal movement, or interfering with work because of sex, race, or any other protected basis;
- (3) Retaliation for reporting or threatening to report harassment; or
- (4) Disparate treatment based on any of the protected classes above.

### **Prohibited 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.

Sexual harassment may include, but is not limited to:

- (1) Physical assaults of a sexual nature, such as:
  - o 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.
- (2) 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 or;
  - 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.
- (3) 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.

## **1.9 Sexual Harassment Training**

It is unlawful to retaliate in any way against an employee who has articulated a good faith concern about sexual harassment against themselves 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. Supervisors shall also be trained on how to appropriately respond when they become aware that an employee is the target of harassment.

All employees will receive one (1) hour of sexual harassment prevention training within six (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.

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 must immediately report such harassment to their supervisor or to People Services. (See **Appendix H** for the “Harassment/Discrimination/Retaliation Complaint Form 1”).

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

The organization will provide annual training on the mandated reporting requirements to employees who are mandated reporters using the online training module provided by the State Department of Social Services, to employees who are mandated reporters. The mandated reporter training will also be provided to employees hired during the course of the 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 imprisonment and fine. Reports of suspected child abuse are also confidential. Mandated reporters have immunity from state criminal or civil liability for reporting as required.

California Penal Code section 11166 requires any child care custodian, including employees, who has knowledge of, or observes, a child in their professional capacity or within the scope of their employment whom they know 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.

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 Electronic Signature**

The organization is committed to encouraging a proficient and efficient workplace wherein each individual, whether applicant or employee, shall conduct their 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 Form.”).

All employees shall comply with all provisions of the UETA when creating, generating, sending, communicating, receiving, storing, processing, using, and relying upon electronic records. Further, all employees and other persons who use electronic signatures when completing transactions with the Board shall do so in compliance with applicable law.

#### **1.12 Copyright**

Employees must comply with the provisions of applicable law governing copyright, trademarks and other intellectual property, and are not permitted to make unauthorized use, reproduction, distribution, performance, or display of copyrighted materials owned by any third parties. Protected works may include, but are not limited to, literary works, musical works (including lyrics), dramatic works, sound recordings, photographs and graphical works.

If employees use a protected work in an inappropriate manner, this may constitute an infringement of copyright law, which carries both civil and criminal penalties. Unauthorized copying of protected materials exposes both the organization and individual employees to substantial liability. The absence of a copyright notice on a work does not mean the work is not subject to copyright protection.

Materials obtained from the Internet or other electronic sources may not be duplicated or disseminated over the Internet without the copyright owner's express written consent. Likewise, copyrighted material owned or provided by the organization may not be reproduced, distributed, shared, uploaded or otherwise disseminated without the express written consent of the organization.

Under the "fair use" doctrine, employees may, in appropriate circumstances, be permitted to use portions of copyrighted works without the owner's permission for educational purposes. While it may be lawful to use small portions of a particular copyrighted work for these purposes, using a significant portion may be a violation of copyright law.

For specific guidelines concerning the educational fair use of copyrighted material, see Copyright.gov at: <https://www.copyright.gov/circs/circ21.pdf>.

## SECTION TWO – EMPLOYMENT POLICIES AND PRACTICES

### 2.1 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 employment based upon the misinformation.

### 2.2 Criminal Background Checks

The organization conducts background checks in compliance with applicable law. 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 but are not limited to conviction of a controlled substance or sex offense, or a serious or violent felony. Additionally, should an employee, during their employment with the organization, be arrested for, charged with, or convicted of any offense, the employee must immediately report such to People Services.

### 2.3 Tuberculosis Testing

All employees of the organization must submit written proof from a health care of a risk assessment examination for tuberculosis (TB) within the last sixty (60) days. If TB risk factors are identified, a medical provider 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. The TB risk assessment and, if indicated, the examination is a condition of initial employment with the organization.

**Employees:** 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.

**Volunteer and Interns:** Volunteers and interns are required to undergo a TB examination, as necessary.

**Service Providers:** 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.

**Food handlers, Substitute Teacher and Student Teachers** serving under the supervision of an educator 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 People Services - Human Resources department.

### 2.4 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. Prior to employment, every individual must provide satisfactory evidence of their identity and legal authority to work in the United States.

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.

The organization shall not discriminate against any individual because the individual 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.

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. If a search of employee records is authorized by a valid subpoena or judicial warrant, the organization will give employees notice of the inspection both before and after it has occurred as required by law.

## **2.5 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 otherwise designated in the offer of employment. Full time employees are subject to all policies and procedure of the organization. For purposes of health benefits eligibility, full-time employment is always 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. Regular part-time employees are subject to all policies and procedures as any other organization employee.

### **Temporary**

Temporary employees are hired with the understanding that they are being employed temporarily, based on business needs, special projects, abnormal workloads or emergencies. Temporary employment remains on an at-will basis.

A temporary employee may work on a full-time or part-time hourly schedule. However, temporary employment may not exceed twelve (12) months. After completing the twelve (12) month period, the employee temporary employment will be ended. The employee may apply for an open position, and if the employee is selected and meets clearance requirements, the employee will be hired from temporary to regular part-time or full-time employment status. If the employee is hired to regular employment, without a break in employment, the employee will receive credit for their prior service date. In this case, the original hire date or latest rehire date will be used as the adjusted service date.

Temporary employment classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at-will at any time, with or without cause or advance notice is retained by both the employee and the organization.



## Seasonal

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. After the seasonal employment period, the employee will be released. The employee may apply for an open position, and if the employee is selected and meets clearance requirements, the employee will be converted from seasonal to regular part-time or full-time employment status. If the employee is hired to regular employment within six (6) months, the employee will receive credit for their prior service date. In this case, the original hire date or latest rehire date will be used as the adjusted service date.

## Inactive Status

Employees are considered inactive when they are no longer being paid by the organization and/or are on an organization approved personal leave for more than 6 months. During the time the employee is on inactive status, no vacation or sick time will be earned except as specifically noted in this Handbook.

### 2.6 Nonexempt and Exempt Employees

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

#### Nonexempt

An employee, salaried or not, who is covered by the overtime provisions of applicable wage and hour laws. Nonexempt 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.

### 2.7 Workweek

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

### 2.8 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.

### 2.9 Meal and Rest Periods

The law requires that nonexempt 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 nonexempt employee waives their meal break in writing. Meal periods must be taken before the end of the employees fifth hour of work (in other words, before the start of the employee’s sixth hour of work).

#### Time

#### Hours of Work

08:00 – 09:00 a.m. end of

1<sup>st</sup> hour

09:00 – 10:00 a.m. end of

2<sup>nd</sup> hour

10:00 – 11:00 a.m. end of

3<sup>rd</sup> hour

11:00 – 12:00 a.m. end of

4<sup>th</sup> hour

12:00 – 01:00 p.m. end of

5<sup>th</sup> hour (meal period must be taken no later than four (4) hours and 59 minutes into employees’ shift.

If a nonexempt 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. Nonexempt employees must punch out and punch in for their meal breaks. Meal punches in the organization's timekeeping system are real time (live).

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 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. The organization may provide an employee with a free meal on occasion. Employees agree that any free meal is voluntary, that it is not meant as a form of compensation, and that any free meal will be excluded from the calculation of an employee's regular pay rate.

Rest breaks are provided at the rate of fifteen (15) consecutive minutes for each four (4) hour work period or major fraction thereof for nonexempt 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 the organization's policy that employees are required to take all meal and rest breaks as set forth above (unless waive a meal period as set forth above). If the employee missed a meal or rest period (other than a waived meal period), the employee must report to supervisor or People Services that the employee missed the meal or rest period and whether the employee missed the meal or rest period due to employer needs. If employees miss a meal or rest period and do not report it, it will be considered the employee voluntary choice to skip the required break. Employees are to immediately notify senior management in writing if they are not properly provided a meal or rest period.

## **2.10 Telework**

Telework is a flexible work arrangement that allows employees to work remotely at home for all or part of their workweek. The organization considers teleworking to be a viable work option when both the employee and the position are suited to such an arrangement. Telework may be implemented to support efficiency, to continue operations during an emergency, or to accommodate other unique circumstances as approved by the Supervisor. A telework arrangement will not generally be considered as an approved accommodation request.

Telework may be appropriate for some employees and positions, but not for others. Telework is a benefit, not an entitlement, and it in no way changes the terms and conditions of employment with the organization.

Employees may be requested to work remotely or assigned a new work location on a temporary basis. Telework is provided and may be terminated within the sole and non-reviewable discretion of the organization. There are additional Telework guidelines and requirements if a Telework arrangement involves working more than thirty (30) days outside of California. The organization and employee may be subject to new Federal and State Tax obligations and other legal implications under IRS, new state and local government laws, and/or restrictions of working out of a home-based office.

Employees permitted to telework must continue to abide by this Handbook and all organization policies. During the period of teleworking, all employees shall provide their own furniture and personal equipment to carry out their duties remotely. The organization shall not be responsible for any damage to an employee's furniture or personal equipment while teleworking.

Nonexempt, hourly employees are to report work that was performed outside their regularly scheduled work schedule or their recorded hours to their supervisor to be compensated for the unscheduled time. Telework is provided and may be terminated within the sole and non-reviewable discretion of the organization.

### **2.11 Timekeeping Requirements**

All exempt and nonexempt 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.

Nonexempt employees must 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 in real time (live).

Nonexempt, hourly employees are to report work that was performed outside their regularly scheduled work schedule or their recorded hours to their supervisor to be compensated for the unscheduled time.

Nonexempt employees are prohibited from performing off-the-clock work, including but not limited to checking emails before/after work hours, performing work in the morning before logging in, and running work-related errands after logging out.

Hourly employees also must record their time whenever they leave the worksite for any reason other than organization business. Any errors on time sheet must be reported immediately to 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 other than supervisor, or altering any 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 employee is compensated correctly for the work performed.

Employees are required to record time off taken (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 the employee require time off for a leave of absence, please contact the Leave of Absence at [leaveofabsence@llac.org](mailto:leaveofabsence@llac.org).

### **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 nonexempt employees must be pre-approved, in writing, by the employee's supervisor. Nonexempt 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 nonexempt 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.

Nonexempt employees will be paid one and one-half (1.5) their normal hourly rate of pay for approved overtime hours worked more than 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**

Nonexempt employees will be paid two (2) times their regular hourly rate of pay for all hours they are required to work more than twelve (12) in any one workday and for all hours worked in excess of eight (8) hours on the seventh (7<sup>th</sup>) consecutive day of work in any one workweek.

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

#### **2.15 Payment of Wages**

The organization currently pays employees on the 10<sup>th</sup> (for Hours worked from the 16<sup>th</sup> through the end of month) and 25<sup>th</sup> (for 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. The organization retains the option to change payroll dates at any time, due to changes in payroll companies or for other unforeseen reasons.

#### **2.16 Payroll Direct Deposit**

Direct deposit is the most convenient method of ensuring that pay is immediately available on paydays. If the employee elected the Payroll Direct Deposit, pay is electronically deposited into a checking or savings account and will be available even if on vacation. Instead of a paycheck, 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* screen in the payroll system.

#### **2.17 Payroll Withholdings**

Payroll and earnings deductions are detailed on statement of earnings or pay stub. 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
  - Contributions to any organization-sponsored retirement savings plan

Employees may change the number of withholding allowances claimed for Federal Income Tax purposes at any time by filling out a new W-4 form and submitting it to the Payroll Department. The W-4 must be completed electronically via the Payroll System.

All Federal, State, and Social Security taxes will be automatically deducted from paychecks. Federal Withholding Tax deduction is determined by the employee's W-4 form. The W-4 form should be completed upon hire and it is the employee's responsibility to report any changes in filing status to the Payroll Department and to fill out a new W-4 form.

Employees may also have deductions made to their paychecks when a wage overpayment occurs. The organization may require the employee to reimburse an overpayment through a mutually agreeable method, including through cash repayment or a deduction of the employee's payroll check, among other options. Employees who are separated from employment before full repayment of the overpayment amount shall have any remaining amounts withheld from their final check. The organization also reserves the right to exercise all other legal means to recover any additional amounts owed. The organization shall provide employees with advance written notice of the deduction prior to the pay period where it will go into effect.

At the end of the calendar year, a "withholding statement" (W-2) will be prepared and forwarded to each employee for use in connection with preparation of income tax returns. The W-2 shows Social Security and medicare information, SDI information, federal and state income taxes withheld and total wages.

Any questions about paycheck should be directed to the Payroll Department at [Payroll@llac.org](mailto:Payroll@llac.org). It is the employee's responsibility to ensure the accuracy of their paychecks (including deductions). Bring in writing, any discrepancies or errors in a paycheck to the attention of the Payroll Department immediately.

#### **2.18 Wage Garnishments**

When court-ordered deductions are to be taken from paycheck, the employee will be notified, and we will be required to comply with any court order instructing us to garnish wages.

#### **2.19 Expense Reimbursement**

Employees must complete a detailed record of all expenses for which they seek reimbursement and submit an itemized receipts along with the expense record for reimbursement.

Reimbursement will be processed for items that are necessary and 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 following approval of the reimbursement request.

The organization maintains a meal reimbursement policy as follows:

Breakfast	\$18.00
Lunch	\$19.00
Dinner	\$34.00
Incidental	\$5.00

The daily per diem is fixed at \$76. Any meal expenses exceeding the limit will be subtracted from the allocated per diem for the day and will not be eligible for reimbursement.

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

Mileage reimbursement for business travel is compensable at the applicable Internal Revenue Service standard mileage rate, which changes annually or from time to time.

organization may need to modify its reimbursement policy and procedures, under certain circumstances. The Employees will be notified of changes made to the Expense Reimbursement policy or procedures.

## **2.20 Compensation Philosophy**

The organization strives for fairness and equity in all policies and practices, including those that affect compensation. The organization administers a compensation and benefits program in a manner that is free of discrimination or retaliation and respects an employee's right to discuss their own pay. The organization complies with applicable laws concerning fair and equitable pay.

The organization 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 is not limited to, service time, merit, skill, effort, responsibility, knowledge, experience, training, and degree of authority. In addition, the organization update position pays tiers and ranges, administer market pay adjustments or other types of compensation as reviewed and authorized by executive management.

The organization offers a compensation package (annualized pay plus benefits) that reflects competitiveness in the marketplace and concern for employees' ability to balance work and personal lives. The organization adheres to Minimum Wage ordinances. All pay to employees shall be made after employees have worked the pay period the organization designates.

## **2.21 Job Descriptions**

The job description will be explained during the initial interview process and throughout the course of employment. The job description is not designed to spell out all the duties and tasks associated with the position; 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. Employees are expected to discuss any significant changes in functions and responsibilities with their supervisor, who has the authority to request People Services to formalize changes in job descriptions. All changes in job descriptions must be approved by People Services. The organization reserves the right to change job responsibilities, transfer job positions, or assign additional job duties at any time.

## **2.22 Employee Development and Performance Management**

The organization is committed to providing a supportive learning and development environment designed to encourage employees to pursue their professional goals and career objectives through training and advancement. The organization ~~is committed and~~ offers training and development opportunities 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.

The work performance of an employee is a vital key to the success of the organization. Performance evaluations or observations are conducted with employees. A supervisor may initiate a performance evaluation and/or observation with an employee during their employment. Written performance evaluations will be recorded in an employee's personnel record.

## **2.23 Corrective Action**

The organization is **not** required to follow any specific "steps" or order of corrective action, consistent with the at-will nature of employment. Nevertheless, the following are examples of forms of corrective action that the organization may take at its discretion:

- Coaching
- Verbal warning
- Written warning/reprimand
- Suspension without Pay
- Administrative Leave

- Additional training
- Performance Improvement Plan

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.

#### **2.24 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 nonexempt 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 and shall have electricity. Employees shall also be given access to a sink with running water and a refrigerator or another cooling device suitable for storing milk. 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.

#### **2.25 Access to 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 update People Services 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. Timely 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's 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 employment records, submit a written request to People Services. Request forms are available upon request from People Services. The organization will comply with requests as required by law. Only People Services 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.

#### **2.26 Employment of Relatives**

The organization maintains an anti-nepotism policy. No employee shall be directly supervised or evaluated by a family member. No employee shall occupy a position with a close line of authority in which employees can initiate or participate in decisions involving a direct benefit to the family member. If applicable, any and all anti-nepotism provisions specified in a policy passed by the Board of Directors is hereby incorporated into this Handbook. This policy applies to all current employees and candidates for employment.

### **2.27 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 People Services only. Disclosure of employee information to outside sources will be limited.

People Services 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.

### **2.28 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. All input from employees will be considered and should be presented without fear of retaliation.

### **2.29 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.

The following types of additional employment elsewhere are strictly prohibited:

- Additional employment that conflicts with an employee's work schedule, duties, and responsibilities at the organization;
- Additional employment that creates a conflict of interest or is incompatible with the employee's position with the organization;
- Additional employment that impairs or has a detrimental effect on the employee's work performance with the organization;
- Additional employment that requires the employee to conduct work or related activities on the organization's property during the employer's working hours or using the organization's facilities and/or equipment; and
- Additional employment that directly or indirectly competes with the business or the interests of the organization.

Employees who wish to engage in outside employment that may create a real or apparent conflict of interest must submit a written request to the organization explaining the details of the outside employment. If the outside employment is authorized, the organization assumes no responsibility for it. The organization shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of outside employment. Authorization to engage in outside employment can be revoked at any time.

### **2.30 Conflicts of Interest**

A conflict of interest arises when an organization's employee is in a situation where their personal relationship, activity or interests could impair ability to make objective and fair decisions when performing professional responsibilities. The organization's 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 a policy passed by the Board of Directors or other agreement entered into with the organization's public charter authoring authority 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 the employee has a question concerning a possible conflict of interest, consult supervisor or People Services.



### **2.31 Notice of Resignation**

If an employee finds it necessary to resign, the organization requests advance notice in writing to supervisor specifying the last day of work. This date will be considered the effective date of resignation. All employees are asked, as a courtesy, to give at least two (2) weeks' notice of the effective date of a resignation.

### **2.32 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 devices, identification badges and credit cards must be returned immediately upon resignation or separation of employment.

Absence for more than three (3) consecutive days without notifying the employee's supervisor will be considered a voluntary resignation from employment.

### **2.33 Involuntary Separation of Employment**

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

### **2.34 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.

### **2.35 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. All employees' final paychecks will be issued in compliance with applicable law in any one of the foregoing scenarios.

Upon separation from the organization, employee is 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 owed/paid out upon separation from employment. Any outstanding business expenses will be processed in normal business course and paid at the organization's regularly scheduled processing dates for these types of reimbursements. Information concerning outstanding business expenses should be submitted in a timely manner so that these payment deadlines may be relied upon. Please note that if the employee terminates employment and the organization has paid insurance benefits, applicable deductions, previously authorized by employee 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 on the last day of work.

### **2.36 Re-Employment**

If an employee leaves the organization and is rehired within six (6) months, they will receive credit for prior service date. In this case, the original hire date or latest rehire date will be used as the adjusted service date. To be re-employed by the organization, candidate must meet employment eligibility requirements.

## SECTION THREE – STANDARDS OF CONDUCT

### 3.1 Workplace Conduct

The organization promotes a cooperative and productive work environment. Employees are always expected to behave in a professional manner. In relationships with each other, strive to be open and respectful in sharing ideas and thoughts, and in receiving input. The organization encourage employees to have passion for their work and care for students and their parents/guardians.

Certain conduct, on or off-duty, may subject an employee to appropriate corrective action regardless of whether such conduct is specifically addressed in this Handbook. The following conduct is expressly prohibited, whether on or off-duty 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 student welfare, and organization operations or other incidents, may also be prohibited.

#### Examples Of Unacceptable Behaviors:

- Falsifying employment records, employment information, or other organization records;
- Recording the work time of another employee or allowing any other employee to record work time, or falsifying any time sheet, either own or another employee's;
- Theft or deliberate damage or destruction of any organization property, or the property of any employee or stakeholder;
- 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 medical provider's certificate when required to do so;
- Non-compliance with Teleworking Policy requirements;
- 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 at the worksite;
- 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;
- Unprofessional, immoral or indecent conduct;

- Committing, or involvement in, any act of harassment, discrimination or retaliation against another individual;
- 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;
- Violating the drug and alcohol policy;
- Gambling on premises;
- Engaging in sabotage or espionage (industrial or otherwise);
- Failing to report a job-related accident to the employee's manager.
- Releasing confidential information without authorization;
- Refusal to speak to supervisors or other employees;
- Dishonesty;
- Failing 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 employees:

- A. Examples of permitted actions (NOT corporal punishment)
  1. Stopping a student from fighting with another student;
  2. Preventing a student from committing an act of vandalism;
  3. Defending self from physical injury or assault by a student;
  4. Forcing a student 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; and
  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; or
  3. Paddling, swatting, slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

### **Acceptable and Unacceptable Employees Behavior**

This policy is intended to guide all organization 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 obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or organization leaders. One viable standard that can be quickly applied, when unsure if certain conduct is acceptable, is to ask, “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 while interacting with a student. Trespassing the boundaries of a student/employee 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’s or parent’s 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’s and 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 employee may have crossed the boundaries specified in this policy, employee 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 are examples of specific unacceptable behaviors but is not an exhaustive list.

### **Unacceptable Employee and Student Behaviors:**

- 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;
- 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 employee's home without parent and supervisor permission; or
- Communication with students through use of technology or social media, where the content of such communication is not about the organization or organization activities.

These above statements of prohibited conduct do not alter the organization's policy of at-will employment. Either employee or the organization remains free to terminate the employment relationship at any time, with or without reason or advance notice.

#### **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;
- Stopping and correcting students if they cross own personal boundaries;
- Keeping after-class discussions with a student professional and brief;
- Asking for advice from fellow employees or administrators if employee find self in a difficult situation related to boundaries;
- Involving the organization's principal or supervisor if an inappropriate situation, including conflict, arises with a student;
- Informing 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 must be alone with a student;
- Giving students praise and recognition without touching them;
- 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; and
- These behaviors should only be exercised when an employee has parent and supervisor permission: (1) Giving students a ride to/from the organization or organization activities. (2) Being alone in a room with a student at organization with the door closed.

### **3.3 Use of Social-Media**

The organization understands that social media can be a fun and rewarding way to share life and opinions with family, friends, and co-workers around the world. However, use of social media also presents certain risks and carries with its certain responsibilities.

Any use of social media by an employee to interact or participate with students or for any other purpose must be limited to organization business and conducted on organization technology systems. Any interaction not limited to organization business is inappropriate and in violation of the organization's policy.

The organization provides the following guidelines for appropriate use of social media to assist employees in making responsible decisions about use of social media.

## **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 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 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 activities online. Ultimately, the employee is solely responsible for posting online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that conduct that adversely affects job performance, the performance of fellow employees or otherwise adversely affects stakeholders, people or businesses working with the organization, or people who work on behalf of the organization or its legitimate business interests may result in the employee receiving corrective action up to and including termination.

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

### **Be respectful**

Always be fair and courteous to fellow employees, stakeholders, and people or organizations working with or on behalf of the organization. Also, keep in mind that employees are more likely to resolve work-related complaints by speaking directly with co-workers, management, People Services, or by utilizing the organization's Open-Door policy. If employee 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 stakeholders, 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**

The organization encourages employees to always be honest and accurate when posting information or news and correct any inaccurate information. Remember that the internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that know to be false about the organization, fellow employees, stakeholders, people or organizations working with or on behalf of the organization, or competitors.

### **Handling organization information and confidentiality**

Maintain the confidentiality of organization business and trade secrets and confidential proprietary information such as confidential employee and/or student information, as well 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 the employee's personal opinions. Never represent self as a spokesperson for the organization. If the organization is a subject of the content the employee is creating, be clear and open about the fact that the employee views do not represent those of the organization, fellow employees, stakeholders, and the organizations working with or on behalf of the organization. If the employee publishes a blog or post online related to the work or subjects associated with the organization, make it clear that the employee is 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."

Nothing in this Handbook prohibits an employee from exercising their legal rights from discussing their wages, benefits, or other terms of employment as permitted by law.

### **Do not use 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 supervisor 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.

### **3.5 Employee Rights on Social-Media**

The organization will not request or require employees to disclose their personal social media usernames or passwords, nor will it request or require employees to access their personal social media sites in the organization's presence. The organization will not request or require employees 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. Each of the Social-Media, Electronic Communications and Internet Usage policies must be followed.

### **3.4 Electronic Communications**

All employees, have a responsibility to maintain only appropriate communications with students and other individuals at all times. With the advances in communication technology, the organization recognizes that more opportunities exist for school and non-school related communications between employees and students. As the opportunities increase for such communications, employees and students have an increased responsibility to ensure that all forms of communication are appropriate and comply within applicable law and requirements to protect against inappropriate and unsolicited electronic and text messages.

Employees should be respectful and courteous to students and other individuals. Each employee should consider the appropriateness of any content before sending the message to another. The employee will be solely responsible for what they send. Inappropriate content that may include discriminatory remarks, harassment, threats of violence, lewd, sexually explicit or similar inappropriate or 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 form as to whether the school's employees 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, employees 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 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. An open discussion between employee and supervisor is 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 **Appendix H** for the "Internal Complaint Form 2".) 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 People Services.

As a last resort, an employee may take a complaint to the Principal or Area Superintendent. That officer's decision constitutes the organization's final word on the matter. Complaints regarding the Principal or Area Superintendent should be submitted to the organization's Chief Executive Officer, or the attorney of the school if the complaint is about the CEO which shall comply with the procedures outlined above. The CEO or the attorney of the school's decision regarding the complaints is also final.

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**

The organization is committed to integrity and ethical behavior. The organization encourages employees and affiliated non-employees (such as a board member) of the organization who reasonably believe that they are aware of any actual or suspected violation of a federal, state, or local law, 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 harassment, discrimination and retaliation policy, other complaint 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.

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 is perceived to have engaged in a protected whistle-blowing 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.

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, or (iii) an employee who has authority to investigate, discover or correct the violation. Any employee within the organization who retaliates against an employee 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 an employee 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.

An employee who becomes aware of any act or behavior described above is encouraged to report such incidents immediately to the School Principal or Area Superintendent ("AS") or Chief Executive Officer if the complaint is regarding the school principal or Area Superintendent, or the attorney of the school if the complaint is about the 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).

An employee may send the report or complaint by letter (which may be anonymous, at employee's discretion) to the Principal or Area Superintendent or Chief Executive Officer if the complaint is regarding the Principal or Area Superintendent, or the attorney of the school if the complaint is about 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 Principal or CEO of the organization, employee should report their concern directly to the Corporate General Counsel at the Corporate Administration Office in the address above.

The organization will promptly investigate the complaint and will 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 evaluate 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, as applicable.

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. For purposes of this section the term dangerous weapon includes—but is not necessarily limited to—a firearm, dagger, dirk, stiletto, knife with a blade over 3 inches in length, pocketknife opened by a mechanical device, iron bar, or brass knuckles.

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 have been physically assaulted, must notify their supervisor immediately. If the behavior involves a supervisor, employees must immediately notify People Services. 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.

### 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, illegal drugs, or prescription/over the counter drugs that impairs the employee's ability to perform the job effectively and safely, 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:

- on organization premises;
- conducting or performing organization business, regardless of location;
- operating, or responsible for the operation, custody, or care of organization equipment or other property; driving an organization-provided vehicle or own vehicle on organization business while under the influence of any substance that alters or impairs judgment; or
- responsible for the safety of others in connection with, or while performing, organization-related business.

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 procedure results of the test(s) may be used as a basis for corrective action. Failure to cooperate in any such search, screening, or test will be ground for immediate termination of employment.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while on organization property will result in termination.

The organization will reasonably accommodate employees who wish to enter a treatment program for substance use consistent with applicable law. 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 entering the workplace.

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

### **3.11 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 a supervisor is in violation of the Drug and Alcohol-Free Workplace policy, the employee must notify People Services.

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

### **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 screening 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 Alcohol at organization-Sponsored Events on organization Premises**

Employees who choose to consume alcohol at organization-sponsored events or community fundraisers held on the organization's premises are responsible for their own behavior and must always remain professional. 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. Additionally, students will not be present for community fundraisers held on organization premises where alcohol will be available.

the organization will not be purchasing alcohol for its employees available at organization-sponsored social events that are held off premises. At such events, employees may choose to purchase alcohol.

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 may not be allowable under California law.

### **3.14 Attendance and Absences**

The organization expects the employees to be punctual and regular in attendance. 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. Employees must notify their supervisor/designee no later than one (1) hour before their expected start time if they are to be absent. However, in emergency situations, this may not be possible or practical, in which case the employee must notify their supervisor/designee as soon as possible.

Unscheduled absences place an unfair burden on co-workers and stakeholders 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. Recurrent absences immediately before or after holidays and weekends may warrant disciplinary action.

The organization reserves the right to request a medical provider's statement or medical certification for absences due to illness or injury. Any employee who is absent for three (3) consecutive working days without notification to the employee's supervisor or Human Resources is deemed to have resigned voluntarily.

### **3.15 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.

Although voicemail may be available, the organization expects employees to speak directly with a supervisor when they will be late for work. The employee must call supervisor as soon as possible.

An employee will be considered tardy if they are not signed in or clocked in and/or are not ready to begin work when work period begins.

Repeated or excessive tardiness will lead to disciplinary action up to and including termination of employment. Tardiness is excessive if they are frequently or unnecessarily late, if employee demonstrate a pattern of tardiness.

### **3.16 Excessive Absenteeism and Tardiness**

Frequent or excessive absenteeism or tardiness affects the efficiency and effectiveness of the organization, department or office, and will subject 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.

### **3.17 Grooming and Attire**

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

The organization reserves the right to define appropriate standards of appearance for the workplace. All employees are required to maintain a clean and neat appearance, wear neat and clean clothing that is not torn, not ripped, or not dirty. The organization expects employees are expected to project a professional and businesslike image in dealing with other employees, stakeholders, volunteers, and the 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.

In keeping with the organization values and desire to have all employees feel comfortable, genuine, and authentic while providing service to students and interacting with the public, the organization supports employees who want to wear natural hair and hairstyles. In addition, the organization will make reasonable accommodation for religious practices, including religious attire and grooming.

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.

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, denim jeans, 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
- Jewelry and/or tattoos are permitted within the following guidelines:
  - Not offensive to co-workers, students, families, 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 concerns
  - If 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
- Clothing with offensive slogans or pictures
- Clothing with large lettering, logos or slogans
- Beach clothing
- See-through or mesh clothing
- Overalls, sweatpants, and sweatshirts
- Shorts (except as approved by management)
- Sports headgear (except as approved by management)

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

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

Employees that are approved for teleworking are to maintain a business casual appearance when engaging in virtual video meetings with vendors, leadership, peers, student, parents, and stakeholders.

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

### **3.18 Stakeholder Relations**

The organization primary “stakeholders” are our students and parents. Employees are expected to be polite, courteous, prompt, and attentive to every stakeholder 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.

Stakeholders are to be treated courteously and always given proper attention. Never regard a stakeholder’s question or concern as an interruption or an annoyance. The employee must respond to inquiries from stakeholders, whether in person or by telephone, promptly and professionally.

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

Through employee conduct, show their desire to assist the stakeholder in obtaining the help needed. If employees are unable to help a stakeholder, find someone who can.

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

Never argue with a stakeholder. If a problem develops or if a stakeholder remains dissatisfied, ask a 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; and
- Courteous and helpful when dealing with other employees and with stakeholders.

### **3.19 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, contracts, etc.;

- Student information and records;
- Confidential employee information;
- Confidential financial data, or other non-public proprietary organization information; and
- Confidential information regarding business partners, vendors or stakeholders.

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. Employees are to adhere to organization procedures when discarding confidential information.

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 employment, employees may not access confidential proprietary information which they are not authorized to access. Employees may not use any confidential information that belongs to a former employer in their current duties.

This policy also applies in a cybersecurity context: protection of digital systems, networks, and data from unauthorized access, malicious attacks, and other cybersecurity threats by employees. This policy always applies 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.

### **3.20 Business Ethics and Conduct Policy**

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

The successful business operation and reputation of the organization is built upon the principles of fair dealing and ethical conduct of our employees, as well as a scrupulous regard for the highest standards of conduct, excellence, and personal integrity.

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

In general, the use of good judgment, based on high ethical principles, will guide the employee 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 immediate supervisor and, if necessary, with People Services for advice and consultation.

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

### **3.21 Service Animals and Support Animals**

Employees with disabilities have a right to bring service animals into businesses or public spaces, provided the service animal does not pose a direct threat to others. That right only applies to services animals but not to emotional support animals. When a person brings an animal to the organization, an employee can ask only two questions to determine whether the animal qualifies as a service animal. First, is the animal required because of the handler's disability; and second, what work, or task has the animal been trained to perform? The responses should be self-evident as to the qualifications of the animal. A service animal must always be under the care and control of its handler.

Unlike service animals, emotional support animals (ESA) are not trained to perform specific tasks related to an individual's disability and are covered by different protections under federal and California law. In California, ESAs are required to have a letter from a licensed medical professional that states that the emotional support animal is a part of the handler's mental condition treatment. The organization can request proof that an animal is an ESA by requesting to see the handler's ESA letter. An ESA letter should be on official letterhead written by a licensed medical provider accredited to practice in California and should (i) outline the medical conditions that the animal helps to treat, and (ii) specify certain information about the animal, such as its name and breed. If a bona fide ESA letter is provided, the organization is required to make reasonable accommodations for employees entering the organization premises who wish to have their emotional support animals accompany them.

Employees who wish to bring service animals or support animals into organization premises must speak to their supervisor or contact People Services Accommodation Team at [accommodations@llac.org](mailto:accommodations@llac.org).

## SECTION FOUR – WORKPLACE SAFETY AND OPERATIONS

### 4.1 Workplace Safety

The organization adheres to a Code of Safe Workplace Practice and other applicable occupational health and safety orders. Compliance to the Code of Safe Workplace Practices is a requirement for the continuation of employment. Violations of the Code of Safe Practices shall lead to corrective actions. In compliance with applicable health and safety laws, and to promote a safe workplace, the 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.

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

The organization may implement new workplace safety plans and actions or modify existing safety procedures, in response to a declared federal, state, or local public health emergency. These may include updated strategies and/or recommendations, to resume normal or phased opening of worksite operations. Public Health Department updates and new organization safety protocols and procedures will be communicated electronically to all employees.

If a pandemic virus becomes widespread in the community as assessed by public health authorities, the organization may initiate medical inquiries, examinations, or symptom screening in the workplace consistent with applicable law. Guidance from public health authorities is likely to change as a pandemic virus evolves. Following guidance from public health authorities, the organization may implement new workplace requirements, precautions, intensify cleaning, disinfecting, ventilation and safety protocols for worksite entry and operation. As with all medical information, the organization will uphold all applicable confidentiality requirements. During a pandemic, the organization may require employees to adopt infection-control practices, such as regular hand washing, coughing and sneezing etiquette, and proper tissue usage and disposal.

The organization will adhere to government and/or public health reporting, recording, and notification requirements and time frames concerning communicable illness exposure, virus, or outbreak at the workplace. This includes notifying employees who were on the premises at the same worksite as the qualifying individual within the infectious period.

The organization will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity, in compliance with Proposition 65.

The Organization complies with the Asbestos Hazard Emergency Response Act. Information on asbestos at organization sites can be found in site-specific Asbestos Management Plans or 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. The employee must not try to fix broken equipment. Tell supervisor of any equipment breakdown as soon as it happens. If the breakdown requires emergency repairs, the supervisor will deal with the emergency as soon as possible.

## **Safety Training**

The organization conducts formal safety training. Employee's attendance at safety training sessions is mandatory. The organization also provides information to all employees through bulletin board postings, memos, or other written communication.

### **4.2 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 desk or office at the end of the day by following "end-of-the day" shut-down procedures. When called away from employee's work area for an extended length of time, do not leave valuable and/or personal articles in or around workstation that may be accessible. Do not leave 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 employee from hearing alerts and emergency notifications. The employee should immediately notify 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 employee feels that they are a victim of such situations and would like to know about or request additional safety measures, contact People Services and the Security Coordinator.

### **4.3 Safety Suggestions**

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

### **4.4 Safety Equipment**

If needed, the organization will provide the employee with Personal Protective Equipment (PPE). To comply with current public health measures, PPE is required to be worn during interactions or exchanges with other employees. 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.

### **4.5 Identification Badge**

All employees are required to wear organization-issued identification badges in a visible manner while on organization premises. 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.

### **4.6 On-The-Job Injuries**

Every employee is responsible for their own safety as well as others in the workplace. In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify safety department and their supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

If an employee is injured on the job, they must notify a supervisor immediately. Under workers' compensation law, the employee will receive help if 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 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 People Services.

#### **4.7 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. The organization intends to provide appropriate resources to create a risk-free environment. If the employee has any questions about ergonomics, please contact the Safety Manager.

#### **4.8 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, stakeholders, and visitors. Smoking is prohibited while inside organization-owned, rented or leased vehicles.

#### **4.9 Reasonable 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.

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 includes 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, or other storage devices, 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 cooperate in or 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 the organization’s premises.

All inspections or searches may be conducted as necessary and will be approved in advance by People Services, 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 collaboration with local law enforcement. 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 Searches and Inspections Policy to persons who have an important work-related reason to know.

#### **4.10 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 report 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.

#### **4.11 Public Emergency and Natural Disaster**

The organization maintains safety and emergency operations plans to support employees with incident management activities and to help ensure business continuity in the event of a public emergency, catastrophic event, or natural disaster. This policy provides guidance regarding employee compensation and outlines alternate options should the organization have to close business due to the circumstances.

We regard the safety and health of our employees and students with utmost importance. This includes protecting employees from anticipated hazards and providing immediate resources for support following a disaster. If the organization closes its operations because of a natural disaster or other public emergency, employees are encouraged to call the organization's designated number to obtain information about employee resources, paychecks, or information regarding their location and contact information. Efforts will be made to use the organization's intranet and systems for employee communications.

Employees may be required to take on new responsibilities to aid with the recovery process. The organization will compensate employees their regular pay for performing activity that is primarily and necessarily for the benefit of the organization. Examples include cleaning debris, moving organization equipment, and other activities associated with the organization's Incident Management Plan.

**Exempt Employees:**

Regular, full-time Exempt employees paid on a salary basis will be paid for an entire weekly salary if they work any portion of their scheduled workweek. However, if the organization is closed for an entire workweek and the exempt employee has not performed any work during the week (including Teleworking), the employee is not entitled to compensation for that week. Employees may use accrued vacation time to cover the non-work period.

**Nonexempt Employees:**

Nonexempt employees are only entitled to regular pay for hours they spend performing work. Importantly, reporting time pay requirements (such as compensation for arriving to work, but being sent home due to a lack of work available) do not apply if:

- (1) operations cannot continue due to threats to employees or property, or when operations are discouraged from continuing by a civil authority;
- (2) public utilities such as water, gas, electricity, or sewer fail; or
- (3) work is interrupted by an “Act of God” or other causes not within the organization’s control.

Nonexempt employees will receive regular pay for any work performed prior to a closure (including approved Teleworking). If the organization requires nonexempt employees to remain “on-call” during a disaster-related situation, an employee is required to receive regular pay during the specified on-call period. However, “call back pay” (a minimum of two (2) hours of regular pay for reporting a second time in a single day), does not apply when public utilities fail, such as a power outage. Therefore, the organization could send employees home (or release them from approved Teleworking), and then call them back to return (or resume working) later in the day without paying any additional compensation other than regular pay required for the actual work performed.

**Teleworking or Alternate Work Location:**

Employees may be requested to work remotely or assigned a new work location on a temporary basis. To capture time worked remotely, employees are to record time worked in the Time and Attendance System.

**Requests for Emergency-Related Time Off and Leave of Absence:**

In the aftermath of a disaster, an employee may need immediate time off or a leave of absence. Please coordinate immediate time off with Supervisor and record the absences in the Time and Attendance System. People Services team members are available to assist with Leave of Absence and work accommodation requests. The organization may grant flexibility with medical certification requirements to support emergency leave taken during the public emergency period.

**Non-employees:**

The organization may receive offers from non-employees or non-approved organization volunteers to volunteer with the recovery process. Please consult with executive leadership when deciding whether to allow these individuals to “volunteer” with such efforts. The organization will consider contracting with a professional disaster recovery service to minimize risk to employees and non-employees’ post-disaster.

**4.12 Restraining Orders and Domestic Violence**

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

If an employee has a civil order, like an Emergency Protective Order, a Stay-Away Order, or a Temporary Restraining Order issued against, employee must tell their supervisor and People Services about it. Such information shall remain confidential, and the organization will help 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 vehicle in the parking lot, be sure to lock vehicle to secure personal property and safety when returning to vehicle at the end of shift. When employee get into vehicle, immediately lock doors and fasten seatbelt. When departing from the parking lot, and if employee feel they are being followed, they should contact 911 via cell phone or drive to the nearest police/sheriff station to get help. Once employee has contacted the authorities and are safe, be sure to report any incidents to 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.

#### **4.13 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. Employees are allowed additional time to wash their hands throughout their work shift. It is recommended that employees give careful consideration to reporting to the workplace when experiencing a communicable illness. Employees are advised to stay home when sick. Employees are encouraged to conduct a self-check at home for virus symptoms before leaving for work.

Employee responses to medical inquiries will be kept in the employee's medical record, which is maintained separately from the employee's personnel file. This includes an employee's statement that they have the disease or suspect they have the disease, or other documentation from questioning an employee about symptoms. The organization will adhere to government and/or public health reporting, recording, and notification requirements concerning communicable illness exposure or outbreak at the workplace.

During a pandemic virus or national, state, or local public health emergency, the organization will rely on guidance from public health authorities for prevention of and exposure to a communicable illness in the workplace. Public Health Department recommendations and strategies may change during a crisis and differ between states. The organization will make best efforts to obtain Public Health Department advice and guidance that is contemporaneous and appropriate for the work locations and make reasonable assessments of conditions in the workplace based on this information.

The organization will investigate outbreaks reported in the workplace in accordance with applicable law and may use contact tracing, including participating in local and state contact tracing efforts to determine who may have been in close contact with an individual who has tested positive. Employees who test positive due to an outbreak at work are eligible for Workers' Compensation benefits.

Employees will be compensated their regular pay for their time when required to complete safety screening or testing at the worksite. Employees will be compensated for the day if they are sent home due to displaying symptoms of a pandemic virus. Medical services and tests requested at the direction of the organization will be paid by the organization.



During a public health emergency or pandemic virus, the organization may require employees to self-quarantine when employees have communicated information related to their travel to areas that are designated as high infection risk.

### **Return to Work**

To return to work, the organization may require documentation from their treating medical provider certifying the employee is fit to perform the essential functions of their position.

### **Work Accommodation**

The organization will engage in an interactive process with an employee involving any request for interim, temporary, or short-term work accommodation due to the employee's disability. The interactive process is a discussion between the employer and employee focused on whether the impairment is a disability and the reasons that an accommodation is needed.

This process will include requesting medical documentation to determine whether the employee has a disability, as defined by applicable law, and if the employee's disability necessitates a work accommodation. In addition, when government restrictions are changed, extended, or are partially or fully lifted, the need for work accommodations may also change to suit changing circumstances based on public health directives.

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 medical provider. 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 organization and Board of Directors approved policy(ies) pertaining to health and safety are hereby incorporated into this Handbook.

#### **4.14 Housekeeping**

All employees are expected to keep their work areas clean and organized. Employees are encouraged to take time regularly to sanitize assigned equipment (i.e., phone, keyboard). Regularly scheduled disinfecting procedures will be conducted of high touch surfaces and common areas such as breakrooms, locker rooms and restrooms. Please clean up after meals and dispose of trash properly. Potlucks and food sharing will be prohibited during times of a public health emergency.

#### **4.15 Water Bottles**

The organization acknowledges the right of all employees to bring and carry water bottles at schools. As required by Education Code Sections 38042-38043, the organization encourages and promotes water bottle carrying and the benefits of drinking water through promotional and educational activities and signage at the organization's premises and/or the organization's website.

#### **4.16 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) is considered inappropriate in the business environment and is strictly prohibited. Gambling, monitoring sports scores, and playing electronic games on organization time are also prohibited activities.

The organization reserves the right to listen to, monitor, and record phone and voicemail messages transmitted and/or received using the organization's phone system, 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. 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. Violation of these guidelines may result in corrective action, including termination of employment. 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 usernames, passwords/codes used and/or may be able to override any such password system.

#### **4.17 Return of organization Property**

Any organization property issued to employee, such as keys, tools, cell phones or any other items issued must be returned to the organization at the time of employment separation.

Regardless of whether employment ends on a voluntary or involuntary basis, it is employee's responsibility to return all equipment, computers, telephones, organization passwords, tools, keys, clothing, or any other property issued by the organization. Employees may be financially responsible for the replacement cost of any item of organization property that is lost or damaged because of the employee's gross negligence, willful misconduct, or dishonesty.

#### **4.18 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, video teleconferencing and the data residing on its computer systems—are to be used for organization business only, unless otherwise stated in this Handbook.

#### **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 D** for the “Voicemail, Email, and Use of organization Technology Acknowledgement”)

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.

### **Monitoring of organization Equipment**

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, People Services 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, the employee 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 employee or any other party.

#### 4.19 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 employee 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 upon termination of employment 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.

#### 4.20 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 carry State minimum auto insurance limits. The organization participates in a system that checks and monitors the DMV records of all such employees, with employee consent.

It is important to note that the primary layer of auto liability coverage is the insurance which is on the vehicle driven. Therefore, when an employee is driving an organization vehicle, the auto liability coverage, carried by the organization, will be primary. When a non-organization vehicle is being driven, the primary auto liability coverage will be that which is on the non-organization vehicle and thus the organization’s auto liability coverage will be excess. The organization does not provide any collision or comprehensive coverage on non-organization vehicles.

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 they have been cleared by Risk Management. 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, reckless driving, 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 State 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 provide 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 have the following restrictions:

Excluded Driver 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; and
- Driving to and from training locations, professional development, meetings and/or conferences.

If an employee's position requires them to drive on organization business, failure to adhere to the above restrictions may result in disciplinary action, up to, and including, termination.

The following will help 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 and over-the-counter medications can cause drowsiness;
- Be prepared to delay or cancel the trip if weather or traffic conditions worsen; and
- Maintain contact with the organization to apprise them of whereabouts at all times.

**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.

**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 the organization policy that all employees always wear their seatbelt when operating an organization-provided vehicle and while driving for organization business. There are no exceptions to this rule as it is the law. If an employee has an accident and are cited for not wearing a seat belt, employee may face corrective action.

**Safe driving**

It is always important that employee drive safely. Do not engage in distracting activities such as reading, eating, make-up application, attending to children or using a hand-held cell phone.

While driving on organization business or while driving an organization vehicle, employees are responsible for complying with all traffic, parking, and other vehicular laws. Employee will be individually responsible for all driving, traffic, parking, etc. violations committed.

### **Carpooling**

Employees who elect to carpool for business travel are expected to adhere to public health emergency guidelines.

### **Air travel**

Employees are expected to adhere to airline safety guidelines and public health emergency.

The organization reserves the right to temporarily suspend business travel requests in support of public safety measures enacted following a federal, state, or local public emergency. Employees will be informed of this action and when business travel requests may resume.

#### **4.21 Use of organization-Provided Cell Phone**

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 stakeholders, 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. 911 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.

#### **4.22 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. Employees who use organization-provided equipment are responsible for:

- Ensuring the equipment is properly maintained and that only organization authorized personnel perform all maintenance or repairs to the equipment;
- Ensuring that organization equipment is not used in an unauthorized manner. The employee is the only one authorized to use the equipment. Third parties are not authorized to use the 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 negligence, the organization may take corrective action. Employees can be held financially responsible for the replacement cost of any item of organization property that is lost or damaged as a result of their gross negligence, willful misconduct, or dishonesty;
- Immediately reporting to 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; and
- Immediately returning all organization-provided equipment when the employee transfer, are reassigned, or terminate employment.

#### **4.23 Use of Internet**

The organization provides internet access to global electronic information resources on the World Wide Web 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 (forty (40) and over), 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 supervisor. Downloading of any executable files, installing programs or accessing sites that circumvent the organization's filtering system, which change the configuration of system by anyone other than organization authorized personnel 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 and Board of Directors Social Media policy.

Employees may also be held personally liable for any violations of this policy. The following behaviors are 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, authentication credentials, and/or digital certificates 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 laws protecting the confidentiality of employee 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 thereby 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.

#### **4.24 Use of Employee Emails**

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. 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, unless authorized by the organization. Such communications should only take place using organization-issued devices and via the employee's organization-issued email account. Under certain circumstances that include a telework arrangement, the organization reserves the right to modify this policy and request employees to temporarily use their personal devices to conduct organization business. Additional guidelines will apply, and employees may be eligible to receive reimbursement as a fringe benefit. All employees are expected to maintain proper and ethical use of electronic mail.

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

#### **4.25 Internal Communication**

The organization uses bulletin boards, attachments to payroll, the Intranet, and email are used to communicate important information to employee on a regular basis. Each employee is responsible for reading posted or distributed information on a timely basis.

#### **4.26 Media Relations**

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 the designated communications person. If unavailable, please refer inquiries to any the Organization's Superintendent or Area Superintendent. 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. Employees must answer all media/reporter questions as follows: *"I am not authorized to comment*



*for the organization, or I do not have the information. I will have the organization's public affairs office contact you".*

Employees are expected to protect the privacy of the organization and its employees and stakeholders, and are prohibited from disclosing confidential student, employee and nonemployee information and any other proprietary and nonpublic information to which employees have access.

#### **4.27    Publicity**

The organization utilizes media resources for advertising, public relations or other business purposes. The organization may use employee photographs, pictures, and/or voice transcriptions for promotion or advertising at any time without compensation. Please notify the CEO of the Corporation operating the school or the designated communications person. If unavailable, please refer inquiries to any the Organization's Superintendent or Area Superintendent if an employee does not wish to be captured in organization media or marketing materials.

#### **4.28    organization-Sponsored Social and Recreational Activities**

The organization may from time to time sponsors 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.

#### **4.29    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, the employee should not use organization telephones (including organization-owned cell phones) for personal calls, unless it is an emergency. If the employee 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 stakeholders, vendors, or visitors. Should circumstances require a long-distance call, organization asks to use a personal calling card or call collect or ask for authorization from 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 using an organization telephone), the employee may be subject to corrective action and may be asked to pay for the charges associated with use of the organization telephone.

#### **4.30    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 rest breaks and meal breaks only.

The organization may request employees to use their personal devices for work purpose during a public emergency. The organization will reimburse employees for use of their personal devices, and expense reimbursement procedures will be communicated to employees.

When employees conduct public business using private email or personal devices, those communications may be subject to disclosure under the California Public Records Act. Employees are advised to retain organization electronic communications (i.e., email, texts). The Technology Services Division is available to assist with additional guidance and tools for document retention.

#### **4.31 Personal Property/Employee Property**

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

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.

## SECTION FIVE – EMPLOYEE BENEFITS

### 5.1 Insurance Benefits

#### Eligibility

The organization believes that all regular, full-time employees working at least (30) hours per week should have access to health insurance coverage for themselves and their dependents. The organization will provide medical insurance in compliance with applicable law. Employee Benefits become effective the 1st of the month following a 1 month (30/31 day(s)) waiting period from the date of hire.

Employees with regular full-time and part-time status are also provided with information on coverage options available through the Healthcare Insurance Marketplace. Healthcare Insurance Marketplace information is included in all New Hire Packets and may also be obtained by contacting the Benefits department.

For more information about insurance, benefits, and eligibility, please contact the Benefits Department. [Benefits@llac.org](mailto:Benefits@llac.org).

#### Insurance Benefits

The organization has established a number of employee benefits for its eligible employees. This section provides brief summaries of some of the benefit features. More detailed information is set forth in the official plan documents and insurance policies that govern the plans. If there is any real or apparent conflict between the brief summaries contained in this Handbook and the terms, conditions, limitations or exclusions of the official plan documents, the provisions of the official plan documents will control.

The organization currently offers:

- Medical
- Dental
- Vision
- Healthcare & Dependent Care Flexible Savings Account (FSA)
- Health Savings Account (HSA)
- Basic and Voluntary Life Insurance
- Basic and Voluntary Accidental Death and Dismemberment Insurance
- Short-Term & Long-Term Disability Insurance
- Long Term Care Insurance
- Worksite Benefits to include Voluntary Short-Term Disability, Accident Insurance, Cancer Insurance, and Critical Illness Insurance
- 403(b) Retirement Savings Plan with Employer Match

When enrolling eligible dependents in benefits, the organization will require employees to provide proof of legal dependent status.

The following documents can be used as verification:

- Birth Certificate
- Marriage License
- Domestic Partnership Certificate
- Adoption Certificate
- Legal Guardianship documentation from the state court or federal government

All dependent verifications must be provided within thirty (30) days of the benefit effective date. Failure to provide verification will result in removal from coverage.

As with most policies, insurance benefits are subject to change, and employees may be subject to a waiting period before coverage and benefits begin. While it is the organization's intention to continue these benefits, it reserves the right to modify, curtail, reduce, or eliminate any benefit, in whole or in part. For more information about insurance and retirement benefits and eligibility, please contact the 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 the employee's service date.

#### **Benefits During a Public Emergency:**

The organization may seek to expand employee benefits or secure new offerings to better support employees during a public emergency. It may be necessary to modify Benefit Plans to comply with new federal or state legislation enacted during a public emergency. The organization will communicate benefit plan changes and share out resources and benefits available through its insurance carriers.

## **5.2 Life Events and Benefits Enrollment**

The organization allows changes to benefit selections outside of the annual Open Enrollment period only when a Life Changing Event has occurred with such examples as described below.

#### **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
- Legal Separation or Divorce
- Death
- Court Ordered Coverage
- Entitlement to Medicare/Medicaid
- Child reaches age 13 and is no longer eligible under a Dependent Care FSA (DCFSA)
- Change in childcare or elder care provider, change in cost, or change in coverage (this applies to DCFSA only).
- Moving to a different zip code or county that changes health plan area
- Returning from active military duty

The benefit effective date would be the 1st of the month following any Qualifying Life Event Date. Please note all Life Events must be submitted within thirty-one (31) days from the Life Event date to be approved and accompanying documentation must be provided.

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

The organization offers Long-Term Disability Insurance and Long-Term Care coverage. 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.

Detailed information can be obtained from the Benefits Department.

#### **5.4 Retirement Savings Plan**

The organization sponsors a 403(b) Retirement Savings plan through Voya Financial, available to employees aged 18 or older who are Full Time or Part Time. Part-time employees that are scheduled to work less than (30) hours per week will be eligible to participate in the Voya 403(b) Retirement Savings Plan. Seasonal status employees do not meet the criteria for benefit eligibility.

Employees may defer their compensation on a pre-tax and/or Roth basis, up to the annual IRS allowable maximum.

##### **Matching:**

The organization offers an employer matching amount equal to 100% of the elective deferral, capped at up to 10% of the employee's annual compensation. This match is calculated each quarter. (The organization's match is based on the company meeting its financial goals and can be changed at any time. Eligibility for the Employer Match begins after 3 months of employment. Employees must be considered 100% vested to retain the Employer Match.

##### **Vesting:**

Full vesting occurs after three (3) years of service, with prior school/charter employment potentially counting towards the total years of service.

Employees will receive quarterly statements detailing their retirement benefits. Additional information about the Retirement Savings Plan is accessible at [www.voya.com](http://www.voya.com).

#### **5.3 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, the organization 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.

Education Assistance Program applications and disbursements are issued twice a year. The organization 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 \$5,250 a calendar year in educational expense reimbursement. Employees should meet with their supervisors prior to signing up and registering in any courses or programs to ensure eligibility.

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

prohibited from resubmitting a course that has already been included in a prior reimbursement request. Please refer to the Education Assistance Policy for additional information.

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.

Please note that the Education Assistance Program policy and reimbursement amounts are subject to change at the discretion of the Organization. Any modifications to this program will be communicated to employees.

#### **5.4 Employee Assistance Program**

To promote work-life balance, the organization provides confidential and voluntary assistance through multiple Employee Assistance Programs (EAP) to all employees and their eligible family members. The EAP consists of several different services: Counseling by a Masters or Ph.D. level counselor who provides direct, in-the-moment counseling to Members beginning with the first call, Travel Assistance Identity Theft Recovery, Grief Counseling Estate Guidance Will Services, Funeral Planning and Concierge Services and Peak Performance Coaching.

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, medical provider, treatment facility or other professional if the situation deems appropriate in order to assist in resolving the problem or situation. Additional fees may apply to use of outside resource services. The organization encourages employees to take advantage of these valuable benefits. For more information on the EAP plan please contact the Benefits Department.

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.

#### **5.5 Health and Wellness**

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.

#### **5.6 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, payment for State Disability Insurance (SDI) is through payroll deduction and should apply for State Disability Insurance benefits whenever 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 doctor, hospital or the Employment Development Department. The organization is not involved in SDI benefit determinations made by the EDD.

State Disability Insurance benefits do not replace usual wages. State Disability Insurance benefits will not be supplemented while using accrued sick time or vacation time.

## 5.7 Paid Family Leave Program

California has enacted a program called Paid Family Leave (PFL) that provides eligible employees with payments for up to eight (8) 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 or telework due to the sickness or injury of a child, spouse, parent, parent-in-law, grandparent, grandchild, sibling 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, spouse, registered domestic partner, grandparents, grandchildren, and parent-in-law
- bond with a new child
- participate in a qualifying event resulting from a family member's (spouse, registered domestic partner, parent, or child) military deployment to a foreign country.

The organization has no involvement in PFL benefit determinations made by the EDD.

## 5.8 COBRA/Cal-COBRA

When coverage under the organization's medical, vision and/or dental plans end, employees or their dependents can continue coverage for eighteen (18), twenty-nine (29), or thirty-six (36) months, depending upon the reason benefits ended. To continue coverage, an employee must pay the full cost of coverage – the employee contribution and the organization's previous contribution plus a possible administrative charge.

Medical coverage for an employee, his/her spouse, and eligible dependent children can continue for up to eighteen (18) months if coverage ends because:

- Employment ends, voluntarily or involuntarily, for any reason other than gross misconduct; or
- Hours of employment are reduced below the amount required to be considered a full-time employee or part-time, making an employee ineligible for the plan.

This eighteen (18) month period may be extended an additional eleven (11) months in cases of disability subject to certain requirements. This eighteen (18) month period may also be extended an additional eighteen (18) months if other events (such as a divorce or death) occur subject to certain requirements.

An employee's spouse and eligible dependents can continue their health coverage for up to thirty-six (36) months if coverage ends because:

- The employee dies while covered by the plan;
- The employee and his/her spouse become divorced or legally separated;
- The employee becomes eligible for Medicare coverage, but his/her spouse has not yet reached age sixty-five (65); or
- The employee's dependent child reaches an age which makes him or her ineligible for coverage under the plan.

Rights similar to those described above may apply to retirees, spouses and dependents if the employer commences a bankruptcy proceeding and those individuals lose coverage.

The organization will notify employees or their dependents if coverage ends due to termination or a reduction in work hours. If an employee becomes eligible for Medicare, divorced or legally separated, dies, or when a

dependent child no longer meets the eligibility requirements, the employee or a family member are responsible for notifying the organization within thirty (30) days of the event. The organization will then notify the employee or his/her dependents of the employee's rights.

Health coverage continuation must be elected within sixty (60) days after receiving notice of the end of coverage, or within sixty (60) days after the event causing the loss, whichever is later.

There are certain circumstances under which coverage will end automatically. This happens if:

- Premiums for continued coverage are not paid within thirty (30) days of the due date;
- The employee (or his/her spouse or child) become covered under another group health plan which does not contain any exclusion or limitation with respect to any pre-existing condition the employee (or the employee's spouse or child, as applicable) may have;
- The organization stops providing group health benefits;
- The employee (or the employee's spouse or child) become entitled to Medicare; or
- The employee extended coverage for up to twenty-nine (29) months due to disability and there has been a final determination that the employee is no longer disabled.

#### **4.9 Workers' Compensation Insurance**

The organization complies with State Workers Compensation Act and 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 the employee cannot work because of on-the-job injury, illness or exposure, the employee 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.

The employee must notify their 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.

The employee's supervisor, in conjunction with People Services, will take the necessary steps, in accordance with applicable state law, to report a Workers' Compensation injury. The organization will adhere to government and/or public health reporting, recording, and notification requirements to the Workers' Compensation insurance carrier and public health authorities concerning communicable illness exposure or outbreak at the workplace.

A full release from the attending medical provider is required to return to work (any medical restrictions will be reviewed through the interactive process on a case-by-case basis by People Services).



## SECTION SIX – TIME OFF AND LEAVE OF ABSENCE

### 6.1 Holidays and Holiday Pay

The organization observes twelve (12) holidays and 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
Juneteenth	Christmas Day

#### Eligibility:

- Regular full-time employees who are eligible will be paid their regular base pay for organization designated holidays and the discretionary approved organization-wide breaks.
- When an eligible employee terminates their employment 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.

The organization maintains an academic calendar and reserves the right to observe other periods of time off throughout the academic year.

### 6.2 Vacation Time

The organization offers 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, except upon separation from employment.

#### Eligibility:

- Regular, full-time employees are eligible to begin accruing vacation on their first day of full-time employment.
- Temporary, seasonal, and part-time employees are not eligible to accrue vacation time.

#### Accrual:

Regular 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. Senior Directors, Vice Presidents and Senior Vice Presidents will accrue vacation time as specified below. The 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, Senior Vice Presidents	
Less than 5	15
5 but less than 10	20
10 or more	25

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 accrue vacation time.

The date on which the employee’s vacation takes place should be arranged a minimum of ten (10) 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:**

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.

**Vacation Pay Out:**

Unused accrued vacation will be paid out when an employee employment classification changed from full-time to part-time and/or when an employee is assigned to another organization within the Organization/Learn4Life network and when employment ends or upon termination.

### **6.3 Sick Time**

The organization offers paid sick time to help prevent loss of earnings that may be caused by accident or illness, for preventative care (including annual physicals or flu shots) or diagnosis, care or treatment of existing condition, or for a specified purposes if employee is a victim of domestic violence, sexual assault or stalking.

Employees may also use sick accrual to assist an immediate family member which includes spouse, domestic partner, cohabitant, child, stepchild, grandchild, parent, stepparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, great grandparent, brother, sister, half-brother, half-sister, stepsibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin (that is, a child of an aunt or uncle). or designated person (i.e. one who is related to the employee 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).

**Eligibility:**

- Temporary, seasonal, and regular full-time and part-time employees are eligible to accrue sick time.
- Employee who works at least thirty (30) days for the same employer within twelve (12) months are eligible.
- Employee may use accrued sick time beginning on the 90<sup>th</sup> day of employment.

**Accrual:**

Employees are eligible to begin accruing sick hours on their first day of employment. Sick time is commutative. Unused sick accruals carry forward accrued sick time not used during the year. The chart below explains how the organization calculates sick accrual based on number of hours an employee works.

Hours Worked	Annual Accruals
Part-Time Employee	dependent upon on part- time hours worked
6-Hour Employee	40 Hours
7-Hour Employee	42 Hours
8-Hour Employee	48 Hours

Employees available sick hours/days will be available on pay stub, or on a document issued the same day as paycheck. Records showing how many paid sick hours or days earned and used will be stored on a document available to employees electronically via the payroll system.

**Use:**

Employees may determine how much sick time to use. No negative accrual balance will be allowed.

**Extended 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 for information about Leave of Absence (LOA) or State Disability Insurance benefits.

**Payment:**

Payment of sick leave taken by an employee will be no later than the payday for the next regular payroll period after the sick leave was taken. Payment shall be made at the employee's regular rate of pay at the time of sick leave and shall not include any premium or differential payment. Sick time is not considered "hours worked" for purposes of calculating overtime.

The organization does not pay employees for unused sick leave, and accrued sick leave is not paid out upon separation of employment. If the employee's employment ends and later re-employed by the organization, additional policies may apply with regard to reinstatement of accrued sick leave. People Services can be contacted for additional information.

In keeping an employee-centered focus, the organization may seek to modify the Sick accrual policy and accrual benefit to accommodate changes in policy and accordance with local laws and regulations. Changes to the policy will be communicated to employees.

**Rehire/Reinstatement:**

The organization does not pay employees for unused sick time, and accrued sick time is not paid out upon termination. If employment ends and are later re-employed by the organization, within 12 months from the previous separation date, unused, accrued sick hours will be reinstated (restore). Unused sick time will not be re-instated/restored if re-employment is more than 1 year. People Services can be contacted for additional information.

## **6.4 Leave 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 leave of absence in accordance with applicable leave laws. Leave 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 to unduly disrupt the organization's operations. Intermittent leave can be taken in increments of no less than fifteen (15) minutes. The organization's request procedures as outlined in the policy herein regarding "Absences" apply during intermittent leave.

### **Request/Notification**

Employees must notify their supervisor and People Services 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. A Leave of Absence Request must be submitted to the Leave of Absence Management System. If the need for leave is foreseeable (for example, in cases of military, pregnancy leave, or baby bonding), or if an intermittent leave is required, the organization requires at least thirty (30) days' notice of the intention to take leave, prior to the date leave is to begin. The 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, thirty (30) days' advance notice is not required, employee must give verbal notice as soon as possible. This verbal notice must immediately be followed with written notice, but not later than seventy-two (72) hours after employee has begun the emergency leave.

### **Compensation During LOA**

Generally, leave of absence is unpaid by the organization. However, employees may apply for State Disability Insurance, Paid Family Leave, or Workers' Compensation Insurance Benefits, as applicable. 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. However, the employee will be compensated for all discretionary approved organization-wide breaks that fall within the same time period.

### **Use of Accruals**

Use of accrued sick or vacation benefits provides pay during the LOA until the accrued time is exhausted; however, using accrued time does not extend the period of the leave. Employees are required to use 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**

An employee who takes LOA, must return to work on the next regular working day after the approved leave of absence ends. Failure to return to work promptly at the end of leave, without prior approval from the organization, it will be assumed that the employee voluntarily resigned.

If an employee is not ready to return from a leave of absence before the scheduled date of return, the employee must notify People Services as soon as practical to request a new scheduled date of return.

Except as required by law, the organization cannot guarantee that the employee's position will still be open when returning from LOA. Under most circumstances, the employee will be reinstated to the same position held at the time the leave began. If the original position is no longer available or has been filled or eliminated,

the organization will try to find 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 medical provider 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**

Employee is eligible for health insurance benefits at the time the employee beginning of a LOA, the organization will maintain those health benefits to the extent required by law; however, the employee must pay their portion of the premium costs, if applicable. People Services will notify the employee of payment obligations and the employee must pay this amount each month on leave in order to maintain insurance benefits. If paid leave is used for any portion of an approved LOA, premium payments may be deducted from paycheck. If benefits are cancelled during leave, the employee 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.

### **Emergency Leave of Absence**

As applicable, the organization will make reasonable, good faith effort to comply with new federal or state Leave of Absence laws enacted in response to a public emergency. In some cases, new Leave laws are created with statutory time-limitation and have set expiration dates. The organization will communicate information on new leave laws to employees.

For employee eligibility and related emergency leave of absence provisions, please visit the organization's intranet or contact People Services.

Listed below are the types of leaves of absence or accommodations provided by the organization.

## **6.5 Family and Medical Leave Act and California Family Rights Act**

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 were indicated for Military) of FMLA/CFRA leave in any twelve (12) month period for the purposes enumerated below.

### **Employee Eligibility Criteria**

To be eligible for FMLA/CFRA 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 CFRA where the organization must only have at least five (5) employees).

### **Qualifying Reasons for a FMLA/CFRA Leave**

The twelve (12) workweeks (or twenty-six (26) workweeks were indicated for Military) 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 separate twelve (12) weeks of leave under CAFRA for the purpose of baby bonding (if otherwise eligible), which cannot be loaned or otherwise assigned from one employee to the other.
2. To care for 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 their 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 them to the facility with the expectation that they 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, or parent with a serious health condition. A qualifying family member may also include a parent-in-law, grandparent, grandchild, sibling, or designated person for CFRA purposes. "Designated person" refers to any individual related by blood or whose association with the employee is the equivalent to a family relationship.
4. 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 additional FMLA leave in a single twelve (12) month period to provide said care. CFRA does not provide leave specific to caring for a service member.
5. 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. For CFRA purposes, this may also include a domestic partner.

### **Amount of FMLA/CFRA Leave Which May Be Taken**

1. FMLA/CFRA 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/CFRA 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 may 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 and CFRA leave may be taken is the twelve (12) month period on a rolling calendar basis.
4. If a holiday falls within a week taken as FMLA/CFRA leave, the week is nevertheless counted as a week of FMLA/CFRA 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 or CFRA leave entitlement. Similarly, if an employee uses FMLA/CFRA 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/CFRA Leave**

1. An employee on FMLA/CFRA leave because of their own serious health condition are required to use all accrued paid sick at the beginning of any otherwise unpaid FMLA/CFRA leave period. If an employee is receiving a partial wage replacement benefit during the FMLA/CFRA leave, the organization and the employee may agree to have organization-provided paid leave, such as vacation or sick leave, as wage replacement benefit unless otherwise prohibited by law.
2. An employee on FMLA/CFRA leave for baby-bonding or to care for a qualifying family member with a serious health condition may elect to use any or all accrued sick leave at the beginning of any otherwise unpaid FMLA/CFRA leave.
3. If an employee has exhausted their sick leave, leave taken under FMLA/CFRA shall be unpaid leave.
4. The receipt of sick leave pays or State Disability Insurance benefits will not extend the length of the FMLA or CFRA leave. Sick leave pay accrues during any period of unpaid FMLA or CFRA leave only until the end of the month in which unpaid leave began.

#### **Health Benefits during Leave**

The provisions of the organization’s various employee benefit plans govern continuing eligibility during FMLA/CFRA leave, and these provisions may change from time to time. The health benefits of employees on FMLA/CFRA 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/CFRA 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 their 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 their FMLA/CFRA 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 they work less than thirty (30) days after returning from FMLA/CFRA 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/CFRA leave, or other circumstances beyond the control of the employee.

### **Seniority**

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

### **Medical Certifications**

1. An employee requesting FMLA/CFRA leave because of their 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/CFRA Leave**

1. An employee should request FMLA/CFRA leave by completing a Request for Leave form and submitting it to designated People Services. An employee asking for a Request for Leave form will be given a copy of the organization’s then-current FMLA/CFRA 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 their qualifying family member. Failure to provide such notice is grounds for denial of a leave request, except if the need for FMLA/CFRA 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/CFRA leave is taken because of the employee's own serious health condition or the serious health condition of the employee's qualifying family member, 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/CFRA 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/CFRA 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 they are 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/CFRA leave request no later than five (5) business days of receiving the request. If an FMLA/CFRA leave request is granted, the organization will notify the employee in writing that the leave will be counted against the employee's FMLA/CFRA 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/CFRA leave period, an employee 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/CFRA leave.
2. When a request for FMLA/CFRA leave is granted to an 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/CFRA leave taken because of their own serious health condition, the employee must obtain a certification from their health care provider that they are 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.

#### **Employment during Leave**

No employee, including employees on FMLA/CFRA 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.

#### **6.6 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 their job without undue risk to themselves, the successful completion of their 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 during Pregnancy Disability Leave**

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; and
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; or
  - 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 their 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 People Services. 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 they are 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; or
- 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 their healthcare provider that they are 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.

#### **6.7 Reproductive Loss leave**

The organization provides employees with Leave for a "reproductive loss event," which includes a miscarriage, a failed surrogacy, a stillbirth, an unsuccessful "assisted reproduction" (such as artificial insemination or embryo transfer), or a failed adoption.

All regular, full-time, or part-time employees are eligible to apply for a Reproductive Loss Leave of absence without pay if they have been employed with the organization for at least thirty (30) days prior to the commencement of the Leave. Employee may utilize accrued time off (Sick or Vacation) for compensatory coverage during this period. An employee can request up to five (5) days of Reproductive Loss Leave following each reproductive loss event. These days may be nonconsecutive to provide flexible scheduling.

If an employee experiences multiple reproductive loss events within a 12-month period, the total cumulative Leave granted by the employer is not to exceed 20 days within that period.

#### **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 twelve (12) month period. Eligible employees who require time off to donate an organ to another person may receive up to sixty (60) 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.

Up to five (5) days of leave for bone marrow donation, and up to thirty (30) days of leave for organ donation may be paid provided the employee uses 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 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, stalking or certain other crimes. 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 or when a person whose immediate family member is deceased as the direct result of a crime. A crime includes a crime or public offense that would constitute a misdemeanor or felony if the crime had been committed in California by a competent adult, an act of terrorism against a resident of California (whether or not such act occurs within the state), and regardless of whether any person is arrested for, prosecuted for, or convicted of, committing the crime. Employees may also request unpaid leave for any of 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; or
- 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 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; or
4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including but not limited to, a written statement signed by the employee, or an individual acting on the employee's behalf, certifying that the absence is for a purpose authorized under the law.

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 People Services.

#### **6.10 Bereavement Leave**

All employees who have worked for the organization for at least thirty (30) days shall be eligible to take up to five (5) days paid days of bereavement leave due to the death of a covered family member. 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.

Covered family member includes spouse, domestic partner, cohabitant, child, stepchild, grandchild, parent, stepparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, great grandparent, brother, sister, half-brother, half-sister, step-sibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin (that is, a child of an aunt or uncle) or designated person (i.e., one who is related to the employee 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).

#### **6.11 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 their covered service obligation under the USERRA or California law shall be credited, upon their 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.

#### **6.12 School 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 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 a 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 must provide a copy of the notice from the child's school requesting the presence of the employee.

#### **6.13 Jury Duty/Witness Leave**

The organization will pay all exempt employees time off if an employee is called to serve on a jury provided the employee continues to perform work duties as assigned. For all non-exempt employees, the organization will pay for up to five (5) workdays 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. Employee is required to provide documentation showing required days of attendance. If the court releases employee after serving a partial day, they are expected to report to work and complete normal workday unless other arrangements with supervisor.

#### **6.14 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. 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.

#### **6.15 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 (2) 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 (2) days' notice.

#### **6.16 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 (2) weeks. Approved personal absences of shorter duration are not normally treated as leaves, but rather as unpaid absence approved by supervisor. Personal leave 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 employee's supervisor and People Services.



**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 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 if I am ever unclear on any language, or policies and procedures in this Handbook, it is my responsibility to seek clarification from the organization.

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.

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**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.

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**Signature of the Employee**

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**Date Signed**

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**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.
- The organization's business dealings, including financial documents, data, transactions, etc.
- Student information and records.
- Personnel information and records.
- Confidential financial data, or other non-public proprietary organization information.
- Confidential information regarding business partners, vendors, or stakeholders.

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 and possible termination.

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**

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**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 the 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 the Employee Handbook and this Appendix D, and I agree to follow said policies:

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Signature of the Employee

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Date Signed

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Printed Name of the Employee

---

Signature of the Employer Representative

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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's currently published rate.

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**

**APPENDIX F**  
**MANDATORY ARBITRATION POLICY AND AGREEMENT**

Except for claims for emergency equitable or injunctive relief which cannot be timely addressed through arbitration, **Diego Hills Central Public Charter School** and the employee signing below (each a Party and collectively, the Parties) agree to submit any claim, dispute or controversy arising out of the terms of the employee's employment, compensation, employee benefits and health plans and this Mandatory Arbitration Policy and Agreement (Agreement) exclusively to private, confidential and binding arbitration by a single neutral arbitrator through Judicial Arbitration and Mediation Services, Inc. (JAMS). Included within the scope of this Agreement are all disputes, whether based on tort, contract, statute (including, but not limited to, any claims of discrimination and harassment, whether they be based on Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Family and Medical Leave Act, the California Fair Employment and Housing Act, the California Family rights Act, or any other similar state, local or federal law or regulation), equitable law or otherwise. The following claims are excluded from arbitration: claims for medical and disability benefits under the California Workers' Compensation Act; claims for unemployment insurance benefits which are brought before the California Employment Development Department, claims exempt from arbitration by the Federal Arbitration Act, claims brought under The Labor Code Private Attorneys General Act of 2004 or as otherwise required by state law that is not preempted by federal law. The current JAMS Streamlined Arbitration Rules & Procedures will govern the procedure for the arbitration proceedings between the Parties. The arbitration shall take place in **Los Angeles County, California**. The arbitrator in this matter shall not have the power to modify any of the provisions of this Agreement. The decisions of the arbitrator shall be final and binding on all provisions of this Agreement, and judgment thereon may be entered in any court having jurisdiction. As required by California law, the arbitrator's fees and costs of services and the costs of an appeal, if any, shall be paid by **Diego Hills Central Public Charter School**. However, all costs of the arbitration proceeding or litigation to enforce this Agreement, including attorneys' fees and costs shall be paid as the arbitrator or court awards in accordance with applicable law. The Parties hereby waive any rights to a jury trial on any dispute or claim covered by this agreement. This Agreement shall be bound by and construed in accordance with **California** law.

In the event any provision of this Agreement is held to be void, null or unenforceable, the remaining portions shall remain in full force and effect.

By signing and dating this Agreement, I am indicating that I have read, understand, and will comply with all elements of this Mandatory Arbitration Policy and Agreement. **DO NOT SIGN UNTIL THE EMPLOYEE HAVE READ THIS AGREEMENT.**

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**Signature of the Employee**

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**Date Signed**

---

**Printed Name of the Employee**

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**Signature of the Employer Representative**

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**Date Signed**

## APPENDIX G

### INTERNAL COMPLAINT REVIEW

The purpose of the “Internal Complaint Review Policy” is to afford all employees of the organization the opportunity to seek internal resolution of their work-related concerns. All employees have free access to the Principal or the Corporate General Counsel at the Corporate Administration Office to express their work-related concerns.

Specific complaints of harassment, discrimination, and retaliation are addressed under the organization’s “Policy Prohibiting Harassment, Discrimination, and Retaliation.”

#### **Internal Complaints**

*(Complaints by Employees Against Employees)*

This section of the policy is for use when an organization employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Principal or designee:

1. The complainant will bring the matter to the attention of the Principal as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate; and
2. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Principal or designee will then investigate the facts and provide a solution or explanation;
3. If the complaint is regarding the Principal or Area Superintendent, the complaint should be submitted to the organization’s Chief Executive Officer, or the attorney of the school if the complaint is about the CEO. The People Services or its 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 CEO or the attorney of the school’s decision regarding the complaints is also final.

This policy cannot guarantee that every problem will be resolved to the employee’s satisfaction. However, the organization values each employee’s ability to express concerns and the need for resolution without fear of adverse consequence to employment.

#### **Policy for Complaints Against Employees**

*(Complaints by Third Parties Against Employees)*

This section of the policy is for use when a non-employee raises a complaint or concern about an organization employee.

If complaints cannot be resolved informally, complainants may file a written complaint with the Principal (but if the complaint concerns the Principal or Area Superintendent should be submitted to the organization’s Chief Executive Officer, or the attorney of the school if the complaint is about the CEO which shall comply with the procedures outlined above. The CEO or attorney of the school’s decision regarding the complaints is also final.

In processing the complaint, Principal (or designee) shall abide by the following process:

1. The Principal or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
2. In the event that the Principal (or designee) finds that a complaint against an employee is valid, the Principal (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Principal (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Principal's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors. The decision of the Board shall be final.

#### **General Requirements**

1. **Confidentiality:** All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.
2. **Non-Retaliation:** All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.
3. **Resolution:** The Principal or Area Superintendent, (or Chief Executive Officer if a complaint is about the Principal, or the attorney of the school if the complaint is about the CEO). The People Services or its 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 CEO or the attorney of the school's decision regarding the complaints is also final.



## APPENDIX H

### HARASSMENT/DISCRIMINATION/RETALIATION PREVENTION

It is the policy of the organization that all its employees be free from harassment, discrimination, and retaliation. This form is provided for employee to report what they 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.

An employee of the organization may file this form with the Principal or People Services.

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

The organization will undertake every reasonable effort to handle the investigation of the employee's complaint in a confidential manner. The organization will disclose the contents of employee's complaint only to those persons having a need to know. For example, to conduct its investigation, the organization will need to disclose portions of employee's factual allegations to potential witnesses, including anyone identified as having knowledge of the facts on which the employee is basing complaint, as well as the alleged offender.

In signing this form below, employee authorize the organization to disclose to others the information the employee has provided, and information employee may provide in the future. Please note that the more detailed information the employee provides, the more likely it is that the organization will be able to address the complaint to employee's satisfaction.

Charges of harassment, discrimination, and retaliation are taken very seriously by the organization both because of the harm caused by such conduct, and because of the potential sanctions that may be taken against the offender. It is therefore very important that the employee report the facts as accurately and completely as possible and that the employee cooperate fully with the person or persons designated to investigate the complaint. Employees also have right to file a complaint under the Department of Fair Housing Act and Equal Employment Opportunity. Additional information is available at [CRD | Civil Rights Department \(ca.gov\)](#) and [www.eeoc.gov](http://www.eeoc.gov).

**APPENDIX H**  
**HARASSMENT/DISCRIMINATION/RETALIATION COMPLAINT (FORM 1)**

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

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

Name of Person(s) the employee believes harassed, or discriminated or retaliated against, 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):

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

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

**APPENDIX H  
INTERNAL COMPLAINT FORM (FORM 2)**

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

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

Name of Person(s) the employee has 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 employee 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