

## **Chapter 4 - DAY-TO-DAY OPERATIONS**

### **Policy 400 Employer and Employee Property**

Company provided storage areas, file cabinets, credenzas, computer systems, contact lists, telephones, cellular telephones, modems, facsimile machines, duplicating machines, voicemail, and e-mail are the FAWIC property, and need to be maintained according to organization rules and regulations. Prior authorization must be obtained from the General Services Manager before removing any company property from the premises. For security reasons, employees should not leave personal belongings of value in the workplace. We will not be responsible for any loss or damage to personal property incurred by any employee. Company provided property, furniture or computer systems are subject to inspection and search, with or without notice, and with or without an employee's prior consent, with the Executive Director's approval.

### **Policy 401 Computer and Electronic Media**

Voice mail, the Internet and/or electronic mail (e-mail), and company computers are to be used for business purposes. Incidental use of phones and computers for personal use should be restricted to breaks and meal periods only. Employees have no privacy rights in any communications, content, data or imagery in company provided digital equipment employees access, view, create or save. Those communications, content, data and imagery are also subject to monitoring by the company. Employees must cooperate in such monitoring. We reserve the right to listen to voice mail messages, access e-mail messages, track Internet usage, and monitor computer uses to ensure compliance with FAWIC's rules and business purposes, without notice to employees and/or in their absence. Passwords and codes for the voice mail, e-mail, and computers may be overridden as necessary.

Access to the Internet, web sites and other types of organization-paid computer access are to be used for organization-related business only. Incidental access of computers for personal use may be allowed during breaks and meal periods. Any information about the organization, our products or services, or other types of information that will appear in the electronic media about the organization must be approved by the Marketing and Communications Manager before the information is placed on an electronic information source. Personal access to the Internet and organization-provided e-mail is restricted from access or transmittal of subject matter not accepted by the general public. Under no circumstances is an employee to access subject matters dealing with illegal activities, gambling, drugs, satanic rituals or cults, religious or racial intolerance, sexual acts, or nudity.

Blogging, "tweeting", texting, and other social media such as Facebook are subject to restrictions. Employees may not use company property to create, maintain, amend, view, access, download, contribute to, or store a blog, "tweet" or post entries on the internet (whether through a social network such as Facebook or using another method), unless they have written authorization from the Executive Director.

Employees may not blog, "tweet" or post entries on the internet (whether through a social network such as Facebook or using another method) while they are on duty, unless they have written authorization from the Executive Director. Do not use company equipment to post or disseminate any copyrighted materials or other intellectual property belonging to someone else.

This policy applies to all blogs and all websites, whether or not it is accessible by the public or requires a password. Employees may be subject to discipline and can be held personally liable for any statements deemed to be defamatory, obscene, harassing, discriminating, or retaliatory, violate privacy rights, include confidential or copyrighted information (e.g., music, videos or texts that belong to someone else) or are otherwise unlawful. The company is not responsible for protecting employees from the consequences of any information that they post.

FAWIC provides access to network resources such as the internet or e-mail for those employees who choose to access such resources. If the employee chooses to use such resources the FAWIC shall not be held responsible for any damage or destruction to the mobile device(s) or data stored on the device(s) that is/are used for this purpose, regardless of the cause of the damage or destruction. The employee acknowledges accepts that FAWIC is not responsible under these circumstances should the employee choose to use their mobile device(s) in this manner.

E-mail is not to be used for the purposes of solicitation for commercial ventures or religious causes, outside organizations or other non-business matters. Additionally, the following forms of e-mail transmittal are prohibited:

- Transmitting, retrieving, or storing messages or images that are political, offensive, derogatory, off-color, sexual in content or otherwise inappropriate in a business environment;
- Making threatening or harassing statements about, or to, another employee, customer or outside party;
- Sending or receiving confidential or copyrighted materials without prior authorization; or
- Sharing with another employee, vendor, customer or outside party, confidential information received via e-mail, whether intentionally or unintentionally directed to the employee.

This policy does not, however, prevent employees from engaging in concerted activities for the purpose of collective bargaining or other mutual aid.

All incidents will be noted in an employee's personnel file. Repeated minor incidents, or misconduct that is more serious, will result in discipline up to and including termination. Any conduct that violates local, state, or federal laws may result in the immediate loss of all computer privileges, and/or termination of employment, and will be referred to appropriate law enforcement authorities. This includes illegal duplication of software and its related documentation. All requests to install or copy software must be done with the prior approval of the Network and IT Services Department. If an employee is aware that there has been a violation of this organization policy, they should notify the Deputy Director of Information Systems.

This policy is a limited representation of our larger Information Technology policy. This policy will be made available to all staff, and a signature acknowledging receipt will be required.

**Social Media Passwords:** Generally, FAWIC will not require or request employees to disclose a user name or account password to access a personal social media account on employer issued devices. Nor will FAWIC ask employees to access their personal social media accounts in our presence or to divulge any personal social media. FAWIC may ask employees to divulge personal social media on employer issued devices if we reasonably believe it is relevant to an investigation of employee misconduct or employee violation of applicable laws and regulations. Even in this situation, FAWIC will use the information for the investigation or proceeding only. FAWIC does not require employees to disclose usernames, passwords or other methods of accessing employer-issued electronic devices.

**Policy 402**  
**Workplace Monitoring**

FAWIC has access to all company-provided electronic equipment and property, and may, from time to time, and without notice, inspect the condition of the equipment and the communications, content, data and imagery stored on it to ensure quality control and security. System administrators that need to access an employee's account for maintenance or to correct problems will have full privilege to their accounts. If employees access, view, create or save any communications, content, data or imagery in company provided digital equipment, they have no privacy rights to it, and any such communications or content are subject to monitoring by the company.

**Policy 403**  
**Organization Equipment**

When using organization property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines. The organization requires that all equipment be in proper working order and safe at all times. Never try to fix broken equipment. Please notify either the General Services Department or the Network and IT Services Department of any equipment failure as soon as it happens. Employees are responsible for all organization property and materials issued to them. All organization property and materials must be returned on or before the last day of work. Employees may be responsible for the full replacement cost of organization property and materials not returned.

**Policy 404**  
**Security**

Security procedures should always be followed to ensure staff safety, the safety of their fellow employees, and to ensure the confidentiality of the organization's proprietary information. Here are some helpful safety hints:

- The last manager in the office must ensure the facility is locked and secure;
- Report any lost facility keys or access cards immediately to the General Services Unit;
- Unauthorized persons should not be allowed to roam unescorted through the organization's offices. Please accompany guests to and from the exits and other offices;
- Be aware of persons loitering for no apparent reason in other non-office areas (e.g., in parking areas, walkways, and entrances/exits);

- Walk with a buddy to their vehicle; and
- At the end of the day, or when called away from their work area for an extended length of time, lock their computer, secure their desk, and do not leave valuable and/or personal articles in or around their workstation that may be accessible.

**Policy 405**  
**Health and Safety**

Safety is everybody's business and is to be given primary consideration in every aspect of planning and performing all FAWIC activities. We want to protect employees against industrial injury and illness, as well as minimize the potential loss of production. To achieve our goal of maintaining a safe workplace, everyone must be safety conscious at all times. In compliance with California law, and to promote a safe workplace, we maintain an Injury and Illness Prevention Program. The Injury and Illness Prevention Program is available for review by employees and/or employee representatives from the General Services Manager or the Human Resources Department. Its success depends on the alertness and personal commitment of all. If an employee becomes aware of any hazards in the workplace, or has a safety suggestion, please see a member of our safety committee or the General Services Manager who has responsibility for implementing, monitoring, and evaluating the safety program.

**Policy 406**  
**Smoking Policies**

FAWIC is committed to providing a healthy and safe work place. In keeping with this commitment, smoking (including the use of e-cigarettes) is prohibited in all enclosed areas of the workplace. Enclosed spaces include covered parking lots, waiting areas, elevators, stairwells and restrooms.

In fairness to all employees, smoking is allowed only during breaks and lunch. Employees who smoke do not receive extra rest periods.

**Policy 407**  
**Update of Personal Information**

Keeping personnel files up-to-date can be important with regard to pay, deductions, benefits and other matters. Please promptly notify the Human Resources Department of any changes in the following personal data.

- Legal name
- Home address and telephone number
- Person to call in case of an emergency
- Marital and dependent status
- Change of beneficiary
- Exemptions on the W-4 tax form

Medical coverage or other benefits that employees and their family may receive under FAWIC's benefits package could be negatively affected if the information in their personnel file is incorrect. FAWIC will not take adverse action against an employee who updates his/her personal information

based on a lawful change of name, social security number, or federal employment authorization document.

**Policy 408**  
**Employees Who Are Required to Drive**

Many employees are required to drive in performing their assigned job responsibilities. Employees whose job duties include driving will be required to show proof of valid driver's license and current insurance coverage prior to performing any driving duties. We regularly request proof that these items have been updated when our records indicate that they have expired. If any employee who is required to drive is declared uninsurable or high risk, or who does not maintain a valid State of California driver's license or minimum auto insurance, he or she may be considered ineligible for continued employment. Employees must maintain current effective insurance at all times. Any accidents or traffic violations should be reported to a manager immediately if they occur during the course of an employee's duties. Employees using their automobile will be reimbursed for mileage incurred at the prevailing Internal Revenue Service rate.

Employees whose job responsibilities include regular or occasional driving are expected to refrain from using their cell phone while driving, for calls, texting or any other distracting uses. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call, responding to an email, or texting. Employees must comply with all laws governing the use of cell phones while driving (including the use of hands-free devices).

**Policy 409**  
**Employee Expense Accounts**

Employees may opt to receive advance pay for allowable expenses incurred during travel authorized by the Executive Director or designee. Two (2) weeks prior to the scheduled day of departure, the Senior Division Secretary will fill out the Travel Advance Form (yellow form), obtain the necessary signatures and submit to the Fiscal Services Unit. He or she will attempt to submit the form far enough in advance to allow the Department to process the check prior to the employee's departure. The advance amount may not exceed the estimated costs of transportation, lodging and meals for the proposed trip. The Senior Division Secretary will make travel and lodging arrangements for all employees. The Company Travel Policy, which is made available by the Senior Division Secretary, details the types of transportation available.

Upon return, employees must submit the Travel Expense Report within the prescribed timeframe as outlined in the Company Travel Policy. All required receipts should be attached to the form. Receipts are required for everything except meals and incidentals since a per diem rate is applied. Reimbursement for approved individual costs not covered in the advance will be made in accordance with the agency's travel reimbursement policy, if properly documented.

Employees may be reimbursed for expenses incurred in job-related situations. The employee's Unit Manager will review each request individually and approve or disapprove the request. Examples of other reimbursable items include materials, supplies, or meals for job-related luncheons.

Employees who have been requested and authorized to use their personal mobile phones or other devices for work purposes will be provided a reasonable expense reimbursement for these devices. Employees may not use personal devices for work purposes unless authorized in advance.

#### **Policy 410** **Solicitation and Distribution of Literature**

In order to ensure our efficient operation and to prevent annoyance to our staff, it is necessary to control solicitations and distribution of literature on organization property. We have established rules applicable to all employees governing solicitation, distribution of written material and entry onto the premises and work areas. All employees are expected to comply strictly with these rules.

Examples of forms of solicitation that will not be permitted by the organization include:

- The collection of money, goods or gifts for religious groups;
- The collection of money, goods or gifts for political groups; or
- The solicitation of memberships, fees or dues for organizations that are exclusionary in nature.

The organization may provide an area for posting or placing of informational material, including charitable fund raising displays. The organization's email system may not be used for solicitations. With pre-approval from the Human Resources Department, employees may place such materials only in the area(s) designated by the organization, provided the operations of the organization are not disrupted in anyway. The organization will not be responsible for damage to, loss or theft of any such display, merchandise or funds. Fundraising displays will be limited to nonprofit organizations, including schools, community service organizations, and events related to the organization's profession(s). Any employee who is in doubt concerning the application of these rules should consult his/her manager or Human Resources immediately.

#### **Policy 411** **Housekeeping**

Because of our frequent interaction with the public and concern for appearance and cleanliness of our offices, we must maintain a high standard of office decorum. In general, we ask that employees:

- Avoid eating at their desk. It is permissible to do so only during their designated lunch break, provided employees are careful with the office equipment and work papers are cleared off of desks or away from any food;
- Do not consume meals, beverages or snacks near keyboards;
- Be aware of eating heavily pungent foods in common work areas;
- Consume beverages in work areas only in a spill-proof container;
- Do not play excessively loud music;
- Do not talk over cubicle walls, but instead go to that person directly; and

- Keep cell phones on pulse or vibrate rather than allowing them to ring.

**Policy 412**  
**Visitors in the Workplace**

To provide for the safety and security of employees, guests must check in at the front desk when visiting employees at the workplace. Guests always should be escorted while in the company's interior office areas. Employees should be conscientious of frequent visits by friends and non-business related guests, or having these guests wait for them in our public areas.

**Policy 413**  
**Organization Bulletin Boards**

Bulletin boards are used to provide information to staff concerning organization functions and general information. Employees may post items on our bulletin board if the following conditions are met:

1. Postings may be made by organization employees only; and
2. The information must be pre-approved by the Human Resources Department as being appropriate for a professional office, and not in violation of the organization's zero tolerance policy on harassment and discrimination.

**Policy 414**  
**Workplace Violence**

The FAWIC recognizes that violence in the workplace is a growing nationwide concern necessitating a firm, considered response by the organization. The costs of workplace violence are great, both in human and financial terms. We believe that the safety and security of our employees are paramount. Therefore, acts or threats of physical violence, including intimidation, harassment, and/or coercion that involve or affect the organization, or that occur on organization property, or in the conduct of organization business off organization property, will not be tolerated. This prohibition against threats and acts of violence applies to all persons involved in organization operations, including, but not limited to, employees, contractors, special project employees, Board Members, and anyone else on organization property or conducting organization business off organization property.

Specific examples of conduct that may constitute threats or acts of violence under this policy include, but are not limited to, the following:

1. Threats or acts of physical or aggressive contact directed toward another individual, or their family, friends, associates or property;
2. The intentional destruction or threat of destruction of company property or another employee's property;
3. Harassing or threatening phone calls;
4. Surveillance, stalking;
5. Veiled threats of physical harm or similar intimidation; or

6. Any conduct resulting in the conviction under any criminal code provision relating to violence or threats of violence that adversely affects the association's legitimate business interests.

Any person who engages in a threat or violent action on organization property may be removed from the premises as quickly as safety permits and may be required, at the organization's discretion, to remain off organization premises pending the outcome of an investigation of the incident. No existing policy or procedure of the organization should be interpreted in a manner that prevents the making of these necessary decisions.

**Policy 415**  
**Inclement Weather/Natural Disaster**

In the event of severe weather or a natural disaster that prevents employees from safely traveling to and from work, the following policies will apply:

**Inclement Weather:** Conditions that may excuse tardiness or possible absence from work include road closure, heavy rain or fog, severe flooding, etc. If weather conditions prevent safely traveling to work, please notify their manager as soon as possible after the condition is known. Time off will be unpaid and existing accrued paid time off may be used if the time off is approved.

**Natural Disasters:** In the event of a natural disaster such as earthquake, fire, explosion, etc., the FAWIC offices will be closed if the building is sufficiently damaged or highways leading to the office are sufficiently damaged to warrant closure.



## **Chapter 5 - EMPLOYEE BENEFITS**

### **Policy 500 Benefits**

The FAWIC has developed a broad, comprehensive set of employee benefit programs to supplement our employees' regular wages. The benefits program described in this Personnel Manual represents a very large investment by the FAWIC, and we trust that employees will avoid abusing any of the programs' benefits.

A number of the programs (state disability, unemployment insurance, Social Security, worker's compensation) cover all employees in the manner prescribed by law. Eligible employees may participate in the following benefits.

- Major Medical Insurance
- Dental Insurance
- Life Insurance
- Vision Insurance
- Holidays
- Paid Vacation
- Paid Sick Time
- Personal Holidays
- Compensatory Holidays
- 403(b) Savings Plan
- Section 125 for Health Care Premiums
- Credit Union
- COBRA
- Tuition Reimbursement-Job Related
- Matching Social Security Contribution
- Short-Term Disability
- Travel Allowances
- Workers' Compensation
- Other benefits as they become available

Some benefit programs, such as dependent medical care, require contributions from employees, but most are fully paid by the FAWIC. Part-time and special project employees working less than 20 hours per week will receive only the following benefits: matching social security contribution, short-term disability, travel allowances and worker's compensation.

Eligibility for most benefits is determined by employee classification and length of continuous service with the organization. Once employees satisfy certain eligibility requirements, they will be given detailed information about the specific benefit programs for which they are eligible. The organization and plan administrator have discretion to interpret and administer our benefits plan, to make determinations regarding plan participation and eligibility for benefits, and to resolve disputes about participation and benefits under the plan.

Although this Personnel Manual does not restate all the features of our benefits programs, it provides brief summaries to acquaint employees with some of the key features of the programs. Separate plan summaries and plan documents describe the plans in detail and should be consulted for further information. In the case of a conflict between the benefit information set forth in this Personnel Manual or oral explanations by organization representatives, and the terms and conditions of the official plan documents, the provisions of the official plan documents, as interpreted by the plan administrator, will control.

Our current benefits package represents a value of between 35% and 40% in additional compensation to supplement our employees' incomes. We will continue these benefits as the organization's budget and resources permit; however, we reserve the right to change or eliminate any benefit plan or program at any time.

**Policy 501**  
**Vacations**

The FAWIC provides paid vacation as one of the many ways in which we show our appreciation for employees' loyalty and continued service. Eligible employees shall begin to accrue vacation leave from their first day of employment. No employee shall be entitled to take vacation until completion of his or her first three (3) months of employment. Active service commences with the employee's first day of work, and continues thereafter unless broken by an absence without pay, a leave of absence, or termination of employment. Each pay period, the employee shall earn a pro-rated amount of vacation calculated on the number of hours earned as follows:

<b>Number of Years of Employment</b>	<b>Number of Hours That May Be Accrued</b>	<b>Maximum Number of Hours that May Be Accrued</b>
1 <sup>st</sup> Year	80 hours	80 hours
2 <sup>nd</sup> Year	80 hours	160 hours
3 <sup>rd</sup> Year	120 hours	240 hours
4 <sup>th</sup> Year	120 hours	240 hours
5 <sup>th</sup> Year	120 hours	240 hours
6 <sup>th</sup> Year and more	160 hours	320 hours

Employees will be expected to plan their time off wisely and not postpone it until the end of the year. Time off requests may not be approved if it coincides with a critical time or event within the organization, or when multiple staff members are requesting the same date. For example, the last two (2) weeks of the fiscal year (June 15 – 30) is a critical time; therefore, approval of time off for these two (2) weeks will only be approved on an exception basis.

Use of vacation must generally be scheduled in advance. Employees should refer to the Employee Punctuality and Attendance Guidelines for advance notice requirements. Vacation will be approved by the Unit Manager based on workload and staffing. Vacation requests of more than 40 consecutive hours shall require approval of the Executive Director. During certain times of the year when numerous vacation requests are received, the possibility exists that not

all requests can be granted. Generally, vacation requests will be accommodated according to business needs.

Vacation time shall not be taken in amounts of less than 30 minutes. Amounts of less than 30 minutes shall be rounded up to the nearest half-hour. Employees cannot take vacation until earned. Employees on an unpaid leave of absence do not accrue vacation time. Time off without pay, in lieu of using accrued time off, is generally prohibited.

Except as otherwise noted above, employees shall not be paid for any unused accrued vacation except upon termination. In such instances, accrued and unused vacation time will be paid off at the employee's regular rate of pay. For interim employees covering a position with a higher rate of pay, vacation earned and not taken during the acting status will be paid out at the interim rate of pay. The vacation balance earned prior to or after the acting status ends will be paid out at the employee's regular classification/position rate at the time it was accrued.

### **Policy 502** **Paid Sick Leave**

In compliance with California's Healthy Workplaces, Healthy Families Act, all employees are awarded state-mandated paid sick leave ("PSL") on an annual basis.

Current full-time employees are awarded 64 hours of PSL at the beginning of each fiscal year. Employees regularly working less than a full-time schedule will be awarded a pro-rated amount of PSL each fiscal year, with a minimum award of 24 hours or 3 days. Our fiscal year is defined as the 365-day period beginning at July 1 and concluding June 30.

Employees who are hired mid-year will be awarded the applicable amount of PSL on the date of hire. New employees are entitled to use PSL beginning on the 90th calendar day of employment.

Upon an oral or written request, an employee may use PSL for the diagnosis, care or treatment of an existing condition, or preventive care, for the employee or for a family member. PSL can also be taken by an employee who is a victim of domestic violence, sexual assault, or stalking. Family members include a child (biological, adopted, foster, step), legal ward, child to whom the employee stands in loco parentis; parent (biological, adoptive, step), legal guardian of employee or employee's spouse or registered domestic partner, person who stood in loco parentis when employee was a minor; spouse; registered domestic partner; grandparent; grandchild; and sibling. Employees may be asked to provide medical certification of the need to use PSL for themselves or a family member.

PSL may not be taken in amounts of less than 30 minutes and all sick leave taken shall be rounded up to the nearest half hour. PSL will be paid at the employee's regular hourly rate of pay.

Employees wishing to use PSL for planned appointments should provide reasonable notice to their Unit Manager. Unscheduled sick occurrences should be communicated to the Unit Manager prior to the start of the scheduled shift, or as soon as practicable. If an employee is not able to reach their Unit Manager, they are expected to contact their Deputy Director. In the

event that they cannot contact their immediate manager or Deputy Director, they are required to contact Human Resources.

At the end of each fiscal year, up to 32 hours of unused PSL will be transferred into a “reserve bank” of sick leave, which will be tracked and administered separately from FAWIC’s PSL program. Unused PSL in excess of 32 hours will expire at the end of each fiscal year.

If you exhaust all available PSL within a fiscal year, you may request to use hours available in your reserve bank.

You may accumulate a maximum of 240 hours in your reserve sick leave bank. If this maximum is reached, unused PSL will expire at the end of each fiscal year.

Neither unused PSL nor the reserve bank of sick leave hours will be paid to the employee at the separation of employment. If the employee is re-hired, he/she will be awarded PSL in the same manner as a new employee. However, if the employee is rehired within one year from the date of separation, FAWIC will waive the 90-day waiting period prior to using available PSL and will reinstate the reserve bank. Employees re-hired more than one year from the date of separation will not receive a reinstatement of reserve bank hours.

FAWIC will maintain records documenting hours worked and PSL accrued and used. We will make them available within 21 days upon request.

### **Policy 503** **Bereavement Leave**

Bereavement leave may be requested in the event of death of an immediate family member including wife, husband, domestic partner, son, daughter, mother, father, brother, sister, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild. Relatives of an employee’s spouse within these categories will also be recognized. Employees may be granted up to three (3) days for bereavement leave if traveling four (4) hours or less by car, and up to five (5) days for travel beyond a four (4) hour drive distance or if traveling by air. Please check with the Human Resources Department before traveling if there are questions on this policy.

### **Policy 504** **Holidays**

FAWIC generally observes the following paid holidays for full-time employees:

- New Year’s Day
- Dr. Martin Luther King Jr. Day
- Presidents’ Day
- Memorial Day
- Fourth of July
- Labor Day
- Veteran’s Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Eve

- Christmas
- New Year's Eve

When a holiday falls on Saturday, it will be observed on the prior Friday. When a holiday falls on Sunday, it will be observed the following Monday. An exception to this will be when a holiday falls on a weekend during the Winter Holiday Shutdown in which case FAWIC may designate a different day to recognize the holiday. Holidays must be taken on the date the company approves. Holidays generally may not be rolled over from year to year. However, compensatory holidays will be awarded due to the Alternative Workweek Schedule for dates when staff are scheduled off on a recognized holiday. Each year, the holiday policy will be reviewed and subject to change. Each year, the compensatory holiday and carry-over provisions will be reviewed. Currently up to three (3) compensatory holidays may be carried over into the following fiscal year if unused during the year in which they were accrued, and if an employee was unable to use them timely due to work demands.

**Personal Holidays**

Three (3) personal holidays will be awarded to employees who work a full fiscal year. The scheduling of time off for personal holidays must be approved by management to ensure staffing and operational needs are met.

During an employee's initial year of employment with FAWIC (on-boarding) as well as his/her final year of employment (off-boarding), personal holidays will be pro-rated based on one (1) day earned for every four (4) full months of service as outlined below. If an employee is hired after July 1 of the fiscal year, personal holidays will be prorated based on the employee's start date.

<u>Hire Date</u>	<u>No. of Personal Holidays</u>
July 1 to October 31	3
November 1 to February 28	2
March 31 to June 30	1

Each year, the personal holiday and carry-over provisions will be reviewed. Currently, up to two (2) personal holidays may be carried over into the following fiscal year if unused during the year in which they were accrued, and if an employee was unable to use them timely due to work demands.

Eligibility for holiday pay begins upon date of hire. Employees must work their regularly scheduled working days immediately preceding and immediately following the holiday, unless a paid absence on either or both of the days is approved by management and the employee is on a paid status for either or both of the days. The organization reserves the right to request a physician's statement certifying the reason for unscheduled sick leave absences for the working day before or after the holiday, in order to pay the employee for the holiday. Upon termination, unused compensatory and personal holidays will be paid out on a pro-rated basis. Any used but unearned personal holidays will be deducted from the final paycheck.

## Winter Holiday

To refresh staff and conserve resources, the FAWIC may choose to close the office during a pre-designated period in December and/or January. In this time period, some days may not be paid as a holiday. We offer the following options in payment of wages for these days during the winter closure:

1. Accrued vacation, compensatory holidays, and personal holidays can be used for all days, or a portion of the days, in full day increments; or
2. Unpaid time can be used for all days, or a portion of the days, in full day increments, if accrued time off is not available.

Employees must submit their time off request for the Winter Holiday period designating how their days will be accounted for no later than the first week of December. Paychecks for the last pay period in December will be issued to staff the last working day prior to the Winter Holiday closure.

## **Policy 505** **Insurance Benefits**

**Health and Dental Insurance:** All full-time employees who work 40 hours per week are covered by a group health plan. Employees who work at least 20 hours per week (except special project employees) may be covered on a pro-rata basis. Dependents may be added to the group health plan, with employees sharing a portion of the dependent costs. Coverage shall commence on the first day of the month following the date of hire. Specific policy information is available from the official plan document and the Human Resources Department.

**Disability Insurance:** Each employee contributes to the State of California to provide disability insurance pursuant to the California Unemployment Insurance Code. Contributions are made through a payroll deduction. Disability insurance is payable when an employee cannot work because of illness or injury not caused by employment at the organization, or when they are entitled to temporary workers' compensation at a rate less than the daily disability benefit amount. Disabilities covered by workers' compensation are excluded from short-term disability coverage. The rules and regulations governing disability are available from the Human Resources Department.

**Unemployment Compensation:** We contribute each year to the California Unemployment Insurance Fund on behalf of our employees.

**Social Security:** Social Security is an important part of every employee's retirement benefit. We pay a matching contribution to each employee's Social Security taxes.

**Workers' Compensation:** Employees are protected by the FAWIC's workers' compensation insurance policy while employed by us. The policy covers employee in case of occupational injury or illness. It is the employee's responsibility to call their manager immediately if injured. See Policy 516 for further details.

**Life Insurance:** We offer life insurance coverage for full-time employees, their spouse/domestic partner, and dependents. Please see the official plan document and the Human Resources Department for all policy limits.

**Section 125 - Premium-Only Plan (POP):** Employees pay their share of health care insurance premiums using pretax dollars. Taxable income is reduced by the amount contributed, so employees withhold less for social security, federal and state and local liability. As a result, employees receive a larger net check.

**Pay in Case of Death:** The Human Resources Department maintain each employee's designated beneficiary(s). Upon death of an employee, all money owed and benefits shall be paid to the beneficiary(s) as defined on the appropriate documents. Employees are encouraged to maintain up-to-date designated beneficiaries in order to avoid legal problems.

### **Policy 506** **Retirement Plan**

We provide a retirement plan for eligible employees to assist them in planning for retirement. Eligibility begins on the first day of the month following the first three (3) months of employment. For more information regarding eligibility, contributions, benefits and tax status, contact the Fiscal or Human Resources Departments. All eligible participants will receive a summary plan description.

### **Policy 507** **Medical Leaves of Absence**

Employees who are temporarily unable to perform their usual and customary work due to a personal illness or injury may be granted an unpaid medical leave of absence, unless already covered by a disability due to pregnancy or childbirth, or Family Medical Leave. Medical leave will be granted on the basis of a physician's written statement that an employee is no longer able to work due to a medical disability. Employees must use their accrued sick leave, to be taken at the beginning of the leave. Employees will be required to use accrued vacation leave and other accrued time off if they exhaust all accrued sick leave.

The maximum length of leave that will be granted for any medical disability is one (1) month during a rolling calendar year. Additional medical leave will be considered on a case-by-case basis; however, due to the streamlined nature and lean staffing for the FAWIC, requests for leave of absence beyond one (1) month often will pose an undue hardship for the organization.

Employees returning to work after any disability leave must have a written release from a physician verifying that they are able to return to work and safely perform their duties. Employees on a leave of absence may continue to be enrolled in all or part of insurance benefits provided by the agency by submitting a letter to the Human Resources Department requesting continuation. However, the employee shall pay premiums for the duration of the leave. The Fiscal Services Unit must receive payment by the 20<sup>th</sup> of the month during which the leave takes place. If payment is not received, the insurance will be cancelled. During this period of leave, all paid leave benefits will cease to accrue. This policy does not apply to employees on workers' compensation leave of absence (See Policy 516).

**Policy 508**  
**Family and Medical Leave**

FAWIC recognizes that employees may need to be absent from work for an extended period of time for family and/or medical reasons. FAWIC complies with all statutory leaves only to the extent required by law. An eligible employee may take up to 12 weeks of Family and Medical Leave of Absence pursuant to the federal Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA") due to:

1. The birth or adoption of a child;
2. The placement of a foster child with the employee;
3. The need to care for a child, spouse (or registered domestic partner) or parent with a serious health condition;
4. The employee's own serious health condition; or
5. Certain needs related to qualifying exigency or care for members of the military.

All employees will be provided with a copy of the general notice provided by the federal government, "Employee Rights and Responsibilities Under the Family and Medical Leave Act", WH Publication 1420, as well as a copy of the state CFRA brochure.

Before employees seek a family or medical leave under this policy, they must meet all of the following eligibility requirements:

1. They must have been employed by FAWIC for at least 12 months; and
2. They must have worked at least 1,250 hours in the previous 12 months.
3. Work at a location where at least 50 employees are employed at the location or within 75 miles of the location.

A break in service of seven (7) years or more will not be counted in determining whether the employee has been employed for at least 12 months, except for a break in service caused by a military service obligation. The 12-month period may include part of the leave of absence. In that case, FMLA and CFRA would start after the leave commenced. The reporting worksite will typically be the assigned location for an employee without a fixed worksite.

Eligibility must be verified. We encourage employees not to make plans, such as scheduling surgery or purchasing non-refundable air tickets, unless they have received written verification that they are eligible to take a family and medical leave.

Employees who are not eligible for leave under FMLA or CFRA may be granted a discretionary leave of absence according to Policy 508 in this Manual.

Family and Medical Leave is unpaid. FAWIC will require you to use all accrued vacation, compensatory and personal holidays, and sick time while on a leave of absence. You may elect to use PSL in accordance with company policy. If leave qualifies as a Pregnancy Disability Leave, the employee will be required to exhaust any accrued sick leave benefits and will be allowed to use any accrued vacation or PSL benefits. Sick time will be paid out at the beginning of any leave until the sick time is exhausted. When other paid benefits such as vacation and



personal days are to be used, they will be applied consecutively starting the first day after sick leave benefits have been exhausted.

If granted leave covered under the family temporary disability insurance program administered by the state (otherwise known as "Paid Family Leave"), FAWIC will require the employee to use up to two (2) weeks' paid vacation benefits at the start of their leave. All paid time off will count toward an employee's maximum leave total.

### **Policy 509** **Pregnancy Disability**

FAWIC wants to assist its employees who are pregnant to continue to work as long as they are able, and to take the appropriate amount of time off for the birth of the baby and for recovery. FAWIC has adopted this policy to achieve these goals.

If an employee is disabled by pregnancy, childbirth, or related medical conditions, they are eligible to take no more than (4) four months of unpaid leave. Four (4) months means the number of days they would normally work within a four (4)-month period, which is 17 ½ weeks. If the employee's schedule varies month to month, a monthly average of hours worked over the four (4) months prior to the beginning of the leave period will be used to calculate their normal work month. If they work 40 hours per week, four (4) months means 693 hours of leave entitlement (40 hours x 17 ½ weeks). Leave can be taken in a block, as intermittent leave, or as a reduced work schedule. For example, they could take intermittent leave for medical appointments.

We will treat employees disabled due to pregnancy like other employees temporarily disabled by a medical condition. Employees may also be able to transfer to a different position during the period of their disability if medically advisable and the transfer can be reasonably accommodated. If an employee is transferred to another position, they will retain their rate of pay and benefits. They will not be transferred over their objections unless their health care provider certifies that they need to take an intermittent leave or work a reduced schedule. In that case, FAWIC may transfer them temporarily to an available alternate position. When the transfer is no longer medically advisable, FAWIC will return them to their original or comparable position.

Employees may be entitled to an accommodation if medically advisable and the accommodation is reasonable. FAWIC will consider factors such as the employee's needs, the duration of the requested accommodation, the cost to FAWIC, and available personnel to assist. We expect employees to engage in a good faith interactive process to identify and implement a reasonable accommodation.

FAWIC requires employees to provide reasonable notice of the need for a reasonable accommodation, transfer or leave, including the anticipated time and duration of the accommodation, transfer or leave. This typically means at least 30-days' notice, unless the need was not foreseeable (such as due to an emergency).

FAWIC also requires that employees provide medical certification as a condition of providing an accommodation, transfer or leave. If foreseeable, we ask that they provide the notice and medical certification at least 30 days prior to the accommodation, transfer or leave. If the need is not foreseeable, we ask that they provide the certification within 15 days of FAWIC sending them the certification form. This form may arrive either via mail, email or personal delivery.

FAWIC will also request that employees provide medical certification of their ability to return to their position or duties following their leave or transfer.

Failure to timely provide notice of the need for an accommodation, transfer or leave could result in a delay of approval for the accommodation, transfer or leave. If an employee fails to provide notice or fail to provide medical certification, approval for any accommodation, transfer or leave could be denied. Other consequences, including loss of employment, could result if an employee is not at work and they fail to communicate with FAWIC.

We also ask that employees make reasonable efforts to schedule appointments or treatments to minimize disruption to our operations and maintain the ability to provide the services our clients expect. Of course, we recognize that appointments and treatments will be subject to the advice of the health care provider.

During a leave, the organization requires that employees use any accrued, available paid sick time during their pregnancy disability of absence. They may also elect to use any accrued vacation or other available, accrued time off they have available. The sick time will be paid out on the next normal payday following the last day of work. All paid time off will count toward their four (4)-month leave total. During this period of leave, all paid time off including PSL and leave benefits will cease to accrue.

During the leave, FAWIC will continue to provide benefits, for up to a maximum of four (4) months over a 12-month period, under the company's health plan at the level and under the conditions that coverage would have been provided if they had continued in employment continuously for the duration of the leave. FAWIC may recover any premiums paid on the employee's behalf if they fail to return from leave and their failure to return is for a reason *other than*: (1) They are taking leave under the California Family Rights Act; (2) the continuation, recurrence or onset of a health condition that entitles them to take pregnancy disability leave; (3) non-pregnancy related medical conditions requiring further leave unless they chose not to return following the leave; (4) where they must care for themselves or for a family member; (5) other circumstances beyond their control.

If an employee is on pregnancy disability leave and is not eligible for continued paid coverage, or if paid coverage ceases after 12 workweeks, they may continue their group health insurance coverage through the organization in conjunction with federal guidelines by making monthly payments to the organization for the amount of the relevant premium. Contact the Human Resources Department for further information.

Before an employee starts a leave or transfer, FAWIC will provide them with a document setting forth the period of their leave or transfer, including scheduled return date. The document will also include a guarantee of reinstatement to the same position or duties, or to a comparable position, unless excused as set forth in this policy.

Employees are guaranteed the right to return to the same position or duties. However, an employee has no greater right to reinstatement or to any benefits than if the employee had been continuously employed during the leave period. For example, if an employee would not have been employed in the same position at the time of reinstatement for legitimate business reasons unrelated to their leave or transfer, then FAWIC is excused from returning them to that position. We will provide affected employees notice of available positions during the 60-day period.

In that case, employees will be reinstated to a comparable position unless FAWIC would not have offered them a comparable position had they been continuously at work or there is no comparable position available. A position is available if it is open on their scheduled date of reinstatement or within 60 calendar days for which they are qualified, or for which they are eligible pursuant to company policy.

In order to provide employees with information regarding rights and responsibilities under the law, they will be given a notice entitled "Their Rights and Obligations as a Pregnant Employee." It is also available through the Human Resources Department. We will also provide employees a copy of this notice when they inform us of their pregnancy.

Employees will also be given a document that they should use to comply with the obligation to provide medical certification of their need for an accommodation, transfer or leave. It is entitled "Certification of Health Care Provider for Pregnancy Disability Leave, Transfer and/or Reasonable Accommodation."

**Coordination with Paid Family Leave:** Employees may be eligible for Family Temporary Disability Insurance (FTDI) benefits, otherwise known as Paid Family Leave ("PFL"). PFL does not provide an employee with a leave of absence. However, if the employee is otherwise entitled to a leave of absence under a state or federal law or by company policy, the employee may receive partial wage replacement for up to six (6) weeks of benefits in a 12-month period to (a) provide care for a family member (child, parent, spouse or domestic partner, grandparent, grandchild, sibling, or parent in-law) with a serious health condition; or (b) to bond with a minor child within the first year of the child's birth or placement in connection with foster care or adoption. PFL is funded through contributions made by employees, through payroll deductions, to the State of California. Claims for benefits are administered by the Employment Development Department, not FAWIC.

### **Policy 510** **Organ and Bone Marrow Donation Leave of Absence**

Employees may be permitted a leave of absence with pay, not exceeding 30 business days for the purpose of organ donation and up to five (5) business days for bone marrow donation in any one (1)-year period, as prescribed. The employee must provide written verification that he/she is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow.

**Policy 511**  
**Discretionary Leave of Absence**

FAWIC recognizes that there may be times when additional time off may be requested beyond the benefits provided. In such cases, which may include times of personal or family emergencies, FAWIC may, with the approval of the Executive Director, provide additional unpaid time off. If it becomes necessary to fill an employee's position during a discretionary leave of absence, we will make reasonable efforts to notify the employee to determine if they will return to work. If the employee is unwilling or unable to return the employee's position may be filled. If an employee elects not to return from a discretionary leave of absence, he/she will be considered to have voluntarily terminated employment with FAWIC. All employees returning from a medical leave of absence must provide a physician's statement that indicates they are released to return to work.

**Policy 512**  
**Military Leave**

If an employee is a member of the military service, whether active or reserve, they should alert their manager or the Human Resources Department so that they may advise them of their full benefits.

**Policy 513**  
**Military Spouse Leave**

If an employee works an average of 20 or more hours per week and is married to a member of the Armed Forces, National Guard or Reserves deployed during a period of military conflict in an area designated as a combat theater or zone, they may take up to ten (10) unpaid days off as a "qualified leave period." The employee must submit written documentation certifying the leave from deployment, within two (2) business days of receiving official notice that the qualified member will be on leave. Qualified leave periods are defined as periods during which the soldier-spouses are on leave from deployment. Employees may elect to use any accrued unused vacation.

**Policy 514**  
**National Guard Employment Protections**

Under the conditions set forth in this policy, FAWIC will restore a former employee to the former position, or to a position of similar seniority, status, and pay without loss of retirement or other benefits, unless the company's circumstances have so changed as to make it impossible or unreasonable to do so, and will not discharge the former employee from the position without cause within one year after restoring him/her to the position.

The former employee must meet these conditions: (1) (s)he is an officer or enlisted member of the National Guard of any state; (2) (s)he was called to active duty by the governor of the state where (s)he serves in the National Guard or by the President of the United States; (3) (s)he received a certificate of satisfactory service in the National Guard; (4) (s)he is still qualified to perform the duties of the position; (5) (s)he made an application for reemployment (i) within 40

days of being released if the employee was in a full-time position, or (ii) within five days of being released if the employee was in a part-time position.

### **Policy 515** **Workers' Compensation**

In accordance with state law, we provide insurance coverage for employees in case of a work-related injury. The workers' compensation benefits provided to injured employees may include medical care, tax-free cash benefits to replace lost wages, and vocational rehabilitation to help qualified injured employees return to suitable employment. To ensure employees receive any workers' compensation benefits to which they may be entitled, they will need to:

1. Immediately report any work-related injury to management;
2. Seek medical treatment and follow-up care if required;
3. Obtain a written Employee's Claim Form (DWC Form 1) from the Human Resources Department or the General Services Manager;
4. Complete the form, and return it to the Human Resources Department; and
5. Provide FAWIC with a certification from the healthcare provider regarding the need for workers' compensation disability leave and the employee's ability to return to work from the leave.

Under most circumstances, upon submission of a medical certification that the employee is able to return to work from a workers' compensation leave, they will be reinstated to the same position held at the time the leave began or to an equivalent position, if available. An employee returning from a workers' compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. Time off to seek physical therapy and follow-up doctor's visits will be unpaid time, although employees may use their accrued sick time.

Employees who are injured in a work-related incident will be referred to the emergency facility(s) the organization recommends for medical treatment, unless prior to a work-related injury the organization has received from the employee a written notice that the employee wishes to be treated by his or her own physician. Employees who do not pre-designate their own physician will be treated by our designated medical facility for work-related injuries, for at least 30 days. Employees may seek treatment from their own physician after 30 days, should they so desire.

### **Policy 516** **COBRA**

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives qualified employees and their dependents the opportunity to continue health insurance coverage under the FAWIC's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements. Employees are eligible for continuation coverage if terminated from employment for any reason other than for gross misconduct or if a reduction in hours results in the loss of coverage under our group

health plan. Continuation coverage will be available for 18 months from the date of termination or reduction in hours for employees, employees' spouses, and dependent children.

Under COBRA, the employee or their dependents pay the full cost of coverage at our group rates plus an administration fee. We provide each eligible employee with a written notice describing rights granted under COBRA when they become eligible for coverage under the FAWIC's health insurance plan. The notice contains important information about their rights and obligations. Although the employees' right to elect continuation coverage occurs upon the happening of a qualifying event to employees, coverage is not automatic. Employees and employees' spouses and dependents must make an affirmative election of coverage before coverage will begin. An election form will be sent with the notice of eligibility.

**Policy 517**  
**Jury Duty or Witness Leave**

It is the FAWIC's policy to enable its employees to fulfill their civic obligations. If an employee is called to serve on jury duty, the employee is requested to notify their manager immediately. All full-time benefitted employees will be paid their regular wages while on jury duty. All allowances, with the exception of mileage received while on jury duty, shall be recovered by the agency from the employee. If an employee is ordered or subpoenaed to make a court appearance and/or to attend a deposition, the organization will pay the employee's regular salary for appearing in court or at a deposition for which they have been subpoenaed.

**Policy 518**  
**Time Off to Vote**

We encourage employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. However, we will grant up to two (2) hours of unpaid time off or vacation time for non-exempt employees to vote if they are unable to vote in an election during nonworking hours. Employees should request time off to vote from their manager at least two (2) working days prior to the Election Day. Advance notice is required so that the time off can be scheduled at the beginning or end of the workday; whichever provides the least disruption to the normal work schedule.

**Policy 519**  
**External Staff Development**

We encourage staff to continue to develop their technical skills and take advantage of opportunities to further their education through Staff Development (Refer to "Travel Policy" for further details). It may be necessary for employees to attend training programs, seminars, conferences, lectures, meetings or other outside activities for the benefit of the organization. Attendance at such activities may be required by the organization or requested by the employee. However, attendance will not be considered an officially authorized activity, subject to the following policies on reimbursement and compensation, unless the Unit Manager, or higher authority, has issued prior written approval. To obtain approval, employees wishing to attend an activity must submit a written request detailing all relevant information, including date, hours, location, cost, expenses, nature, purpose and justification for attendance. Where

attendance is required or authorized by the organization, customary and reasonable expenses will be reimbursed upon submission of proper receipts. Customary and reasonable expenses usually include registration fees, materials, meals, transportation and parking. Reimbursement policies regarding these expenses should be discussed with management in advance.

Employee attendance at authorized outside activities will be considered hours worked for all employees and will be compensated in accordance with normal payroll practices. If the event is out of town, employees will be considered to have worked a standard workday for each day of the event and should record the time as such on their timesheet. If the event is local and attendance at the event, travel time and lunch at a conference or workshop exceeds 7.5 hours, attendees do not need to return to the office. In this case, employees will be considered to have worked a standard workday and should record their time as such on their timesheet.

This policy does not apply to an employee's voluntary attendance, outside of normal working hours, at formal or informal educational sessions or networking events surrounding a conference, even if such sessions may generally lead to improved job performance. While we generally encourage all employees to improve their job skills and promotional qualifications, such activities will be subject to the section on "Employee Education".

### **Policy 520** **Tuition Assistance**

Educational tuition assistance is intended to both (1) assist employees further their education goals and (2) assist FAWIC in maintaining staff with improved job skills better able to assist the corporation in its mission. As allowed by current law, FAWIC will provide educational tuition assistance to employees with at least one (1) year of continuous service.

An employee wishing to complete job-related courses at an accredited school may receive tuition assistance up to a maximum of \$5,000 during the period of his or her employment with FAWIC.

To qualify for such assistance, course work must directly enhance an employee's ability to carry out his or her present duties at FAWIC or to qualify for career promotions within FAWIC. As such, the Tuition Assistance Request Form must be completed by the employee and approved by his/her manager and Human Resources prior to enrollment.

The tuition assistance covers one-half (1/2) the cost of actual tuition fees. It does not apply to the cost of textbooks, student fees or transportation. Reimbursement may be requested after the employee has successfully completed the coursework with a grade "C" or better. For further information, please contact Human Resources.

### **Policy 521** **Emergency Service Volunteers**

Any employee who takes time off to perform emergency duties as a reserve peace officer or emergency rescue personnel, volunteer firefighter, or a disaster medical response entity will not be discharged or discriminated against in the terms of their employment. In the event that an employee needs to take time off for emergency duty, they should alert their manager before doing so, when possible. Accrued, unused vacation time may be used for this purpose. An

employee who is a health care provider must notify FAWIC when (s)he becomes designated as an emergency rescue person and when he/she is notified of deployment as a result of the designation.

Any employee who performs duties as a volunteer firefighter, a reserve peace officer, or as emergency rescue personnel shall be permitted to take temporary leaves of absence, not to exceed an aggregate of 14 days per calendar year, for the purpose of engaging in fire, law enforcement, or emergency rescue training.

### **Policy 522** **School Activities**

Employees are encouraged to participate in the school or child care-related activities of their child(ren) to the extent that the time off does not interfere with meeting our business obligations. The absence related to participation in school or child care-related activities will be approved subject to the following provisions for non-exempt employees:

1. Parents of a child or children in preschool, kindergarten, grades one to twelve, college, or cared for by a licensed child care provider may take time off for certain child-related activities. These activities are: (1) to find, enroll, or reenroll a child in a school or with a licensed child care provider; (2) to participate in activities of the school or licensed child care provider; or (3) to address a child care provider or school emergency.

“Parent” means a parent, guardian, stepparent, foster parent, grandparent, or a person who stands in loco parentis to a child. “Child care provider or school emergency” means that the child cannot remain in school or with the child care provider because: (1) the school or child care provider has requested that the child be picked up; (2) the school or child care provider has an attendance policy (excluding planned holidays) that prohibits the child from attending or requires the child be picked up; (3) behavioral or discipline problems; (4) closure or unexpected unavailability of the school or child care provider (excluding planned holidays); or (5) a natural disaster including fire, earthquake, or flood.

2. The time off for child-related activity participation cannot exceed eight (8) hours in any calendar month, or a total of 40 hours each school year.
3. To take time off under reasons (1) or (2), the employee must give reasonable notice to FAWIC. To take time off under reason (3), the employee must simply give notice to FAWIC.
4. If both parents are employed by the organization, the first employee to request such leave will receive the time off and the other parent will receive the time off only if the leave is approved by his or her manager.
5. Employees must use vacation leave in order to receive compensation for this time off.
6. Employees who do not have paid time off available will take the time off without pay.

An employee who is the parent or guardian of a child who has been suspended from school will be allowed unpaid time off or accrued, unused vacation if requested to appear at the school in connection with that suspension. The employee must give reasonable notice to their manager.



### **Policy 523**

#### **Time Off to Seek Safety From Domestic Violence, Sexual Assault, or Stalking**

We take threats and actions of domestic abuse against our employees very seriously, and encourage employees to obtain services to keep them and their dependents safe. If at any time, an employee needs to be absent from work to ensure their safety, seek medical treatment, receive counseling, or any other service in relation to domestic violence, a sexual assault, or stalking they should let management know. Depending on the circumstances, the employee may be eligible to use sick leave or accrued, unused vacation in lieu of unpaid time off for this. We will also provide reasonable accommodations for an employee who is the victim of domestic violence, sexual assault or stalking and who requests an accommodation for his/her safety while at work. If the employee is a victim, we encourage them to meet with a member of the Human Resources Department so that we can discuss what accommodations might be effective. We will take into account any exigent circumstance or danger the employee is facing. We will also consider how to best protect the health and safety of others. Accommodations may include job transfer or reassignment, changed telephone number or work station, the installation of locks, the implementation of safety measures, or any other reasonable accommodation that can provide employees with protection.

We may ask employees to confirm in writing that the accommodation is for the purpose of providing a safe workplace. We may also request certification that the employee is a victim of domestic violence, sexual assault or stalking. We will keep the certification confidential and not disclose it except as required by law or to protect their safety. We will give the employee advanced notice of any disclosure.

### **Policy 524**

#### **Victims of Crime Leave**

If an employee, an immediate family member, domestic partner, or the employee's domestic partner's child is a victim of a violent or serious felony as defined by the Penal Code or felony theft or embezzlement, the employee may take unpaid time off from work in order to attend judicial proceedings related to that crime.

When feasible, prior to taking time off, the employee must supply a copy of the notice of each scheduled proceeding provided to the victim. When advance notice is not feasible or an unscheduled absence occurs, the employee may, within a reasonable amount of time, provide documentation evidencing the judicial proceeding from any of the following entities:

1. The court or government agency setting the hearing;
2. The district attorney or prosecuting attorney's office; or
3. The victim/witness office that is advocating on behalf of the victim.

An employee may elect to use any accrued paid vacation time, accrued paid holiday time, or sick leave that is otherwise available during this time off.

If employees or their spouse, parent, child, sibling or guardian, is a victim of certain offenses, they may take unpaid time off from work or substitute paid leave, upon request, to appear in court to be heard at any proceeding, including delinquency proceedings, involving a post-arrest

release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.

We ask that employees give us reasonable advance notice of their intention to take time off, unless advance notice is not feasible. If an unscheduled absence occurs, FAWIC will not take adverse action against them if they provide certification of the absence. This certification may take the form of a police report, court order, or documentation from a medical professional or domestic violence counselor.

**Policy 525**  
**Lactation Accommodation**

If an employee would like to express breast milk while at work, they should submit a request for accommodation to the Deputy Director of Human Resources. We will make reasonable efforts to accommodate this need insofar as practicable. We will provide a similar accommodation as we would for another employee temporarily disabled by a medical condition. The accommodation may include extended break periods and the use of a lactation room or other location, other than a bathroom, that is safe, clean and contains a charging outlet and surface area for personal items where milk can be expressed in private. You will also be provided access to a sink and refrigerator in close proximity to your work area.

This break time will be required to run concurrently, if possible, with any break time already provided. In the event that it is not possible for the break time for expressing milk to run concurrently with break time already provided, the break time for expressing milk shall be unpaid.

**Policy 526**  
**Parental Leave**

An employee who has provided at least 1,250 hours of service to the company within the previous 12-month period, and who works at a worksite where FRWDB employs at least 20 employees within 75 miles, may upon request take up to 12 weeks of unpaid parental leave to bond with a new child within one year of the child's birth, adoption or foster care placement. An employee who is subject to both the California Family Rights Act and the Family and Medical Leave Act is not eligible for parental leave.

Before starting leave, the company will provide a guarantee of employment in the same or a comparable position upon termination of parental leave. An employee may use accrued vacation, PTO, paid sick time or other paid time off during the parental leave. The company will maintain coverage under the group health plan, for the duration of the leave, not to exceed 12 weeks over a 12-month period on the same terms and conditions as if the employee was at work.

The company may recover the premium it paid for maintaining coverage during parental leave if the employee fails to return after the period of leave to which the employee is entitled has expired unless the failure to return is due to the continuation, recurrence, or onset of a serious health condition or other circumstance beyond the employee's control.

If both parents work for the company and are entitled to leave, the company will not provide more than a total of 12 weeks between the parents. The company may or may not grant simultaneous leave to the parents.

### Conclusion

Many of our policies and employee benefits have been addressed only briefly in this Personnel Manual. If there are any questions, please direct them to the Human Resources Department.

**Personnel Manual Acknowledgement Form**

By signing this form, I acknowledge receipt of the Personnel Manual. I understand that this handbook does not imply or constitute a contract or employment agreement for a specified term between myself and Fresno Area Workforce Investment Corporation.

I have received the Personnel Manual, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it. If I have any questions about the handbook, or any employment terms or policies, I will contact my supervisor or another Deputy Director of Fresno Area Workforce Investment Corporation.

If any dispute or grievance should arise in the workplace and it cannot be resolved between coworkers, I understand that I am to go to my supervisor or the Human Resources Department to express my concerns immediately, so that the dispute or grievance can be properly resolved in a timely manner.

I understand that it is my responsibility to in no way reveal or divulge any confidential, proprietary and trade secret information that I may come in contact with, during and after my employment with Fresno Area Workforce Investment Corporation.

I understand that the workplace can be inspected or searched, for reasonable cause. Items including property of Fresno Area Workforce Investment Corporation, personal property brought on the premises, and any information transmitted on computers or communications systems can and will be included in these searches or inspections.

I understand that my work at Fresno Area Workforce Investment Corporation is "at will", meaning that I am free to leave the company at any time, with or without reason, and that the company has the same right to end its employment relationship with me. No one at Fresno Area Workforce Investment Corporation has authority to make a contrary agreement with me except in a formal written document signed by the Executive Director and myself. The employee handbook and all other policies and procedures of Fresno Area Workforce Investment Corporation are intended to be consistent with the company's employment-at-will philosophy.

I understand that this Personnel Manual contains general statements about current company policy, and that Fresno Area Workforce Investment Corporation retains the right to revise or modify the terms, information, policies, and benefits at its sole discretion and at any time.

I understand that the company may, at its sole discretion, depart from policy from time to time.

Employee Signature \_\_\_\_\_

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

Date \_\_\_\_\_