

Employee Handbook  
CSU Dominguez Hills Foundation  
FY 19/20

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*This Employee Handbook is effective immediately and shall remain in place until superseded.*

## **SECTION 1 INTRODUCTORY POLICIES**

### **INTRODUCTION**

The California State University (CSU) Dominguez Hills Foundation (“Foundation”) was established in 1968, as a nonprofit public corporation and is an integral component of the educational mission of the CSU Dominguez Hills (CSUDH). In fulfilling its mission, the Foundation employs over 700 people as it performs a variety of services throughout the campus community. Specifically, it oversees commercial operations; is responsible for the fiscal administration for numerous University programs, and provides business services to other entities on campus.

The Foundation exists to provide the highest level of services to the campus constituencies. As an employee of the Foundation, we are hopeful you will find your employment to be professionally rewarding and challenging in meeting the needs of the campus community. We are a non-profit, self-supporting 501c(3) auxiliary organization.

More information about the Foundation can be found at [www.csudhFoundation.org](http://www.csudhFoundation.org).

### **INTEGRATION CLAUSE AND THE RIGHT TO REVISE**

The purpose of this Employee Handbook is to inform all employees about the policies, responsibilities, procedures, guidelines, benefits and work rules that apply to each employee of the Foundation.

This Handbook applies to all employees of the Foundation whether the employee is full time (regular or partially benefited), part time, temporary, seasonal, or a student employee. The benefits provisions of this Handbook apply only to those employees who have been identified and are eligible for particular benefits.

Please read this Handbook carefully - you are responsible for adhering to its contents. While you review this Handbook please keep in mind it is a guideline for employees and only highlights the Foundation's policies, practices, procedures, guidelines, rules and benefits. This Handbook is not intended to be a contract and should not be viewed as creating contractual obligations. Circumstances may require that the policies, practices, guidelines and benefits described in this Handbook change from time to time. The Foundation reserves the right to amend, supplement or rescind any of the provisions of this Handbook, other than its employment at will provisions, as it deems appropriate in its sole and absolute discretion. Change will be communicated as soon as practical. This Handbook is posted on the Foundation’s website and is available at all times. Please ensure it is reviewed when considering employment related policy issues.

### **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

Foundation is an equal opportunity employer and is committed to an active nondiscriminatory policy for all employees. It is the Foundation’s policy that all employees and applicants shall receive equal consideration and treatment. All recruitment, hires, transfers and reclassifications will be made on the basis of the qualifications of the individuals for the positions being filled regardless of race, color, creed, religion, ancestry, sex, gender, gender expression, gender identity, pregnancy, sexual orientation, age for individuals over forty years of age, medical condition, military and veteran status, genetic information, marital status, national origin and physical or mental disability or any other consideration made unlawful by federal, state or local laws. Indeed, the Foundation’s policy of equal employment opportunity applies to all aspects of employment, including recruitment, hiring, training, compensation, benefits, promotion, transfer, discipline and termination. It is the duty of every employee to help maintain a work environment that promotes this policy. Foundation is committed to assisting employees in performing the essential functions of their jobs by providing reasonable accommodations for any known physical or mental disability for which an employee requests accommodation, unless undue hardship would result in such an accommodation. Access to a support animal may be deemed to be a reasonable accommodation, based on the same

individualized analysis required by the required interactive process. “A support animal is one that provides emotional, cognitive, or other similar support to a person with a disability, including but not limited to, traumatic brain injuries or mental disabilities, such as major depression.” Anyone who has a question or a concern about discrimination in the workplace should bring his or her concerns to the attention of a supervisor, a Human Resources Representative or the Executive Director. Employees may raise concerns and make complaints without fear of reprisal. Anyone found to be engaging in any type of discrimination or retaliation will be subject to disciplinary action up to and including termination of employment.

## **DIVERSITY POLICY**

Today we live and work in a dynamic and ever-changing society. One of Foundation’s focal points is to ensure our employees are well educated on an important component of our society and company: Diversity. Our Diversity Policy requires all Foundation employees to understand and respect differences around us: differences of race, culture, religion, gender, abilities, appearances and socioeconomic factors. Diversity is also about diversity of thought, diversity of values and the diversity of perspectives. For employees to respect value and appreciate diversity, they must experience other employees who are reflective of the varied cultures and backgrounds that make up each community where Foundation conducts business. It reaffirms Foundation’s commitment to equal employment opportunity and its desire to seek a balanced representation of gender, racial and ethnic groups; it is intended to promote non-discrimination. It is the responsibility and obligation of all Foundation employees to support the implementation of the Diversity Policy.

## **STATEMENT OF AT-WILL EMPLOYMENT STATUS**

Employment with Foundation is at-will. This means that the employment relationship may be terminated at any time with or without cause and with or without prior notice by either you or Foundation. Moreover, every aspect of the employment relationship with Foundation is subject to Foundation’s policy of at-will employment, and Foundation reserves its inherent authority to manage and control its business enterprise and to exercise its discretion to determine all issues pertaining to your employment, including (but not limited to) all matters pertaining to promotion, salary, job assignment, the size of the workforce, demotion, transfer, discipline or any other term or condition that Foundation may determine to be necessary for the safe, efficient and economic operation of its business. Nothing in this Handbook or in any other policy statement shall limit the right of Foundation to terminate employment at-will. No department manager, supervisor or employee of Foundation has any authority to make any promise or representation or otherwise to enter into any binding agreement that is contrary to this policy which alters in any way an employee’s at-will status. Only the Foundation Executive Director has the authority to alter the employment at-will status of any employee, and then only in writing signed by the employee and the Executive Director.

## **PROFESSIONALISM**

As a valued member of Foundation, you are expected to act at all times in a professional manner and to be sensitive to circumstances in which certain conduct is not acceptable. To that end, every employee should treat all staff, management, co-workers and customers with dignity and respect, and take the extra step to ensure that everyone is given timely and courteous service. Employees are also expected to perform their job functions to the best of their ability and are expected to inform Foundation of any assistance that is required and to improve the quality of Foundation’s services. If you are unsure whether your actions in a particular instance are acceptable under Foundation’s standards, you should consult with your supervisor/ manager or a Human Resources Representative.

## EMPLOYMENT ELIGIBILITY – IMMIGRATION COMPLIANCE: FORM I-9 INFORMATION

Foundation complies with the Immigration Reform Control Act of 1986. This law requires every employee to provide valid documentation proving his or her legal right to work in the United States within three (3) days of hire. In addition to the appropriate documentation at the time of hire, employees must provide current and valid replacements of specific authorization to work permits should they expire prior to or upon their expiration. Failure to provide such replacement may result in disciplinary action, up to and including possible termination.

## POLICY AGAINST HARASSMENT

Foundation is committed to providing a work environment that is free of sexual harassment, as well as other unlawful harassment based on such factors as race, color, creed, religion, ancestry, sex, gender, gender expression, gender identity, pregnancy, sexual orientation, age for individuals over forty years of age, medical condition, military and veteran status, genetic information, marital status, national origin and physical or mental disability or any other consideration made unlawful by federal, state or local laws. In keeping with this commitment, Foundation maintains a strict policy that prohibits unlawful harassment of employees by managers, supervisors or coworkers and unlawful harassment of students by any Foundation employee. Visitors to the campus and workers employed by the University, by other auxiliaries, or by other public or private organizations engaged in business with Foundation are expected to comply with this policy. The purpose of this policy is to (i) familiarize Foundation's employees with the definition of unlawful harassment and the forms it can take; (ii) confirm that unlawful harassment will not be tolerated and is contrary to the standards of conduct expected and required of Foundation employees; and (iii) make clear that employees who engage in unlawful harassment are subject to possible disciplinary action which may include discharge. Foundation also provides regular training to its supervisors and managers regarding this policy.

For the purposes of this policy, unlawful harassment means harassment on the job that is in fact prohibited by provisions of state or federal law applicable to Foundation at the time the harassment occurs. Subject to this general definition, unlawful harassment may include unwelcome verbal, physical or visual conduct that unreasonably interferes with an employee's performance or that creates an intimidating, offensive or hostile working environment. This may occur where:

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment.
2. Submission to or rejection of the conduct by the individual is used as the basis of employment decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile or offensive work environment.

Under most circumstances, harassment refers to the type of conduct that is pervasive, repetitive and sufficiently severe to alter the conditions of an employee's employment. It also may refer to a single incident that is sufficiently outrageous or harmful, in and of itself, that it substantially alters the conditions of an employee's employment or interferes with that individual's ability to perform job related responsibilities.

Employees also should not confuse harassment with supervision. Supervisors have the right and responsibility to define the job that they want an employee to perform, as well as the manner in which an employee must perform that job. Thus, close supervision of an employee (which includes, but is not limited to, counseling and warnings about job performance, inappropriate conduct or other performance issues) is not considered to be an example of unlawful harassment.

Harassment may take many forms and will vary with the particular circumstances. Examples of unlawful sexual harassment prohibited by this policy may include, but are not limited to, the following: unwanted flirtations, advances and/or propositions of a sexual nature; deprecating remarks, insults, humor, jokes and/or anecdotes that belittle or demean an individual's body or clothing; unwelcome and/or offensive displays of sexually suggestive objects or pictures; unwelcome and offensive touching, such as patting, pinching, hugging or repeated brushing against an individual's body; sexual assault; and/or suggestions that submission to or rejection of sexual advances will affect decisions regarding such matters as an individual's work assignments, status, salary, benefits or other terms or conditions of employment.

Conduct that is part of a consensual relationship is not considered harassment. Nevertheless, a prior consensual relationship does not permit subsequent unwelcome or unwanted harassment.

It is the obligation of all employees to cooperate fully in the investigation process. In addition, disciplinary action may be taken against any employee who is uncooperative or who attempts to discourage or prevent an employee from using Foundation's complaint procedure to report unlawful harassment. Retaliation by a Foundation employee against any individual who makes a complaint of unlawful harassment is strictly prohibited. Similarly, any person who participates or cooperates in any manner in an investigation or any other aspect of the process described herein shall not be retaliated against. Retaliation is itself a violation of this policy and is a serious offense. Complaints regarding allegations of reprisal should be immediately brought to the attention of a Human Resources Representative.

If unlawful harassment of or by a Foundation employee is established, Foundation will take action that is reasonably calculated to stop the harassment. In cases in which the alleged harasser is not an employee, Foundation will take action to minimize the recurrence of any unlawful behavior.

Discipline that Foundation or the University may impose on employees for behavior that violates this policy (or for other unprofessional conduct by a Foundation employee) may include, but is not limited to, reprimand, mandatory attendance at an unlawful harassment training program, suspension, demotion or dismissal. Unlawful harassment by non-employees may result in restricting the harasser's access to campus.

Employees are encouraged to report incidents of inappropriate or unwelcome conduct whenever it occurs. Employees and students are not required to wait for the conduct to be repeated or to worsen. Any incident of unlawful harassment by any Foundation employee or any other person conducting business with Foundation should be reported promptly to the employee's supervisor, manager and/or to a Human Resources Representative, who will arrange for an investigation of the matter. The employee is free to complain either verbally or in writing. Managers who receive complaints or who observe harassing conduct are required to immediately inform a Human Resources Representative. An employee may contact Human Resources directly and is not required to complain first to his or her supervisor.

All complaints of unlawful harassment are taken seriously and are promptly and objectively investigated. For example, an investigation may include interviews of individuals who might have information pertaining to the alleged harassment. If Foundation begins an investigation, we will endeavor to keep the investigation confidential to the extent possible, including the names of complaining employees and witnesses. In the same way, anyone involved in an investigation of harassment has an obligation to keep all information about the investigation confidential. That is why Foundation will only share information about a complaint of harassment with those who need to know. Failure to keep information about an investigation confidential may result in disciplinary action.

When the investigation has been completed, Foundation will communicate the results of the investigation to the complaining employee, to the alleged harasser and, if appropriate, to others who are directly involved. If FOUNDATION's policy against harassment is found to have been violated, appropriate corrective action, up to and including termination, will be taken against the harasser so that further harassment will be prevented. Both the rights of the alleged harasser and the complainant will be considered in any investigation and subsequent action.

In addition to Foundation’s internal complaint procedure, employees may also contact either the Equal Employment Opportunity Commission (“EEOC”) or the California Department of Fair Employment and Housing (“DFEH”) to report unlawful harassment. The EEOC and the DFEH serve as neutral fact-finders and will attempt to assist the parties to voluntarily resolve their disputes. For more information, contact the Human Resources office or you may contact the nearest EEOC or DFEH office.

## **SECTION 2 RECRUITMENT AND EMPLOYMENT PRACTICES**

### **JOB OPENINGS**

Position openings for Full Time Regular Benefited, MSP, and Full Time Partially Benefited positions are generally posted for a minimum of five working days on Foundation's website, and are listed in a range of public forums. Notices to other organizations and advertising in other places shall be determined jointly by the hiring manager and Foundation Human Resources Department. All posted positions are filled on a competitive basis. Employees must meet the specified minimum qualifications and apply in accordance with the position announcement in order to be considered for a position. Positions filled through internal promotions, or positions within the same job family and within the specific unit do not require posting.

### **APPOINTMENT PROCEDURE**

The Foundation Director of Human Resources and Payroll shall appoint a search committee to meet and interview qualified applicants and make recommendations for all MSP, Full Time Regular Benefited, and Full Time Partially Benefited positions. Offers of employment must be approved by the Foundation Director of Human Resources and Payroll before an employment offer can be made. Appointment letters will be prepared by the Foundation Human Resources Department and must be approved by Executive Director.

### **MANAGEMENT SERVICES PLAN ("MSP")**

The Foundation's Management Services Plan (MSP) is designed to cover specific Foundation employees who have been designated as directors or managers who have primary responsibility for the development and implementation of policies, procedures, practices, and/or guidelines which apply to the Foundation as a whole, or responsibility for a major operational unit of the Foundation. MSP status qualifies the employee for the same employee benefits that Full Time Regular Benefited employees receive, however the MSP designation includes enhanced vacation accrual and other benefits and programs.

### **FULL TIME REGULAR BENEFITED EMPLOYEES**

*(Hired to normally work 40 hours per week)*

Certain positions and/or classifications are identified as Full Time Regular Benefited status. Full Time Regular Benefited employees are normally scheduled to work eight hours per day, five days per week. However, all work shifts are scheduled according to business needs and this status does not guarantee any employee a minimum number of hours of work per day or per week. Full Time Regular Benefited status qualifies the employee for employee benefits such as medical, dental, and vision insurance; group life insurance; paid vacation, paid sick leave, and holiday pay; retirement; and other benefits and programs.

### **FULL TIME PARTIALLY BENEFITED EMPLOYEES**

*(Hired to normally work between 30-39 hours per week)*

Certain positions and/or classifications are identified as Full Time Partially Benefited status. Full Time Partially Benefited employees are normally scheduled to work more than 29 hours per week but less than 40 hours per week. However, all work shifts are scheduled according to business needs and this status does not guarantee any employee a minimum number of hours of work per day or per week. Full Time Partially Benefited status qualifies the employee for medical insurance and any federally or state mandated employee benefits (e.g. paid sick leave, FICA, SDI, unemployment, worker's compensation). Full Time Partially Benefited employees are not permitted to work more than 2,028 hours in any calendar year (January 1 through December 31).

## **PART TIME EMPLOYEES**

*(Hired to normally work between 0-25 hours per week)*

Part time employees are those hired to work a limited number of hours per week (0-25 hours per week or less) and are subject to lay off during seasonal business closures with no guarantee of being rehired. Part time employees are not eligible for employee benefits outside any federally or state mandated employee benefits (e.g. paid sick leave, FICA, SDI, etc.). Part time employees are not guaranteed a minimum number of hours of work per day or week. Part time employees are not permitted to work more than 1,300 hours in any calendar year (January 1 through December 31).

## **TEMPORARY EMPLOYEES**

Temporary employees are those who are hired for specific project assignments of limited duration. Depending on the length of appointment and number of hours they are normally scheduled each week they may be offered any federally or state mandated employee benefits (e.g. paid sick leave, FICA) or employer sponsored benefits. The length of employment shall be specified, not to exceed six months, and they are not guaranteed a minimum number of hours of work per day or per week.

## **MINOR EMPLOYEES**

Minors are defined as any individual under 18 years of age. This also includes a minor who is currently enrolled at California State University Dominguez Hills. Under no circumstances will Foundation authorize the employment of minors.

## **STUDENT EMPLOYEES**

Student employees are students who are attending California State University, Dominguez Hills, as undergraduate students enrolled in a minimum of 6.0 units each semester, or graduate students enrolled in a minimum of 4.0 units each semester, who may work as a Foundation employee with certain restrictions. Student employee positions may be exempt from FICA and therefore may not make contributions to that program.

Student employees are allowed to work a maximum of 20 hours per week while school is in session. If the student has more than one job, the 20-hour rule applies to total hours worked in combination with all jobs in the Foundation. Student Assistants may not exceed 25 hours per week while school is out of session.

Students who are attending a school other than Dominguez Hills are not eligible to be classified as a student employee, but may be considered for employment as a part time or temporary employment.

Student employees are not permitted to work more than 1,300 hours in any calendar year (January 1 through December 31).

## **WORK STUDY STUDENT EMPLOYEES**

Students employed through the Federal College Work-Study Program are exempt from the above stated policies and practices. Contact the Financial Aid Office for work-study requirements.

## **GRANT/CONTRACT EMPLOYEES AND EMPLOYEES FUNDED THROUGH STATE OR UNIVERSITY SOURCES**

Those employees hired under the provisions of grants, contracts, or other funding sources are employed only to the extent that funds are available from the funding source and within the guidelines of the particular grant/contract or other funding source in coordination with Foundation's policies, procedures, and hiring practices. Termination of employment may occur at any time based on the availability of funds, but not limited to such circumstances. These employees may be classified as Full Time Regular Benefited, Full Time Partially Benefited, Part Time, Temporary, or Student Employee and do not guarantee any employee a minimum number of hours of work per day or per week. As stated elsewhere in this Employee Handbook, employment with the Foundation is at-will.

Additional employment of any employee or faculty member with the CSU is limited to 125% effort. Dual employment between the Foundation and CSU is subject to review and approval prior to the start date.

## **IDENTIFYING EXEMPT AND NON-EXEMPT EMPLOYEES**

Every position is designated as either "Non-Exempt" or "Exempt." This designation has no relationship to whether or not an employee is eligible for a specific benefit, except that employees filling non-exempt positions are eligible for overtime pay (when applicable).

Non-exempt employees are generally scheduled to work no more than eight hours per day, five days per week and receive overtime for all hours worked in excess of eight hours per day or forty hours per week. Double time is paid for hours worked in excess of twelve hours per day and for all hours worked in excess of eight hours on the seventh day of work. Other wage rules may apply given the specific set of circumstances.

Exempt employees typically include executive, managerial, and certain professional/administrative staff, and are exempt from the California and Federal overtime requirements.

## **EMPLOYMENT OF RELATIVES**

The Foundation will not hire or continue the employment of relatives where actual or potential conflicts may arise regarding supervision, security, safety or morale, or where potential conflicts of interest exist. An employee may not work under the direct supervision of a relative. Relatives are defined as spouses, domestic partners, children, sisters, brothers, mothers, fathers, or any persons who are closely related by birth, marriage or adoption, or persons with a close personal relationship (e.g. intimate or romantic relationships). Relatives may be employed in the same department, but may not participate in any proceeding, evaluation, recommendation or action that affects the employment status of a relative.

Present employees who marry, who become related by marriage, or who enter into a close relationship may be permitted to continue employment only if their employment poses no difficulties for supervision, security, safety, morale, or potential conflicts of interest.

If employees who marry, who become related by marriage, or who have a close relationship (e.g. intimate or romantic relationships) do pose difficulties for supervision, security, safety, morale, or where potential conflicts of interest exist, the Foundation will attempt to reassign one of the employees to another position for which he or she is qualified, if such a position is available. If no such position is available, one of the employees may be required to leave the Foundation.

## NON FRATERNIZATION

To avoid potential conflicts of interests, favoritism, exploitation, harassment or breaches of professional standards, the Foundation prohibits romantic or intimate relationships where there is an inherently unequal position between the parties including supervision, direction or influence. No supervisor shall have or pursue a romantic or intimate relationship with an employee or student assistant who reports to the supervisor or over whom the supervisor has the authority and/or responsibility to hire, promote, discipline, evaluate, assign or direct.

During nonworking times, such as lunches, breaks, and before and after work periods, employees engaging in personal exchanges in non-work settings should observe an appropriate workplace manner and adhere to the non-fraternization policy. Employee are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while on campus, during working hours or after hour events.

Any employee who becomes aware of or involved in such a relationship has the obligation to report such relationship to Foundation Human Resources, or the Executive Director. Employees who violate this policy may be subject to discipline, up to and including termination of employment.

## **SECTION 3 JOB DUTIES AND CLASSIFICATIONS**

### **POSITION DESCRIPTIONS**

The essential duties and responsibilities of each position are described in the respective position description provided at the time of hire.

Job responsibilities may change at any time during employment. From time to time, an employee may be asked to work on special projects, or assist with other work necessary and important to the Foundation. Cooperation and assistance from an employee in performing such additional work is expected.

The Foundation reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

### **PROMOTIONS**

All posted positions are filled on a competitive basis. Employees must meet the specified minimum qualifications and apply in accordance with the position announcement in order to be considered for a position involving a promotion to a position in another job family. Promotions to the next higher level position, within a job family and within an operating unit, do not require posting and may be made by the unit manager subject to review by the Foundation Human Resources Department and approval from the Executive Director.

### **TRANSFERS**

Employees for similar positions may request transfers between units when appropriate openings exist. A transferred employee will normally retain the same classification and pay rate.

### **DEMOTIONS**

A demotion is a change from one classification to a lower one. Demotions may result from classification studies, changes in grant or department funding availability, changes in staffing levels resulting in layoffs, a lack of qualifications for the current position and/or disciplinary action. An employee may request a demotion. A demoted employee will be assigned the rate of the lower classification, but may not receive more than the top grade maximum of the lower classification.

## **SECTION 4 WORKING HOURS AND SCHEDULES**

### **WORK SCHEDULES**

The Foundation administrative offices are typically open for business between the hours of 8:00 A.M. and 5:00 P.M. Monday through Friday, throughout the academic year. The work hours of Enterprise or Grants and Contracts units are determined by the requirements of the respective unit. Work schedules will reflect business needs.

Employees are expected to report to work on time as scheduled and ready to perform their work upon arrival.

The Foundation reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, alter or change work schedules, or assign additional job responsibilities. All employment with the Foundation is at-will and there is no guarantee any employee will receive a minimum number of hours of work per day or per week.

### **MEAL AND REST PERIODS**

(Applicable to “Nonexempt” employees)

Generally, Foundation is open for business from 8:00 a.m. to 5:00 p.m., Monday through Friday, although individual operations or projects may have different business hours. Foundation’s regular workweek is Sunday through Saturday, beginning at 12:00 a.m. on Sunday morning and ending at 11:59 p.m. the following Saturday night. Most employees are assigned a work schedule and are expected to begin and end their workday in accordance with their schedule. Daily and weekly work schedules may change from time to time at the discretion of Foundation to meet varying needs of our business.

Employees are expected to observe their assigned meal and rest periods. With regard to rest periods, employees are authorized and shall take one (1) ten (10) minute rest break for every four (4) hours worked. This rest break should be taken during the middle of the work period as the work day permits. Employees should not leave the premises during the rest period.

A meal period is either thirty (30) minutes or one (1) hour, and it should be scheduled so that adequate office coverage is provided at all times. All non-exempt employees must take at least thirty (30) minutes unpaid lunch period when they work more than five (5) hours per day before the end of the 5<sup>th</sup> hour of their shift. If the total work period per day is no more than six (6) hours, the meal period may be waived by mutual consent of both Foundation and the employee by signing a waiver form. Employees who work in excess of ten (10) hours in a workday are eligible to receive a second unpaid meal period of no less than thirty (30) minutes. If the total hours worked is no more than twelve (12) hours, the second meal period may be waived by mutual consent of the Foundation and the employee only if the first meal period was not waived.

The specifics of your work schedule will be determined by your supervisor; and meal and rest periods may not be saved until the end of the schedule for the purpose of leaving early. At times, emergencies such as power failures, road closings, earthquakes, fires or severe weather may interfere with Foundation’s operations. In such an event, FOUNDATION may order a temporary shutdown of all or part of its operations. Depending on the circumstances, time off may or may not be paid.

## **REQUIRED OVERTIME**

(Applicable to “Nonexempt” employees)

Where work activities require additional hours for completion, it may be necessary to work overtime. The Foundation will attempt to notify an employee at least one day in advance when overtime becomes required. Where the need for the overtime is not known one day in advance, an employee is still expected to work the overtime hours unless otherwise excused by the employee’s immediate supervisor.

## **PAY PERIODS**

Foundation employees are paid on a bi-weekly basis, every other Thursday. Foundation does not permit paycheck advances.

## **TIMEKEEPING REQUIREMENTS**

Non-exempt employees must record their actual time worked for payroll and benefit purposes by clocking in/out via Paychex Flex Timekeeping system, including the time that they begin work, the time that work ends, and the times of their meal periods. Under no circumstances are employees allowed to clock in/out for a friend or coworker. Failure to clock in/out on a daily basis is a violation of Foundation’s timekeeping policy and will result in disciplinary action, up to and including termination. Employees with access to clock in/out via mobile devices are strictly prohibited from using the service to clock in/out at unauthorized locations. Employees that misuse the mobile device timekeeping system will receive disciplinary action, up to and including termination.

Exempt employees are required to submit an allocation timecard report via Paychex Flex Timekeeping system for the purposes of stating actual time worked in each account number/project. Additionally, exempt employees are required to report time (including absences) in full day increments.

All time entry problems or errors should be reported immediately to your supervisor who will attempt to correct legitimate errors. Falsifying or making unauthorized changes to any timekeeping record can result in disciplinary action including termination of employment.

## **SECTION 5 COMPENSATION GUIDELINES**

### **MERIT INCREASES**

During the employee's annual performance evaluation and contingent on budget approval by the Foundation Board of Directors, the employee may be considered for a merit increase. Merit increase amounts are based on the results of a completed performance evaluation. Wage increases for those employees hired under the provisions of grants, contracts, or other funding sources are subject to the available funding and within the guidelines of the particular grant/contract or other funding source.

### **EQUITY INCREASES**

Employee compensation levels may be analyzed and evaluated on a case by case basis, as needed, in order to determine comparability with similar positions within the Foundation, the CSU system, other auxiliary organizations, and external compensation study sources. Equity increases are subject to review and approval by the Executive Director and Director of Human Resources. Equity increases for those employees hired under the provisions of grants, contracts, enterprise units, or other funding sources are subject to the available funding and within the guidelines of the particular grant/contract or other funding source.

### **HOLIDAY PAY**

**(Full Time Regular Benefited and MSP Employees ONLY)**

Holiday pay is paid at the employee's regular rate of pay. Employees required to work on a holiday will be allowed to take an equivalent amount of time off within the year. Holiday time will not count toward hours used to determine overtime eligibility in the week of the holiday.

### **PERSONAL HOLIDAY PAY**

**(Full Time Regular Benefited and MSP Employees ONLY)**

Personal holiday pay is paid at the employee's regular rate of pay. Personal holiday time will not count toward hours used to determine overtime eligibility in the week the personal holiday was taken.

### **VACATION PAY**

**(Full Time Regular Benefited and MSP Employees ONLY)**

Vacation pay is paid at the employee's regular rate of pay. Vacation time will not count toward hours used to determine overtime eligibility in the week the vacation time was taken.

### **SICK PAY**

Sick pay is paid at the employee's regular rate of pay. Sick time will not count toward hours used to determine overtime eligibility in the week the sick time was taken. Medical evidence of illness and/or medical certification of fitness to return to work may be required before an employee may return to work after an absence due to illness or injury. In cases where sick leave has been misused disciplinary action will be taken.

Full Time Regular Benefited and MSP employees should reference Section 6 for information about sick leave/pay.

Employees not in the Full Time Regular Benefited or MSP statuses should reference the Sick Leave Policy for Eligible, Non-Benefited Employees posted on the Foundation website for more information.

Sick balances are not transferrable or payable to an employee upon separation from the Foundation.

## **OVERTIME PAY**

The Foundation provides compensation for all overtime hours worked by nonexempt employees in accordance with state and federal laws. For purposes of defining eligibility for overtime each job classification is either nonexempt or exempt. See Section 3, Identifying Exempt vs. Nonexempt Employees.

Overtime compensation is paid to all nonexempt employees at the following rate(s) and in accordance with prevailing federal and state laws:

- One and one-half times straight-time rate for all hours over 8 in a workday.
- Two times straight-time rate for all hours over 12 in a workday.
- One and one-half times straight-time rate for all hours over 40 in a workweek.
- Two times straight-time rate for all hours over 8 on the 7th consecutive workday. A

As required by law, 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.

Employees who work overtime without receiving prior authorization from their supervisor may be subject to disciplinary action up to and including possible discharge. By signing an individual's Timecard or Reporting Form, the supervisor and/or the Project Director is indicating to payroll that all regular and overtime hours worked were approved.

## **JURY DUTY PAY**

**(Full Time Regular Benefited and MSP Employees ONLY)**

The Foundation encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees may receive their regular pay from the Foundation while on jury duty. While an employee is receiving full pay from the Foundation for jury duty they may not also receive compensation from the court or any entity associated with their jury service. If any employee receives pay for their service, while also receiving full pay from the Foundation, then the Foundation will reduce the employees pay by any amount they receive through another source. An employee should notify their supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. An employee reporting for jury duty is required to provide written verification from the court clerk of having served. If work time remains after any day of jury selection or jury duty, an employee is expected to return to work for the remainder of the work schedule. Part time, Full Time Partially Benefited, temporary and/or student employees do not qualify for jury duty pay.

**SECTION 6**  
**EMPLOYEE BENEFITS**  
**(Section 6 applies to Full Time Regular Benefited and MSP Employees only)**

**BENEFIT ELIGIBILITY**

Eligibility for benefits depends upon employment status (e.g. Full Time Regular Benefited, MSP, Full Time Partially Benefited, Part Time, etc.). The respective appointment letter and/or corresponding hiring paperwork must specifically denote eligibility for benefits or the employee is not considered to be eligible for benefits. If an employee believes their status is incorrect, the employee should discuss this issue with their supervisor.

This Handbook only summarizes those benefits programs (e.g., health, dental, vision, etc.) that are maintained pursuant to a benefit plan document. If statements in this Handbook conflict with or are otherwise inconsistent with the provisions of an applicable benefit Plan Document, the provisions of the Plan Document will control.

All benefit programs are subject to an annual review and approval process the Foundation Board of Directors. Benefit programs are subject to change at the discretion of the Board.

**RETIREMENT PLANS**

Benefited employees are eligible to participate in a retirement program upon completing a one-year waiting (vesting) period or if the waiting period exception circumstances are met prior to the waiting period being met. For employees hired on or after July 1, 2014 both the Foundation and employee contribute to the retirement program. The employee's contribution is determined by the applicable benefits formula for the plan in which the employee has been enrolled, as determined primarily by the employee's hire date.

**MEDICAL, DENTAL, VISION COVERAGE**

Coverage for medical, dental and vision insurance is effective the first day of the month following full time, benefited employment. Typically, an employee will learn detailed information about these benefits during employee orientation and will also enroll at that time.

**FLEX DOLLARS**

Flex Dollars provides eligible Full Time Regular Benefited and MSP employees with a monthly credit, determined annually by the Foundation Board of Directors that can be applied to their retirement plan. Check with Foundation Human Resources for additional details on this program.

**GROUP LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE**

Term group life insurance is provided by and paid fully by the Foundation. The amount of coverage for each employee is based on the employee's annual basic earnings.

**VACATION ACCRUAL**

Benefited employees begin to accrue paid vacation the first of the month following date of hire, and accrue vacation according to the accrual schedule included in this handbook. Vacation is not accrued during periods of layoff, unpaid leave or when the employee is not scheduled for certain months of the year. Generally, sick leave cannot be initiated within time frames an employee is on approved vacation.

*Vacation Accrual Schedule:*

YEARS OF FULL-TIME, FULL TIME REGULAR BENEFITED OR MSP SERVICE	ACCRUAL (IN HOURS PER MONTH)	ACCRUAL (IN DAYS PER YEAR)	MAX UNUSED HOURS
Up to 3 years	6.67	10	160
3 - 6 years	10	15	240
6 - 15 years	13.33	20	320
15 or more years	16	24	384
MSP	16	24	440

Non-exempt employees may use vacation time in one hour increments when approved by their supervisor.

Exempt employees may use vacation time in 8 hour increments when approved by their supervisor.

Vacation schedules must be coordinated with and approved by the employee's supervisor in advance. It should be recognized that in some cases vacations may have to be temporarily deferred, and in some cases, such as to ensure appropriate staffing levels, the scheduling of vacation may be determined by the employee's supervisor.

An employee who terminates employment will be paid all accrued but unused vacation time, consistent with the accrual limitations of this policy.

**VACATION ACCRUAL MAXIMUM**

Vacation hours accrue up to a maximum number of hours. When an employee's vacation accrual reaches their maximum accrual, additional vacation hours will not continue to accrue until the employee uses vacation time to bring the total accruals below the maximum accrual. There is no retroactive grant of vacation accrual for the period of time the accrued vacation was at the maximum accrual.

**SICK LEAVE**

On the first day of the month following employment, Full Time Regular Benefited and MSP employees will begin accruing 8 hours of sick leave per month. Overtime hours are not used to calculate sick leave credits.

Sick leave is a form of paid time off that is accumulated mainly for the purpose of providing wage replacement due to personal illness. Other approved uses are stated below. Sick leave is not an entitlement to be used for other purposes and misuse of sick leave will result in disciplinary action, including possible termination. Misuse of sick leave is when an employee uses or attempts to use sick leave in a manner not contemplated below.

Sick leave is approved for any of the following uses:

- (a) The diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or a family member when the employee's presence is required and no alternate caretakers are available, or
- (b) For an employee who is a victim of domestic violence, sexual assault, or stalking, to take time off (i) to obtain or attempt to obtain any relief to help ensure the health, safety, or welfare of the employee or the employee's child, such as a temporary restraining order, restraining order or other injunctive relief, (ii) to seek medical attention, obtain services from a shelter, program or rape crisis center, (iii) to obtain psychological counseling, (iv) to participate in safety planning, or (v) to take other actions to increase safety from future incidents.

“Family member” means (a) a child, (v) a biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child, (c) a spouse, (d) a registered domestic partner, (e) a grandparent, (f) a grandchild, or (g) a sibling. A “child” includes a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis.

Nonexempt employees may use sick leave in one hour increments when approved by their supervisor. There is no maximum limit on the amount of sick leave that can be accrued for Full Time Regular Benefited and MSP employees. There is no pay for unused sick leave at termination for any classification of employee.

For more information on sick leave/pay for employees who do not fall under the Full Time Regular Benefited or MSP statuses (“non-benefited employees”), please view the Sick Leave Policy for Non-Benefited Employees on the Foundation website.

## **HOLIDAYS**

Eligibility for holiday pay begins the first day of hire. The Foundation is a service unit to the campus community, and therefore, the holiday schedule is coordinated with the University’s operating schedule. Typically, days designated as holidays by the University will also be observed by the Foundation. A schedule of paid holidays is issued at the beginning of each calendar year and posted on the Foundation website.

Please refer to the current holiday schedule posted on the Foundation’s website.

## **PERSONAL HOLIDAY**

Full Time Regular Benefited and MSP employees receive one personal holiday each calendar year. One Personal Holiday must be taken each calendar year, and must be taken as a full day rather than in hourly increments. An employee will not earn an additional Personal Holiday until they have used their Personal Holiday from a prior year.

## **CONTINUATION OF MEDICAL, DENTAL AND VISION INSURANCE**

At the beginning of a leave of absence, a Foundation Human Resources representative will explain options for continuance of medical, dental and vision insurance. Refer to Section V, Coordination with Workers' Compensation or State Disability Insurance (SDI) payments.

## **COBRA**

COBRA provides eligible employees and certain family members the right to continue health care coverage at their expense under the Foundation's group health plans. The right to continue such coverage will arise when specific events occur that would normally result in the loss of coverage. Such qualifying events include the resignation, termination, divorce or legal separation, end of child dependent status, death of an employee, or a reduction in an employee's hours. Please discuss your specific situation with Foundation Human Resources.

## **SECTION 7 EMPLOYEE DEVELOPMENT**

### **EDUCATION REIMBURSEMENT PROGRAM**

Generally, employees employed by the Foundation for at least twelve months in a Full Time Regular Benefited or MSP position are eligible to receive benefits under this program. Full Time Regular Benefited or MSP employees paid from contract or grant funds and campus programs are encouraged to participate in the Education Reimbursement Program if funds can be provided by the agency funding the individual contract, sponsored program or grant or if sufficient funds are available through the respective department.

Any employee who is eligible to receive benefits under this program may transfer their benefit to a qualifying dependent. For additional information please contact Foundation Human Resources.

### **SEMINARS, LECTURES, TRAINING PROGRAMS**

It is often desirable for employees to attend training programs, seminars, conference, lectures, meetings or other outside activities for the benefit of the Foundation and/or the individual employees. Attendance at such activities may be required by the Foundation or requested by individual employees. However, attendance will not be considered an officially authorized activity unless prior written approval from the respective supervisor has been provided. To obtain written approval, employees wishing to attend an activity must submit a written request to their supervisor detailing all relevant information, including date, hours, location, cost, expenses, nature, purpose and justification for attendance.

Where attendance is authorized by the Foundation, customary and reasonable expenses will be reimbursed upon submission of proper receipts and only with prior approval. Customary and reasonable expenses generally may include registration fees, materials, meals, transportation and parking. Reimbursement policies regarding these expenses should be discussed with your supervisor or Foundation Business and Finance Department in advance.

Employee attendance for authorized outside activities will be considered hours worked for nonexempt employees to the extent such hours coincide with normal work schedules, and such hours will be compensated in accordance with normal payroll practices.

While the Foundation encourages employees to improve their job skills and promotional qualifications, such activities are not subject to this program or reimbursement policy unless prior written approval is obtained as discussed above.

## **SECTION 8 PERFORMANCE EVALUATIONS**

### **PROBATIONARY PERIOD**

The three months of employment is considered an initial probationary period and extension of the hiring process. The three month probation period provides the Foundation an opportunity to observe and evaluate the capacity of the employee, which includes the employee's ability to satisfactorily perform the essential functions of their job, and to observe and evaluate the employee's work conduct, including attendance and professional relationship with coworkers and managers/supervisors.

The three month probationary period is not a term of employment and is not intended, nor does it, impact the at-will nature of the relationship between the Foundation and the employee. Any employee who satisfactorily completes the probation period remains an at-will employee and are not guaranteed employment. Employment for all employees at all times is at the mutual consent of the employee and Foundation and may be terminated by either the employee or the Foundation at will, with or without cause. The Foundation may extend the probation period if more time is needed to evaluate the capacity of the employee to satisfactorily perform the essential functions of their job or to observe and evaluate the employee's work conduct.

### **PERFORMANCE EVALUATIONS**

Employees will receive performance evaluations according to their employment status. Supervisors will prepare evaluations and discuss the contents of those evaluations with the respective employee.

Full Time Regular Benefited and MSP employees may be given their first performance evaluation before the completion of the six month probationary period and the second evaluation will normally be given at the end of the first year of employment. After one year of employment, performance evaluations will typically be conducted annually, on or about June 30.

Full Time Partially Benefited, Part time and/or Student employees may receive performance evaluations at the end of the fiscal year (on or about June 30) or 30 days prior to the summer lay off. Temporary employees do not generally receive a performance evaluation due to the nature of their employment.

The purpose of the performance evaluation is to (1) evaluate and communicate the strengths and weaknesses of an employee's performance, (2) set future performance goals, and (3) to determine the appropriate amount of pay increase or decrease based on merit or salary studies. Positive performance is expected of Foundation employees.

If an employee disagrees with any aspect of the performance evaluation, the employee is provided the opportunity to place comments on the evaluation form, or request a review of the performance evaluation at the next higher level of supervision within the Foundation.

## **SECTION 9 TRAVEL ON FOUNDATION BUSINESS**

### **TRAVEL**

Written approval from the unit manager and concurrence from the Executive Director is required in order to travel on Foundation business. The Foundation Business and Finance Department can provide the proper forms for reporting business related expenses or a copy of the Foundation Travel Policy and these forms and documents are also located on the Foundation website.

Travel outside of California requires written prior approval from the Executive Director. Briefly, the main areas of the travel policy are presented below.

### **USE OF PERSONAL VEHICLE**

The Foundation insurance policy may not cover damage or liability to personal vehicles used for Foundation business. Whenever personal vehicles are used for Foundation business, the respective employee is required to have automobile insurance in accordance with California state laws and the employee is specifically prohibited from driving their personal vehicle for Foundation business without the required automobile insurance in place.

### **USE OF FOUNDATION VEHICLE**

An employee's motor vehicle record must be checked and cleared through the Foundation DMV Pull Notice Program prior to operating a Foundation owned vehicle. Employees with a poor driving record are ineligible to drive Foundation vehicles. State employees may receive authorization to drive Foundation owned vehicles.

### **COMMERCIAL TRANSPORTATION GUIDELINES**

Transportation expenses consist of charges for commercial carrier fares, private car mileage allowance, overnight and day parking of vehicle, bridge and road tolls necessary taxi, bus or streetcar fares.

### **MEALS AND LODGING**

Actual cost of lodging and no more than the allowable meal allowance as set by the Federal Government will be provided.

### **EXPENSE/TRIP REPORTS**

An employee is eligible to claim appropriate per diem expenses for every 24-hour period of travel status if the travel is more than 25 miles from employee's headquarters.

A travel advance must be cleared within thirty days after the traveler's return. No additional advance for travel will be made without the clearance of a prior advance. A travel claim must account for all items of expense by the necessary receipts or support in accordance with the allowance schedule.

## **SECTION 10 LEAVES OF ABSENCE**

### **BEREAVEMENT LEAVE**

Full Time Regular Benefited and MSP employees may request up to five days of paid leave due to the death of an immediate family member. An immediate family member is defined as a spouse, registered domestic partner, the spouse's mother, father, grandmother, grandfather, grandchildren, son, son-in-law, daughter, daughter-in-law, brother, or sister.

### **PREGNANCY DISABILITY LEAVE (PDL)**

An employee is eligible for Pregnancy Disability Leave (PDL) from her first day on the job. However, for an employee to take leave under the Family Medical Leave Act (FMLA) and/or California Family Rights Act (CFRA) immediately following PDL, she must have worked as least 1,250 hours in the past 12 months. Under PDL the disability period begins the first day the employee is unable to perform the regular or customary work – similar to FMLA and CFRA.

The Foundation Human Services Department will explain eligibility and conditions of leave as well as how State Disability Insurance might be a benefit to an employee using PDL. In all cases, it is prudent to discuss your specific situation with the Foundation Human Services Department.

### **FAMILY LEAVE (FMLA & CFRA)**

Federal Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA) are unpaid leave of absences available for all employees who meet the minimum requirements. Although there are subtle differences in these two programs, leave under FMLA and CFRA run concurrently at the Foundation.

Employees seeking to use family and medical leave are required to provide: (1) thirty (30) days advance notice when the need for the leave is foreseeable, or as soon as possible when the need is unpredictable; (2) medical certification (both prior to the leave and prior to reinstatement); and, (3) periodic re-certification and reports to Foundation Human Resources during the leave. Any request for an extension of leave must be made at least two weeks prior to the end of the leave.

The primary benefits of taking FMLA/CFRA is that an employee's job is protected for a minimum of 12 weeks and the employee will remain eligible for health care insurance through the Foundation's group plans. Family and medical leave is generally unpaid unless available sick leave or vacation is used to cover some or all of the leave. Other benefits may be integrated when applicable, such as State Disability Insurance. The Foundation maintains group insurance coverage for an employee on family leave for up to a maximum of twelve (12) work weeks, if such insurance is in effect before the leave is taken. Group insurance is maintained on the same terms as if the employee had continued to work. If a leave is approved past the twelve (12) weeks, benefits may be covered if sufficient vacation time is available, to continue the employee's pay while on leave. Vacation or sick leave will not accrue during the unpaid leave. Employees who do not receive continued paid coverage for their medical insurance may continue their group insurance through COBRA.

In order to be eligible for leave under FMLA/CFRA, an employee must have worked for the Foundation for at least 12 months and must have provided at least 1,250 hours of service during that 12-month period prior to beginning their leave.

Generally, approved reasons for FMLA/CFRA include (1) birth of a child or placement of a child with the employee for adoption or foster care; (2) to care for a spouse, child or parent who has a serious health condition; or (3) for the employee's own serious health condition if the employee is unable to perform the essential functions of his or her job.

The maximum combined duration of FMLA/CFRA is 12 weeks in a 12-month period. Computation of the leave period starts with the first date covered after leaves begins.

**IMPORTANT NOTE:** Any employee who does not return to work on or before the expiration of their FMLA, CFRA, or PDL leave will typically be separated from employment and considered to have voluntarily resigned.

### **PAID FAMILY LEAVE (PFL)**

Paid Family Leave (PFL) is a benefit provided through the California Employment Development Department (EDD). Benefits from this program are designed to assist an employee with balancing workplace demands and family care needs, and covers all employees who are covered by State Disability Insurance. PFL has qualifying requirements and does not offer job protection at the Foundation. This program pays a portion of the employee's weekly salary for up to six weeks within a 12-month period. Contact the Foundation Human Resources Department for more information on this program, or visit the EDD website.

### **VICTIM OF DOMESTIC VIOLENCE LEAVE**

The Victims of Domestic Violence Employment Leave Act provides an unpaid leave of absence of up to 12 weeks for employees who are victims of domestic violence. In order for eligibility under this program, an employee must have been involved in a judicial action, such obtaining restraining orders, or appearing in court to obtain relief to ensure the employee's health, safety, or welfare, or that of the employee's child.

To take leave under this policy an employee must provide notice and certification to the Foundation Human Resources Department by one of the following methods:

- a) a police report indicating that the employee was a victim of domestic violence
- b) a court order protecting or separating the employee from the perpetrator of an act of domestic violence
- c) other evidence from the court or prosecuting attorney that the employee appeared in court
- d) documentation from a medical professional, domestic violence advocate, health-care provider, or counselor indicating the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence.

The Foundation Human Resources Department will explain eligibility and conditions of leave on an individual basis.

### **VICTIMS OF CRIME LEAVE**

An employee who is a victim, or who is the family member of a victim, of a violent felony or serious felony may take time off from work under the following circumstances: the crime was a violent or serious felony (as defined by law), or when the employee is the victim of a crime, or when an employee is an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim. An immediate family member is defined as a spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father or stepfather.

### **WITNESS SUBPOENA**

If an employee is subpoenaed as a witness for The California State University System, any of the 23 CSU campuses, or the Foundation, the employee is paid their regular salary. If an employee is subpoenaed as a witness for the Foundation, all court fees (except travel and/or subsistence) received by the employee are to be reimbursed to the Foundation. When an employee is requested to appear in court for personal reasons, vacation leave must be used for the time off.

## **MILITARY LEAVE**

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) provides rights to military personnel including the right to take military leave, and reemployment and benefit related rights. To verify eligibility under this program, an employee should provide a copy of the military orders and verification the active duty was served. Please contact Foundation Human Resources for complete information related to employer and employee requirements for military leave.

## **PERSONAL LEAVE**

A request for an unpaid personal leave may be submitted in written form to the respective manager for consideration. Attendance records, length of employment, and needs of the department, among other factors, will be considered on a case-by-case basis in determining approval or denial of such requests. A completion of a "Request for Leave of Absence" form is required and must be submitted to Foundation Human Resources for final review and approval.

## **OCCUPATIONAL DISABILITY LEAVE**

All employees, regardless of classification, are eligible for Workers' Compensation in the event of an occupational injury or illness according to applicable state law. If you experience an occupational injury or illness, you must immediately contact your supervisor or Human Resources Representative to ensure proper and timely medical care. Your supervisor or Human Resources Representative will arrange for first aid, emergency care or other medical care as is necessary based on your injury or illness. ASC can designate that you be treated by a specific medical provider for up to thirty (30) days following the date of injury or illness, or as otherwise required by state law. Your supervisor or Human Resources Representative will file the appropriate State Report of Injury. Once your claim for Workers' Compensation benefits is approved by the Company's Workers' Compensation insurance carrier or the applicable state agency, you will be eligible for reimbursement of your medical expenses incurred because of the injury or illness and compensation as determined by state law if you are absent from work for an extended period of time. You may supplement your state Workers' Compensation benefit by using any accrued paid time off including sick leave, personal floating holidays and/or vacation during your occupational disability leave, not to result in your receiving more than one hundred (100) percent of your gross base salary. During an occupational disability leave, you must pay your insurance premium contributions to continue participation in the ASC benefit plans. It is your responsibility to confirm if your premium contributions may be continued through payroll deduction or if you will need to make alternative arrangements for payment. Please contact your Human Resources Representative or Payroll office. ASC service, vacation, sick leave, personal floating holidays and any other benefits that are based on length of service will continue to accrue during an approved disability leave of absence. If a designated holiday occurs while you are on occupational disability leave, it will not be paid to you. The ASC deserves the right to inquire periodically as to the date of your return to work and you are required to provide an updated Certification to confirm your continued inability to return to work due to your disability. When you are able to return to work, you are required to give the ASC at least one (1) weeks' notice by contacting your Human Resources Representative and mailing to him/her a doctor's certificate stating that you are physically able to return to the position that you held immediately prior to your disability leave with or without reasonable accommodation. This notice is important so that your return to work is properly scheduled.

## **ORGAN OR BONE MARROW DONOR**

An employee desiring to donate bone marrow or an organ to another person may use up to 5 days of paid sick or vacation time for bone marrow donations, assuming they have such time available for use. Up to 30 paid days are available to an employee for an organ donation, assuming they have such time available for use. Please discuss your specific situation with Foundation Human Resources prior to making any medical arrangements as restrictions do apply. This section is not intended to interfere with or supersede any employee rights under FMLA/CFRA.

## VOTING

If you lack sufficient time outside of working hours to vote in a statewide election, you may take work time off to vote. Such time off shall be taken at the beginning or the end of your regular work schedule. Under these circumstances, you will be allowed a maximum of two (2) hours on Election Day without loss of pay. Voting time off should be requested at least two (2) days before the time is needed.

**SECTION 11**  
**TERMINATIONS AND REDUCTIONS IN WORK FORCE**

As stated elsewhere in this policy, all employment with the Foundation is at-will and can be terminated at any time, with or without cause or prior notice by either the employee or the Foundation.

**LAYOFF (REDUCTIONS IN WORK FORCE)**

Under some circumstances the Foundation may need to restructure or reduce its work force. If it becomes necessary to restructure our operations or reduce the number of employees, the Foundation will provide advance notice, if possible, to help minimize the impact on those affected. Generally, employees subject to layoff will be informed of the nature of the layoff and the foreseeable duration of the layoff, if applicable.

In determining which employees will be subject to layoff, the Foundation will take into account, among other things, unit operational requirements, the skill of each individual impacted, their respective productivity, ability and past work performance, and where feasible, the employee's length of service.

**SEASONAL/TEMPORARY EMPLOYMENT LAYOFF**

During the summer, extended break periods and other times employees may be placed on "temporary layoff." These layoffs are based on work available, unit operational requirements, the skill of each individual impacted, their respective productivity, ability and past work performance, and where feasible, the employee's length of service.

Benefits will not be continued during seasonal/temporary layoffs, however employees do have the option to enroll in COBRA. Accrued vacation time and personal holiday may be used during periods of temporary layoff. Vacation time or sick leave does not accrue during periods of layoff.

**JOB ABANDONMENT**

Failure to report to work on any scheduled day or during any scheduled period is unacceptable, and unless later excused, will result in disciplinary action. An absence of 3 scheduled work days or more constitutes job abandonment and is considered a voluntary resignation.

All Foundation owned property, keys, uniforms, identification badges, parking permits, etc. must be returned immediately upon separation of employment.

**RESIGNATIONS**

The Foundation requests a written notice of resignation be provided to an employee's supervisor at least two weeks before their last day of work. The notice should state the last day the employee will be working and the reason for leaving.

All Foundation owned property, keys, uniforms, identification badges, parking permits, etc., must be returned on the last day of employment or sooner if requested by the Foundation. A "Separation Clearance" Form should be completed and signed during the exit interview with the Foundation Human Resources Department.

## **SECTION 12 WORKPLACE CONSIDERATIONS**

### **SMOKE FREE WORKPLACE**

Smoking, including vaping is prohibited in all Foundation facilities, in all state buildings and all vehicles where a Foundation's employees work or ride. The University and other campus entities follow this smoke free workplace policy and smoking is limited to areas outside campus vehicles and buildings, and at least twenty (20) feet from doorways and air intakes.

### **ILLNESS AND INJURY PREVENTION PROGRAM**

Every employee is responsible for the safety of him/herself as well as others in the workplace. To achieve our goal of maintaining a safe workplace, everyone must be safety conscious at all times. To help promote the concept of a safe workplace, the Foundation maintains an Injury and Illness Prevention Program. The Injury and Illness Prevention Program (IIPP) is available for review by employees in each work location and is posted under the Human Resources section of the Foundation's website.

Any work related injury, illness, or unsafe condition must be reported to the employee's supervisor and Foundation Human Resources immediately. Unless it is an emergency, a "Medical Service Order" signed by the supervisor and/or Foundation Human Resources must be taken to the medical facility in order to receive treatment.

To return to work the employee must have a release from a physician and must follow any work restrictions until authorized to return to full duty. The employee is expected to keep the Foundation Human Resources Department informed of the progress of the injury.

### **DRUG FREE WORKPLACE AND DRUG AND ALCOHOL ABUSE PROGRAM**

The Foundation has a vital interest in maintaining safe and efficient working conditions for its employees and ensuring that all Foundation vehicles are properly maintained and operated in a safe manner. Consequently, the Foundation is concerned about the use of alcohol or illegal drugs as it affects the workplace and as it reflects upon the Foundation. Use of these substances whether on or off the job can adversely affect an employee's work performance, efficiency, safety and health, and poses a significant danger to the welfare and safety of other employees and the public. The Foundation is committed to providing an alcohol and drug-free environment and encourages our employees to voluntarily seek help with drug and alcohol problems.

The purpose of the Foundation's Drug-Free Workplace Policy is to establish a drug-free workplace, assure employee fitness for duty, and to protect our employees, the public, and Foundation property from the risks posed by the use of alcohol or drugs in the workplace and to protect the reputation of the Foundation as an organization that respects the law.

All employees must review the Drug-Free Workplace Policy posted on the Policies page of the Foundation website. As part of the employee handbook acknowledgement process, employees will be required to certify that they understand that they must be aware of and comply with the Drug-Free Workplace Policy.

## **SOLICITATION AND DISTRIBUTION OF LITERATURE**

In order to ensure efficient operation of our business and to prevent disruption to employees, it is necessary to control solicitations and distribution of literature on the campus. The Foundation has 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. Any employee, who is in doubt concerning the application of these rules, should consult with his or her supervisor immediately.

No employee shall solicit or promote support for any cause or organization, except the CSU or any of its auxiliary organizations, during their working time or during the working time of the employee or employees at whom such activity is directed.

Non-employees are not permitted to solicit or to distribute written material for any purpose on Foundation managed property unless approved by the Executive Director.

The above policy does not apply to activities permitted under the National Labor Relations Act.

## **KEYS**

Employees must follow security policies and procedures regarding all keys issued to them. The loss or misplacement of a key must be reported immediately. On the last day of employment, an employee must return all keys to Physical Plant and show proof of return (physical plant should sign Separation Checklist) to Foundation Human Resources.

## **PHOTO IDENTIFICATION**

Foundation employees, with the exception of temporary status employees, are eligible to receive a CSUDH ID card. Interested employees should submit an ID Card Request form to Foundation Human Resources.

## **PROPERTY, SECURITY, PRIVACY AND SEARCHES POLICY**

Desks, storage areas, work areas, lockers, file cabinets, credenzas, all computer systems, office telephones, certain cell phones such as those provided by Foundation, transmission radios, modems, facsimile machines, duplication machines, and Foundation owned vehicles are the Foundation's property and must be used and maintained according to this policy. All such areas and items must be kept clean and are to be used only for work purposes except as provided in this policy. The Foundation reserves the right, at all times, and without prior notice, to inspect and search any and all Foundation property for the purpose of determining whether this policy or any other Foundation policy has been violated or whether such inspection and investigation is necessary for purposes of promoting safety in the workplace or compliance with state and federal laws. Such inspections may be conducted during or after business hours and in the presence or absence of the employee. At least two employees must be present during any inspection.

The Foundation's computer systems and other technical resources, including any voicemail, email, or Internet access, cell phones, tablet's, smart devices, and the like, are provided for the use in the pursuit of the Foundation's business and are to be reviewed, monitored and used only in that pursuit, except as provided in this policy. As a result, computer data, voicemail and email are readily available to numerous persons. If, during this course of your employment, you perform or transmit work on the Foundation's computer systems or other technical resources, your work may be subject to the investigation, search and review of others in accordance with this policy. In addition, any electronically stored communications that you either send to or receive from others may be retrieved and reviewed where such investigation serves the legitimate business interests and obligations of the Foundation.

The Foundation recognizes that employees may occasionally find it necessary to use the Foundation's telephones for personal business. Such calls must be kept to a minimum and must be made only during break or lunch periods.

All personal calls out of the local zone area and out-of-state telephone calls must be reported to your supervisor in a timely manner and charges remitted promptly. Each individual unit may have more specific policies or procedures in addition to this general policy.

Employees of the Foundation are not permitted to use Foundation's equipment for non-Foundation purposes without permission from their direct supervisors. The employee has no right of privacy as to any information or file maintained in or on the Foundation's property or transmitted or stored through the Foundation's computer systems, voicemail, email, Internet access or other technical resources. For purposes of inspecting, investigating or searching employee's computerized files or transmissions, voicemail, or email, Internet access or any other technical resources, the Foundation may override any applicable passwords or codes in accordance with the best interests of the Foundation, its employees, its clients, customers, visitors, all Foundation documents and communications are the property of the Foundation and may be reviewed and used for purposes that the Foundation considers appropriate.

Only Foundation employees may access files or programs, whether computerized or not, that they have permission to enter. Prior authorization must be obtained before any Foundation property may be removed from the premises. Unauthorized review, duplication, dissemination, removal, damage or alteration of files, passwords, computer systems or programs, or other property of the Foundation, or improper use of information obtained by authorized or unauthorized means, may be grounds for disciplinary action, up to and including discharge.

### **VOICEMAIL, EMAIL AND COMPUTER DATA STORAGE SYSTEMS**

The following are guidelines for all computer equipment including voicemail, email, computer systems usage and other electronic equipment, as well as an advisory concerning Foundation's access to and disclosure of messages and information stored on these systems.

All above listed equipment used by the Foundation are provided solely to further the Foundation's business operations in conjunction with California State University, Dominguez Hills. These systems and the information stored thereon are owned and belong to the Foundation. Although employee passwords may be used for company-oriented security reasons, the use of such passwords is not intended to assure employees that communications generated by or stored on these systems will be kept confidential. The Foundation maintains the right to access these systems and to retrieve information stored thereon at any time, and all employee passwords must be made known to the Foundation upon demand. Passwords/pass codes are the property of the Foundation and should be kept to appropriate language. These systems should not be used for personal communications.

Once again, employees should keep in mind that messages and all other data stored on the Foundation's voicemail, email and computer systems is subject to access by the Foundation at any time, and is not to be considered confidential or private. We ask you to exercise good judgment in using these systems.

The appropriate use of the Foundation's voicemail, email, computer systems and other electronic equipment are as follows:

Voicemail, email messages, as well as other computer-stored data, are considered business records and can be subpoenaed (and electronically retrieved, even after you "delete" them). Therefore, nothing should be included in a voicemail or email message that you would not consider putting in a memo format.

Employees should exercise good judgment in the use of email distribution lists; these lists are developed for the convenience of the addresses and unnecessary or frivolous messages should not be sent.

Although it is not possible to provide an exhaustive list of all types of misuse of company property, the following are some examples in which company property must not be used. Misuse of company property is not limited to the examples provided below:

- Any illegal, discriminatory, threatening, harassing, abusive or offensive comments.
- Anything in conjunction with an employee's outside business endeavors or sales of any product or outside service (home products, cosmetics, etc.) or any activity that is inconsistent with Foundation goals and mission statement.
- Anything in conjunction with commercial ventures, religious or personal causes or other similar non-job-related solicitations.
- Anything relating to such materials considered obscene, in poor taste, sexual, racial, pornographic, including downloading or forwarding of same.
- Messages relating to defamatory remarks.
- Messages related to political.
- Messages or other communications violating a company policy or contrary to supervisory instructions.
- Gossip, including personal information about yourself or others, or forwarding messages under circumstances likely to embarrass the sender.
- Personal announcements (items for sale, requests for roommates, etc.), or other non-business related communications.

Any violations of these guidelines for use or other provisions of this policy may result in disciplinary actions, up to and including possible termination.

As previously noted, the Foundation's voicemail, email, computer systems and other electronic equipment are provided to facilitate the conduct of its business. All messages and other communications generated through and/or stored on these systems are considered business records. Employees who use the voicemail, email, and/or computer systems should understand that information stored on these systems cannot be considered confidential or private. Indeed, the Foundation reserves the right to access any voicemail, email and other computer-stored information at any time in the service of its legitimate business interests.

Employees should understand that the "delete" function of the Foundation's voicemail, email and/or computer systems does not necessarily make the message or other information disappear. While deletions may occur at the user level, copies may remain on one of the system back-up files.

Under certain conditions, employees will need to communicate with clients and other external users via voicemail, email and/or on the Internet. Employees are cautioned to exercise an additional level of discretion and sound judgment when communicating with third parties via these systems.

## **UNIFORM AND EQUIPMENT ISSUANCE AGREEMENT**

Uniform or equipment items are provided by the Foundation at no cost to the employee who is required to wear such uniforms or utilize such equipment as a condition of their employment. Such uniforms and/or equipment are maintained by the Foundation. It will be the employee's responsibility for the maintenance, laundry and/or care of these uniform items unless otherwise stated. All uniform items must be kept neat and clean at all times, and all equipment must be kept in working order.

Employees will be asked to review and sign the Uniform and Equipment Issuance Agreement upon receipt of uniform and/or equipment items. This Issuance Agreement explains procedures for replacement of lost, destroyed or damaged uniforms or equipment, replacing of normal wear and tear items, cleaning and caring of articles, and returning of items upon separation.

## **SECTION 13 STANDARDS OF CONDUCT**

All Foundation employees are subject to the Foundation Code of Conduct, posted on the Foundation website and the additional standards described in this section.

### **PERSONAL STANDARDS**

Each employee is a representative of the Foundation. It is important for employees to use common sense in their dress and appearance and they are expected to present a positive and professional image during business hours. Each employee must report to work properly groomed and wearing appropriate business clothing in a manner that is consistent with their responsibilities. Clothing should be neat and clean. Avoid clothing that might create a safety hazard, is a distraction in the work place, or is offensive to others.

In some positions, uniforms or standard work clothes are required. Uniforms furnished by the Foundation are not for use outside of work area. Unit managers may develop more specific guidelines consistent with their operation.

If an employee reports to work with inappropriate attire or does not meet the grooming standards, unit managers have the obligation to take the necessary steps to correct those deficiencies. An example of a necessary step is for the manager to ask the employee to change into acceptable attire. In this example, an employee may be required to go back home, change into acceptable work attire, and then return to work. Under such circumstances, employees may not be compensated for their time away from work.

If an employee is in dispute with the unit manager's determination, the employee may appeal to the Director of Human Resources and Payroll or Executive Director for a final determination.

The Foundation will make reasonable accommodations on the basis of religious dress and grooming practices. Employees may dress consistent with their gender identity and expression.

### **CUSTOMER RELATIONS**

The Foundation exists to provide services to campus customers. All employees are expected to be polite, courteous, professional, prompt and attentive to every customer.

Our customers are defined as students, employees of the University, the general public and co-workers of the Foundation. When a situation arises where the employee does not feel comfortable or capable of handling any problems that might arise, the supervisor should be contacted immediately. See the Foundation Code of Conduct for additional information.

### **REPORTING ABSENCES OR TARDINESS**

Generally, an employee's supervisor will provide instructions for reporting absences according to procedures established by the respective department. If an employee is unable to report to work, or when an employee expects to be late, that employee must notify their supervisor, or notify the person the supervisor has designated to receive such calls. Such notice should be given as far in advance as possible so that the supervisor can obtain a replacement or reschedule the department's work.

Employees also must inform their supervisor of the reason and expected duration of any absence. In those rare cases when an employee is unable to reach their immediate supervisor, they should contact their supervisor's boss, and when the employee cannot contact that person, the employee should immediately contact the Foundation Human Resources Department.

Unforeseen absences due to emergency or other uncontrollable circumstances must be reported as soon as possible along with an estimate on when the employee expects to return to work. In cases, where more than one day absence occurs, an employee is required to provide a daily status to their supervisor.

Planned absences must be arranged in advance and approved by your supervisor. All absences are subject to supervisory approval.

Instances of failure to call-in may be grounds for corrective discipline and can result in termination of employment. If an employee fails to report for work without any notification to the employee's supervisor for a period of three consecutive working days, the Foundation will consider that employee as resigned without notice as of the close of the business on the third day.

A verification of illness or appointments may be required if, in the opinion of the supervisor, absenteeism is excessive or questionable.

### **ATTENDANCE AND PUNCTUALITY**

As an employee of the Foundation, each employee is expected to be punctual and to have regular attendance. Punctuality and dependability are of prime importance to the efficient operation of the Foundation. Whenever employees are late or absent, the functions of the department cannot continue with the same degree of efficiency that would be possible if every employee were on time and at work. Absenteeism and tardiness place a burden on other employees and are generally disruptive. If you cannot avoid being late to work or are unable to work as schedule, you must call and report your absence to your supervisors at least fifteen (15) minutes before the start of your schedule. It is not acceptable to ask a receptionist or co-worker to report your absence to your supervisor.

Employees are expected to report to work fully prepared for their job duties. Employees are also expected to remain at work for their entire work schedule, except for meal and rest periods or when required to leave on authorized Foundation business.

Excessive absenteeism (unexcused) may be grounds for corrective discipline and/or up to and including termination of employment. Each situation of excessive absenteeism or tardiness shall be evaluated on a case-by-case basis.

### **CONFIDENTIALITY/TRADE SECRETS**

Those employees having access to confidential information, including, but not limited to, financial information, employee data, and trade secrets have an obligation to safeguard all such information obtained in connection with their employment. Each employee is responsible to safeguard such information and in no way reveal or divulge any such information except when it is necessary to do so in the performance of their job duties. Access to confidential information and trade secrets should be on a "need-to-know" basis and must be authorized by management. It is each individual's responsibility to take due care in securing confidential information and trade secrets. Any attempts of bribery must be reported immediately to the Director of Human Resources and Payroll. Any breach of this practice can lead to disciplinary action including termination of employment.

### **CONFLICT OF INTEREST**

Situations of actual or potential conflict of interest are to be avoided by all employees. Any type of involvement with a competitor, supplier or subordinate employee of the Foundation, which impairs an employee's ability to exercise good judgment on behalf of the Foundation, creates an actual or potential conflict of interest.

An employee involved in any of the types of relationships or situations described in this policy which creates a real or perceived conflict of interest should immediately and fully disclose the relevant circumstances to their immediate

supervisor, or any other appropriate supervisor, for a determination as to whether a potential or actual conflict exists. If an actual or potential conflict is determined, the Foundation may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action including termination of employment.

The California Education Code (§89006) has specific requirements for employees of an auxiliary organization regarding conflict of interest. It is unlawful for any person to utilize any information, not a matter of public record, that is received by that person by reason of his or her employment by, or contractual relationship with, the trustees, the California State University, or an auxiliary Organization of the California State University, for personal pecuniary gain, not contemplated by the terms of the employment or contract, regardless of whether the person is or is not so employed or under contract at the time the gain is realized. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision, which may result in a personal gain for that employee or a relative as a result of the Foundation's business activities.

All management and other employees that have been designated as in positions of decision making authority related to Foundation business activities, are required to annually review the applicable portion of the California Education Code and attest that they do not have any conflicting financial interests.

If an employee, as defined in this policy, suspects that they have a conflict of interest with Foundation business activities, then they will immediately disclose the circumstances to the Foundation Director of Human Resources and Payroll. The Executive Director and the Director of Human Resources and Payroll will review all reported conflicts of interest. The Executive Director will issue a decision that defines what activities are permissible, not permissible and any special conditions that must be met. The Executive Director will inform the Foundation's Executive Committee of all reviews and decisions relative to conflict of interests. An employee may appeal a conflict of interest review and decision to the Executive Committee of the Foundation Board of Directors. In the event that the conflict cannot be resolved in a manner compliant with the California Education Code, the employee shall be subject to disciplinary action, up to and including discharge. If the Executive Director has a conflict of interest with Foundation business activities, he/she will disclose the circumstances to the Chair of the Foundation Board of Directors.

See the Foundation Code of Conduct and Employee Conflict of Interest Statement for additional information.

## **PROHIBITED CONDUCT**

Like all organizations, the Foundation requires basic order and discipline to succeed and to promote efficiency, productivity and cooperation among employees. For this reason, it may be helpful to identify some further examples of types of conduct that are impermissible and that may lead to disciplinary action, including termination of employment. Although it is not possible to provide an exhaustive list of all types of impermissible conduct and performance, the following are some common examples. Prohibited conduct is not limited to the examples provided below:

- Theft, dishonesty, including fraudulent or destructive use of Foundation or University property.
- Fraud in securing Foundation employment.
- Falsification of time records.
- Falsification of individual's application required by the Foundation.
- Conviction of a misdemeanor or felony that is deemed job-related.
- Unsatisfactory performance.
- Excessive or unauthorized absences or tardiness.
- Insubordination (failure to recognize or accept the authority of a manager or administrator).
- Fighting, intimidating, threatening other persons or provoking such action.
- Physical or mental unfitness for the position.
- Unsafe or hazardous work actions.
- Violation of unit or Foundation policies or procedures, including, but not limited to the Code of Conduct.

- Bearing of firearms or other weapons while on campus.
- Making threats or engaging in violent activities.
- Abuse of leaves of absence or other time off.
- Reporting to work intoxicated or under the influence of non-prescribed drugs.
- Failing to maintain the confidentiality of Foundation, its employees, agents or customers.
- Failure to follow Foundation’s policies as outlined in this Handbook or any newly instituted policies.
- Any action that affects the welfare of other employees or the service of the Foundation.

It should be remembered that employment continues only upon the mutual consent of the employee and the Foundation. Accordingly, either the employee or the Foundation can terminate the employment relationship at will, at any time, either with or without cause or advance notice.

**DISCIPLINARY ACTION**

The Foundation supports the use of progressive discipline to address conduct issues such as poor work performance or misconduct, to encourage all employees to become more productive and to conform their behavior to standards and expectations.

The Foundation may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to and including termination of employment. Use of progressive discipline in no way limits or alters the at-will employment relationship.

The Foundation reserves the right to determine the appropriate level of discipline for any inappropriate behavior and/or violation of any policy, including, but not limited to demotion, verbal and written warning(s), suspension with or without pay, and discharge/termination. Each situation will be deal with on an individual basis.

**BUSINESS CONDUCT AND ETHICS**

Staff must not ask for or encourage the giving of any form of gift or benefit in connection with the performance of their duties. Receipt of gifts can be perceived as an inducement to act in a particular way, thus creating a real or apparent conflict of interest. However, a staff member may, of course, give or accept an occasional gift of nominal value, which is offered in accordance with social or cultural practice.

No employee may accept a personal gift or gratuity having a value of more than \$50 from any vendor, supplier or other person doing business with the Foundation as it may give the appearance of influence regarding their business decision, transaction or service. Employees who may receive premiums, samples or free specials as a result of buying or business activities is required to turn such items over to their unit manager for disposition.

Expenses paid by such persons, vendors or suppliers for business meals, trips or any other item of value should be discussed with Foundation senior management in advance of receipt.

Vendors, suppliers and all other persons doing business with the Foundation should be advised of this policy against the receipt of gifts or gratuities.

## DRESSCODE AND PERSONAL APPEARANCE

It is Foundation policy that each employee's dress, grooming and personal hygiene be appropriate to the work situation. Employees are expected to report to work well groomed, clean and dressed according to the requirements of the position. Foundation reserves the right to determine the propriety of an employee's attire. Some employees may be required to wear uniforms or safety equipment/clothing. Please contact your supervisor or manager for specific information regarding acceptable attire for your position. If you report to work dressed or groomed inappropriately, you may be prevented from working until you return to work well-groomed and wearing the proper attire. Foundation observes casual day on Fridays, although casual attire may not be appropriate for employees who have contact with off-campus visitors and customers. Casual dress does not include ripped or torn clothing, t-shirts with suggestive messages, halter tops, bare midriffs or shorts.

## SOCIAL MEDIA

Foundation acknowledges the growing popularity of social media as a means for sharing experiences, ideas and opinions. ASC also strives to protect itself, its employees, and those with whom we do business from the improper or unlawful use of social media. For purposes of this policy, the phrase "Social Media" refers to any type of internet-based media created through social or group interaction, where individuals primarily produce – rather than consume – the content. Examples of Social Media include: social and professional networking websites (Facebook, MySpace, LinkedIn), blogs (Twitter, industry blogs), video and image sharing websites (YouTube, Flickr, Pinterest), location-sharing websites (foursquare), consumer review websites (Yelp), virtual worlds (Second Life), and social bookmarking websites (Reddit).

The lack of reference to a specific Social Media website in this policy does not limit the extent or application of this policy. This policy applies to all employees of Foundation during both working and non-working hours, and regardless of whether the employee is using Foundation's or the employees' computers, network, internet access, equipment, or technology. Employees must understand that Foundation's other employee relations policies – including but not limited to its harassment, discrimination, standards of conduct, and confidentiality policies – apply to online conduct including the use of Social Media. Keep in mind that an employee's online conduct that violates Foundation's policy, that adversely affects your or your fellow employees' job performance, that adversely affects the reputation or brand of Foundation's customers, vendors, affiliates, or business partners, or that adversely affects Foundation's legitimate business interests may result in disciplinary action, up to and including termination. Employees who choose to use Social Media for personal or professional reasons must adhere to the following guidelines:

- Use caution and your best personal and professional judgement when contributing content about or related to Foundation, or third parties such as customers, subsidiaries, vendors affiliates, or business partners.
- Do not engage in behavior or contribute content that could be considered an act or threat of violence, bullying or unlawful discrimination or harassment.
- Do not intentionally or negligently contribute content that could be considered an act or threat of violence, bullying or unlawful discrimination or harassment.
- Employees may not contribute content in the name of Foundation, on behalf of Foundation, or in a manner that could reasonably be attributed to Foundation without prior written authorization from the Executive Director.

Any violation of any part of this policy may result in disciplinary action, up to and including termination of employment

## **WORKPLACE VIOLENCE (Zero Tolerance)**

The Foundation is dedicated in providing a safe workplace for all employees and the campus community. The Foundation and the University have a zero tolerance for all threats or acts of violence. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy. The complete policy is available on the Foundation's website.

Any potentially dangerous situations must be reported immediately to a supervisor and the Foundation Human Resources Department. Reports can be made anonymously and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. The Foundation will actively intervene at any indication of a possibly hostile or violent situation.

Foundation Human Resources takes reasonable risk reduction measures by conducting background investigations on new employees to help reduce the risk of hiring individuals that pose a threat to workplace safety.

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination of employment, expulsion from the University, or civil or criminal prosecution, as appropriate. Non-employees engaged in violent acts on the campus will be reported to the proper authorities and fully prosecuted.

## **HARASSMENT AND DISCRIMINATION (Zero Tolerance)**

Everyone deserves to be treated with respect. The Foundation takes unlawful harassment and unlawful discrimination seriously and encourages individuals to report any incidents to his or her supervisor or the Director of Human Resources and Payroll. No employee shall be discriminated or retaliated against in any way by the Foundation for reporting incidents of this nature.

Foundation Human Resources will investigate all such incidents and recommend necessary action, including discipline.

## **NONDISCRIMINATION POLICY**

The Foundation is committed to equal opportunity for all, regardless of race, color, national origin, gender, disability, age, marital status, sexual orientation, religion, veteran status, or any other protected status. The Foundation's EEO/Affirmative Action policy addresses equal opportunity in employment and recruitment.

The Foundation does not discriminate on the basis of race, color, national origin, gender, disability, age, marital status, sexual orientation, religion, veteran status, or any other protected status in any of its programs or activities it conducts.

Persons who are aggrieved may pursue a complaint or seek information by contacting the Director of Human Resources and Payroll, the Foundation Executive Director.

## **DISABILITY**

The Foundation does not discriminate on the basis of disability in treatment of or employment in its programs and activities. Section 504 and 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and various state laws prohibit such discrimination. Inquiries concerning compliance may be addressed to the Foundation Director of Human Resources and Payroll.

If any employee has special needs as addressed by the Americans with Disabilities Act (ADA), please contact the

Foundation Director of Human Resources and Payroll; reasonable efforts will be made to accommodate and an interactive process will be used. Employees who believe they have been subject to unlawful harassment or unlawful discrimination under any of the above areas should contact the Director of Human Resources and Payroll, or the Foundation Executive Director.

### **WHISTLE BLOWER PROTECTION**

Foundation employees are prohibited from engaging in any improper governmental activities or activities that create significant threats to the health and/or safety of the campus community in the performance of their work duties. Foundation employees and applicants for Foundation employment should be free to report waste, fraud, abuse of authority, violation of law, or threat to public health at the Foundation without fear of retribution. No individual who makes a protected disclosure or participates in an investigation concerning allegations of improper governmental activity or the existence of a condition that may significantly threaten the health or safety of employees or the public shall for that reason be subjected to personnel action in addition to any penalty or civil liability provided by law. Employees or applicants for employment who believe that they have suffered reprisal, retaliation, threats, coercion or similar acts for having made a protected disclosure may file a written retaliation complaint with their supervisor, manager or directly with the Foundation Human Resources Department at extension 2373 or 3306. The complaint alleging retaliation must be signed by the complainant and contain a sworn statement that the contents of the written complaint are true or believed by the complainant to be true, under penalty of perjury.

### **COOPERATION DURING AN INVESTIGATION**

Although uncommon, it can become necessary for any employee to become involved in an internal investigation regarding a suspected policy violation. At all times, all Foundation employees have a duty to cooperate in any Foundation related investigation. If an employee fails to cooperate in any such investigation, or if an employee gives false or misleading information, or impedes the investigative process, the employee may become subject to disciplinary actions which could include a wide range of actions up to and including a separation from employment.

**SECTION 14**  
**CONFLICT RESOLUTION/COMPLAINT PROCEDURE**

**CONFLICT RESOLUTION**

The Foundation provides employees with a procedure for the resolution of conflicts arising in the course of their employment in a fair and orderly fashion if such problems cannot be resolved informally. In most cases, an employee is encouraged to seek the assistance of their immediate supervisor to resolve the conflict. If the nature of the conflict causes the employee to feel uncomfortable in dealing with their immediate supervisor then the employee is encouraged to contact Foundation Human Resources.

**COMPLAINT PROCEDURE**

Employees are encouraged to bring their complaints about work-related situations to the attention of management. Employees will be provided with an opportunity to present their complaints and appeal decisions by management through a formal complaint procedure. All complaints will be resolved fairly and promptly. The formal complaint procedure is as follows:

1. A complaint may be defined as an employee's expressed feeling of dissatisfaction concerning conditions of employment or treatment by management, supervisors or other employees. Examples which may be causes of complaints include, but are not limited to:
  - Application of Foundation policies, practices, rules, regulations and procedures believed to be to the detriment of an employee;
  - Treatment considered unfair by an employee, such as coercion, reprisal, harassment or intimidation;
  - Alleged discrimination because of race, color, sex, age, religion, handicap, national origin, military reserve or veteran status, marital status, sexual orientation, or any other non-merit factor; and
  - Improper or unfair administration of employee benefits or conditions of employment such as vacations, fringe benefits, promotions, retirements, holidays, performance reviews, salaries, or seniority.
2. Supervisors are responsible for ensuring the complaint is fully processed by notifying Foundation Human Resources and/or the Executive Director immediately.
3. No employee will be penalized for using the Foundation's complaint procedure.
4. Except as otherwise specified in this Handbook, any complaint filed shall follow the procedure outlined below and shall adequately set forth the facts pertaining to the alleged violation including details of the incident(s), names of individuals involved, and the names of any witnesses.
  - A. The complaining employee shall present a complaint in writing to Foundation Human Resources or the Executive Director. The written complaint will be immediately, or as soon as practically possible, reviewed and investigated by Foundation Human Resources or the Executive Director. Foundation Human Resources or the Executive Director will meet with the complaining employee to determine the alleged facts of the case and will also meet separately with any additional parties named in the complaint. The investigation will be completed and a determination regarding the complaint will communicate to the employee(s) who complained and any accused as part of the complaint.
5. If the Foundation determines that a violation of Foundation policy, state, federal, or other applicable laws has occurred, the Foundation will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future occurrences.
6. A complaint must be brought forward as soon as it might reasonably be known to exist.

## **SECTION 15 PERSONNEL RECORDS**

### **RIGHT TO REVIEW**

Employees have a right to inspect certain documents in their personnel file - in the presence of a Foundation Human Resources Representative at a mutually convenient time. A written request should be presented to a representative of the Foundation Human Resources Department to review records. Copies of documents are not permitted with the exception of documents that have been previously signed by the employee. An employee may add their version of any disputed item to the personnel file.

### **EMPLOYEE REFERENCES OR VERIFICATIONS**

All requests for references or employment verifications must be directed to the Foundation Human Resources Department. No other manager, supervisor or employee is authorized to release references or employment verifications for current or former employees.

Generally, the Foundation's practice relating to references or employment verification for current or present employees is to confirm the employee's name, position title, dates of employment, rate of pay, and whether or not the employee is eligible for re-hire.

This policy is not intended to interfere with the ability of a unit manager to issue letters of reference when requested by individual current or former employees. Letters of reference, if so written, are voluntary and should not be written on Foundation letterhead.

### **CHANGE OF PERSONAL RECORD INFORMATION**

It is each employee's responsibility to update their personal information whenever a change of address, telephone number, legal name, or other important personal information has been changed. A Change of Employee Personal Information form should be submitted to Foundation Human Resources in order to ensure all appropriate records are updated.

### **EXIT INTERVIEW**

Before leaving, you may be asked to participate in a voluntary exit interview. This will provide closure to your employment with Foundation and will allow Foundation to ensure that it has resolved various administrative matters and that it has answered any questions you may have about continuation of benefits. It also provides Foundation with an opportunity to listen to any of your comments or ideas about improving Foundation's operations or procedures.

**SECTION 16**  
**RECREATIONAL ACTIVITIES AND MISCELLANEOUS PROGRAMS**

The Foundation or its insurer will not be liable for the payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social or athletic activity that is not part of the employee's work-related duties.

**403(b) TAX DEFERRED RETIREMENT PROGRAM**

Employees may participate in the Foundation's tax deferred retirement 403(b) plan. Funds withheld in a 403(b) are not taxed as income until it is withdrawn (usually at retirement). If an employee is interested in participating in a 403(b), please contact Foundation Human Resources for more details.

**USE OF CAMPUS FACILITIES**

Employees may use the dining facilities located within the Loker University Student Union. Library services are also available to all employees who provide appropriate identification.