



## **Employee Handbook**

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**The Academic Senate for California Community Colleges  
Employee Handbook  
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## **Handbook Disclaimer**

The contents of this handbook serve only as guidelines and supersede any prior handbook. Neither this handbook, nor any other policy or practice, creates an employment contract, or an implied or express promise of continued employment with the Organization. Employment with Academic Senate for California Community Colleges is "AT-WILL." This means employees of Academic Senate for California Community Colleges may terminate the employment relationship at any time, for any reason, with or without cause or advance notice. As an at-will employee, it is not guaranteed, in any manner, that you will be employed with Academic Senate for California Community Colleges for any set period of time.

This handbook may provide a summary of employee health benefits, however actual coverage will be determined by the express terms of the benefit plan documents. If there are any conflicts between the handbook or summaries provided and the plan documents, the plan documents will control. The Organization reserves the right to amend, interpret, modify or terminate any of its employee benefits programs without prior notice to the extent allowed by law.

Federal, State, and local laws continually evolve and change. Current laws and regulations will always supersede information provided in this handbook.

The Organization also has the right, with or without notice, in an individual case or generally, to change any of the policies in this handbook, or any of its guidelines, policies, practices, working conditions or benefits at any time. No one is authorized to provide any employee with an employment contract or special arrangement concerning terms or conditions of employment unless the contract or arrangement is in writing and signed by the Executive Director or President of the Executive Committee and the employee.

## INTRODUCTION AND HANDBOOK PURPOSE

Welcome to ~~the~~ Academic Senate for California Community Colleges (herein referred to as ~~the~~ “Academic Senate”). This Employee Handbook contains information about the employment policies and practices of ~~the~~ Academic Senate in effect at the time of publication. While this handbook is not intended to be a book of rules and regulations or a contract, it does include some important guidelines which employees should know.

This employee handbook will not answer every question ~~an~~ employees may have, nor would ~~the~~ Academic Senate want to restrict the normal question and answer interchange among us. It is in our person-to-person conversations that we can better know each other, express our views, and work together in a harmonious relationship.

We hope this guide will help employees feel comfortable with us. ~~The~~ Academic Senate depends on its employees; their success is our success. Please don't hesitate to ask questions. We will gladly answer them. We believe employees will enjoy their work and their fellow employees here. We also believe that employees will find this a good place to work.

~~The~~ Academic Senate may change wages and working conditions for any employee except for employment at-will status. Employment at-will may be terminated at the will of either the employer or the employee. ~~The~~ Academic Senate may terminate an employee's employment at any time, with or without cause and with or without notice.

~~The~~ Academic Senate reserves the right to modify, revoke, suspend, terminate, or change any or all such plans, policies or procedures, in whole or part, at any time, with or without notice for all employees. No one other than authorized management may alter or modify any of the policies in this employee handbook. No statement or promise by a supervisor, manager, or designee is to be interpreted as a change in policy, nor will it constitute an agreement with an employee.

Should any provision in this employee handbook be found to be unenforceable and invalid, such a finding does not invalidate the entire employee handbook, but only the subject provision. Nothing in this handbook is intended to infringe upon employee rights under Section Seven of the National Labor Relations Act (NLRA) or be incompatible with the NLRA.

## EMPLOYMENT PRACTICES

### **EQUAL OPPORTUNITY**

~~The~~ Academic Senate's policy is to fill every position without regard to race, color, religion, sex, sexual orientation, gender, gender identity, marital status, physical or mental disability, medical condition (including AIDS/HIV), pregnancy, age, national origin or ancestry, military or veteran status, citizenship and/or immigration status, political activities or affiliations, expunged juvenile record, child or spousal support withholding, domestic violence, assault, or stalking victim status, lawful conduct occurring during nonworking hours away from the employer's premises, genetic information, including family medical history, filing for workers' compensation ~~insurance~~, family relationship, access to employer-owned housing, lawful off-duty use of tobacco products, bringing of a claim for unlawful employment practices or any other consideration made unlawful by federal, state or local laws.

~~The~~ Academic Senate is an equal opportunity employer and selects employees ~~on the basis of~~ based on qualifications, including ability, experience, and training. Equal employment opportunity also includes, but is not limited to, employment, training, promotion, demotion, transfer, leaves of absence and termination.

~~The~~ Academic Senate takes allegations of discrimination, intimidation, harassment and retaliation very seriously and will promptly conduct an investigation when warranted.

### **Immigration Law Compliance**

Academic Senate is committed to employing only United States citizens and aliens who are authorized to work in the United States.

In compliance with the Immigration Reform and Control Act of 1986, as amended, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with Academic Senate within the past three years, or if their previous I-9 is no longer retained or valid.

Academic Senate may participate in the federal government's electronic employment verification system, known as "E-Verify." Pursuant to E-Verify, Academic Senate provides the Social Security Administration, and if necessary, the Department of Homeland Security with information from each new employee's Form I-9 to confirm work authorization.

## **EMPLOYMENT STATUS**

### At-Will Employment

Employment at ~~the~~ Academic Senate is employment at-will. Employment at-will means that an employee may resign at any time with or without advance notice ~~to the Academic Senate~~ and with or without "cause." -Likewise, ~~the~~ Academic Senate may terminate any employee at any time with or without advance notice and with or without "cause." There have been no implied or verbal agreements or promises to an employee that they will be discharged only under certain circumstances or after certain procedures are followed. There is no implied employment contract created by this handbook or any other Academic Senate document or written or verbal statement or policy.

Only the Executive Director ~~of the Academic Senate~~ has the authority to make any agreement contrary to the foregoing and then only in writing with the approval of the President. No other director, manager, supervisor or representative of ~~the~~ Academic Senate has the authority to enter into any employment agreement for any specific period of time or to make any agreement contrary to this manual.

For payroll and benefit purposes, ~~the~~ Academic Senate recognizes two (2) employee classifications. Employees are hired as either an exempt (salary) employee or a non-exempt (hourly) employee.

### Exempt Employees

Employees classified as exempt meet specific tests established by the Fair Labor Standards Act (FLSA) and applicable state law and are ineligible for overtime pay requirements. All exempt employees receive a ~~bi-weekly~~~~semimonthly~~ salary as compensation for the services they perform. The basic premise of exempt status is that exempt employees are expected to regularly work whatever hours are necessary to fulfill their job responsibilities and are not eligible to receive overtime pay ~~or compensatory time off.~~

### Non-exempt (Hourly) Employees

Employees classified as non-exempt are eligible for overtime pay, in accordance with state and federal law. Generally, employees occupying support staff positions are classified as non-exempt. Non-exempt employees are compensated based on actual hours worked.

### Regular Full-time

Regular, full-time, employees are those who are scheduled to regularly work no less than 100% of the scheduled work hours in a workweek ~~as defined in their job role (shall not be less than 3640 hours.)~~. The employee may be exempt or non-exempt. All regular, full-time employees are eligible for all employee benefits described in this manual unless otherwise stated.

### Regular Part-time Employees

Part-time employees are those who are scheduled to work less than ~~thirty-six (36)~~~~forty (40)~~ hours per week. Unless otherwise stated, ~~p~~Part-time employees are not eligible for benefits, including, but not limited to holiday pay, PTO, ~~or~~~~or~~ medical, vision and dental benefits. ~~Part-time employees will accrue sick leave hours per CA Paid Sick Leave Law.~~

### Temporary Employees

Temporary employees are those who are employed for short-term assignments to work on a specific need of ~~the~~ Academic Senate. Temporary employees will not receive any benefits unless specifically authorized in writing. ~~Temporary employees will accrue sick leave hours per CA Paid Sick Leave Law.~~

### **INTRODUCTORY PERIOD**

The first 90 days of continuous employment ~~at the Academic Senate~~, during which all employees learn their responsibilities and get acquainted with fellow employees at ~~the~~ Academic Senate, is considered an introductory period. During this time the employee will also have a chance to decide whether he or she is happy with the job, and the supervisor will have the opportunity to determine whether the employee is adapting ~~to~~ and suitable for the new job at ~~the~~ Academic Senate. ~~The employee will be paid on an hourly basis and will not receive any benefits other than accrued Sick Pay as required by CA Paid Sick Leave Law during this period.~~

At any time during this first 90 days, employees may resign. If, during this period, employee work habits, attitude, attendance, performance or other relevant factors do not measure up to our standards, ~~the~~ Academic Senate may terminate employment.

At the close of the introductory period, the employee will receive a performance review addressing his or her strengths and weaknesses. If the introductory period is successful, ~~the~~~~full-time~~ employees will be ~~eligible for all benefits including holiday pay, PTO, medical, dental and vision benefits.~~ The employee will also be given the opportunity to establish personal goals and objectives that address the areas of concern identified by the supervisor and identify the steps necessary to improve upon those areas. The employee will also be given the opportunity to express any recommendations the employee may have to improve the efficiency of ~~the~~ Academic Senate.

Completion of the introductory period does not guarantee continued employment for any specified period of time, nor does it require that an employee be discharged only for cause. Completion of the introductory period also does not imply that employees now have a contract of employment with ~~the~~ Academic Senate. Successful completion of the introductory period does not alter the at-will employment relationship.

### **PERFORMANCE EVALUATIONS**

The supervisor will review the employee's performance each year and discuss the review in private. Each employee will receive the first performance evaluation at the conclusion of the introductory period. After that review, the employee's performance will be reviewed at least once a year, ~~usually after the anniversary of the hire date.~~ Such

evaluation may not occur exactly on the anniversary date, but thereabout, at the discretion of the ~~supervisor or manager~~Executive Director.

Employee performance evaluations will include factors such as the quality and quantity of the work performed, the employee's knowledge of the job, initiative, work attitude and attitude toward others. The performance evaluation is designed to help the employee become aware of the progress made and of the areas in which improvement is needed.

Because pay increases are based on merit, the performance evaluation is an important element in the merit review. In addition to the formal annual review, informal counseling sessions may be conducted from time to time.

### **PERSONNEL RECORDS**

A personnel file will be maintained for each employee. The information recorded in the personnel file is extremely important to the employee and to ~~the~~ Academic Senate. It is the employee's responsibility to make sure that the personal data in the file is accurate and up to date. The employee must immediately report any change of address, phone number, etc., to the ~~Director of Administration~~Office Manager in writing. ~~The~~ Academic Senate will take reasonable precautions to protect employee files and employee personally identifiable information in its records.

Employee files have restricted access. Employees, their supervisor or manager, or their designated agents, may have access to those personnel files. In the event that an employee (or former employee) wishes to review their personnel file, they must do so in the presence of a supervisor or manager.

Each employee ~~of the Academic Senate~~ has a personal right to inspect his or her personnel file, as provided by law, on the premises of the Academic Senate at a time mutually convenient for the employee and ~~the~~ Academic Senate. Employees may also receive a copy of their personnel file by making a written request to ~~the~~ Academic Senate. The written request will become a permanent part of the personnel file. ~~The Academic Senate will make the c~~ Contents of the ~~employee's~~ personnel file will be made available to the employee within 30 days of receiving the request.

The employee may respond to any disputed item in his or her personnel file. Any written response must be provided to the employee's immediate supervisor or manager for inclusion in the employee's personnel file.

### **PAY PERIODS**

The designated pay period for all employees is every other Friday. Except as otherwise provided, if any date of paycheck distribution falls on a holiday, employees shall be paid on the preceding scheduled workday.

### **ADVANCES AND LOANS**

~~The~~ Academic Senate does not give salary advances or loans to its employees.

## PAYROLL DEDUCTIONS

The Academic Senate is required by law to make certain deductions from all employees' paychecks. Such deductions include federal, state, and local taxes and court-ordered wage garnishments. Voluntary deductions might include premiums for benefits, retirement plan contributions, and disability insurance.

### Exempt Employee Payroll Deductions

The Academic Senate complies with the salary basis requirements of the Fair Labor Standards Act (FLSA) and does not make improper deductions from the salaries of exempt employees. Exempt employees are those employed in a bona fide executive, administrative or professional capacity and who are exempt from the FLSA's overtime pay requirements.

There are certain circumstances where deductions from the salaries of exempt employees are permissible. Such circumstances include:

- When an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability;
- When an exempt employee is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
- To offset amounts received as witness or jury fees, or for military pay;
- For unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.
- If an exempt employee is absent for less than a day, deduction should be made from available paid time off (PTO).

The Academic Senate is not required to pay the full salary in the initial or terminal week of employment; for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act, if applicable; or for penalties imposed in good faith for infraction of safety rules of major significance. In these circumstances, either partial day or full day deductions may be made.

### What to Do if an Improper Deduction Occurs:

If you believe that an improper deduction has been made, you should immediately report this information to your direct supervisor, or to the person responsible for payroll processing.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

## WORKING CONDITIONS

It is important for the Senate Office to exhibit the highest standards of professionalism; to treat co-workers professionally with the respect of their position, and to work collaboratively and courteously with others. That principle applies both within the office setting and in relationships with regard to our contacts from outside

parties. Thus, the policies and practices establishing the working conditions seek to foster a climate in which employees:

1. maintain an attitude of service;
2. demonstrate their orientation toward that service when handling requests made by supervisors and co-workers or by faculty and the public; and
3. demonstrate cultural sensitivity towards and respect for the diverse perspectives of other staff ~~members~~, members, and the public; and participate responsibly in the dynamic efforts of this organization.

## GENERAL CONDUCT GUIDELINES

Orderly and efficient operation of ~~the~~ Academic Senate requires that employees maintain proper standards of conduct and observe certain procedures. These guidelines are provided for informational purposes only and are not intended to be all-inclusive. Nothing herein is intended or shall be construed to change or replace, in any manner, the "at-will" employment relationship between ~~the~~ Academic Senate and the employee. Nothing herein is intended to infringe upon employee rights under Section Seven of the National Labor Relations Act (NLRA).

~~The~~ Academic Senate views the following as inappropriate behavior subject to disciplinary action up to and including termination of employment:

1. Negligence, carelessness or inconsiderate treatment of Academic Senate clients and/or their matters/files.
2. Theft, misappropriation or unauthorized possession or use of ~~physical or intellectual~~ property, ~~equipment, software~~, documents, records, ~~materials~~, or funds belonging to ~~the~~ Academic Senate, or any client or employee; removal of same from Academic Senate premises without authorization.
3. Divulging trade secrets or other confidential business information to any unauthorized person(s) or to others without an official need to know.
4. Obtaining unauthorized confidential information pertaining to clients or employees.
5. Changing or falsifying client records, Academic Senate records, personnel or pay records, including time sheets without authorization.
6. Willfully or carelessly damaging, defacing or mishandling property of a client, ~~the~~ Academic Senate, or other employees.
7. Taking or giving bribes of any nature, or anything of value, as an inducement to obtain special treatment, to provide confidential information or to obtain a position. Acceptance of any gratuities or gifts must be reported to a supervisor or manager.
8. Entering Academic Senate premises without authorization.
9. Willfully or carelessly violating security, safety, or fire prevention equipment or regulations.
10. Unauthorized use of a personal vehicle for Academic Senate business.
11. Illegal conduct, creating a disturbance on Academic Senate premises or creating discord with clients.
12. Use of abusive language.
13. Any rude, discourteous or un-businesslike behavior, on or off Academic Senate premises, which is not protected by Section Seven of the National Labor Relations Act (NLRA) and which adversely affects ~~the~~ Academic Senate services, operations, property, reputation or goodwill in the community or interferes with work.
14. Insubordination or refusing to follow instructions from the Executive Director or a supervisor or manager; refusal or unwillingness to accept a job assignment or to perform job requirements.
15. Failure to observe scheduled work hours; failure to contact a supervisor or

- manager in the event of illness or any absence within 30 minutes of the scheduled start of work; failure to report to work when scheduled; unauthorized or excessive use of sick leave or any other leave of absence.
16. Leaving the office during scheduled work hours without permission; unauthorized absence from assigned work area during regularly scheduled work hours.
  17. Sleeping or loitering during regular working hours.
  18. Recording time for another employee or having time recorded to or by another employee.
  19. Use or possession of intoxicating beverages or illegal use or possession of narcotics, marijuana or drugs (under state, federal or local laws), on Academic Senate premises during working hours or reporting to work under the influence of intoxicants or drugs so as to interfere with job ~~performance,~~ ~~or performance~~ or having any detectable amounts of drugs in an employee's system.
  20. Unauthorized possession of a weapon on Academic Senate premises.
  21. Illegal gambling on Academic Senate premises.
  22. Soliciting, collecting money, vending, and posting or distributing bills or pamphlets on Academic Senate property. These activities are closely controlled in order to prevent disruption of Academic Senate services and to avoid unauthorized implication of ~~Academic Senate~~ sponsorship or approval. However, this general rule is not intended to hinder or in any way curtail the rights of free speech or free expression of ideas. Therefore, such activity by employees during non-working time, including meal and rest periods, is not restricted so long as such activity does not interfere with the orderly and regular conduct of ~~the~~ Academic Senate business, is lawful, in good taste, conducted in an orderly manner, and does not create safety hazards or violate general good housekeeping practices. Any person who is not an employee ~~of the Academic Senate~~ is prohibited from any and all forms of solicitation, collecting money, vending, and posting or distributing bills or pamphlets on Academic Senate property at all times.
  23. Falsification of one's employment application, medical, or employment history.
  24. Inappropriate staff communication with board members.

## DISCIPLINE

~~Academic~~The Senate uses a progressive form of discipline. The degrees of discipline are generally used to ensure the employee has the opportunity to correct his or her performance. There is no set standard of how many oral warnings must be given prior to a written warning or how many written warnings must precede termination. Factors that will be considered are:

- The number of different offenses ~~are~~ involved
- The seriousness of the offense
- The time interval and employee response to prior disciplinary action(s)
- The previous work history of the employee

~~The~~ Academic Senate is not required to take any disciplinary action before making an

adverse employment decision, including discharge. For example, serious offenses, such as fighting, theft, insubordination, threats of violence, the sale or possession of drugs on Academic Senate property, etc., ~~may result in~~ termination ~~as may be~~ the first and only disciplinary step taken. Any step ~~or steps~~ of the disciplinary process may be skipped at the discretion of Academic Senate after investigation and analysis of the total situation, past practice, and circumstances.

In general, oral warnings should, at the next infraction, be followed by a written warning, which may be followed at the next infraction by discharge. This is especially true in those cases where the time interval between offenses is short and the employee demonstrates a poor desire to improve his/her performance.

The purpose of discipline is to establish rules pertaining to an employee's conduct, performance, and responsibilities so that all employees can conduct themselves according to certain rules of good behavior and good conduct.

The purpose of these rules is not to restrict the rights of anyone, but rather to help people work together harmoniously according to the standards ~~the~~ Academic Senate has established for efficient and courteous service for the faculty we serve.

Reasonable rules concerning personal conduct of employees are necessary if the organization is to function safely and effectively. The supervisor will keep all employees informed of all rules and changes to those rules.

~~Academic~~~~The~~ Senate believes an employee wants to, and will, do a good job if the requirements to perform the job properly are clearly communicated. His/her supervisor is responsible for ensuring that employees know what is expected of them in their job. Further, it is ~~Academic~~ Senate's policy that employees are given ample opportunity to improve in their job performance.

#### **EXECUTIVE COMMITTEE COMMUNICATION POLICY**

Due to the unique nature of ~~Academic~~~~the~~ Senate's work, it is necessary to spell out the following expectations. ~~The~~-Academic Senate values the benefits of fostering close working relations among Senate staff and Executive Committee members, but occasionally there is a downside to this arrangement. It is important to remember that the Executive Director, in consultation with the President, is responsible for office operations. On occasion, an Executive Committee member might make inappropriate requests of an employee, such as requests for work, or personal services, or for information about ~~Academic~~ ~~the~~-Senate operations. An employee should immediately inform his or her supervisor of any inappropriate requests received. Should the employee be uncertain whether a request is appropriate, clarification from the supervisor should be sought. Similarly, an employee should not initiate requests of Executive Committee members that are outside of the normal scope of his/her job duties unless directed to do so by his/her supervisor or Executive Director.

#### **PROFESSIONALISM**

~~The~~-Academic Senate exists (~~per see~~-Title 5 Regulations) to serve our constituents, the

local community college senates. We recognize that it's important to maintain a professional attitude of service to local senates in ~~such~~-ways ~~such~~ as:

1. Cheerful voice greeting on phone and in person.
2. Attention to phone messages and prompt replies.
3. Prompt reply to requests for materials.
4. Prompt ~~reply~~~~reply~~ or ~~referral~~ to others when answers to particular questions are not readily available.
5. Presentation of a professional appearance.

## **PUNCTUALITY AND ATTENDANCE**

All employees of ~~the~~ Academic Senate are expected to be punctual and in attendance regularly.

Unsatisfactory attendance including tardiness and leaving work early is unacceptable performance. Employees will be rated in their performance appraisal in the categories of attendance and punctuality.

If an employee is ill, injured, or ~~an unexpected emergency~~~~an emergency~~ arises which prevents him/her from coming to work, the employee must notify his/her supervisor no later than 30 minutes before the start of his/her scheduled work day and no later than 9:00am. If an employee's supervisor is not available, the employee should contact the Executive Director. If an employee is physically unable to contact ~~the~~ Academic Senate, he/she should direct another person to make the contact on his/her behalf. Emails, texts, or leaving a message with a fellow staff employee or with the answering service is not considered proper notification.

When an employee calls in ~~absent~~~~absent~~, he/she ~~must~~~~are to~~ advise ~~the~~ Academic Senate of his/her expected date of return. Management reserves the right to require proof of illness, injury or accident, including a doctor's statement or notice for any temporary disability- ~~exceeding three days~~.

Repeated absences, excessive absences (excused or unexcused) or a pattern of absences are unacceptable job performance. If an employee is absent for three consecutive days and has not provided proper notification, ~~the~~ Academic Senate will assume that the employee has abandoned their position and may be treated as having voluntarily terminated employment ~~with the Academic Senate~~.

If an employee becomes ill at ~~work~~~~work~~, they should notify their supervisor or manager immediately. If an employee is unable to perform their job ~~task~~~~tasks~~, he/she may be sent home for the remainder of the day or until able to work again.

Employees shall be at their workstation ready to begin work at the start of their scheduled work time or resumption of work duties. If employees are not ~~prepared~~~~prepared~~, they will be considered tardy. Excessive tardiness, whether excused or unexcused, constitutes unacceptable work performance.

All absences are to be arranged as far in advance as possible. This includes vacations and time off for other reasons. If a doctor or dental appointment must be scheduled during the workday, it should be scheduled as early in the morning or as late in the afternoon as possible.

~~The~~ Academic Senate allows employees to apply for either a temporary disability leave (see page 3634) or a leave in compliance with the CA pregnancy disability leave law (see page 3633). If there is a medical necessity requiring extensive absences, the employee should apply for a leave.

Exempt Employee Attendance. Although the work schedule of an exempt employee will vary somewhat due to assigned responsibilities, it is anticipated that an exempt employee will maintain a normal 40-hour work schedule whenever possible. Deviation from the normal assigned work schedule should be communicated in advance to the ~~Director of Administration~~ Office Manager or the Executive Director so they can ensure the office, telephone, and work assignments and telephones are properly staffed at all times.

## **PERSONAL APPEARANCE**

~~The~~ Academic Senate requires all employees to present a professional image to the public and clients. Accordingly, employees must wear appropriate attire while at the office or conducting Academic Senate business.

Expensive clothing is not necessary for a well-groomed appearance. Clothing should be clean and neat in appearance. Employees should consider their level of customer and public contact and the types of meetings they are scheduled to attend in determining what attire is appropriate. While ~~the~~ Academic Senate generally has business casual attire, when in meetings business professional dress should be worn. Additionally, on Fridays, jeans are allowed in the office.

~~The~~ Academic Senate wishes to provide a work environment that is free of safety hazards, offensive behavior and harassment of any kind. Therefore, the following are generally not acceptable:

- Spandex or work out attire
- Bare feet
- Pants, shorts, or skirts worn below the waistline
- Sexually provocative clothing or the observable lack of undergarments and exposed undergarments
- Clothing with profanity, nude or semi-nude pictures
- Sexually suggestive slogans, cartoons, or drawings
- Clothing with offensive slogans or pictures
- Clothing showing excessive wear and tear
- Any clothing or accessories that would present a safety hazard
- Tattoos that are not appropriate in content

All employees are expected to maintain clean and appropriate oral and bodily hygiene.

Hair (including facial hair) should be clean and neat. Accessories should be moderate and businesslike and should not interfere with an employee's work. The excessive use of perfume or cologne is unacceptable, as are odors that are disruptive or offensive to others or may exacerbate allergies.

Any employee whose appearance does not meet these standards may be counseled. If the appearance is unduly distracting or the clothing is unsafe, the employee may be sent home to correct the situation. Violations of this dress code policy may result in disciplinary action up to and including termination.

Reasonable accommodation will be made for employees' religious beliefs and disabilities whenever possible, consistent with the business necessity. If you would like to request an accommodation or have other questions about this policy, please contact the Executive Director.

## WORKING HOURS

Normal office hours at ~~the~~ Academic Senate are Monday through Thursday from 7:00 a.m. to 5:00 p.m., and Friday from 8:00 a.m. to 12:00 p.m. ~~between the hours of 8:00 a.m. and 6:00 p.m.~~ The Academic Senate ~~currently operates on an Alternative Workweek Schedule (AWS).~~ Under this schedule, employees will work four 9-hour days and one 4-hour day each week. The work schedule for all regular, full-time nonexempt employees is 40 working hours per week, ~~unless otherwise designated in their job description.~~ Exempt employees are required to work whatever hours are necessary to achieve completion of their job responsibilities. Their work schedule may vary somewhat based on the necessity to allocate sufficient working hours each day to complete their assigned tasks. Deviation from the normal assigned work schedule should be communicated in advance to the ~~Director of Administration Office Manager~~ or the Executive Director so they can ensure adequate staffing will be maintained in the ~~Senate Office.~~ The schedule for each ~~Academic Senate~~ employee is set and approved by the Executive Director in conjunction with the employee's supervisor.

### MEAL PERIODS

In accordance with California state law, all employees who work more than five hours in a day are provided an unpaid lunch period. Lunch periods are generally 30 minutes in length (one hour maximum) ~~in length (30 minutes minimum)~~ and are to be arranged to provide the office with continuous telephone and reception coverage. In no case may any meal period be waived to shorten an employee's work hours or to be used in lieu of time without pay. Any employee who is scheduled to work not more than six hours in any workday may, by mutual agreement between ~~the~~ Academic Senate and the employee, work without a meal period.

When the work period is 10 hours per day, a second meal period of at least 30 minutes will be provided. If the total hours worked is 12 hours or less, the second meal period may be waived by mutual consent of the employer and the employee, only if the first meal period was not waived.

### REST PERIODS

Non-exempt Employees will take a 10-minute paid rest period for each four hours of work or major fraction thereof. These are typically taken in the morning and in the ~~afternoon, and afternoon and~~ may not be substituted for what would normally be unpaid hours.

Shift Length	Number of Rest Periods
Less than 3.5 hours	None
3.5 – 6 hours	One 10-minute break
6 – 10 hours	Two 10-minute breaks
10 – 14 hours	Three 10-minute breaks

### LACTATION ACCOMMODATION

~~The~~ Academic Senate provides a supportive environment to enable breastfeeding employees to express breast milk during work hours for up to one year following the

birth of a child. Accommodations under this policy include a place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public which may be used by an employee to express breast milk. Discrimination and harassment of breastfeeding mothers in any form is unacceptable and will not be tolerated.

## HOLIDAYS

~~The~~ Academic Senate observes the following paid state and federal holidays:

1. New Year's Day (January 1)
2. Martin Luther King's Birthday (third Monday in January)
3. Lincoln's Birthday, February 12.
4. Washington's Birthday (third Monday in February)
5. Caesar Chavez Day (March 31)
6. Memorial Day (last Monday in May)
7. Independence Day (July 4)
8. Labor Day (first Monday in September)
- 8-9. Indigenous Peoples' Day (second Monday in October,)
- 9-10. Veteran's Day (November 11)
- 10-11. Thanksgiving Day and the following day (fourth Thursday and Friday in November)
- 11-12. Christmas Week (as determined by the Executive Director)

When a holiday falls on a weekend day it is usually observed on either the proceeding Friday or the following Monday. However, ~~the~~ Academic Senate may close on another day or provide a floating holiday instead of closing. Holiday observance decisions will be announced in advance.

To be eligible for holiday pay, the employee must **be a regular, full-time employee, and** regularly scheduled to work on the day on which the holiday date observed by ~~the~~ Academic Senate falls and must work the scheduled working days immediately preceding and immediately following the holiday, unless an absence on either day is approved in advance by the employee's supervisor. If an exempt employee has an unexcused absence the day prior to or after the holiday, they must use **PTOvacation time** to cover the holiday.

## TIME REPORT CARDS

In order to assist ~~the~~ Academic Senate in the important record-keeping function related to timekeeping and allocation of expenditures to the appropriate funding source, employees will be required to submit a time **reportcard online to the Director of Administration** every other Friday by ~~10~~9:00 a.m. The time **report-card** will serve as documentation of the proportionate amount of time spent on each major Senate activity in addition to documenting overtime, sick leave, **PTOvacation**, unpaid leave and holiday hours for each employee.

## OFF-THE-CLOCK WORK

Non-exempt employees must accurately record all time worked, regardless of when and where the work is performed. Off-the-clock work (engaging in work assignments or duties that are not reported as time worked) is prohibited. No member of management may request, require, or authorize non-exempt employees to perform work without compensation. This includes checking email on personal devices after work hours. Any possible violations should be reported promptly to a supervisor or member of management. Failure to record all time worked is grounds for discipline up to and including termination.

## OVERTIME

~~The~~ Academic Senate provides compensation for all overtime hours worked by non-exempt employees in accordance with State and Federal law. (For further information on state and federal overtime provisions, see Industrial Welfare Commission Order No. 4-89 posted in the supply/copier room.)

Non-exempt employees are paid overtime at the rate of one and one-half times the regular rate of pay for all hours worked over 40 in a workweek **or 9 hours in a workday.**

## PAID OVERTIME

For overtime pay calculation purposes for non-exempt employees, the workday at the Academic Senate begins at 12:01 a.m. and ends at midnight. The work week begins at 12:01 a.m. Sunday and ends at midnight the following ~~Saturday~~**unday**. Prior authorization from the employee's supervisor must be obtained for any overtime worked by non-exempt employees. Supervisors will also notify non-exempt employees when overtime work is required.

~~The~~ Academic Senate does not provide overtime pay to exempt employees.

## California Employees:

Non-exempt employees will be paid overtime (one and one-half times the regular rate of pay) for all hours worked over **eight-nine** in one work day, over 40 in one work week, and for the first **eight-nine** hours of work performed on the seventh consecutive work day in one work week, without regard to the total number of hours worked in the previous six days. **(Please refer to the Working Hours section (page 16) for information regarding Academic Senate's AWS).**

Overtime is paid at the rate of double the regular rate of pay for every hour worked after the completion of **eight-nine** hours worked on the 7th consecutive workday in any workweek. In addition, overtime is paid at the rate of two times the regular rate of pay for every hour worked after the completion of 12 hours worked in one workday.

If ~~the~~ Academic Senate approves an employee's request to make up work time, the hours of that makeup work **must be** performed in the same week that the work was lost **and does** not count towards computing the total number of hours worked in a day, so long as the total number of hours worked does not exceed 11 hours.

### Reporting Time Pay - California Employees

Non-exempt employees who are required to report to work and are subsequently sent home by ~~the~~ Academic Senate without completing their assigned shift due to a lack of work will be paid any applicable reporting time pay.

Employees may be paid for half of their regularly scheduled shift, but no less than two hours and no more than four hours. All time worked prior to dismissal count toward these totals. Reporting time pay will be compensated at the employee's regular rate of pay. Reporting time hours, ~~with the exception of~~ ~~except for~~ any actual hours worked, will not count toward overtime calculations.

If an employee is required to report to work a second time in any one workday and is furnished less than two hours of work on the second reporting, they will be paid for two hours at their regular rate of pay.

Reporting time pay will not apply if operations cannot begin or continue due to threats to employees or property, or when civil authorities recommend that work not begin or continue; when public utilities fail to supply electricity, water, or gas, or there is a failure in the public utilities or sewer system, when the interruption of work is caused by an Act of God or other cause not within the employer's control, or if the employee is not fit to work or has not reported to work on time and is fired or sent home as a disciplinary action.

## OFFICE POLICIES

### OPEN DOOR POLICY

At some time or another, an employee may have a complaint, suggestion, or question about his or her job, working conditions, or the treatment he or she is receiving. The employee's suggestions for improving ~~the Academic Senate's~~ operations are always welcome. Employee complaints or questions are also important to ~~the~~ Academic Senate. For issues other than prohibited harassment (which has a distinct procedure outlined later), ~~Academic the~~ Senate asks the employee to take all concerns first to his or her supervisor, following these steps:

1. Bring the situation to the attention of the employee's immediate supervisor, who will investigate and provide a solution or explanation. Generally, a meeting will be held within three working days of the employee's request depending upon scheduling availability. If the problem is not resolved during this meeting the supervisor, manager or designee will give the employee a written resolution within three working days. If the employee is not satisfied, the employee may proceed to Step 2.
2. If the problem is still not resolved, the employee may present the problem to either the Executive Director or his/her designee, who will review the complaint and proposed solution and may call a further meeting to explore the problem. The Executive Director or his/her designee will give the employee a final answer generally within 10 working days after receiving the Step 2 request, assuming scheduling availability. -The decision will be given to the employee in writing and will become part of the employee's personnel file.

### WHISTLEBLOWER POLICY

This policy is intended to encourage Executive Committee members, staff (paid and volunteer) and others to report suspected or actual occurrence(s) of illegal, unethical or inappropriate events (behaviors or practices) without retribution.

If an employee violates or thinks he or she has violated any legal, or serious ethical provision of ~~the~~ Academic Senate's Code of Ethics (Executive Committee Policy 10.0), or if an employee observes, learns of, or in good faith believes it is possible that another employee has violated any such provision, that employee must immediately report the actual or suspected violation to an appropriate individual in ~~the~~ Academic Senate (e.g., the ~~Director of Administration Office Manager~~ or Executive Director). Reported violations of the Code of Ethics will be investigated, addressed promptly, and treated confidentially consistent with the need to investigate, prevent, or correct the violation.

To assist the Budget and Finance Committee of ~~the~~ Academic Senate, the Senate has established procedures for the receipt and treatment of concerns or complaints from staff members and others, including confidential, anonymous communications, regarding questionable accounting or auditing matters or perceived deficiencies in internal controls. Staff members with such complaints must report them to the persons specified in the Procedure section below. Reported violations will be investigated,

addressed promptly, and treated confidentially consistent with the need to investigate, prevent, or correct the violation.

No one reporting, in good faith, an actual or suspected violation of ~~Academic Senate's~~ policy or other unlawful act will be subject to retaliation of any kind. Retaliation against an individual for reporting in good faith an actual or suspected violation or for participating in an investigation of a violation is a serious act and may be subject to disciplinary action. Persons who knowingly, with intent to retaliate, take any action harmful to a person who reports such violations may also be subject to civil remedies or criminal penalties.

## **PROCEDURE WITH RESPECT TO REPORTS OF CONCERNS ABOUT ACCOUNTING OR AUDITING MATTERS, OR INTERNAL CONTROLS**

### Reporting Concerns

Any employee or other person who has a concern or complaint about questionable accounting or auditing matters or perceived deficiencies in internal controls **MUST** report such concern or complaint to the Executive Director. If the complaint is against the Executive Director, the report should be made to the Chair of the Budget and Finance Committee. All such reports will be treated confidentially consistent with the need to investigate, prevent, or correct the violation and will carry no risk of retribution if made in good faith. Any employees who take any action in retaliation against a person who, in good faith, makes such a report will be subject to serious discipline determined by the Executive Director. Any member of the Executive Committee who takes any action in retaliation against a person who, in good faith, makes such a report will be subject to removal as determined by the officers or in the case of an officer by the remaining officers. (See the Executive Committee Policies for process for removal of an Executive Committee member.) Nevertheless, any person may, if he or she prefers, make such a report anonymously.

### Oral Communications

The Executive Director, Chair of the Budget and Finance Committee or employee designated above who receives an oral communication expressing a concern or complaint regarding accounting or auditing matters, or internal controls, shall promptly prepare a memorandum of such communication documenting in the memorandum the dates, times, names of individuals involved, incidents, witnesses, etc.

### Written Communications

The Executive Director, Chair of the Budget and Finance Committee or employee designated above who receives an oral or written communication expressing a concern or complaint regarding accounting or auditing matters, or internal controls, including anonymous communications, shall promptly deliver to the President (unless he/she already received it) a copy of the memorandum of such oral communication or a copy of such written communication.

### Investigation

The President shall cause such investigation to be made with respect to the subject

matter of each communication of a concern or complaint regarding questionable accounting or auditing matters, or internal controls, as he or she deems appropriate, and shall provide the Budget and Finance Committee with a written summary reporting the results of such investigation and any action taken or proposed to be taken. However, the President, as he or she deems appropriate, may direct further investigation to be conducted by others, such as counsel or third parties.

#### Budget and Finance Committee Review

The Budget and Finance Committee shall (1) review all reports of concerns or complaints regarding questionable accounting or auditing matters, or internal controls, and (2) determine what action, if any, should be taken with respect to such reports.

#### Maintain Records

The Executive Director shall, in such manner as shall be determined by the Chair of the Budget and Finance Committee, maintain a file of copies of the memoranda and written communications received by the Chair reporting a concern or complaint regarding questionable accounting or auditing matters, or internal controls, and a written summary reporting the results of such investigation and any action taken or proposed to be taken. Each such memorandum and communication shall be retained in such file for a period of at least five years.

#### State Law

The public policy of the State of California is to encourage employees to notify an appropriate government or law enforcement agency when they have reason to believe their employer is violating laws that protect corporate shareholders, investors, employees, and the general public, and to protect employees who refuse to participate in activities of an employer that would result in a violation of law. No employer may:

- Adopt or enforce any rule preventing an employee from disclosing information to a government or law enforcement agency where an employee has reasonable cause to believe that information discloses a violation of, or noncompliance with, a state or federal statute, rule or regulation.
- Retaliate against an employee for disclosing such information about the employer or a former employer to a government or law enforcement agency.
- Retaliate against an employee for refusing to participate in an activity that would violate a state or federal statute, or cause noncompliance with a state or federal rule or regulation.
- For employees of a government agency, prohibit reporting such information to his/her employer which is considered a protected disclosure to a government or law enforcement agency.

Normally, suspected violations should be reported directly to the appropriate state or local agency. In addition, the California Attorney General has established a confidential Whistleblower Hotline at (800) 952-5225 to receive calls regarding possible violations of state or federal statutes, rules or regulations, or violations of fiduciary responsibility by a corporation or limited liability Academic Senate to its shareholders, investors, or

employees.

## **SEXUAL AND OTHER UNLAWFUL HARASSMENT**

This policy applies to all persons involved in the operations of ~~the~~ Academic Senate and prohibits such harassment by any committee member or employee ~~of the Academic Senate~~, including supervisors and co-workers.

Sexual harassment and unlawful harassment are prohibited behavior and against ~~Academic Senate~~ policy. ~~The~~ Academic Senate is committed to providing a work environment free of inappropriate and disrespectful behavior, intimidation, communications and other conduct directed at an individual because of their sex, including conduct that may be defined as sexual harassment.

Applicable federal and state law defines sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission of the conduct is made a term or condition of employment; or (2) submission to or rejection of the conduct is used as basis for employment decisions affecting the individual; or (3) the conduct has the purpose or effect of unreasonably interfering with the employees work performance or creating an intimidating, hostile, or offensive working environment. The following list contains examples of prohibited conduct. They include, but are not limited to:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;
- Visual conduct such as leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, or posters;
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about any employee's body or dress;
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, or suggestive or obscene letters, notes, or invitations;
- Physical conduct such as touching, assault, or impeding and/or blocking movements;
- Retaliation for reporting harassment or threatening to report harassment.

Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a manager, or harassment by persons doing business with or for ~~the~~ Academic Senate, such as clients, customers or vendors.

### **Other Types of Harassment**

Prohibited harassment on the basis of race, color, religion, national origin, ancestry, physical or mental disability, veteran status, age, or any other basis protected under local, state or federal law (refer to the EEO policy), includes behavior similar to sexual harassment, such as:

- Verbal conduct such as threats, epithets, derogatory comments, or slurs;

- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- Physical conduct such as assault, unwanted touching, or blocking normal movement;
- Retaliation for reporting harassment or threatening to report harassment.

### Retaliation

It is against ~~Academic Senate~~ policy and unlawful to retaliate in any way against anyone who has lodged a harassment complaint, has expressed a concern about harassment, including sexual harassment, or has cooperated in a harassment investigation.

Therefore, the initiation of a complaint, in good faith, shall not under any circumstances be grounds for disciplinary action. However, individuals who make complaints that are demonstrated to be intentionally false may be subject to disciplinary action, up to and including termination.

### Enforcement

All managers and supervisors are responsible for:

- Implementing ~~the~~ Academic Senate's policy on harassment, which includes, but is not limited to, sexual harassment and retaliation;
- Ensuring that all employees they supervise have knowledge of and understand ~~the~~ Academic Senate's policy;
- Taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with the policy; and;
- Conducting themselves in a manner consistent with the policy.

If ~~the~~ Academic Senate determines that prohibited harassment has occurred, ~~the Academic Senate will take~~ effective remedial action commensurate with the circumstances ~~will be taken~~. Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited harassment is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken.

### **HARASSMENT COMPLAINT PROCEDURE**

~~The~~ Academic Senate's complaint procedure provides for an immediate, thorough and objective investigation of any claim of unlawful or prohibited harassment, appropriate disciplinary action against one found to have engaged in prohibited harassment, and appropriate remedies for any victim of harassment. A claim of harassment may exist even if the employee has not lost a job or some economic benefit. If the employee believes to have been harassed or subjected to discriminatory treatment contravening the policies outlined herein or has knowledge of such conduct, the employee should use the following procedure to file a complaint.

However, employees are not required to report any prohibited conduct to a supervisor who may be hostile, who has engaged in such conduct, who is a close associate of the person who has engaged in the conduct in question or with whom the employee is uncomfortable discussing such matters. Complaints regarding harassment or retaliation

may be oral or in writing. Any individual who makes a complaint that is demonstrated to be intentionally false may be subject to discipline, up to and including termination.

1. The employee must first provide a written or oral complaint to the Executive Director, unless the prohibited harassment complaint involves the Executive Director, in which case, the employee will submit the complaint to the President. This complaint should be submitted as soon as possible after any incident the employee feels constitutes prohibited harassment or discriminatory treatment. The complaint should include the details of the incident or incidents, the names of the individuals involved and the names of any witnesses.
2. Dependent upon the parties involved in the complaint, the President, the Executive Director or his/her designee will immediately undertake an effective, thorough, and objective investigation of the harassment allegations. This investigation will be completed and a determination regarding the harassment alleged will be made and communicated to the employee and accused as soon as practical. During the investigation, confidentiality will be preserved to the fullest extent possible without compromising the Academic Senate's ability to conduct a good faith and thorough investigation. ~~Recognizes that actions that were not intended to be offensive may be taken as such.~~

Additionally, employees have the right to submit a prohibited harassment complaint to the Academic Senate Executive Committee if prompt action has not been taken to resolve the complaint according to the procedures stated above.

An employee who believes that they have been subjected to sexual harassment by anyone is encouraged, but not required, to promptly tell the person that the conduct is unwelcome and ask the person to immediately stop the conduct. A person who receives such a request must summarily comply with it and must not retaliate against the employee for rejecting the conduct. ~~The~~ Academic Senate encourages, but does not require, individuals to take this step before utilizing the above Complaint Procedure.

~~The~~ Academic Senate encourages all employees to immediately report any incidents of harassment forbidden by this policy so that complaints can be quickly and fairly resolved. Retaliation for having reported or threatened to report harassment, or for participating in an investigation, proceeding or hearing conducted by the Fair Employment and Housing Commission, is prohibited.

#### **DRUG-FREE WORKPLACE - STATEMENT OF COMPLIANCE**

~~The~~ Academic Senate is committed to protecting the safety, health and wellbeing of all employees and individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol- and drug-free environment. We also comply with applicable federal and state Drug Free Workplace laws. ~~The~~ Academic Senate accordingly must certify that it provides a drug-free workplace and has issued drug-free workplace statements with these provisions to employees ~~of the Academic Senate~~ and to every person who works on federal or state

grants for ~~the~~ Academic Senate.

It is the policy of ~~the~~ Academic Senate that the workplace is free from effects of drug and alcohol abuse. This is to avoid the dangers arising from substance abuse in the workplace. These dangers include death and injury to the employee, co-workers, or the public resulting from accidents, dereliction of duty, poor judgment, and carelessness. Substance abuse also results in the loss of productivity, reduced efficiency, and increased absenteeism by the substance abuser and interferes with the job performance of other employees. This policy, which is consistent with Government Code Section 19572 and Governor's Executive Order D-58-86, states that no employee who is on duty shall (1) use, possess, or be under the influence of illegal or unauthorized drugs or other illegal mind-altering substances; or (2) use or be under the influence of alcohol to any extent that would impede the employee's ability to perform his or her duties safely and effectively. Not in Government Code or Executive ~~Order,~~ ~~but~~ ~~Order~~ but required by federal and state grants is the application of items 1 and 2 above to individuals who work on such grants. Furthermore, no employee ~~of the Senate~~ or individual working on a federal or state grant on behalf of ~~Academic the~~ Senate shall perform duties which, because of drugs taken under a legal prescription, the employee or individual cannot perform without posing a threat to the health or safety of others. Any employee taking medication should consult a medical professional to determine whether the drug may affect their personal safety or ability to perform the essential functions of the job and should advise their supervisor or manager of any job limitations. Upon notification of job limitations, ~~the~~ Academic Senate will make reasonable efforts to accommodate the limitation.

For the safety of our employees and clients, ~~the~~ Academic Senate reserves the right to test any employee for the use of illegal drugs, marijuana or alcohol under state, federal or local laws. This may be done in cases where the employee's job carries a risk of injury or accident due to such use, or if there is an apparent inability to perform the duties required of that position. Specific jobs may, at ~~Academic the~~ Senate's discretion, require regular drug testing. Such a test may be conducted after an accident or with reasonable suspicion of impairment while on the job. Under those circumstances the employee may be driven to a certified lab at ~~Academic the~~ Senate's expense, for the drug test.

This policy prohibits the unlawful manufacture, dispensation, possession, or illegal use of a controlled substance in the workplace ~~of the Academic Senate employee or an~~ individual working on ~~Academic~~ Senate matters. In the event of the unlawful manufacture, distribution, dispensation, possession of illegal use of a controlled substance at ~~the Academic Senate~~ workplace or function, by any such person, ~~the~~ Academic Senate may take disciplinary action as appropriate and require the satisfactory completion of a drug abuse assistance or rehabilitation program. In addition, ~~the~~ Academic Senate will terminate the employee's participation on all grants that require such action. ~~The~~ Academic Senate does not provide for any counseling, rehabilitation, or employee assistance for substance or alcohol abuse. Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs

to the employee.

Employees ~~of the Academic Senate~~ or individuals working on ~~Academic~~ Senate grants convicted of a violation of a criminal drug statute when the violation occurred at the workplace ~~of the Academic Senate~~ shall report this violation to the Executive Director or President in writing within five working days of the conviction. The organization will take appropriate action within 30 days of notification. Federal contracting agencies will be notified when appropriate.

It is the intent of ~~the~~ Academic Senate that each employee ~~of the Senate~~ and all individuals working on ~~Academic~~ Senate grants abide by the terms of this drug-free workplace statement.

### **NON-SMOKING**

California law prohibits smoking in any public building or within 20 feet of a main entrance, exit, or window of a public building. ~~The~~ Academic Senate does not permit smoking in any ~~Academic~~ Senate buildings, facilities, work sites, or vehicles. Employees wishing to smoke should do so during their break times, outside ~~Academic~~ Senate buildings in designated areas, and in accordance with local ordinances.

### **WORKPLACE VIOLENCE AND SECURITY**

It is the intent of ~~the~~ Academic Senate to provide a safe workplace for employees and to provide a comfortable and secure atmosphere for customers and others with whom ~~the~~ Academic Senate does business. ~~The~~ Academic Senate has zero tolerance for violent acts or threats of violence.

~~The~~ Academic Senate expects all employees to conduct themselves in a non-threatening, non-abusive manner at all times. No direct, conditional, or veiled threat of harm to any employee or ~~Academic Senate~~ property will be considered acceptable behavior. Acts of violence or intimidation of others will not be tolerated. Any employee who ~~commits, or commits~~ or threatens to commit a violent act against any person while on Academic Senate premises will be subject to immediate discharge.

Employees ~~within the Academic Senate~~ share the responsibility in identification and alleviation of threatening or violent behaviors. Any employee who is subjected to or threatened with violence, or who is aware of another individual who has been subjected to or threatened with violence, should immediately report this information to their supervisor, manager or designee. Any threat reported will be carefully investigated and employee confidentiality will be maintained to the fullest extent possible.

### **SAFETY PLAN**

~~The~~ Academic Senate is firmly committed to maintaining a safe and healthy working environment. All employees ~~of the Academic Senate~~ are expected to be safety conscious on the job at all times. All unsafe conditions or hazards should be corrected immediately. Employees should report all unsafe conditions or hazards to their supervisor or the Executive Director immediately, even if the employee believes that the problem has been corrected. If the employee suspects a concealed danger is present

on ~~the the Academic Senate~~ premises, or in a product, facility, piece of equipment, process or business practice for which ~~Academic~~the Senate is responsible, he or she should bring it to the attention of the supervisor or the Executive Director immediately. Supervisors will immediately arrange for the correction of any unsafe condition or concealed danger.

### **COMPUTER, E-MAIL ACCOUNTS, ~~AND~~ INTERNET ACCESS USE POLICY**

The purpose of this policy is to establish guidelines for the use by employees of the computer hardware and software, email accounts, and Internet access provided by ~~Academic~~the Senate to improve the performance of their duties and to support their continuing education and professional development.

#### Use of computer hardware and software

Only software that has been approved by the Executive Director and for which ~~Academic the~~Senate holds appropriate license or other rights to use may be installed on the ~~Academic~~ Senate's computers.

All employees shall use third party software in accordance with the rights licensed to ~~the~~ Academic Senate by the software vendor. No employee shall make, permit, or authorize any other person to make any unauthorized copies of any software under any circumstances.

The primary use of the ~~Senate's~~ computer hardware and software should be for work related purposes. Employees may make limited personal use of these resources, so long as the amount of usage does not interfere with the performance of their duties.

Because the computers and software are ~~Senate~~ resources, ~~the~~Academic Senate reserves the right and may exercise such right to inspect or monitor all computer usage and files. Employees should be aware that there is no right of privacy in any file created or stored using ~~Academic~~ Senate's computer equipment or software.

Any employee who determines that there may be a misuse of software should notify the Executive Director.

#### Use of Email and Internet Access

~~The Senate furnishes~~ Eemail accounts and Internet access ~~are furnished~~ to its employees as communication and research tools to assist them in their work. The primary use of these tools should be for work-related purposes. Because employee email accounts and Internet access are a ~~Senate~~ resource, ~~Academic~~the Senate reserves the right and may exercise such right to monitor all email and Internet messages and use. Employees should be aware that there is no right to privacy in any message sent or received through an ~~Academic~~ Senate email account or in Internet use through personal accounts.

Employees may make limited personal use of their email accounts and Internet access, so long as such use does not interfere with the performance of duties, and the use is otherwise consistent with this policy. Use of email accounts for non-Academic Senate

business or personal fundraising or profit-making activities is not permitted.

Employee usage of email accounts and Internet access should comply with all applicable laws, whether local, state, or federal, including (without limitations) laws prohibiting improper distribution of copyrighted materials, harassment or disparagement of others, access to obscene works, or improper or unauthorized access to computer networks.

When using their accounts, employees should take reasonable precautions to avoid introducing computer viruses or causing other disruptions to computer system security and performance. No employee shall intentionally compromise or attempt to compromise the security, integrity or performance of the computer hardware and network used by ~~Academic~~the Senate.

Any employee receiving a request for disclosure of email or Internet messages by subpoena or otherwise, shall refer such requests to the Executive Director for appropriate handling.

#### Disciplinary measures

Violations of this policy shall be subject to discipline, up to and including discharge. Abuse of email accounts or Internet access may result in the loss of the account. Any illegal activity involving ~~Academic~~the Senate's Internet resources or email accounts shall result in immediate termination.

### **SOCIAL MEDIA**

~~The~~ Academic Senate understands that social media can be a fun and rewarding way to share an employee's life and opinions with family, friends, and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist employees in making responsible decisions about their use of social media, we have established these guidelines for appropriate use of social media. This policy applies to all employees of ~~Academic~~the Senate.

#### Guidelines

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

The same principles and guidelines found in ~~Academic~~ Senate policies apply to employee activities online. Ultimately, employees are solely responsible for what they post online. Before creating online content, employees should consider some of the risks and rewards that are involved. Employees should keep in mind that any conduct that adversely affects an employee's job performance, the performance of fellow employees, or otherwise adversely affects members, customers, suppliers, people who work on behalf of ~~the~~ Academic Senate, or ~~the~~Academic Senate's legitimate business

interests may result in disciplinary action up to and including termination.

### Know and Follow the Rules

Carefully read these guidelines, the General Conduct Guidelines, and the Sexual and Other Unlawful Harassment policies, and ensure your postings are consistent with these. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject employees to disciplinary action up to and including termination.

### Be Respectful

Employees should always be fair and courteous to fellow employees, customers, members, suppliers, or people who work on behalf of ~~the~~ Academic Senate. Also, employees should keep in mind that they are more likely to resolve work-related complaints by speaking directly with their co-workers or by utilizing our ~~Open Door~~ Open-Door Policy than by posting complaints to a social media outlet.

Nevertheless, an employee decides to post complaints or criticism, they should avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating; that disparage customers, members, employees, or suppliers; or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or ~~Academic~~ Academic Senate policy.

### Be Honest and Accurate

Employees should make sure they are always honest and accurate when posting information or news. ~~and~~ If they make a mistake, it should be corrected ~~quickly~~ quickly, and they should be open about any previous posts they have altered. The ~~l~~ internet archives almost everything; therefore, even deleted postings can be searched.

Employees should never post any information or rumors that they know to be false about ~~the~~ Academic Senate, fellow employees, members, customers, suppliers, and people working on behalf of ~~the~~ Academic Senate or competitors.

### Post Only Appropriate and Respectful Content

- Employees should maintain the confidentiality of Academic Senate trade secrets and private or confidential information. ~~Trades~~ secrets may include information regarding the development of systems, processes, products, know-how and technology. Employees should not post internal reports, policies, procedures or other internal business-related confidential communications.
- Financial disclosure laws must always be respected. It is illegal to communicate or give a "tip" on inside information to others so that they may buy or sell stocks or securities.
- Employees should not create a link from their blog, website or other social networking site to an Academic Senate website without identifying themselves as ~~an~~ Academic Senate employee.
- Only personal opinions should be expressed. Employees should never represent

themselves as a spokesperson for ~~Academic the~~ Senate. If ~~-Academic the~~ Senate is a subject of the content they are creating, they should be clear and open about the fact that they are an employee and make it clear that their views do not represent those of ~~Academic the~~ Senate, fellow employees, members, customers, suppliers or people working on behalf of ~~Academic the~~ Senate. If an employee does publish a blog or post online related to the work they do or subjects associated with ~~Academic the~~ Senate, they should make it clear that they are not speaking on behalf of ~~Academic the~~ Senate. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of ~~the~~ Academic Senate for California Community Colleges.”

#### Using Social Media at Work

Employees must refrain from using social media while on work time or on Academic Senate equipment, unless it is work-related as authorized by a manager or consistent with the Electronics Assets Usage policy. Employees may not use Academic Senate email addresses to register on social networks, blogs, or other online tools utilized for personal use.

#### Retaliation is Prohibited

~~The~~ Academic Senate prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

#### Media Contacts

Employees should not speak to the media on ~~the~~ Academic Senate’s behalf without contacting the Executive Director. All media inquiries should be directed to him/her.

#### For More Information

If an employee has questions or needs further guidance, they should contact the Executive Director.

### **TELEPHONE USE POLICY**

The purpose of this policy is to establish guidelines for the ~~telephone usage~~ use by employees ~~of the telephones~~. The primary purpose of the telephone system is to communicate with ~~Academic~~ Senate member districts and colleges. Employees may use the phones to take and receive personal calls. However, the number and length of personal calls should not be excessive or otherwise disturb the workflow of the office. Personal long- distance phone calls should not be made from ~~the~~ Academic Senate phones unless the employee charges the call to a calling card or receives the express approval of the ~~Director of Administration Office Manager~~ or Executive Director.

Employees should be cognizant of the work environment in which they are placing or receiving personal phone calls. Abusive or otherwise unacceptable language shall not be used in ~~the the Senate Office~~ at any time, even during a personal phone call.

## STAFF GIFT ACCEPTANCE POLICY

The purpose of this policy is to establish guidelines on gift acceptance; clearly define what activities and behaviors are acceptable; and to provide guidance to employees on how to report gifts received.

No employee ~~of the Academic Senate~~ shall derive any personal profit or gain, directly or indirectly, by reason of his or her decisions or activities while employed by ~~Academic Senate~~. All gifts received—including social invitations, lunches, hotel stays, or other gifts—must be reported to the Executive Director. ~~Academic Senate~~ Employees are not encouraged to solicit gifts from vendors, but this does not mean an employee is not allowed to accept an occasional lunch or small gift from a vendor, event organizer or sponsor, it just means the employee should report these to the Executive Director. This will allow the Executive Director to determine what an acceptable gift is and how such gifts will be distributed.

All transactions with a vendor, sponsor, event organizer or member organization, regardless of amount or value, shall be disclosed either verbally or in a written statement to the Executive Director as soon as possible and, in all cases, no later than the date of the action. In the case of violations of this policy, including non-disclosure or non-allowed personal benefit, the Executive Director shall undertake appropriate disciplinary action. The Executive Director, at his/her discretion and where possible, may also terminate all contracts, agreements and arrangements with the related organization, vendor or sponsor.

## TRAVEL POLICY

The purpose of this policy is to establish guidelines for the ~~use by Academic Senate staff for when a~~ non-exempt employee travels on ~~Academic Senate~~ business.

The Portal-to-Portal Act specifically excludes from compensable time, all time that is spent “*walking, riding or traveling to and from the actual place of performance of the principal activity*” of an employee and time spent in “activities which are preliminary or postliminary” to the principal activity. Travel time at the beginning or end of the workday, therefore, is not compensable. In the event that a non-exempt employee must travel to a location with travel time that is longer than the normal home-to-work commute, the difference is considered compensable time.

Assigned travel and time spent doing productive work during a trip is counted as time worked for non-exempt employees. Travel time between home and the work place is not time worked. For example, if an employee must stay overnight to work on behalf of the Academic Senate at ~~f~~ Fall ~~S~~ session, the employee is not eligible for compensation for the entire time spent out of town, only the time actually working during Session and for all time spent traveling to get there in excess of the normal home-to-work commute.

If an employee is offered the option of public transportation but chooses to drive, the employer may count as hours worked the lesser of either the time spent driving or the time that would have had to be counted if public transportation had been taken. If the employer has arranged travel to and from the event but the employee chooses to travel

separately, the employee will not be reimbursed for the cost of travel or mileage unless they have received written prior approval.

|

## LEAVES OF ABSENCE AND DISABILITY ACCOMODATION

The Academic Senate may grant leaves of absence to employees in certain circumstances. It is important for an employee to request any leave in writing as far in advance as possible, to keep in touch with his/her supervisor or the Executive Director during his/her leave, and to give prompt notice if there is any change in the return date.

If the leave expires and the employee has not contacted his/her supervisor or the Executive Director, it will be assumed that the employee does not plan to return and has voluntarily terminated his or her employment. If the employee is unwilling to return or does not have a reasonable explanation for his/her inability to return to work at the conclusion of any leave, the employee may be terminated.

A leave of absence can affect medical benefit plan coverage. Ask the Executive Director for information.

An employee on an unpaid leave of absence is responsible for the entire cost of medical, life, dental or vision insurance premiums during the leave of absence, except for approved medical leaves of absence including PDL leave.

### **PAID SICK LEAVE:† PART-TIME, PROBATIONARY/INTRODUCTORY EMPLOYEE, TEMPORARY EMPLOYEES**

Sick leave is a form of paid time off accumulated in order to provide employees with a cushion for personal appointments or incapacitation due to illness. Sick leave may be used for diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member, or by an employee who is a victim of domestic violence, sexual assault, or stalking.

For purposes of this policy, "family member" is defined as a 1) biological, adopted or foster child, step-child or legal ward, or child to whom the employee stands in loco parentis; 2) biological, adoptive, or foster parent, stepparent or legal guardian of an employee or the employee's spouse or registered domestic partner or person who stood in loco parentis when the employee was a minor child; 3) A spouse or registered domestic partner; 4) A grandparent, grandchild or sibling. ~~Sick leave is a form of paid time off accumulated in order to provide employees with a cushion for personal appointments or incapacitation due to illness.~~

~~Sick leave may be used for diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member, or by an employee who is a victim of domestic violence, sexual assault, or stalking.~~

~~For purposes of this policy, "family member" is defined as a 1) biological, adopted or foster child, step-child or legal ward, or child to whom the employee stands in loco parentis; 2) biological, adoptive, or foster parent, stepparent or legal guardian of an employee or the employee's spouse or registered domestic partner or person who stood in loco parentis when the employee was a minor child; 3) A spouse or registered domestic partner; 4) A grandparent, grandchild or sibling~~

### California Employees

~~The Academic Senate accrues offers~~ paid sick leave to all Part-Time, Introductory, (probationary), and Temporary employees per CA Paid Sick Leave Law. ~~(including temporary employees.)~~ -Accrual begins upon hire.

Employees accrue sick leave at a rate of .0334 hours per hour worked each pay period, up to 24 hours of paid sick leave per year. -Employee is eligible to use sick leave after 90 days of employment. Accrued sick leave may be accrued up to a maximum of 48 hours; when that point is reached the employee will cease to accrue additional time. Employee may carry over accrued sick leave up to 48 hours into a new year. Sick leave is not compensated upon termination or resignation. Employees rehired within one year of separation will have their previously accrued sick leave restored.

Employees may use up to 24 hours of sick leave a year. All sick leave pay is based upon current rate of pay. Employees on unpaid leave do not accrue sick leave. ~~Employees accrue personal leave at a rate of .0334 hours per each hour worked. Accrual occurs each pay period. Accrued sick leave may be accrued up to a maximum of 48 hours; when that point is reached the employee will cease to accrue additional time. Employees may carry over accrued sick leave into a new year. Sick leave is not compensated upon termination or resignation. Employees rehired within one year of separation will have their previously accrued sick leave restored.~~

~~Temporary and Part-time employees may use up to 24 hours of sick leave a year. Regular-full Time employees may use up to 40 hours of sick leave a year. All sick leave pay is based upon current rate of pay. Employees on unpaid leave do not accrue sick leave.~~

### Oregon Employees

~~All employees will accrue one hour of paid sick leave for every 30 hours worked, up to a cap of 40 hours per year. Exempt employees will be presumed to work 40 hours per week, unless they are regularly scheduled to work fewer than 40 hours, in which case accrual will be based on their usual schedule. Employees begin accruing leave immediately upon the implementation of this policy or the date of employment, whichever comes later. Employees hired prior to January 1st, 2016 will be eligible to use leave immediately as it is accrued; employees hired after January 1st, 2016 will be eligible to use accrued leave on their 91st day of employment.~~

~~When sick leave is used, it will be paid at the employee's regular rate of pay. Sick leave can be used in increments of one hour or more. A written accounting of each employee's available sick leave will be distributed on at least a quarterly basis. Yearly usage is capped at 40 hours. Employees may roll over up to 40 hours of unused sick leave per year. Unused sick leave will not be paid out at the end of employment. Employees rehired within 180 days will be credited with their previously accrued paid sick leave. All employees will accrue one hour of paid sick leave for every 30 hours worked, up to a cap of 40 hours per year. Exempt employees will be presumed to work 40 hours per week, unless they are regularly scheduled to work fewer than 40 hours, in~~

~~which case accrual will be based on their usual schedule.~~

~~Employees begin accruing leave immediately upon the implementation of this policy or the date of employment, whichever comes later. Employees hired prior to January 1st, 2016 will be eligible to use leave immediately as it is accrued; employees hired after January 1st, 2016 will be eligible to use accrued leave on their 91st day of employment.~~

~~When sick leave is used, it will be paid at the employee's regular rate of pay. Sick leave can be used in increments of one hour or more. A written accounting of each employee's available sick leave will be distributed on at least a quarterly basis.~~

~~Yearly usage is capped at 40 hours. Employees may roll over up to 40 hours of unused sick leave per year. Unused sick leave will not be paid out at the end of employment. Employees rehired within 180 days will be credited with their previously accrued paid sick leave.~~

~~Employees may use sick time for the following:~~

- ~~• An employee's mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive health care~~
- ~~• For the care of a family member with a mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive health care~~
- ~~• To seek legal or medical services if an employee is a victim of domestic violence, sexual assault, or stalking~~
- ~~• For any purpose allowed under the Oregon Family Leave Act (OFLA), regardless of whether the employer or employee are covered by OFLA~~
- ~~• In case of public health emergency~~

~~If the need for sick leave is foreseeable, employees must provide advance notice. If the need for sick leave is unforeseeable, the Academic Senate should be notified as soon as possible.~~

## **VACATIONS PAID TIME OFF**

### Regular, Full-time employees

All regular Full-Time employees accrue ~~are given~~ paid time off (PTO) scheduled in accordance with the following policy.- Employees must ensure they have sufficient hours accrued before requesting paid time off. Paid time off for Full-Time employees includes vacation and sick leave accrual in compliance with CA ~~State Sick Pay~~ Paid Sick Leave -Law.

After completion of the ~~probationary~~ **introductory** period, full-time employees in their first and second year of continuous employment at ~~the~~ Academic Senate begin to accrue PTO at the rate of 80 hours per year, accrued at a rate of 3.0877 hours per pay period. Maximum accrual 120 hours.

After the second year of continuous employment, full-time employees will accrue PTO at the rate of 160 hours per year, accrued at the rate of 6.154 hours per pay period. Maximum accrual 240.

Maximum Accrual: Once an employee reaches the maximum accrual amount of PTO, all accruals will stop until the employee uses PTO and the accrued balance falls below the PTO cap. When the maximum accrual cap is reached, the employee must take time off to begin accruing again. Employees may carry over the balance of unused PTO accrued at year end. ~~All Full-time regular employees, other than the Executive Director, are given vacations scheduled in accordance with the following policy:~~

~~After completion of the introductory period, full-time employees in their first and second years of continuous employment at the Academic Senate begin to accrue vacation time at the rate of 40 hours per year accrued at a rate of 1.538 hours per pay period. Accrual occurs each pay period. (Maximum accrual 60 hours)~~

~~After the second year of continuous employment, full-time employees will accrue vacation time at the rate of 120 hours per year, accrued at the rate of 4.615 hours per pay period. (Maximum Accrual 180 hours)~~

~~Maximum Accrual: Vacation time no longer accrues once that employee's accrual reaches a level one and a half times the annual amount they are eligible to accrue at that time. When that point is reached the employee must take vacation to begin accruing again. Employees may carryover all unused vacation up to the accrual cap each year.~~

Part-Time Employees, Temporary Employees, and **ProbationaryIntroductory** Employees do not accrue PTO. Regular Full-Time Employees on unpaid leave do not accrue PTO. ~~Employees on unpaid leave do not accrue vacation time.~~

~~Part-time employees~~

~~Part-time employees do not accrue vacation time.~~

~~Temporary employees~~

~~Temporary employees do not earn paid vacation.~~

## Mandatory Leave

It is Academic Senate's policy that employees are required to take annual leave (PTO) due to them. Noncompliance of this policy may be cause for official reprimand. Employees must have paid time off requests approved by their supervisor in writing and in advance of taking time off. Paid Time Off shall be scheduled to provide adequate coverage of duties and staff requirements. -In the case of unavoidable absences due to sickness or other emergencies, supervisor should be notified as soon as reasonably possible.

No employee shall use more than the currently accrued balance of available PTO and incur a negative balance. ~~Under no~~ circumstances arise such that a negative PTO balance will occur, then ~~will a negative balance of PTO be approved by Executive Director without~~ express advance authorization ~~in writing from the employee to the Executive Director from employee allowing~~ indicating acknowledgement of the amount due ~~to~~ will be deducted from future paychecks.

~~Paid Time Off accrued hours will be paid out at termination of employment at the current hourly rate, up to the maximum accruals noted above. The Academic Senate requires employees to take annual leave due to them. Employees must have vacation requests approved by their supervisor in writing and in advance of taking vacation time off. Vacations shall be scheduled so as to provide adequate coverage of duties and staff requirements. The Executive Director will also approve all vacation requests and make the final determination in this regard.~~

### Vacation Payout at Termination

~~Vacation will be paid out at termination of employment up to the maximum accruals noted above.~~

### Paid Time Off Payout

Under extraordinary circumstances, work demands may be such that an employee is unable to use all accrued paid time off through-out the year. Under this circumstance, an employee that has a minimum of 120 PTO hours available may request to receive a pay-out of up to 80 hours of accrued PTO at the employee's current hourly rate. -This option is allowed one time annually at calendar year-end (Dec), and employee must have a minimum remaining balance of 40 hours PTO available after the payout. Available balance must be confirmed by current payroll records.

## **PREGNANCY DISABILITY LEAVE (California Employees)**

The Pregnancy Disability Leave (PDL) Act allows an employee who is disabled due to pregnancy, childbirth, or related medical conditions to take a pregnancy-related disability leave for the period of actual disability, up to a maximum of four months. The duration of the leave is determined by the employee's physician. Part-time employees are entitled to leave on a prorated basis. Employees will be required to provide medical certification supporting the need to time away under pregnancy disability leave.

Employees who take leave for pregnancy, childbirth, or a related medical condition will be treated like an employee with any other disability and will be eligible for temporary disability benefits in the same amount as any other employee on leave.

Regular and temporary full- and part-time employees of ~~the~~ Academic Senate are eligible for pregnancy leave without regard to length of employment. Any accrued but unused sick leave will be substituted for unpaid pregnancy disability leave. Employees may elect to substitute any other accrued but unused paid time off for unpaid pregnancy disability leave.

Upon request of the employee and recommendation of the employee's physician, the employee's work assignment may be changed to protect the health and safety of the employee and her child. Temporary transfers due to health considerations will be granted when possible. The transferred employee must be qualified for the position, and they will have an equivalent rate of pay and benefits received in the position they occupied immediately before the leave.

~~The~~ Academic Senate will maintain health coverage during the period of actual disability, up to a maximum of four months, in addition to the requirement to maintain health coverage during an approved leave under the California Family Rights Act (CFRA) of up to 12 weeks, if applicable.

At the end of the ~~employees~~employee's pregnancy disability leave, an employee who has a physical or mental disability (related to pregnancy or otherwise) may be entitled to reasonable accommodation, including additional leave, for that disability.

#### **TEMPORARY DISABILITY LEAVE**

~~The~~ Academic Senate recognizes that a temporary disability may preclude an employee's attendance at work. In such cases, ~~the~~ Academic Senate does not have a predetermined specified period of time in which this unpaid leave is granted. Rather, ~~the~~ Academic Senate will attempt to reasonably accommodate the needs of the employee as well as the needs of ~~the~~ Academic Senate. If a leave is granted, any extensions will be subject to the same considerations.

Employees that request a temporary disability leave must do so in writing. That request should be accompanied by a doctor's statement regarding the need for a temporary leave of absence based on the presence of a disability and should, when practicable, include an estimated date of return. At any time during a temporary leave, the supervisor or manager may request that employees furnish a written statement of their health. Prior to returning to employment with ~~the~~ Academic Senate, employees will be required to submit written medical certification of their ability to work, including any restrictions. Upon returning to work, if employees qualify, they will be reinstated to their former position or one that is substantially the same, depending upon the availability of any position at that time.

~~The~~ Academic Senate observes and complies with all federal and state medical leave regulations that pertain to our employees. This includes federal and any state leave provisions that might apply.

Any unused accrued sick leave shall be used prior to the effective date of the temporary

disability leave. Employees may request payment of any accrued but unused ~~PTO~~ ~~paid vacation time~~ prior to the effective date of the temporary disability leave.

Any employee granted a medical leave of absence pursuant to this policy will continue to participate in employer-provided benefits except accumulation of ~~PTO~~ ~~vacation~~ and sick leave hours and paid holidays during the approved leave of absence period. ~~Employee is responsible for payment of health, vision, and dental premiums to continue coverage.~~

## **REASONABLE ACCOMMODATIONS**

It is the policy of ~~the~~ Academic Senate to comply with all the relevant and applicable provisions of the federal Americans with Disabilities Act (ADA) and Pregnancy Discrimination Act (PDA), as well as state and local laws concerning the hiring and employment of individuals with temporary and ongoing disabilities. Pregnant workers may also have impairments related to their pregnancies that qualify under the ADA. ~~The~~ Academic Senate will not discriminate against any qualified employee or job applicant because of a person's physical or mental disability with respect to any terms, privileges or conditions of employment, including, but not limited to hiring, advancement, discharge, compensation and training.

Employees who become disabled should notify their supervisor or manager if the conditions of the disability impair their ability to perform the essential functions of their position. Where necessary and feasible, reasonable accommodations will be made for qualified disabled employees to perform the essential functions of the job in question, as long as the accommodation does not cause ~~the~~ Academic Senate undue hardship. ~~The~~ Academic Senate will also make reasonable accommodations for employees who have work-related limitations stemming from pregnancy, childbirth or a related medical condition. This may include temporary transfer to a less strenuous or less hazardous position, if an employee so requests upon the advice of their health care provider, as long as the accommodation does not cause ~~the~~ Academic Senate undue hardship.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health of safety of the other individuals in the workplace will be placed on appropriate leave until a decision has been made by management ~~in~~ ~~regard to~~ ~~regarding~~ the employee's immediate employment situation.

## **CALIFORNIA STATE DISABILITY INSURANCE**

The State of California has a partial wage-replacement insurance plan for California workers. The cost of this insurance is fully paid by the employee through payroll deductions. The State Disability Insurance program includes both Disability Insurance and Paid Family Leave.

### Disability Insurance

Employees who lose wages when an illness, injury or pregnancy-related disability prevents them from working and who meet all the state eligibility requirements can

collect disability insurance benefits.

The benefits are calculated as a percentage of employee salary up to a weekly maximum as specified by law, for up to 52 weeks.

Employees who apply for this benefit must provide written notice of disability, including a doctor's certificate stating the nature of the disability and the expected date of return to work.

Employees are responsible for filing their claim and other forms promptly and accurately with the Employment Development Department. A claim form may be obtained from the Employment Development Department online, by telephone, or in person.

### **PAID FAMILY LEAVE**

Employees may be eligible for partial wage replacement benefits under the Paid Family Leave Act for up to a maximum of six weeks for the following reasons:

- To bond with a new child after birth or placement for adoption or foster care;
- To care for a serious health condition of an employee's child, parent, spouse, or registered domestic partner

The Paid Family Leave Act provides benefits based on past quarter earnings for up to six weeks in a 12-month period. The cost of the insurance is fully paid by the employee. The 12-month period begins on the first day an employee submits a claim.

To be eligible for benefits, employees may be required to provide medical and/or other information that supports a claim for time off to bond with a new child or to care for a child, parent, spouse or registered domestic partner with a serious health condition. In addition, there is a ~~seven-calendar~~**seven-calendar** day waiting period before benefits begin.

The employee is responsible for filing their claim for family leave insurance benefits and other forms promptly and accurately with the Employment Development Department. A claim form may be obtained from the Employment Development Department by telephone, letter, the Internet or in person. All eligibility and benefit determinations are made by the Employment Development Department.

Employees may not be eligible for Paid Family Leave benefits if they are receiving disability insurance, unemployment compensation insurance, or workers' compensation benefits. The Paid Family Leave Act does not provide a right to leave, job protection, or return to work rights. Further, this policy does not provide additional time off; rather, family leave insurance may provide compensation during an approved leave pursuant to any Academic Senate provided leave.

### **FUNERAL OR BEREAVEMENT LEAVE OF ABSENCE**

In the event of the death of the employee's current spouse, domestic partner, child, parent, step-parents, legal guardian, brother, sister, grandparent, grandchild or mother-,

father-, sister-, brother-, son-, or daughter-in-law, the employee may take up to three consecutive scheduled work days off with pay for a local funeral or five days off with pay, if the funeral is out-of-state. **Maximum bereavement pay is 40 hours in a calendar year.** The Executive Director may approve additional unpaid time off.

### **JURY DUTY**

~~The~~ Academic Senate encourages employees to serve on jury duty when **subpoenaed called.**

If an employee is summoned to report for jury duty, they will be granted a leave of absence ~~without pay~~ when the employee notifies and submits a copy of the original summons for jury duty to their supervisor or manager.

~~The~~ **With appropriate court documentation,** Academic Senate will pay employees normal wages for the equivalent of ~~30-10~~ working days (**2480** hours) for time taken off from normal working hours for jury duty responsibilities per year. After that, exempt employees will be paid in accordance with the Fair Labor Standards Act (FLSA) requirements.

### **MILITARY AND RESERVE DUTY LEAVE OF ABSENCE**

If a full-time employee leaves ~~the~~ Academic Senate for active military service, the employee is considered as being on a military service leave of absence.

If employees are on an extended military leave of absence, they are entitled to be restored to their previously held position or similar position, if available, without loss of any rights, privileges or benefits provided the employee meets the requirements specified in the Uniformed Services Employment and Reemployment Rights Act (USERRA).

An employee who is a member of the reserve corps of the armed forces of the United States or of the National Guard or the Naval Militia will be granted temporary leave of absence without pay while engaged in military duty as required by state employment law. A letter from the employee's commanding officer is required to establish the dates of duty.

Full details regarding reinstatement eligibility are available from the Executive Director.

### **WITNESS LEAVE**

If an employee is absent from work to serve as a witness in response to a subpoena in a criminal case or judicial proceeding, the employee will be granted a witness leave without pay for such time as it is necessary to comply with the request. ~~The~~ Academic Senate may require proof of the need for leave.

### **VOTING LEAVE**

If an employee cannot vote because of their scheduled work hours, then the employee will be given additional time off to vote in any state or federal election. Up to two hours shall be compensated at the employee's regular rate of pay. Additional time off, when necessary, will be unpaid for non-exempt employees.

Employees must apply for leave at least two days before Election Day. ~~The~~ Academic Senate may specify the time during the day that leave can be taken. Generally, time off will be at the beginning or end of their shift, whichever allows ~~sufficient~~~~the most~~ free time for voting and the least time off from the regular working shift, unless otherwise mutually agreed upon.

### **SCHOOL LEAVE FOR DISCIPLINARY MATTERS – California Employees**

~~The~~ Academic Senate will grant unpaid time off for employees who are parents or guardians of school-age children who need time off to attend disciplinary events at school such as hearings and/or meetings for other events including suspension and expulsion. Employees are required to give reasonable notice to ~~the~~ Academic Senate that they need to take time off.

The employee must use available ~~PTO~~~~vacation~~ or personal leave for school ~~visitation,~~ ~~and~~~~visitation and~~ must take leave without pay if no paid leave is available. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

### **VOLUNTEER EMERGENCY RESPONDER LEAVE – California Employees**

~~The~~ Academic Senate will permit those employees who are volunteer firefighters, reserve peace officers, or emergency rescue personnel to take temporary leaves of absence for the purpose of performing emergency duties.

If an employee is participating as a volunteer firefighter, reserve duty police officers and emergency rescue personnel, they must alert their supervisor so that they may be aware that the employee may have to take time off for emergency duty. In the event that an employee needs to take time off for emergency duty, they are asked to alert their supervisor before doing so whenever possible.

### **VICTIMS OF FELONY CRIME LEAVE- California Employees**

~~The~~ Academic Senate will grant reasonable and necessary leave from work without pay to employees who are victims, or whose spouse, child, stepchild, sibling, stepsibling, parent, stepparent, registered domestic partner, or child of a registered domestic partner is a victim of a violent or serious felony, or felonious theft or embezzlement, for the purposes of attending legal proceedings related to the crime.

When feasible, affected employees must provide ~~the~~ Academic Senate with advance notice of the employee's need for leave, including a copy of the notice of the scheduled proceeding. If advance notice is not feasible, affected employees must provide documentation evidencing the legal proceeding requiring the employee's absence within a reasonable time after leave is taken.

This leave is unpaid. However, affected employees may use any unused sick or ~~PTO~~~~vacation time~~ towards the leave. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

### **BONE MARROW AND ORGAN DONATION LEAVE–~~Oregon Employees~~ - California**

## **Employees**

~~An employee who works an average of 20 hours per week or more or may use up to 40 hours of accrued paid leave in order to undergo a medical procedure to donate bone marrow. The~~ A five-day leave of absence will be granted for bone marrow donation and 30-day leave of absence will be granted for organ donation up to 30 days in one-year period. Employee must have worked for the employer for at least 90 days. This leave is without pay for an employer under 15 employees. Academic Senate may require verification by a physician of the purpose and length of the leave requested.

## **PERSONAL LEAVE OF ABSENCE**

A personal leave of absence without pay may be granted at the discretion of the Executive Director. Requests for personal leave should be limited to unusual circumstances requiring an absence of longer than two weeks (i.e., more than ten working days). Only the Executive Director may grant a personal leave of absence.

~~Approved personal absences of shorter duration are not normally treated as leaves, but rather as excused absences without pay.~~

It is understood that an employee will not obtain other employment while on a leave of absence, unless approved in advance of the leave by the Executive Director.

Acceptance of other employment while on leave not approved in advance by the Executive Director will be treated as a voluntary resignation from employment with ~~the~~ Academic Senate.

## BENEFITS OF EMPLOYMENT

### Administration of Benefits.

~~The~~ Academic Senate or its designated benefit administrators administer all of the employee benefit programs at ~~the~~ Academic Senate. The Academic Senate reserves to itself and its administrators the exclusive authority and discretion to determine all issues of eligibility and all questions of interpretation and administration of each benefit program.

### Benefit Conditions.

In the event of any increase in insurance premium rates, all employees may be required to contribute to the cost of increased premiums to retain coverage.

Employees on unpaid leave of absence are responsible for the entire premiums to continue any medical, life, dental or vision insurance coverage during the leave of absence, except for approved medical and family care leaves of absence.

## INSURANCE BENEFITS

### Medical Insurance.

All regular, full-time employees working at least ~~30~~36 hours weekly are eligible for medical insurance for themselves. ~~The~~ Academic Senate pays the **medical insurance** premium ~~up to the current level charged for Kaiser~~ through CalPers. ~~The employee becomes eligible at the completion of the probationary/Introductory period. An employee becomes eligible after 90 days of employment.~~ Insurance plans may vary. It is important that you contact Director of Administration for information on current eligible plans.

### Dental and Vision Insurance.

Pursuant to ~~the~~ Academic Senate's existing dental **and vision** insurance plan, all regular, full-time employees, exempt and nonexempt, are eligible for dental **and vision** insurance for themselves. The employee becomes eligible at the completion of the **probationary/Introductory** period, in accordance with ~~the~~ Academic Senate's **medical** insurance carrier's **probationary/Introductory** requirements.

## CONTINUATION OF BENEFITS

Under the state of California continuation of benefits, similar to the federal Consolidated Omnibus Budget Reconciliation Act (COBRA), employees may be allowed to continue their health insurance benefits, at the employee's expense, after experiencing a qualifying event as outlined below.

Employees and covered dependents are entitled to continuation of benefits for a period not to exceed 36 months. Individuals not eligible for Cal-Cobra include those that are eligible for Medicare or have other medical insurance. The Cal-Cobra acceptance deadline is 60 days following the individual's last day of coverage under the group's health plan.

To qualify for continuation coverage, an employee must have a qualifying event that

causes the employee to lose group health coverage. The following are qualifying events for:

#### Employees

- Voluntary or involuntary termination of employment for reasons other than gross misconduct
- Reduction in numbers of hours worked

#### Spouses

- Loss of coverage by the employee because of one of the qualifying events listed above
- Covered employee becomes eligible for Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

#### Dependent Children

- Loss of coverage because of any of the qualifying events listed for spouses
- Loss of status as a dependent child under the plan rules

### **STATE OR FEDERAL PROGRAMS**

#### Unemployment Compensation

~~The~~ Academic Senate contributes each year to the Unemployment Insurance Fund on behalf of its employees.

#### Social Security

~~The~~ Academic Senate does not contribute to Social Security but to the state retirement system CalPERS (see below under Retirement).

#### Worker's Compensation

At no cost to the employee, workers are protected by Worker's Compensation Insurance while an employee at ~~the~~ Academic Senate. The policy covers employees in case of occupational injury or illness.

Every occupational injury or illness, no matter how slight, must be reported immediately to the supervisor. Employees make no contribution for this coverage. ~~The~~ Academic Senate pays the entire cost.

#### Retirement

~~The~~ Academic Senate is currently an active participant in the California Public Employees Retirement System (CalPERS). ~~An employee is vested in CalPERS retirement system after five years employment.~~

#### Other benefits - Employees Parking

Regular, full-time employees are provided with a parking ~~space~~hang tag for ~~to~~-in-a nearby garage ~~for daily commutes to the Academic Senate's office.~~ If employees wish to utilize other daily means of transportation to ~~the~~ Academic Senate, employees must

notify the Director of Administration immediately that they are declining such benefit so the parking hang tag can be deactivated accordingly.

Facility Access: All regular employees will be issued a key card to gain access to Academic Senate facilities. Employees who are issued a key card are responsible for their safekeeping. All lost or stolen cards must be reported to your supervisor as soon as possible.

## **MISCELLANEOUS EXPENSES**

### Reimbursement for ~~Business Incurred~~ Expenses

It may be necessary for an ~~Academic Senate~~ employee to incur expenses on behalf of ~~the Academic Senate~~ te on occasion. ~~In order for the Academic Senate to honor those expenses incurred on behalf of the Academic Senate activities,~~ tThe employee must ~~request~~receive pre-approval from the Executive Director in advance of incurring such an obligation. ~~and provide a~~ Appropriate substantiating detailed receipts ~~or other documentation~~ that verify the ~~ies~~ occurrence of the actual expense and a completed expense reimbursement form must be submitted- for reimbursement to be issued. ~~before the Academic Senate will authorize payment/reimbursement.~~

### Travel Expenses

All travel and related expenses chargeable to the Academic Senate must be incurred exclusively on behalf of the Academic Senate. Travel costs shall be reimbursed according to the Academic Senate Expense reimbursement policies.

## TERMINATIONS

### **VOLUNTARY TERMINATIONS**

Although Employment with the Academic Senate is considered employment-at-will and an employee may resign at any time with or without advance notice to the Academic Senate or with or without "cause".; Should an employee decide to leave employment with the Academic Senate, the employee is asked to give at least two weeks written notice if possible. This courtesy will give the Academic Senate the opportunity to make the necessary adjustments to operations.

### **REFERENCES**

The Academic Senate's policy regarding as-to references for employees who have left the Academic Senate is to disclose only the dates of employment at the Senate and the title of the last position held. If written authorization for disclosure is received, the Academic Senate will also provide a prospective employer with information on the amount of the salary or wages last earned at the Academic Senate. The employee may request a letter of reference.

All requests for references for current and former Academic Senate employees must be referred to the Executive Director for processing. Requests for references should in no cases come from the Academic Senate Executive Committee members or any other faculty.

### **COMPANY TOOLS AND EQUIPMENT**

Upon termination, employees are to return all assigned equipment, computers and related accessories, key card, parking placard, and other tools in proper, working condition. Tools damaged, stolen, or missing as a result of an employee's negligence will, to the extent permitted by federal, state and local law, be charged to the employee.

## CLOSING

Many of ~~the~~ Academic Senate's policies and employee benefits have been treated only briefly in this handbook. If the employee has any questions or wants more information, his/her supervisor will be glad to provide additional details. The Executive Director will also be happy to assist with questions or problems.

## ACKNOWLEDGMENT

I acknowledge receipt of ~~the~~ Academic Senate's employee handbook. I agree to read the handbook and to follow the guidelines and policies set forth in the handbook and any amendments to the handbook along with the other policies and procedures of ~~the~~ Academic Senate.

I understand that I am not being hired for any definite period of time even though my wages are paid regularly. I further understand that I am an at-will employee and my employment can be terminated at any time, with or without cause and with or without prior notice either by ~~the~~ Academic Senate or myself. No promises or representations have been made to me that I can be disciplined or discharged from my employment with ~~the~~ Academic Senate only under certain circumstances or after certain events.

I am aware that the contents of the employee handbook are presented as a matter of information and that except for the at-will provisions, the handbook can be amended at any time. I realize that nothing in this handbook is intended to infringe upon my rights under Section Seven of the National Labor Relations Act (NLRA).

I understand and agree ~~d~~ that the handbook is for informational purposes only and is not intended to create a contract, nor is it a contract of employment or continuing employment between myself and ~~the~~ Academic Senate. I also understand that neither the handbook nor any policy of ~~the~~ Academic Senate is a guarantee or promise of ~~employment or continuing employment. I am aware that Academic Senate policy~~ requires employees to be hired at-will and this policy cannot be changed by any oral modifications. My at-will employment status with ~~the~~ Academic Senate has been fully explained, and I have been given an opportunity to ask questions regarding Academic Senate policies and my at-will employment status.

### DRUG-FREE WORK PLACE STATEMENT

In addition, I certify that this ~~Employee Handbook~~ ~~Personnel Manual~~ contains a Drug-Free Workplace Statement and that I have read and understand the requirements and provisions therein.

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***Name of Individual (Please Print)***

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***Signature of individual***

***Date***