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**This Employee Handbook is effective immediately and shall remain in place until superseded. This Handbook supersedes all prior Employee Handbooks.**

**SECTION 1**

## INTRODUCTORY POLICIES

### INTRODUCTION

The Cal Poly Pomona Foundation, Inc., established in 1966, is an integral component of the educational mission of the California State Polytechnic University at Pomona. The Foundation exists to provide the highest level of services to the campus constituencies. As an employee of the Foundation, we are hopeful you will find your employment to be professionally rewarding and challenging in meeting the needs of the campus community. We are a non-profit, self-supporting 501©3 auxiliary organization.

Because the quality of our employees is a key factor toward our success in performing our mission, we carefully select our new employees. In turn, we expect employees to recognize the service nature of the Foundation's mission and contribute to the success of our organization.

### INTEGRATION CLAUSE AND THE RIGHT TO REVISE

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

This Handbook applies to all employees of the Foundation whether the employee is full time, part time, temporary, seasonal, or a student employee. This Handbook also applies to employees covered by the Management Compensation Plan, except where superseded by that Plan. The benefits provisions of this Handbook apply only to those employees who have been identified and are eligible for particular benefits, and generally, part time and student employees are not eligible to earn sick or vacation benefits, or health care insurance or pension benefits.

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

The Employment Services Department will be happy to answer any questions regarding the contents of this Handbook.

### EQUAL EMPLOYMENT OPPORTUNITY POLICY

The Foundation is an equal opportunity employer and will not knowingly discriminate against any employee or applicant for employment in any unlawful manner. If an employee believes they have been subjected to any form of unlawful discrimination, they should inform the Employment Services Department. The Foundation will not retaliate or permit retaliation against any employee who complains of unlawful discrimination in the work place.

### STATEMENT OF AT-WILL EMPLOYMENT STATUS

All employment with Cal Poly Pomona Foundation, Inc. is at-will and shall continue only upon the mutual consent of the Foundation and the employee. This means that an employee may terminate his or her employment with the Foundation at any time with or without cause or prior notice and the Foundation has similar rights. There is no promise that employment will continue for a set period of time, nor is there any promise that employment will terminate only under particular circumstances. No employee or representative of the Foundation has authority to make promises, representations or agreements inconsistent with this policy of at-will employment, other than the Foundation's Executive Director or the Chairperson of the Foundation Board of Directors, and the Executive Director and/or Chairperson may do so only pursuant to a written agreement signed by the employee and the Executive Director and/or Chairperson. This policy statement supersedes all written and oral representations that are in any way inconsistent with it and represents the complete and final policy of the Foundation on this subject matter.

## SECTION 2

## RECRUITMENT AND EMPLOYMENT PRACTICES

### JOB OPENINGS

Full time benefited position openings (“Regular Benefited”) are generally posted for a minimum of five working days on Foundation’s website, and are listed in a range of public forums including places such as the State Employment Development Department. Notices to other organizations and advertising in other places shall be determined jointly by the hiring authority and Employment Services Department. All posted positions are filled on a competitive basis. Employees must meet the specified minimum qualifications and apply in accordance with the position announcement in order to be considered for a position. Positions filled through internal promotions, or within the same job family and within the specific unit, do not require posting.

### HIRING PROCEDURE

The Executive Director of the Foundation shall appoint a search committee to meet and interview qualified applicants and make recommendations for all management positions. Non-management positions require the selection approval of the hiring supervisor and the next higher level of supervision. Offers of employment for benefited positions must be approved by the Employment Services Department before an employment offer can be made. Appointment letters will be prepared by the Employment Services Department and must be approved by Executive Director of the Foundation or his designee.

### IMMIGRATION LAW COMPLIANCE

The Foundation is committed to following all employment laws including immigration laws. Immigration laws require all individuals provide documents proving their identity and legal right to work in the United States. All offers of employment are conditioned upon the candidate's ability to satisfactorily provide the required documentation. Foundation practice requires the prospective employee to provide the required documentation prior to commencing work. Any falsification of documentation required by the immigration laws will result in immediate dismissal. Foundation participates in the E-Verify program for all newly hired employees.

### REGULAR BENEFITED EMPLOYEES

Certain positions and/or classifications are identified as “regular benefited” status. Regular benefited employees are scheduled to work eight hours per day, 5 days per week. However, work shifts are scheduled according to business needs and this status does not guarantee any employee a minimum number of hours of work per day or per week. “Regular benefited” status qualifies the employee for employee benefits such as medical, dental, and vision insurance; group life insurance; paid vacation, paid sick leave, and holiday pay; jury duty pay; education assistance program; paid bereavement leave; and other benefits and programs.

### MANAGEMENT COMPENSATION PLAN (MCP)

The Foundation’s Management Compensation Plan (MCP) is designed to cover specific Foundation employees who have been designated as directors or managers who have primary responsibility for the development and implementation of policies, procedures, practices, and/or guidelines which apply to the Foundation as a whole, or responsibility for a major operational unit of the Foundation.

### PART TIME EMPLOYEES

Part time employees are generally those hired to work a limited number of hours per week (e.g. 20 hours per week or less) and are subject to lay off during seasonal business closures with no guarantee of being rehired. Part time employees are not eligible for employee benefits such as health insurance or paid time off. Part time employees are not guaranteed a minimum number of hours of work per day or week. Part time employees are not permitted to work more than 1000 hours in any fiscal year (July 1<sup>st</sup> through June 30<sup>th</sup>) per CalPERS regulations.

## TEMPORARY EMPLOYEES

Temporary employees are those who are hired for specific project assignments of limited duration. They are generally not eligible for health insurance or paid time off benefits, and their length of employment shall be specified, not to exceed six months and are not guaranteed a minimum number of hours of work per day or per week. Temporary employees shall not work more than 1000 hours in any fiscal year (July 1<sup>st</sup> through June 30<sup>th</sup>).

## STUDENT EMPLOYEES

Student employees are students who are attending California State Polytechnic University, Pomona, as undergraduate students enrolled in a minimum of 6.0 units each quarter, or graduate students enrolled in a minimum of 4.0 units each quarter, who may work as a Foundation employee with certain restrictions.

Student employees are allowed to work a maximum of 20 hours per week while school is in session. If the student has more than one job, the 20-hour rule applies to total hours worked in combination with all jobs on campus.

Student employees are allowed one quarter off during the college year (summer through spring). During the one-quarter off, student employees may work a maximum of 40 hours per week. Students who are only enrolled with College of Extended University or Open University do not qualify for student employment, but may be considered for other employment categories such as part time or temporary employment.

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

Other restrictions may apply, and please contact Employment Services Department to discuss how the rules may apply to your specific situation.

Part time and temporary employees are limited to working an absolute maximum of 1000 hours per fiscal year.

## WORK STUDY STUDENT EMPLOYEES

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

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

Those employees hired under the provisions of grants, contracts, or other funding sources are employed only to the extent funds are available from the funding source and within the guidelines of the particular grant/contract or other funding source in coordination with Foundation's policies, procedures, and hiring practices. These employees may be classified as regular benefited, part-time (non-benefited), temporary, or student employee and do not guarantee any employee a minimum number of hours of work per day or per week. As stated elsewhere in this Employee Handbook, employment with the Foundation is at-will.

## IDENTIFYING EXEMPT VS. NONEXEMPT EMPLOYEES

Nonexempt employees are generally scheduled to work eight hours per day, five days per week and receive overtime for all hours worked in excess of eight hours per day or forty hours per week. Double time is paid for hours worked in excess of twelve hours per day and for all hours worked in excess of eight hours on the seventh day of work. Other wage rules may apply given the specific set of circumstances.

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

## EMPLOYMENT OF RELATIVES

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

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

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

**SECTION 3**

**JOB DUTIES AND CLASSIFICATIONS**

**POSITION DESCRIPTIONS**

The essential duties and responsibilities of each position are described in the respective position description. Employees should request a copy of their position description when they first begin employment or whenever their work assignment changes.

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

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

**CLASSIFICATIONS**

All employees are assigned a position classification consistent with their employment status. The position classifications are designed to describe the broad duties and responsibilities of the position.

**RECLASSIFICATIONS**

If the duties and responsibilities of a position change significantly, the employee or supervisor may request a position reclassification from the Employment Services Department. This action may result in a change to a higher or lower salary grade or a different classification, or no grade or classification change at all.

**PROMOTIONS**

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

**TRANSFERS**

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

**DEMOTIONS**

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

**SECTION 4**

**WORKING HOURS AND SCHEDULES**

**WORK SCHEDULES**

The Foundation administrative offices are typically open for business between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, throughout the academic year. Enterprise units work hours are determined by the requirements of the respective Enterprise unit. Some Enterprise units are operational 24 hours a day, 7 days per week, and therefore work schedules will reflect business needs.

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

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

**MEAL AND REST PERIODS**

Supervisors will make available and schedule daily an unpaid meal period of at least 30-minutes to any nonexempt employee scheduled to work more than 5 consecutive hours for which they have supervisory responsibility. Meal periods are normally near the mid-point of the shift, and may be at other times when necessary to fulfill the operational needs of the unit. Nonexempt employees are permitted ten-minute rest periods for every four hours of work or major portion thereof (E.g. 2 per 8 hour shift). Rest period time may not be saved up for later use. Each employee is expected to observe their assigned working hours and the time allowed for meal and rest periods.

**REQUIRED OVERTIME**

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

**WORKWEEK AND WORKDAY**

The workweek begins at 12:00 A.M. Sunday morning and continues for seven consecutive 24-hour periods, ending 11:59 P.M. Saturday night. The workday begins at 12:01 A.M. and continues for 24 consecutive hours ending 11:59 P.M.

**SECTION 5**

**COMPENSATION GUIDELINES**

**MERIT INCREASES**

Newly hired employees typically start at the minimum point of the salary grade. During the employee's annual performance evaluation and contingent on budget approval by the Board of Directors, the employee may be considered for a merit increase within his or her salary range. This will continue until he or she reaches the maximum limit of that grade. Merit increase amounts are based on the results of a completed performance evaluation. Wage increases for those employees hired under the provisions of grants, contracts, or other funding sources are subject to the available funding and within the guidelines of the particular grant/contract or other funding source.

Merit increases for part-time and temporary employees are based on service period and employment status and must be accompanied by a performance evaluation.

Student employees receive an hourly wage depending on their duties and according to the Student Salary Schedule. A completed Student Evaluation form must be submitted along with a merit increase request. Supervisors may obtain a copy of the Student Salary Schedule from the Foundation's website.

**PAY PERIODS**

Foundation employees are paid on a bi-weekly basis, every other Thursday. However, those employees enrolled in direct deposit typically receive their pay sooner than those who are not enrolled in direct deposit.

**TIMEKEEPING REQUIREMENTS**

The Foundation utilizes the Kronos Timekeeping System for all employees. All supervisors are responsible for accurate timekeeping records and are required to review Kronos punches before approving. Approvals must occur no later than noon on the first Monday of a new pay period.

Nonexempt employees are required to report accurate working hours for each pay period they work (exact arrival and departure times). Nonexempt employees are required to record their time upon arrival and departure from work and when they depart and return from their meal period. Falsifying or making unauthorized changes to any timekeeping record can result in disciplinary action including termination of employment.

All time entry problems or errors should be reported immediately to your supervisor.

**HOLIDAY PAY**

(Regular Benefited Employees ONLY)

Holiday pay is paid at the employee's regular rate of pay. If a nonexempt employee is required to work on a day designated as a Foundation holiday, that employee will receive the holiday pay plus pay for hours actually worked at the regular rate of pay. Generally, an employee must work the last scheduled day before the holiday and the first scheduled day after the holiday to be eligible for holiday pay, unless the employee is on vacation, sick leave or personal holiday. Holiday time will not count toward hours used to determine overtime eligibility in the week of the holiday.

**PERSONAL HOLIDAY PAY**

(Regular Benefited Employees ONLY)

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

**VACATION PAY**

(Regular Benefited Employees ONLY)

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

SICK PAY

(Regular Benefited Employees ONLY)

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

Medical evidence of illness and/or medical certification of fitness to return to work may be required before an employee may return to work after an absence due to illness or injury. In cases where sick leave has been misused disciplinary action will be taken.

OVERTIME PAY

The Foundation provides compensation for all overtime hours worked by nonexempt employees in accordance with state and federal laws.

For purposes of determining which hours constitute overtime pay, only actual hours worked in a given work day (over 8 hours) or workweek (over 40 hours) will be counted. Other situations may trigger overtime and should be discussed with the Employment Services Department whenever a question arises. .

For purposes of defining eligibility for overtime each job classification is either nonexempt or exempt. See Section 3, Identifying Exempt vs. Nonexempt Employees.

ALL OVERTIME WORK BY A NONEXEMPT EMPLOYEE MUST BE APPROVED IN ADVANCE BY THE EMPLOYEES SUPERVISOR. EMPLOYEES WHO WORK UNAUTHORIZED OVERTIME ARE SUBJECT TO DISCIPLINARY ACTIONS.

JURY DUTY PAY

(Regular Benefited Employees ONLY)

The Foundation encourages employees to fulfill their civic responsibilities by serving jury duty when required. Benefited employees who have completed six months of service may request up to 20 days of paid jury duty in any one 24-month period. . An employee should notify their supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. An employee reporting for jury duty is required to provide written verification from the court clerk of having served. If work time remains after any day of jury selection or jury duty, an employee is expected to return to work for the remainder of the work schedule. Part time, temporary and/or student employees do not qualify for jury duty pay.

ADVANCES

The Foundation does not permit advances for pay checks.

## SECTION 6

### EMPLOYEE BENEFITS

*(Section 6 applies to Regular Benefited Employees only)*

#### BENEFIT ELIGIBILITY

Eligibility for benefits depends upon employment status. THE RESPECTIVE APPOINTMENT LETTER MUST SPECIFICALLY DENOTE ELIGIBILITY FOR BENEFITS OR THE EMPLOYEE IS NOT CONSIDERED TO BE ELIGIBLE FOR BENEFITS. If an employee believes their status is incorrect, the employee should discuss this issue with their supervisor.

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

#### RETIREMENT PLAN

Benefited employees are automatically enrolled in the California Public Employees' Retirement System (CalPERS). Both the Foundation and employee contribute to the CalPERS retirement program. The employee's contribution is determined by their respective retirement plan and their gross monthly salary after excluding the first \$513 for the month. Employees seeking additional information should contact the Employment Services Department.

To acquire a vested interest in the retirement plan, an employee must have at least five years of membership in CalPERS. Each member receives an annual statement of contributions, interest earned and years of service credit.

Currently, for normal retirement the minimum age is 50 with at least five years of CalPERS service credit. Applications for retirement or further information on retirement can be obtained from the Employment Services Department or the CalPERS website. Retirement application must be submitted at least 90 days prior to the planned effective date. CalPERS members may obtain a retirement estimate on the CalPERS web site. The CalPERS website address is [www.calpers.ca.gov](http://www.calpers.ca.gov).

CalPERS also provides death benefits. These benefits are explained in the CalPERS Member Benefits Booklet which is available in the Employment Services Department or on the CalPERS website. Please contact the Employment Services Department for additional information.

Should an employee leave Foundation employment prior to having at least 5 years of service, the employee will have the option to terminate CalPERS membership and withdraw funds, roll-over their contributions and interest to another qualified retirement plan, or leave funds on deposit with CalPERS.

#### MEDICAL, DENTAL, VISION COVERAGE

Coverage for medical, dental and vision insurance is effective the first day of the month following the first day of employment. Typically, an employee will learn detailed information about these benefits during employee orientation and will also enroll at that time. An Employment Services Representative is available to assist employees with technical questions about their benefits programs.

#### BENEFITS FOR CASH PLAN

The Benefits for Cash Plan is a program that allows an employee to waive medical or dental insurance plan(s) in exchange for cash. When an employee waives medical, dental and/or vision insurance plan(s), they will receive additional cash in their paycheck each month. In order to qualify for this benefit, an employee is required to provide evidence of group healthcare insurance and complete and submit the necessary forms.

Money received from the Benefits for Cash Plan program is taxable and subject to the same payroll taxes (federal, state, social security) as regular salary. However, this money is not considered compensation for retirement contribution purposes. The additional income will be reported as income on Form W-2 in the year it is received.

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

Term group life insurance is provided by and paid fully by the Foundation. The amount of coverage for each employee is based on the employee's annual basic earnings. The Employment Services Department can provide a copy of the Employee Benefits Insurance Certificate upon request or it can be found in Kronos Self-Service.

**VACATION ACCRUAL**

Benefited employees paid 64 hours or more in the previous pay period accrue vacation hours up to a maximum accrual cap in accordance with the following schedule:

<u>Schedule/Service Time</u>	<u>Annual Amount</u>
Schedule A (01 month to 36 months)	10 Days
Schedule B (37 months to 72 months)	15 Days
Schedule C (73 months to 120 months)	17 Days
Schedule D (121 months to 180 months)	19 Days
Schedule E (181 months to 240 months)	21 Days
Schedule F (241 months to 300 months)	23 Days
Schedule G (301 months and more)	24 Days
MCP Employees	24 Days

Nonexempt employees may use vacation time in quarter hour increments when approved by their supervisor.

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

Employees on unpaid leave do not accrue vacation time. Recognized holidays occurring during a vacation period are paid as holidays and are not charged to vacation time. Generally, sick leave cannot be initiated within time frames an employee is on approved vacation.

All available vacation time must be used before any type of unpaid leave will be approved.

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

Employees on reduced work time schedules (scheduled to work less than 24 hours per week) will not accrue vacation credits. Employees working 60% or 80% schedule will accrue vacation on a prorated basis.

**VACATION ACCRUAL MAXIMUM**

Vacation hours accrue up to a maximum number of hours. If an employee has less than 10 years of service, the maximum accrual limit is 272 hours. If an employee has 10 years or more of service, the maximum accrual limit is 384 hours. Employees under the MCP Plan with fewer than 10 years of service are allowed a maximum accrual of 384 hours while MCP employees with more than 10 years of service are allowed a maximum accrual of 440 hours.

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

**SICK LEAVE ACCRUAL**

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

Regular benefited employees working 60% or 80% schedule will receive sick leave on a prorated basis.

Nonexempt employees may use sick leave in quarter hour increments when approved by their supervisor.

There is no maximum limit on the amount of sick leave that can be accrued. There is no pay for unused sick leave or pay in lieu of sick leave at termination.

Sick leave is approved for any of the following uses:

- Personal illness or injury that is incapacitating.
- For the employee to care for an immediate family member when the employee's presence is required and no alternate caretakers are available.
- The employee's medical, eye and dental appointments.
- The employee's own pregnancy disability leave.
- Sick leave time may be converted into coordination of payments within established guidelines while he/she is on verified non-job related medical leave, or Workers Compensation leave, with prior approval from Employment Services.

Employees on reduced work time schedules will not accrue sick leave credits during the periods they are not actively at work, or when their scheduled hours falls below 24 hours per week.

Our current contract with CalPERS provides an option to convert unused sick leave to service time upon retirement. Additionally, Foundation has a 457(b) Plan which permits employees to convert a portion of their unused sick leave (and vacation) into cash and then deposit that cash into their 457 retirement plan. Ask Employment Services for additional information.

#### HOLIDAYS

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

To be eligible for holiday pay, an employee must be scheduled to work on the day on which the holiday is observed and must work your regularly scheduled working days immediately preceding and immediately following the holiday. Please refer to the current holiday schedule posted on the Foundation's website or available in your unit.

#### PERSONAL HOLIDAY

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

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

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

Employees may elect to discontinue any of the insurance coverage during their leave. The employee will be reinstated to insurance coverage effective the first of the next month upon returning to work.

#### COBRA

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

## SECTION 7

### EMPLOYEE DEVELOPMENT

#### EDUCATION ASSISTANCE PROGRAM

Employees must be employed by the Foundation for a period of at least twelve months in a benefited position to receive benefits under this program. Full time employees paid from contract or grant funds and campus programs are encouraged to participate in the Education Assistance Program if funds can be provided by the agency funding the individual contract, sponsored program or grant or if sufficient funds are available through the respective department.

With prior approval from the Employment Services Director, any employee who is eligible to receive benefits under this program may transfer their benefit to a qualifying dependent. For additional information please refer to Policy #207 on the Foundation's website.

#### SEMINARS, LECTURES, TRAINING PROGRAMS

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

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

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

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

**SECTION 8**

**PERFORMANCE EVALUATIONS**

PERFORMANCE EVALUATIONS

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

Regular benefited employees may be given their first performance evaluation at the completion of 90 days of service, and the second evaluation will normally be given at the end of the first year of employment. After one year of employment, performance evaluations will typically be conducted annually, on or about the anniversary date of employment with the Foundation, or the anniversary date of the most recent reclassification.

Part time and/or Student employees may receive performance evaluations at the end of the fiscal year or 30 days prior to the summer lay off. Temporary employees do not generally receive a performance evaluation due to the nature of their employment.

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

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

**SECTION 9**

**TRAVEL ON FOUNDATION BUSINESS**

**TRAVEL**

Written approval from the unit manager and concurrence from the Executive Director of Foundation or his/her designee is required in order to travel on Foundation business. Foundation Financial Services Department can provide the proper forms for reporting business related expenses or a copy of the Foundation Travel Policy and these forms and documents are conveniently located on the Foundation website.

Travel outside of California requires written prior approval from the Executive Director or his/her designee.

Briefly, the main areas of the travel policy are presented below.

**USE OF PERSONAL VEHICLE**

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

**USE OF FOUNDATION VEHICLE**

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

**COMMERCIAL TRANSPORTATION GUIDELINES**

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

**MEALS AND LODGING**

Actual cost of lodging and no more than the allowable meal allowance as set by the State of California's Board of Control Office will be provided.

**EXPENSE/TRIP REPORTS**

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

Partial day travel allowances are permitted according to the Foundation Travel Policy. If an employee is traveling on behalf of a contract or grant and the granting agency specifies in the agreement that their travel policies differ from the Foundation's, the Foundation will adhere to those policies.

A travel advance must be cleared within seven (7) working after the traveler's return. No additional advance for travel will be made without the clearance of a prior advance. A travel claim must account for all items of expense by the necessary receipts or support in accordance with the allowance schedule.

## SECTION 10

### LEAVES OF ABSENCE

#### BEREAVEMENT LEAVE

An employee may request up to five days of paid leave due to the death of an immediate family member. Of those five days, the first day will be paid by the Foundation, and the other 4 days will be taken from the employees sick leave balance. An immediate family member is defined as a spouse, registered domestic partner, the spouse's mother, father, grandmother, grandfather, grandchildren, son, son-in-law, daughter, daughter-in-law, brother, sister.

#### PREGNANCY DISABILITY LEAVE (PDL)

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

The Employment Services Department will explain eligibility and conditions of leave as well as how State Disability Insurance might be a benefit to an employee using PDL. There is also a briefing guideline on the Foundation's website along with the appropriate forms. In all cases, it is prudent to discuss your specific situation with the Employment Services Department.

#### FAMILY LEAVE (FMLA & CFRA)

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

The primary benefits of taking FMLA/CFRA is that an employee's job is protected for a minimum of 12 weeks and the employee will remain eligible for health care insurance through the Foundation's group plans. A short description of the eligibility requirements and other relative information is presented below:

- In order to be eligible for leave under FMLA/CFRA, an employee must have worked for the Foundation for at least 12 months and must have provided at least 1,250 hours of service during that 12-month period prior to beginning their leave.
- Generally, approved reasons for FMLA/CFRA include (1) birth of a child or placement of a child with the employee for adoption or foster care; (2) to care for a spouse, child or parent who has a serious health condition; or (3) for the employee's own serious health condition if the employee is unable to perform the essential functions of his or her job.
- The maximum combined duration of FMLA/CFRA is 12 weeks in a 12-month period. Computation of the leave period starts with the first date covered after leaves begins.

The Foundation's Family and Medical Leave of Absence Policy explains additional eligibility and policy conditions, such as definition of spouse, child and parent; benefits during leave, coordination of benefits (vacation/sick leave); notice requirements, medical certification, and reinstatement. Contact the Employment Services Department for a complete copy of this Policy.

PAID FAMILY LEAVE (PFL)

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

VICTIM OF DOMESTIC VIOLENCE LEAVE

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

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

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

The Employment Services Department will explain eligibility and conditions of leave on an individual basis.

VICTIMS OF CRIME LEAVE

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

WITNESS SUBPOENA

If an employee is subpoenaed as a witness for The California State University System or the Cal Poly Pomona Foundation, Inc., the employee is paid his/her regular salary. All court fees (except travel and/or subsistence) received by the employee are to be reimbursed to the Foundation. When an employee is requested to appear in court for personal reasons, vacation leave must be used for the time off.

MILITARY LEAVE

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

PERSONAL LEAVE

A request for an unpaid personal (non-medical or non-work related) leave may be submitted in written form to the respective unit manager for consideration. Attendance records, length of employment, and needs of the department, among other factors, will be considered on a case-by-case basis in determining approval or denial of such requests. A completion of a "Request for Leave of Absence" form is required and all available vacation time must be used before any type of unpaid leave will be approved.

ORGAN OR BONE MARROW DONOR

An employee desiring to donate bone marrow or an organ to another person may have up to 5 days of paid sick or vacation time for bone marrow donations. Up to 30 paid days are available to an employee for an organ donation, of which the first 14 days will be deducted from any earned and unused sick or vacation time. Please discuss your specific situation with Employment Services prior to making any medical arrangements as restrictions do apply.

**SECTION 11**

**TERMINATIONS AND REDUCTIONS IN WORK FORCE**

All employment with the Foundation is at-will and can be terminated at any time, with or without cause or prior notice by either the employee or the Foundation.

LAYOFF (REDUCTIONS IN WORK FORCE)

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

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

The Foundation's Layoff Policy, Policy #208, outlines specific procedures to be followed. The Policy is designed to help provide stability of employment within the limits of projected financial resources and the service needs of the campus community. Complete information to this policy may be obtained from the Employment Services Department.

SEASONAL/TEMPORARY LAYOFF

During the summer, extended break periods and other times employees may be placed on "temporary layoff". These layoffs are based on work available, and the skills and qualifications needed for the available work, and length of service is also a factor considered.

Those employees eligible for medical, dental and eye care benefits will continue to be eligible for group coverage under the Foundations programs during the seasonal/temporary layoff. Employees are required to continue to pay their portion of any monthly premiums for continued coverage. Accrued vacation time and personal holiday will be used during periods of temporary layoff. Vacation time or sick leave does not accrue during periods of layoff.

JOB ABANDONMENT

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

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

RESIGNATIONS

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

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

## SECTION 12

### WORKPLACE CONSIDERATIONS

#### SMOKE FREE WORKPLACE

Smoking is prohibited in all Foundation facilities or vehicles. The University and other campus entities follow this smoke free workplace policy and smoking is generally prohibited within 25 feet of any building on campus.

#### ILLNESS AND INJURY PREVENTION PROGRAM

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

Any work related injury, illness, or unsafe condition must be reported to the employee's supervisor immediately.

If injury occurs on the job, the employee must immediately report the injury to their supervisor. Unless it is an emergency, a "Medical Service Order" signed by the supervisor must be taken to the medical facility in order to receive treatment.

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

#### DRUG AND ALCOHOL ABUSE PROGRAM

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

Furthermore, the use of certain prescription drugs and/or over-the-counter drugs also may affect an employee's job performance and seriously impair the employee's ability to contribute to the success of the Foundation.

The following rules and standards of conduct apply to all employees while on the Cal Poly campus or during the workday (including meals and rest periods). The following are strictly prohibited:

- Possession of, use of or being under the influence of alcohol, illegal drugs or controlled substance while on the job.
- Driving a Foundation vehicle while under the influence of alcohol, illegal drugs or controlled substance.
- Distribution, sale or purchase of an illegal or controlled substance while on the job.

Violation of the above rules and standards of conduct will not be tolerated. The Foundation also may bring the matter to the attention of appropriate law enforcement authorities.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while off Foundation property will not be tolerated because such conduct, even though off duty, reflects adversely on the Foundation.

Any employee who is using prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well being of others, must notify a supervisor of such use immediately before starting or resuming work.

#### SOLICITATION AND DISTRIBUTION OF LITERATURE

In order to ensure efficient operation of our business and to prevent annoyance to employees, it is necessary to control solicitations and distribution of literature on the campus. The Foundation has established rules applicable to all employees governing solicitation, distribution of written material and entry onto the premises and work areas. All employees are expected to comply strictly with these rules. Any employee, who is in doubt concerning the application of these rules, should consult with his or her supervisor immediately.

No employee shall solicit or promote support for any cause or organization during his or her working time or during the working time of the employee or employees at whom such activity is directed.

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

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

#### KEYS

Employees must follow security policies and procedures regarding all keys issued to them. The loss or misplacement of a key must be reported immediately. On the last day of employment, an employee must return all keys to the Employment Services Department.

#### PHOTO IDENTIFICATION

Unless otherwise notified, all employees are required to have a Cal Poly Identification Bronco Card. ID cards are useful for borrowing books or other materials from the library, purchasing discount tickets for various venues, and to cash personal checks. ID cards are issued by the Admissions and Outreach Department (Enrollment Services) located in the Building #98, Second Floor. Please contact Enrollment Services at extension 3422 for their current schedule.

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

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

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

The Foundation recognizes that employees may occasionally find it necessary to use the Foundation's telephones for personal business. Such calls must be kept to a minimum and must be made only during break or lunch periods. All personal calls out of the local zone area and out-of-state telephone calls must be reported to your supervisor in a timely manner and charges remitted promptly. Each individual unit may have more specific policies or procedures in addition to this general policy.

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

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

#### VOICEMAIL, E-MAIL AND COMPUTER DATA STORAGE SYSTEMS

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

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

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

The appropriate use of the Foundation's voice-mail, e-mail, computer systems and other electronic equipment are as follows:

- Voice-mail, e-mail messages, as well as other computer-stored data, are considered business records and can be subpoenaed (and electronically retrieved, even after you "delete" them). Therefore, nothing should be included in a voice-mail or e-mail message that you would not consider putting in a memo format.
- Employees should delete unwanted voice-mail and e-mail messages as soon as practical and should log off when not using the computer system.
- Employees should exercise good judgment in the use of e-mail distribution lists; these lists are developed for the convenience of the addresses and unnecessary or frivolous messages should not be sent, thereby cluttering up user screens.

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

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

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

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

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

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

#### UNIFORM AND EQUIPMENT ISSUANCE AGREEMENT

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

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

## SECTION 13

### STANDARDS OF CONDUCT

#### PERSONAL STANDARDS

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

Unit managers may develop more specific guidelines consistent with their operation.

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

If an employee is in dispute with the unit manager's determination, the employee may appeal to the Director of Employment Services, or Executive Director or his/her designee for a final determination.

#### CUSTOMER RELATIONS

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

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

#### REPORTING ABSENCES OR TARDINESS

Generally, an employee's supervisor will provide instructions for reporting absences according to procedures established by the respective department. If an employee is unable to report to work, or when an employee expects to be more than 30-minutes late, that employee must notify their supervisor, or notify the person the supervisor has designated to receive such calls. Such notice should be given as far in advance as possible so that the supervisor can obtain a replacement or reschedule the department's work.

Employees also must inform their supervisor of the reason and expected duration of any absence. In those rare cases when an employee is unable to reach their immediate supervisor, they should contact their supervisor's boss, and when the employee cannot contact that person, the employee should immediately contact the Employment Services Department at 909-869-4378 or 909-869-2953, 909-869-3764, or 909-869-2958.

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

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

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

#### ATTENDANCE AND PUNCTUALITY

As an employee of the Foundation, each employee is expected to be punctual and to have regular attendance. Tardiness and unplanned absences cause problems for co-workers and may negatively impact the services we provide to our customers.

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

Late arrival, early departure or other absences from scheduled hours are disruptive and must be avoided.

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

#### CONFIDENTIALITY/TRADE SECRETS

Those employees having access to confidential information and trade secrets have an obligation to safeguard all such information obtained in connection with his/her employment. Each employee is responsible to safeguard such information and in no way reveal or divulge any such information except when it is necessary to do so in the performance of their job duties. Access to confidential information and trade secrets should be on a "need-to-know" basis and must be authorized by management. It is each individual's responsibility to take due care in securing confidential information and trade secrets. Any attempts of bribery must be reported immediately to the Employment Services Director or the Executive Director. Any breach of this practice can lead to disciplinary action including termination of employment.

#### CONFLICT OF INTEREST

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

An employee involved in any of the types of relationships or situations described in this policy which creates a real or perceived conflict of interest should immediately and fully disclose the relevant circumstances to his/her immediate supervisor, or any other appropriate supervisor, for a determination as to whether a potential or actual conflict exists. If an actual or potential conflict is determined, the Foundation may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action including termination of employment.

#### PROHIBITED CONDUCT

Like all organizations, the Foundation requires order and discipline to succeed and to promote efficiency, productivity and cooperation among employees. For this reason, it may be helpful to identify some further examples of types of conduct that are impermissible and that may lead to disciplinary action, including termination of employment.

Although it is not possible to provide an exhaustive list of all types of impermissible conduct and performance, the following are some common examples:

- Theft, dishonesty, including fraudulent or destructive use of Foundation or University property.
- Fraud in securing Foundation employment.
- Falsification of time records.
- Falsification of individual's application required by the Foundation.
- Conviction of any felony under Federal or California State Law.
- Unsatisfactory performance.
- Excessive or unauthorized absences or tardiness.
- Insubordination (failure to recognize or accept the authority of a manager or administrator).
- Fighting, intimidating, threatening other persons or provoking such action.
- Physical or mental unfitness for the position.
- Unsafe or hazardous work actions.
- Violation of unit or Foundation policies or procedures.
- Bearing of firearms or other weapons while on campus.
- Making threats or engaging in violent activities.
- Any action that affects the welfare of other employees or the service of the Foundation.

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

#### DISCIPLINARY ACTION

Disciplinary action may consist of verbal warning, written warning, suspension and/or immediate discharge, or any combination of these steps, depending on the specific situation. For example, in one situation a verbal warning is appropriate and given to the employee, while in another situation, no verbal warning is given but instead, the employee is immediately suspended.

#### BUSINESS CONDUCT AND ETHICS

No employee may accept a personal gift or gratuity having a value of more than \$25 from any vendor, supplier or other person doing business with the Foundation as it may give the appearance of influence regarding their business decision, transaction or service. Employees who may receive premiums, samples or free specials as a result of buying or business activities is required to turn such items over to their unit manager for disposition.

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

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

The Foundation's Ethics Policy is based on three fundamental elements: (1) to create and maintain a culture of honesty and high ethics, (2) to evaluate the risks of fraud and implement the processes, procedures and controls needed to eliminate or reduce the opportunities for fraud, and (3) to develop an appropriate oversight process. It is the responsibility of the entire Foundation management team to implement and monitor these activities. A complete copy of the Foundation's Ethics Policy may be obtained by contacting Foundation Administration or by viewing them on Foundation's website.

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

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

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

The Employment Services Department takes reasonable risk reduction measures by conducting background investigations and reference checks on new full time employees to reduce the risk of hiring individuals with a history of violent behavior.

The Foundation participates in the University's proactive program in establishing a climate in which individuals know how and when to respond to the threat of violence.

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

NO HARASSMENT OR DISCRIMINATION

*(Zero Tolerance)*

General Overview

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

If unlawful harassment or unlawful discrimination occurs, when possible, confront your harasser and try to persuade him/her to stop. If the person refuses to stop, report the complaint directly to the Director of Employment Services at 869-2958.

Employment Services will investigate all such incidents and recommend necessary action, including discipline. The Board approved policies are 209 and 211 and are available on the Foundation's website.

NONDISCRIMINATION POLICY

The Foundation is committed to equal opportunity for all, regardless of race, color, national origin, gender, age, marital status, religion, disability, sexual preference, or veteran status. The Foundation's policy addresses equal opportunity in employment and recruitment. See Policy #209 for additional details.

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

Persons who are aggrieved may pursue a complaint or seek information by contacting the Director of Employment Services, 909.869.2958, or the Foundation Executive Director.

SEXUAL HARASSMENT

Sexual harassment refers to the unwanted imposition of sexual attention usually in the context of a relationship of unequal power, rank, or status, as well as the use of one's position of authority in the Foundation to bestow benefits or impose deprivations on another. This applies equally to all employees, students, and managers at the Foundation. Harassment includes verbal, nonverbal, and/or physical conduct that has the intent or effect of unreasonable interference with individuals' or groups' work performance. This may also include actions that create an intimidating, hostile, or offensive working environment. Both men and women can be the victims of sexual harassment. Discrimination on the basis of sex is prohibited by Title VII of the Civil Rights Act as well as California laws. Sexual harassment is a violation of Section 703 of Title VII. Review Policy #211 for additional information.

RACE, COLOR, NATIONAL ORIGIN

The Foundation complies with the requirements of Title VI and Title VII of the Civil Rights Act of 1964 as well as other applicable federal and state laws prohibiting discrimination. No person shall, on the basis of race, color, or

national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program of the Foundation.

DISABILITY

The Foundation does not discriminate on the basis of disability in treatment or employment in its programs and activities. Section 504 and 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and various state laws prohibit such discrimination. The Director of Employment Services has been designated to coordinate the efforts of the Foundation to comply with all relevant disability laws. Inquiries concerning compliance may be addressed to Dennis Miller, Director of Employment Services, 909-869-2958.

If any employee has special needs as addressed by the Americans with Disabilities Act (ADA), please contact the Director of Employment Services at 869-2958; reasonable efforts will be made to accommodate your special needs.

**Employees who believe they have been subject to unlawful harassment or unlawful discrimination under any of the above areas should contact the Director of Employment Services, 909-869-2958, or the Foundation Executive Director.**

WHISTLE BLOWER PROTECTION

Foundation employees are prohibited from engaging in any improper governmental activities or activities that create significant threats to the health and/or safety of the campus community in the performance of their work duties. Foundation employees and applicants for Foundation employment should be free to report waste, fraud, abuse of authority, violation of law, or threat to public health at the Foundation without fear of retribution. No individual who makes a protected disclosure or participates in an investigation concerning allegations of improper governmental activity or the existence of a condition that may significantly threaten the health or safety of employees or the public shall for that reason be subjected to personnel action in addition to any penalty or civil liability provided by law. Employees or applicants for employment who believe that they have suffered reprisal, retaliation, threats, coercion or similar acts for having made a protected disclosure may file a written retaliation complaint with their supervisor, manager or directly with the Foundation Employment Services Department at extension 2958, 2953, or 4378. The complaint alleging retaliation must be signed by the complainant and contain a sworn statement that the contents of the written complaint are true or believed by the complainant to be true, under penalty of perjury.

**SECTION 14**

**CONFLICT RESOLUTION**

The Conflict Resolution Policy, Policy #206 as posted on the Foundation's website, provides employees with a formal procedure for the resolution of problems arising in the course of their employment in a fair and orderly fashion if such problems cannot be resolved informally.

The employee should first discuss the problem with their immediate supervisor. If the meeting does not resolve the problem, the problem should be stated in writing to the immediate supervisor or unit manager. If the employee is not satisfied with the supervisor's written response, the employee may appeal in writing to higher levels of authority.

## SECTION 15

### PERSONNEL RECORDS

#### RIGHT TO REVIEW

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

#### EMPLOYEE REFERENCES OR VERIFICATIONS

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

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

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

#### CHANGE OF PERSONAL RECORD INFORMATION

It is each employee's responsibility to update their personal information whenever a change of address, telephone number, or other important personal information has been changed. All active employees may access Kronos Self-Service to update their personal information.

## SECTION 16

### RECREATIONAL ACTIVITIES AND MISCELLANEOUS PROGRAMS

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

#### 403(b) TAX DEFERRED ANNUITIES

Employees may participate in the Foundation's 403(b) plan, which is commonly referred to as the "Tax Sheltered Annuity" or TSA. Funds withheld in a TSA is not taxed as income until it is withdrawn (usually at retirement). If an employee is interested in participating in a TSA, the Foundation Employment Services Department should be contacted for more details.

#### PARS 457 PLAN (Public Agency Retirement Services)

PARS is a Deferred Compensation (457) Plan which provides a supplemental retirement benefit to eligible employees. Eligible employees (which excludes grant funded employees) are able to convert certain amounts of accrued and unused vacation and/or sick leave to cash, and then deposit that cash into the 457 plan - within certain restrictions.

However, ALL Foundation employees (except student employees) are permitted to elect pre-tax payroll contributions at their discretion as soon as they become employed with Foundation.

For a complete Plan Summary and eligibility requirements, please contact the Employment Services Department.

#### AFLAC (Regular Benefited Employees ONLY)

The AFLAC program allows eligible employees to enroll in two Flexible Spending Accounts and a variety of supplemental employee benefits plans. AFLAC's Flex One cafeteria plan (un-reimbursed medical expenses) allows an employee to set aside pre-tax dollars to use for specific un-reimbursed medical, dental and vision expenses. Additionally, the Flex Spending Account provides for a dependent care account to permit an employee to set aside pre-tax dollars to use for dependent care expenses.

AFLAC also offers eligible employees other supplemental plans including Personal Accident Expense Plan, Personal Short-Term Disability Plan, Personal Cancer Indemnity Plan, Personal Hospital Intensive Care Plan, Voluntary Indemnity Plan, Life Assurance, and Specified Health Event Policy. Open enrollment is held during the month of November each year and plans are effective January through December. For a complete description of AFLAC Plans, please contact the Employment Services Department.

USE OF CAMPUS FACILITIES

Employees may use the dining facilities located at the Campus Center Marketplace, Bronco Student Center, Los Olivos Dining Commons, various Cafés, and Kellogg West Restaurant (an employee discount is available at the Kellogg West dining room).

The University's physical education facilities are primarily used for instructional purposes, however, they are available for use by employees, as designated by the Health, Physical Education and Recreation Department. Library services are also available to all employees who provide appropriate identification.

CREDIT UNION (Cal Poly Federal Credit Union)

All Foundation employees are eligible to join the Cal Poly Federal Credit Union. When an employee becomes a member of the Credit Union all family members of that employee then become eligible for membership. Please contact the Credit Union directly at 909/598-6548 for further information.