



**COMMUNITY FOUNDATION FOR MONTEREY COUNTY  
PERSONNEL POLICIES HANDBOOK**

**EFFECTIVE  
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The official version of this Personnel Policies Handbook is maintained by the Director of Finance and Human Resources

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## **I. INTRODUCTION**

This Handbook is designed to acquaint employees with the Community Foundation for Monterey County (CFMC) and provide them with information about the working conditions, employee benefits, and policies affecting their employment. You should read, understand, and comply with all provisions of the Handbook. It describes many of your responsibilities as an employee and outlines the program developed by the CFMC to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

Except for the statement of at-will employment contained in this Handbook, the policies and practices set out in this Handbook are not intended to imply a contractual relationship, nor are they intended to create any legally enforceable obligations on the part of the CFMC, its officers, directors or employees. This Handbook supersedes and replaces all previous personnel policies, practices, guidelines, and prior Handbooks.

With the exception of its policy of at-will employment and those policies compelled by law, the CFMC may change the policies and procedures described in this Handbook from time to time and in its own discretion. No individual has the authority to alter the at-will nature of the employment relationship, or to enter into any employment agreement for a specified term, other than the President/CEO, at the direction of the Board. Any such modification must be in writing and signed by the President/CEO, Board Chair, and affected employee or the employee's representative.

## **II. AT-WILL EMPLOYMENT**

All employment at the CFMC is "at-will." This means that any employee is free to terminate his/her employment with the CFMC at any time, with or without a reason and with or without advance notice. Also, the CFMC has the right to terminate any employee at any time, with or without a reason and with or without advance notice. The terms of employment may be changed at any time with or without cause. Although the CFMC may choose to terminate an employee for cause, cause is not required. This is called "at-will" employment.

No change in the at-will status of any employee can be made without a written agreement endorsed by the Board of Directors and signed by the President/CEO, Board Chair, and the employee or the employee's representative expressing a clear and unambiguous intent to alter the at-will nature of the employment relationship.

## **III. EQUAL EMPLOYMENT OPPORTUNITY**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the CFMC will be based on merit, qualifications and abilities. Employment practices will not be influenced or affected by an applicant's or employee's sex (including pregnancy, childbirth, breastfeeding and/or related medical conditions), gender (including gender identity and gender expression), sexual orientation, race, color, religion (including religious dress and grooming practices), marital status, national origin (including language use and restrictions), ancestry, medical condition (including cancer/genetic characteristics), age (40+), physical/mental disability, genetic

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information, military or veteran status, or any characteristic as protected by applicable law.

### **A. Discrimination**

The CFMC is an equal opportunity employer and is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to **all** persons involved in the operations of the CFMC and prohibits unlawful discrimination and harassment of any individual on any of the basis listed above by any employee of the CFMC, including supervisors and co-workers. For information about the types of conduct that constitute impermissible discrimination and harassment and the CFMC's procedures for addressing complaints of harassment and discrimination, please refer to the Unlawful Harassment policy below. This policy applies to all areas of employment with the CFMC, including recruitment, hiring, training, promotion, compensation, and benefits. If you have any questions regarding this policy, please discuss them with the Director of Finance and Human Resources.

### **B. Accommodations**

The CFMC will make reasonable accommodations for the known physical or mental disabilities of an otherwise qualified individual who is an applicant or an employee unless undue hardship to the CFMC would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should inform their supervisor and request an accommodation. The CFMC and the individual with the disability will engage in an interactive process and discuss what types of accommodations are needed to perform the job. If the CFMC can identify an accommodation that is reasonable and will not impose an undue hardship, the CFMC will make the accommodation.

### **C. Unlawful Harassment and Discrimination**

The CFMC is committed to providing all of its employees, interns and volunteers with a workplace free of harassment and discrimination. The CFMC maintains a strict policy prohibiting discrimination, sexual harassment, and harassment on the basis of sex (including pregnancy, childbirth, breastfeeding and/or related medical conditions), gender (including gender identity and gender expression), sexual orientation, race, color, religion (including religious dress and grooming practices), marital status, national origin (including language use and restrictions), ancestry, medical condition (including cancer/genetic characteristics), age (40+), physical/mental disability, genetic information, military or veteran status, or any characteristic as protected by applicable law.

The CFMC's Unlawful Harassment and Discrimination policy applies to all persons involved in the operation of the CFMC and prohibits unlawful harassment and discrimination by any employee, intern, or volunteer of the CFMC, including co-workers, vendors, subcontractors, independent contractors, board members, and others doing business with the CFMC. This policy prohibits unlawful harassment and discrimination in any form including verbal, physical, visual harassment, sexual

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favoritism or preferential treatment on the basis of sexual conduct, sexual attraction, appearance, and/or physical characteristics or attributes.

It also prohibits retaliation of any kind against individuals who file complaints or who assist in the CFMC's investigation of a harassment or discrimination complaint.

Harassment may take many forms, but the most common forms include:

Verbal Harassment such as jokes, epithets, derogatory jokes or comments, slurs, negative stereotyping, and unwelcome remarks about an individual's body, color, physical characteristics, appearance, or talents, references to women as "honey", "doll", or "sweetheart", questions about a person's sexual practices, or patronizing terms or remarks;

Physical Harassment such as physical interference with normal work, impeding or blocking movement, assault, unwelcome physical contact, staring at a person's body, and threatening, intimidating or hostile acts that relate to a protected characteristic;

Visual Harassment such as offensive, derogatory, sexually oriented, or obscene photographs, calendars, posters, cards, cartoons, drawings and gestures, display of sexually suggestive or lewd objects, e-mail, computer graphics or images, unwelcome notes or letters, and any other written or graphic material that denigrates or shows hostility or aversion toward an individual because of a protected characteristic, that is placed on walls, bulletin boards, or elsewhere on the CFMC's premises or circulated among employees or in the workplace.

The three most common types of sexual harassment complaints are those in which:

1. An employee is fired or denied a job or an employment benefit because he/she refused to grant sexual favors or because he/she complained about harassment. Retaliation for complaining about harassment is illegal, even if it cannot be demonstrated that the harassment actually occurred.
2. An employee quits because he/she can no longer tolerate an offensive work environment, referred to as a "constructive discharge." If it is proven that a reasonable person in the victim's position, under like conditions, would resign to escape the harassment, the employer may be held responsible for the resignation as if the employee had been discharged.
3. An employee is exposed to an offensive work environment. Exposure to various kinds of behavior or to unwanted sexual advances alone may constitute harassment.

Sexual harassment includes harassment of women by men, of men by women, and same-sex, gender-based harassment.

If you believe that the comments, gestures, or conduct of any co-employee, officer, board member, or person doing business with or for the CFMC is offensive, you are required to report the facts of the incident to the Director of Finance and Human

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Resources or the President/CEO. Your report may be verbal or written and should include details of the incident or incidents, names of the individuals involved and names of any witnesses. No adverse action will be taken against an employee who makes a report or cooperates in the investigation of a report of harassment or discrimination. It is the responsibility of each employee to promptly report any violation or suspected violation of this policy to the Director of Finance and Human Resources or the President/CEO.

The CFMC's policy is to immediately conduct a thorough, objective and complete investigation of the complaint. At the conclusion of its investigation, the CFMC will attempt to determine whether unlawful harassment or discrimination has occurred. If appropriate, the CFMC will, as promptly as possible, communicate its findings to the accused, and the remedial action (if any) to be taken, to the complainant, and, when appropriate, to other persons who are directly concerned.

If it determines that harassment or discrimination has occurred, the CFMC will take remedial action commensurate with the severity of the offense. This action may include disciplinary action against the accused up to and including termination. Steps will be taken, as necessary, to prevent any further harassment and discrimination. No individual will suffer any reprisals or retaliation for reporting any incidents of harassment or discrimination, perceived harassment or discrimination, for making any complaints of harassment or discrimination, or for participating in any investigation of incidents of harassment or discrimination or perceived harassment or discrimination.

The CFMC encourages all employees, interns and volunteers to report any incidents of harassment and discrimination forbidden by this policy immediately so that complaints can be investigated and resolved. You should also be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment and discrimination in employment. If you think you have been harassed or discriminated against, or that you have been retaliated against for resisting or complaining, you may file a complaint with the Department of Fair Employment, or with the Equal Employment Opportunity Commission. The nearest office is listed in the telephone book.

### **IV. EMPLOYMENT POLICIES**

#### **A. Immigration Law Compliance**

We are committed to full compliance with federal immigration laws and will not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986:

**New employees**, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Required documentation must be presented within 72 hours of a new employee's first report to work. Failure to present documentation within 72 hours will preclude the employee from returning to work without the required documentation.



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**Existing employees** whose I-9 requires recertification, re-verification or update are required to provide documentation in a timely manner; failure to do so has disciplinary consequences, up to separation of employment.

**Former employees** who are rehired must also complete the form if they have not completed an I-9 with the CFMC within the past three years, or if their previous I-9 is no longer retained or valid.

Employees may raise questions or complaints about immigration law compliance without fear of reprisal by the CFMC.

### **B. Drug Free Workplace**

The CFMC recognizes the importance of maintaining a safe, efficient and healthful work environment for its employees. The CFMC is committed to providing its employees a safe, efficient, and productive work environment. In keeping with this commitment, the CFMC has adopted this policy to ensure that employees perform their duties safety, efficiently, and in a manner that protects their interests as well as those of co-workers and visitors. Being under the influence of any drug and/or alcoholic beverage on the job poses serious risks to employee health and safety. The CFMC has therefore adopted a strict policy regarding the use or possession of drugs or alcohol. There are two components to this policy. The first explains prohibited conduct. The second explains methods of detecting inappropriate drug or alcohol use.

1. Prohibition Against Drugs and Alcohol. The CFMC absolutely prohibits any use, sale, purchase, transfer or possession of any illegal or nonprescribed drug by its employees while on duty, or on the job at any location. In addition, it strictly prohibits employees from being under the influence of alcohol and/or any drug while on duty or performing the CFMC's business. Legally prescribed medications are excluded from this rule and permitted only to the extent that the use of such medications does not adversely affect the employee's work ability, job performance or the safety of that individual or others.

All employees must adhere to the rules stated in this policy. Any violation of this policy may result in disciplinary action, up to and including termination of employment. *This policy will not be construed to prohibit the modest use of alcohol at social or business functions on the CFMC premises, or at events hosted by the CFMC.*

2. Policy Enforcement. In order to promote a safe, productive and efficient workplace, the CFMC reserves the right to inspect desks, boxes, vehicles, packages, lunch boxes, containers, and other objects brought onto the CFMC property that might conceal alcohol and/or drugs.

### **C. E-Mail, Voice Mail, Internet, and Social Media**

The CFMC maintains a voice mail system, an electronic mail (e-mail) system, stationary and transitory computers, and numerous Internet-connected terminals to assist in conducting the business of the CFMC. These systems, including hardware, software, equipment and the data stored in the system, are and remain at all times the property of the CFMC whether such systems are located in your home, at a remote location, or in the office. As such, all messages created, sent, received or stored in the system as well

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as all information and materials downloaded in to the CFMC'S computers are and remain the property of the CFMC.

You are required to demonstrate professionalism in all communications, including voice mail and e-mail. Our clients, business associates, and the community expect error free, professional communications. Messages should be limited to the conduct of business at the CFMC. Voice mail, electronic mail, and the Internet may not be used for the conduct of personal business. Employee use of the Internet for reasons unrelated to the CFMC'S business is a violation of this policy.

The CFMC reserves the right to retrieve any messages composed, sent, received, or downloaded. Please note that even when a message is deleted or erased, it is still possible to recreate the message; therefore ultimate privacy of messages cannot be ensured to anyone. Further, the CFMC reserves the right to monitor, at any time, your Internet usage including the Web sites that you have accessed, and any information that you may have downloaded. Employees may not use the CFMC's computer network to access or participate in any websites that contain inappropriate content, including indecent or sexually oriented materials, gambling, or any other material that is not work related. Employees are not to disclose information concerning the CFMC's business operations, confidential and proprietary information, or clients on the Internet. Employees are not permitted to use the CFMC's computer network to sign on-line "guest books" or to post information on websites such as news groups or blogs, that are not work related. While voice mail, electronic mail, and Internet may accommodate the use of passwords for security, confidentiality cannot be guaranteed. Someone other than the recipient may review messages and downloaded data. The CFMC must know all passwords because of its ownership of all components and systems, and its monitoring of e-mail, voice mail, and Internet use. Additionally, your system may need to be accessed by the CFMC when you are absent.

Messages and downloaded data may not contain content that may reasonably be considered harassing, discriminatory, offensive, or disruptive to any employee. Offensive content would include, but would not be limited to, sexual comments or images, racial slurs, gender-specific comments or any comments that would offend someone on the basis of his/her age, sexual orientation, religious or political beliefs, national origin, disability, or any other characteristic protected by state or federal law.

Nothing in this policy is intended to interfere with employees' right to participate in concerted activity such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with their right to self-organize or join labor organizations or any other rights protected under the National Labor Relations Act.

All mail delivered to the CFMC, regardless of how it is addressed, will be opened prior to placing in individual mailboxes. The only exceptions will be correspondence from legal firms, the EDD and Employers Insurance, which may include confidential personnel information, and routine invoices.

Employees learning of any misuse of the voice mail or electronic mail system or the Internet or violation of this policy shall notify their supervisor immediately.

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### **Purpose of Social Media**

Transparency and the open exchange of ideas through collaboration and partnership is a fundamental value to the work of the CFMC. The CFMC recognizes social media as a significant and growing avenue to further community relations and engagement in an open, honest and networked way.

Social media forums can help to expand communications and networking between the CFMC and its constituencies and stakeholders. The employee usage policy is written as an outline of best practices for handling social media on professional terms. The purpose of specifying responsibilities and expectations is to protect the CFMC, its stakeholders and its employees.

### **Social Media Objectives**

The goal of social media is to create more accessibility and build on old and new relationships. Successful use of social media channels will:

- Raise the visibility of the CFMC through networked communication
- Build and reinforce the brand
- Cause the CFMC to become a part of online conversations among stakeholders including nonprofits, funders and community at large
- Promote organizational transparency
- Offer a mechanism for feedback, input and overall engagement
- Increase traffic to the CFMC website

### **CFMC Social Media Channel Overview**

The CFMC has a “keep it simple” approach with a short list of carefully considered social media tools. Currently the CFMC is part of the following social channels: Facebook, Youtube, Twitter, Flickr and LinkedIn. Each of the social media networks fulfills a particular purpose as follows:

#### **CFMC Facebook Page: <http://www.facebook.com/cfmco>**

The corporate Facebook page contains general information about the CFMC.

On a daily basis (weekdays), the page offers news, photos and summaries on the CFMC activities, events and links to resources relevant to nonprofits, our grantees or philanthropy in general. The page is a forum for the CFMC’s relationship building, outreach and news as well as questions and feedback from our participating constituencies on all of the CFMC related efforts.

#### **YouTube Account: [www.youtube.com/cfmontereycounty](http://www.youtube.com/cfmontereycounty)**

The corporate Youtube channel is used to post videos that tell the CFMC story by sharing footage of the CFMC-related events, ideas, people and places. It may include non-CFMC generated videos about topics of interest to supporters and nonprofits.

#### **Twitter: <http://twitter.com/cfmco>**

The corporate twitter account is a listening post linked to areas of interest to the CFMC (i.e. keywords such as grantmaking, community foundations, philanthropy and Monterey County).

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It is also a channel to share the CFMC (and other relevant) news and resources with followers, give timely responses to the CFMC “mentions,” and a way to share and receive timely feedback and input on issues of concern.

**LinkedIn:** <http://www.linkedin.com/company/community-foundation-for-monterey-county>

The CFMC has a corporate page primarily for networking as part of our online presence. Individual employees are encouraged to create and maintain their own personal linked in page and include the [www.cfmco.org](http://www.cfmco.org) website on their profiles and list the CFMC as employer.

### **Guidelines for Employee Use Expectations**

Social media networking is becoming a key aspect of organizational representation and brand presence. The Communications Officer directs the social media strategy at the CFMC with approval from the President/CEO. **Staff is encouraged (but not mandated) to.**

- 1) **Listen** – Visit the CFMC social media channels to observe what is being discussed
- 2) **Engage** – Participate in *work-related* networking through social media from personal accounts at work (provided that it does not interfere with other job responsibilities). Staff is encouraged to like, comment and share Facebook posts, for example.
- 3) **Generate Content** – Be mindful of opportunities for the CFMC contents in the course of your work. Share suggestions about relevant news, photos or videos for the CFMC channels to Communications Officer. The Communications Officer determines the administrators for social media channels.

### **Employee Responsibilities for All Social Media Use**

All employee activities and participation in work-related social media (personal or professional channels) must honor current personnel policy and the following guidelines:

The CFMC acknowledges that Facebook and other social media channels are interactive and may give way to dialogue that is sometimes negative or critical. Positive and negative comments that are within context will remain posted. However, if content is offensive, obscene, or entirely out of context, it will be removed at the discretion of the Communications Officer.

#### **1. Understand Confidentiality and Information Sharing**

All social media communications are to be consistent with the CFMC’s existing privacy and disclosure policies. **It is never appropriate to discuss information about donors, staff, or proprietary internal organizational issues without the permission of the Communications Officer and/or President/CEO.**

#### **2. Determine and Update your privacy settings**

Since posts, likes and comments will link back to your individual Facebook page,

be sure to **stay informed** or ask for help with your privacy and group settings. You can determine which of your posts go to which groups.

**3. Be Yourself**

We recognize personality is part of the engagement process. Please keep in mind that our goal is that the CFMC brand will be enhanced through all communications.

**4. Offer Positive Representation**

All social media engagement related to the CFMC will eventually become a part of the organization's brand reputation. Therefore, as a representative of the CFMC, **always communicate as you would for any board member, grantee or donor to see as it is a public and permanent communication.**

**5. Define Your Role**

As a representative of the CFMC, please identify yourself and role within the CFMC. This responsibility is more specific to views/opinions and is important to maintain transparency.

**6. Leave Politics at Home**

The CFMC values and respect diverse ideas. Yet, the CFMC must remain politically and ideologically neutral in our commitment to being inclusive. Please refrain from lobbying activities or political campaigning while communicating in a professional capacity. Also, remember that "causes" can sometimes be politically sensitive and therefore necessitate approval if you are affiliating them with the CFMC.

**7. Collaborate and Support**

If you are uncertain or need guidance just ask. Social media is a collaborative effort; therefore **supporting colleagues and idea sharing are essential.**

**8. Find Balance**

Online social media time at work should not exceed 1 hour per week. This translates to roughly ten to fifteen minutes per day to check and comment on the CFMC channels or share the CFMC content to your own channels.

**9. Distinguish Work from Play**

Social networking at work should be performed in a professional capacity. Please do not use work email or social media to forward jokes, legends, commercial offers and the like.

Nothing in this policy is intended to interfere with employees' right to participate in concerted activity such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with their right to self-organize or join labor organizations or any other rights protected under the National Labor Relations Act.

**D. Definition of Employee**

**1. Employee**

For purposes of these Personnel Policies, an “employee” is defined as a person hired to work for the CFMC at an hourly or salaried rate of pay for all duties performed. Employees will be paid through the normal paycheck process discussed in these policies, will have an assigned working area within the CFMC offices, and will perform their work under the ultimate control of the CFMC. The President/CEO is authorized to hire and fire all employees.

**2. Exempt, Non-Exempt and Temporary**

Employee classifications are determined by the Fair Labor Standards Act (FLSA) and California law. They are “exempt” and “non-exempt”. The President/CEO designates staff as “exempt” and “non-exempt” based on current laws. Exempt employees are exempt from overtime provisions of state and federal laws because their salary is intended to fully compensate them for all hours worked each week. Non-exempt employees are employees who are eligible to be paid for overtime work in accordance with the provisions of applicable wage and hour laws. "Nonexempt staff" must comply with the overtime pay provisions of the FLSA and California law, regardless of individual titles or duties. Any employee who does not meet the qualifications for exemption is included as non-exempt. If you have questions regarding your status, please consult your supervisor. Temporary employees are hired for specific projects, and for a limited period of time. All temporary employees are non-exempt

**E. Personnel File**

Keeping your personnel file up-to-date can be important to you with regard to pay, deductions, benefits and other matters. If you have a change in any of the items listed below, please be sure to notify the Director of Finance and Human Resources as soon as possible.

1. Legal name
2. Home address
3. Home telephone number
4. Person to call in case of emergency
5. Change of beneficiary
6. Military or draft status
7. Exemptions on your W-4 tax form

Personnel files are the property of the CFMC and access to the information they contain is restricted. Generally only members of management of the CFMC, who have a legitimate reason to review information in a personnel file, are allowed to do so. If you wish to review your own personnel file, you may do so with reasonable advance notice, and in the presence of authorized management personnel.

A copy of personnel records relating to your performance, any grievance concerning you, and documents you have signed, will be made available upon written request, and

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with 30 days notice. A copy of your itemized wage statements will be provided upon request and with 21 days notice.

### **F. Transportation**

CFMC employees are not permitted to transport more than nine passengers in a vehicle, ten including the driver, unless they have a current Class B license and medical card as required by the DMV. If an event requires transporting more than nine passengers, arrangements must be made with a commercial transportation company.

### **G. Problem Solving**

In any workplace, there are bound to be problems that arise in the course of employment. It is important to note that discussing or “*complaining*” about such issues with your coworkers may not be the most effective way to reach a solution and may even escalate the problem.

Such problems may concern working conditions, the interpretation or application of policies and procedures or any other matter related to your employment. We welcome your suggestions and encourage you to bring concerns about your wages, hours and working conditions directly to your supervisor, the Director of Finance and Human Resources, or the President/CEO. This policy is not intended to interfere with your right to participate in concerted activity such as communicating with your co-workers regarding wages, hours, or terms and conditions of employment, or with your right to self-organize or join labor organizations or any other rights protected under the National Labor Relations Act. Efforts will be made to provide you with the opportunity to raise concerns or problems in confidence.

All employees, including those employees involuntarily terminated, have access to the problem solving procedures. We want to encourage employees to address and attempt to resolve problems as quickly as possible. There are two main steps in the problem solving procedure, and most problems are resolved at one of these steps.

1. Informally discuss problems or complaints with your immediate supervisor\* with a serious attempt to resolve the situation at that level. If after discussion, the problem or complaint is not resolved, and you wish further review,
2. Submit a written statement of the problem to your immediate supervisor\* for further review, discussion and attempt to solve the problem or complaint. (A form is available from the Director of Finance and Human Resources.)

If the problem or complaint is not resolved upon formal notification to your supervisor, a member of the management team may get involved to work with you and the supervisor to resolve the conflict or problem. In the event that the problem is not resolved through this problem solving process, the President/CEO will make a decision. This decision will be binding and final.

Under no circumstances should a problem or complaint be discussed with a client, guest, visitor, vendor or any other non-employee. In the event that the problem or complaint involves one of the above, your supervisor should be immediately advised.

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The problem solving procedure outlined above is intended to encourage open communication and improve working conditions. However, the procedure outlined above does not alter the at-will nature of your employment with the CFMC, and either you or the CFMC can terminate the employment relationship at any time without using or completing the CFMC's problem solving procedure.

*\* The CFMC encourages all problems to be handled according to the above policy, but recognizes that there may be times when the employee is not comfortable talking with his or her immediate supervisor. If at any time, you feel uncomfortable discussing a problem or complaint with your immediate supervisor; please understand that you are able to address these concerns or problems with the Director of Finance and Human Resources or the President/CEO.*

### **V. STANDARDS OF CONDUCT**

#### **A. Confidentiality**

##### **1. Contacts**

A community foundation is by nature a community organization. Staff members are expected to have many contacts - with donors, community leaders, government officials, grant applicants, grantees and a broad range of citizens involved in and knowledgeable about community issues. In order for the CFMC to be perceived as a legitimate leader in community affairs, staff members must consider in each contact how their actions and statements represent the CFMC.

The President/CEO is responsible for all press releases to news media. All inquiries from communications media (press, radio, television, etc.) are to be referred to the President/CEO or designated personnel. No statement regarding the organization, its policies, employees, grantees, donors, Board, etc. is to be released verbally or in writing without specific written authorization from the President/CEO.

##### **2. Confidential Information**

The protection of confidential, sensitive, and proprietary information is of utmost importance to the CFMC, its employees, and its clients. It is essential that all employees take steps to safeguard such information. Employees must not use any confidential, sensitive, or proprietary information in any manner that is unauthorized, or that is detrimental to the best interests of the CFMC or its clients.

Through the course of employment, the CFMC employees may have access to and become acquainted with information of a confidential, sensitive and/or proprietary nature. The information may pertain to past, present or future clients of the CFMC, the CFMC contributors, business associates or past or current employees.

##### **a. Proprietary Information of CFMC**

As part of its business operations, the CFMC maintains general client databases, client lists and profiles, marketing plans and data, and other information in which it has a



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proprietary interest. Although the CFMC employees may gain access to such information during the course of their employment, the information remains the sole and exclusive property of the CFMC at all times.

The CFMC invests substantial time and effort in developing and maintaining relationships with its past, current and potential partners and contributors. The CFMC employees may provide services to these partners, or solicit business from potential partners. Nevertheless, these partners are at all times, and shall remain, the current and potential partners of the CFMC.

Employees shall not disclose or otherwise utilize the above-referenced information for any purpose outside the scope of their employment with the CFMC. Any unauthorized use or disclosure of such information may result in disciplinary action, up to and including termination, even for the first offense.

### **b. Proprietary Information of Third Parties**

As part of its business operations, the CFMC regularly receives confidential, sensitive and proprietary information of third parties, including financial and tax-related information, personal information, and unlisted addresses and telephone numbers. Employees shall not disclose or otherwise utilize such information for any purpose outside the scope of their employment with the CFMC. Any unauthorized use or disclosure of such information may result in disciplinary action, up to and including termination, even for the first offense.

### **c. CFMC Employees – Past or Current**

The CFMC respects the privacy rights of its employees, both past and current, and maintains its personnel matters and records in the strictest of confidence. The CFMC expects its employees to maintain this same level of respect for fellow employees' privacy rights, and to maintain the same level of confidentiality in personnel matters and records of the CFMC.

Through the course of employment, CFMC employees may have access to or become acquainted with information concerning past and current employees of the CFMC and their confidential personnel matters. Employees shall not disclose or otherwise utilize such information for any unauthorized purpose, whether such information was gained within or outside the scope of their employment with the CFMC. Any unauthorized use or disclosure of such information may result in disciplinary action, up to and including termination.

Employees shall not respond to inquiries or requests for information concerning past or current employees of the CFMC, personnel matters or records. Any such inquiries or requests for information shall be referred to the President/CEO. Employees who receive such inquiries or requests for information shall immediately notify the President/CEO. Any unauthorized communications with outside persons or organizations concerning confidential matters of the CFMC may result in disciplinary action, up to and including termination.

### **3. Employee Records**

All employee records are confidential. In addition, health/medical records and any items related to the Flexible Spending Account and Health Savings Account benefits are not included in the employee's personnel files. These records are confidential and will be maintained in a separate confidential file. The CFMC will safeguard them from disclosure and will divulge information only (1) to management on a need-to-know basis; (2) as allowed by law; (3) to the employee's personal physician upon written request with written permission of the employee; or (3) as required for workers' compensation cases.

#### **B. Conflicts of Interest**

The CFMC's policy prohibits its employees from engaging in any activity, practice, or act which conflicts with, or appears to conflict with, the interests of the CFMC and its donors. Since it is impossible to describe all of the situations, which may cause or give the appearance of a conflict of interest, the prohibitions included in this policy are not intended to be exhaustive and only include some of the more clear-cut examples. Employees are required to abide by the CFMC's "Conflict of Interest" policy.

##### **1. Employee Obligations**

Employees are expected to represent the CFMC in a dignified, responsible and generally positive manner and have an obligation both to avoid conflicts of interest and to refer questions and concerns about potential conflicts to the President/CEO or Executive Committee. Employees are expected to use good judgment, conduct themselves with integrity and adhere to the highest ethical standards and principles of loyalty. Employees are expected to devote all of their productive time to the business of the CFMC while on-duty. A conflict of interest exists when an employee's loyalties or actions are divided between the interests of the CFMC and those of another entity, such as a competitor or supplier.

##### **2. Grant Commitments**

No employee may commit the CFMC to an obligation or imply a commitment on any grant.

#### **C. Political Activities**

The CFMC will not become involved in political activities or take a position on controversial issues. Therefore, the policies on political activities for employees are as follows:

##### **1. Personal**

Any political activity of employees must be clearly identified as being personal, and not representative of the CFMC.

**2. Employee's Own Time**

Engagement in political activities must be done on the employee's own time, and not during the time when he or she is being paid to perform the CFMC's duties.

**D. Personal Business**

**1. Time**

Personal business, including but not limited to, such activities as on-line trading of personal securities and soliciting for charities, shall not be conducted during working time.

**2. Equipment**

Employees are prohibited from using any office equipment for personal use. In the rare instance that an employee needs to use office equipment for an emergency, personal reason, the employee must reimburse the Operating Fund at the actual current cost. Payment and coordination must be arranged with the Director of Finance and Human Resources.

The postage meter is for office mail only. Employees may not use the postage meter for personal mail. All CFMC equipment, telephone, supplies and services may be used only for work-related purposes. This includes the CFMC's telephone, computer system, server, Internet providers and other technical resources, all of which are to be used and monitored in pursuit of the CFMC's business.

**3. Telephone**

**a. Telephone Use Limitations**

Long distance use of the CFMC telephones for non-business purposes is prohibited. Employees shall also not use the CFMC telephones or other CFMC personal communications devices for a) the transmission of obscene, threatening, harassing, or potentially criminal communications, b) commercial entertainment (e.g., 900 numbers), or c) private gain, profit or personal business enterprise.

**b. Cell Phone Use**

A cell phone will be available for use by all staff for CFMC business. The cell phone is the property of the CFMC and is to be used for business calls only; personal use of the phone is prohibited. Employees shall not use cell phone features which result in additional charges to the CFMC (e.g., directory assistance). Except in the case of an emergency, employees are not permitted to use their personal cell phone for CFMC business unless expressly authorized by President/CEO. A CFMC cell phone is available for use by all employees.

**c. Cell Phone Use While Operating a Vehicle**

While driving for the CFMC business and/or the CFMC time, attention to the road and safety should always take precedence over using the phone, therefore, the personal or

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business use of cell phones while driving is strongly discouraged and calls should be made/received with the vehicle parked in a safe location. In the event that a driver feels they must make/receive calls while operating a vehicle, CA law must be followed and such calls must be made in a “hands free” mode via a headset, earpiece, or speaker. Additionally, text messaging is not allowed while driving per state law and the CFMC policy. Any citations received for violation of CA law will be the responsibility of the employee.

### **E. Gifts and Rewards**

It is the policy of the CFMC that its employees not accept complimentary gifts, tickets for performances, etc., from local organizations. Employees may, however, attend meetings, events, dinners, and performances of area nonprofits as a normal part of the staff’s grant review and monitoring process. With the prior approval of the President/CEO, employees may be reimbursed for expenses related to attending such functions.

It is the policy of the CFMC that its employees direct any cash or cash equivalent rewards for participation in surveys or rebate programs to the operating fund. Any equipment awarded becomes the property of the CFMC.

### **F. Supplemental Employment Policy**

We have no objection to you holding another job (including paid consulting work) providing you can effectively meet the performance standards for your position with us, that such employment does not result in overtime obligations, and that the additional position does not conflict with the interests of the CFMC or reflect adversely upon it. If you have/desire supplemental employment, we ask that you inform management to discuss the appropriateness of such employment. All employees will be held to the same standards of performance and scheduling demands. Exceptions cannot be made for employees who choose to maintain supplemental employment.

### **G. Unacceptable Conduct**

The CFMC requires employees to meet acceptable standards of conduct. Satisfaction of these standards promotes productivity, efficiency, and cooperation among employees. Although it is not possible to provide an exhaustive list of all types of impermissible conduct and performance, the following are some examples of unacceptable conduct:

1. Theft or misappropriation of any property belonging to the CFMC, another employee or any other person or organization.
2. Insubordination or refusal to perform assigned work.
3. Abusive or inconsiderate treatment of co-workers, supervisors, or anyone doing business with the CFMC, that a reasonable person would find hostile, offensive, and unrelated to the CFMC’s legitimate business interests.
4. Excessive or unauthorized tardiness or absence.

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5. Appropriation or use of the CFMC materials, staff or equipment for personal use.
6. Violation of the Conflict of Interest or Confidentiality policies.
7. Destroying, defacing or otherwise damaging the CFMC's property.
8. Falsification of an employment application, time record, or any other document; or any other dishonesty.
9. Possessing illegal substances on the CFMC property or reporting for work under the influence of alcohol or other drugs.
10. Sexual harassment or other harassment or discrimination.
11. Actions or threats which endanger the physical safety of another employee.
12. Violence or threats of violence of any kind.
13. Possession of firearms or other objects intended to inflict harm or damage.
14. Neglect or failure to perform assigned duties or unsatisfactory performance.
15. Violation of established CFMC policies and procedures, including as defined in this Handbook.
16. Violation of established safety regulations.
17. Lack of achievement of duties as defined in the employee's job description.
18. Unsatisfactory working relationships with staff, supervisors, board members, donors, grantee agencies, volunteers, and others connected with the CFMC.
19. Failure to maintain a reliable work schedule as defined in each individual's job description.

Employment at the CFMC will continue only at the mutual consent of the employee and the CFMC. Your employment is therefore terminable at-will, at any time, by either you or the CFMC, with or without cause or advance notice.

### **H. Disciplinary Action**

Employees are required to observe certain standards of job performance and good conduct. When performance or conduct does not meet the CFMC's standards, the CFMC may endeavor, when it deems appropriate, to provide the employee an opportunity to correct the deficiency. Although employment may be terminated at will by the employee or the CFMC at any time, without following any formal system of discipline or warnings, the CFMC may exercise its discretion to utilize forms of discipline that are less severe than discharge in certain cases. Examples of such less severe forms of discipline include verbal warnings, written warnings, and suspension. Although one or

more of these steps may be taken in connection with an employee, no formal order or system is necessary. The CFMC may terminate an employee's employment without warning or prior disciplinary action, in its sole and absolute discretion.

**I. Termination of Employment**

**1. Benefits**

The CFMC will comply with federal and state laws regarding taxes, insurance, and other benefits. Health insurance conversion information will be given to employees as part of the exit interview process.

**2. Compensation**

Employees will receive their final paycheck within the time required by law. The final paycheck will include compensation for accrued and unused PTO and accrued wages. In cases where the employee has a deficit in accrued PTO or has other financial obligations to the CFMC, the amounts may be deducted from the employee's final pay with the employee's written authorization.

**3. Obligations**

On an employee's termination date, he or she must return all keys and CFMC property that the employee may have received, and any other CFMC materials given to the employee during the course of employment with the CFMC.

**4. Voluntary Resignation**

Exempt employees are requested, but not required, to submit their written resignation to their supervisor at least four (4) weeks in advance. Non-exempt employees are requested, but not required, to submit a written resignation to their supervisor at least two (2) weeks in advance. Because your employment is at will and can be terminated by you or the CFMC at any time, no specific notice is required, but the notice periods above are requested for business planning purposes. The CFMC reserves the right to release you before the expiration of your notice period.

**5. Termination Procedure**

For purposes of this section, "supervisor" shall mean the President/CEO for exempt and non-exempt employees.

1. An exit interview may be conducted with the terminating employee and the supervisor(s), at a time agreed upon by all the parties involved. It is desirable that this interview be conducted no later than the employee's last day with the CFMC. The exit interview is intended to permit departing employees the opportunity to communicate their views regarding their work with the CFMC, including job duties, job training, job supervision, and job benefits.

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2. On the employee's last day with the CFMC, a written statement may be prepared by the supervisor or appropriate staff. This statement may include, but not be limited to, the following issues:
  - a. Compensation details including amounts paid to the employee in their final paycheck, and/or arrangements agreed upon for clearing any outstanding debts the employee has with the CFMC.
  - b. Items returned to the CFMC by the employee.
  - c. COBRA and related medical, dental and vision care insurance information required by law.
  - d. Information regarding status of employees' Flexible Spending Account and/or Health Savings Account, if applicable.
  - e. Information regarding status of employees' retirement plan, if applicable.
  - f. Information regarding the obligations of the employee and the employer with respect to any confidential information received or known during the employment period.

### **J. Dress Code**

As representatives of the CFMC, staff is expected to exhibit a neat, well groomed appearance. If the President/CEO or supervisor decides that a staff member is in violation of the dress code, the staff member will be asked to go home and change. The CFMC will reasonably accommodate bona fide religious beliefs, observances and practices of employees, including religious dress practices, unless doing so would present an undue hardship.

## **VI. WORK SCHEDULE**

### **A. Attendance and Punctuality**

Regular attendance at the CFMC and punctuality are required and are essential functions of every job at the CFMC. The CFMC recognizes that on occasion employees may be absent from work. If you are going to be late or absent you must notify your supervisor as soon as possible, and normally at least two (2) hours before your scheduled starting time on each day of absence. Excessive or patterned absenteeism or tardiness will result in disciplinary action, up to and including termination.

Absence from work for three (3) consecutive scheduled work days without notifying your supervisor will be considered a voluntary resignation. Statutorily protected leaves are excluded from this rule, but you are subject to discipline for failing to provide timely notice of your absence to your supervisor.

**B. Meal and Break Periods**

You are provided a paid rest break in the morning and afternoon. This allows you time to handle personal business and provides a pause in the workday.

Non-exempt employees who work at least three and a half (3½) hours in a workday are provided a paid rest period of ten (10) minutes in length for every four (4) hours worked or major fraction thereof (more than two hours). Employees who work more than six (6) hours in a day may take a second rest period of ten (10) minutes. Employees who work more than ten (10) hours in a day may take a third rest period of ten (10) minutes. Employees should take their rest periods in the middle of each work period to the extent it is practicable to do so. These breaks may not be combined or added to an employee's lunch period. Specific times for taking breaks by staff will be contingent on the work load and are at the discretion of the supervisor.

All employees are provided an unpaid duty free meal period of sixty (60) minutes (generally scheduled from 12:30-1:30 pm). State law requires that non-exempt employees working over 5 hours must take at least a 30-minute duty free unpaid meal break. If you are required to work during your scheduled 60 minute meal break (example: meeting), you must take at least a 30-minute meal break. Employees must begin their meal periods no later than the end of the employee's fifth hour of work.

Non-exempt employees are required to record the beginning and end of their meal periods on their time record. Employees are not allowed to skip their meal break and leave one hour earlier at the end of their shift.

Meal and break periods are scheduled by your supervisor to ensure that the employee's duties will be covered during breaks and meal periods. Meal and break periods must be taken and must be taken at the time scheduled.

If, because of an emergency, unforeseen or unavoidable event, a non-exempt employee is required to work through a meal or break period or to return before a meal or break period is completed, the employee will be paid one (1) additional hour of pay at the employee's regular rate of compensation. This hour of compensation will not be counted as an hour worked for the purposes of overtime compensation. The employee is required to inform their supervisor of the missed or interrupted meal or break period on the day the break period is missed and to note the missed or interrupted meal break period on the employee's time record.

**C. Hours of Work**

**1. Full-time Employees**

Full-time, non-exempt employees are those employees who work thirty (30) hours or more per week. Full-time employees generally have a thirty-seven and one-half (37½) hour workweek. Time worked between thirty-seven and one-half (37½) and forty (40) hours in a week will be paid at your regular rate of pay.



## **2. Part-time Employees**

Part-time, non-exempt employees are defined as those employees who work less than thirty (30) hours per week. Part-time employees are hired on an hourly basis at a rate determined by the President/CEO or designated personnel.

## **3. Overtime**

As necessary, during special events or emergency situations, non-exempt employees may be required to work overtime at the discretion of your supervisor. All scheduled overtime must be approved by the employee's immediate supervisor in writing at least two (2) days prior to working the overtime hours. For purposes of determining which hours constitute overtime, only actual hours worked in a given workday or workweek will be counted. Employees who work unauthorized overtime hours will be paid for all overtime but may be subject to disciplinary measures up to and including termination.

The CFMC provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law as follows:

All hours worked in excess of eight (8) hours a day or forty (40) hours in one (1) workweek will be treated as overtime. Compensation for hours worked in excess of eight (8) hours in any one (1) day and over forty (40) in a workweek shall be paid at a rate one and one-half (1½) times the employee's regular hourly rate of pay. If hours worked in a single day exceeds twelve (12) hours, the compensation rate for hours over twelve (12) hours is twice the regular hourly wage.

Exempt employees may have to work hours beyond their normal schedules, as work demands require. No overtime compensation will be paid to exempt employees because their salary is intended to fully compensate the exempt employee for all hours worked each pay period.

### **D. Timekeeping**

Accurately recording time worked is the responsibility of every non-exempt employee. Federal and state laws require the CFMC to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is the time actually spent on the job performing assigned duties.

Non-exempt employees are required to accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. All non-exempt employees are required to record the beginning and ending time of any departure from work for personal reasons.

Altering, falsifying, tampering with the records, or recording time on another employee's timesheet may result in disciplinary action, up to and including termination of employment. Employees are not permitted to perform work "off the clock."

It is the employee's responsibility to sign his/her timesheet to certify the accuracy of all time recorded. Your supervisor will review and initial the timesheet before submitting it to Finance.

**E. Make-Up Time**

The CFMC allows for make-up time, in its discretion, when non-exempt employees need time off to tend to personal obligations. Employees may take time off and make up the time later in the same workweek, or may work extra hours earlier in the workweek to make up for the time that will be taken off later in the workweek. Make-up time worked will not be paid at an overtime rate.

Make-up time requests must be submitted in writing to your supervisor. Requests will be considered for approval based on the legitimate business needs of the CFMC at the time the request is submitted. A separate written request is required for each occasion the employee requests make-up time, and the request must be approved in writing before the requested time off of work or the make-up time is taken, whichever is first.

All make-up time must be worked in the same workweek as the time taken off. The CFMC workweek is Monday through Sunday. Employees may not work more than eleven (11) hours in a day or forty (40) hours in a workweek as a result of making up time that was or would be lost due to personal obligations.

If an employee takes time off but is unable to work the scheduled make-up time for any reason, the hours missed will be unpaid unless the time missed is designated as PTO. However, your supervisor may arrange another day to make up the time, if possible and based on scheduling needs. If the employee works make-up time before he or she plans to take time off, the employee must take that time off, even if the time off is no longer needed for any reason.

An employee's use of make-up time is completely voluntary. The CFMC does not encourage, discourage, or solicit the use of make-up time.

**F. Telecommuting**

The CFMC has determined that attendance at work on the premises is an essential function of every position at the CFMC, and its business needs and its mission require all employees to work on the premises, work-related meetings notwithstanding.

**VII. COMPENSATION**

**A. Salaries and Reviews**

**1. New Employees**

The first ninety (90) days of employment is an employee's introductory period. This introductory period gives the CFMC the opportunity to determine the employee's ability and it gives the employee the opportunity to decide if he/she is satisfied with the position at the CFMC. Starting salaries for new employees are based on prior experience and the range of responsibilities assigned to that employee. The President/CEO sets starting salaries for employees other than the President/CEO.

We will endeavor to conduct a written appraisal of your performance on or about the completion of your introductory period, and approximately bi-annually thereafter. No

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salary review will be conducted at the introductory review time. Thereafter, new employees will have their performance and salary review at the same time as continuing employees. The purpose of performance evaluations is to let employees know how well they are performing their job duties and to identify areas that need improvement.

Evaluations will be reviewed in a private meeting between you and your supervisor. You will see the evaluation, have the opportunity to make your written comments, sign the evaluation and receive a copy. You are welcome to discuss your evaluation further with your supervisor, if you wish.

This formal review is not necessarily the only time job performance is discussed. If you have any questions about how you are doing, or what you can do to improve your performance, please ask us to discuss this with you in private. We attempt to maintain an "open door" policy with regard to personnel matters and welcome your comments anytime.

Salary adjustments for all employees will occur in the CFMC's sole discretion, based on employee performance and overall economic and business conditions. Employees may or may not receive an increase in salary when salary and performance reviews occur.

As explained earlier, during the employee's initial ninety (90) days of employment and during the entire course of an employee's employment, the employee will be an at-will employee.

### **2. Employees with More Than Ninety (90) Days of Service**

All salary recommendations will be prepared by the President/CEO and Director of Finance and Human Resources and presented to the Finance Committee. All salary recommendations will be prepared so that the new salary and benefit figures can be included in the budget. Salary adjustments, if any, will be effective on (or retroactive to) January 1 of the New Year.

### **3. Special Project Employees**

An employee hired for special projects will be reviewed annually on dates which are appropriate to the funding cycles of the projects themselves.

#### **B. Pay Periods and Payroll**

Employees are paid every other week, no later than Friday. Pay periods end on the Sunday before payday. If a payday falls on a holiday, employees will be paid the day prior to the holiday. An employee is encouraged to have his/her paycheck deposited directly into his/her bank account. No advances against payroll will be approved.

When a pay period covers part of two (2) calendar years, and a salary adjustment is made, the salary will be pro-rated so that the old salary is paid for any days in the old year, and the new salary, if applicable, is paid for any days in the new year.

**C. Expense and Mileage Reimbursement**

**1. Reimbursement**

The expenses of the President/CEO for mileage, entertainment, travel, postage, and similar items will be reimbursed on approval of the Treasurer (or other Executive Committee member) of the CFMC. Other staff members will be reimbursed as appropriate upon approval of their supervisor and the finance department when they incur reasonable business expenses including, but not limited to, mileage, office supplies, postage, or parking.

Mileage for both local and non-local travel on business matters will be reimbursed at the CFMC authorized rate. Parking expenses will also be reimbursed if incurred for business matters.

**2. Dining Out**

The CFMC reimburses employees for reasonable expenses for meals when traveling on the CFMC's business. When attending a conference and meals are included, you are expected to eat those meals. In the case where meals are not included, a guideline of \$50-\$75 per day should be used. In no case shall meals be skipped to be applied to another meal. The approximate range for each meal is breakfast \$10-\$15, lunch \$15-\$25, and dinner \$25-\$35. Itemized receipts should be submitted as part of the regular monthly expense reimbursement process.

**3. Clubs**

Service Club expenses covered by the CFMC include dues, fines, extra assessments, and meals. Personal gifts to various service club funds are not covered. Approved membership to a Service Club is at the discretion of your supervisor.

**4. Travel**

From time to time, staff members of the CFMC will be required to travel on official business. Any travel must be approved in advance by your supervisor. Every expense must be accompanied by an itemized receipt. To contain the cost of travel and lodging, all staff will meet the following requirements:

1. Report all expenses such as meals, lodging, tips, travel to and from the destination, and car rentals on an expense Reimbursement Form. Mileage on personal vehicles will be reimbursed at the current Foundation per-mile rate. Expenses should be submitted within thirty (30) days of travel.
2. Buy airlines tickets as far in advance of a trip as possible. Seek discount fares. Consult the Director of Finance and Human Resources and/or the internet for the best fares based on time of arrival and departure, booking restrictions, and comparison of various carriers.
3. Choose rental cars (only when required) and rental car companies by price, not by frequent flier affiliation. Prices should be moderate. Buy only the type

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of gas recommended in the car manufacturer's specifications.

4. Obtain prior approval from immediate supervisor for any overnight out-of-town travel plans.
5. Stay in moderately priced hotel/motels. For safety reasons, staff should stay in the hotel/motel where a meeting or conference is held.
6. Use discretion with meal costs, and provide an itemized receipt for all meal expenditures.

### **5. Continuing Education**

Employees are encouraged to take advantage of appropriate developmental opportunities that directly apply to their work at the CFMC. Fees for approved job-related seminars, workshops or other classes will be paid by the CFMC after approval by the President/CEO. Exempt employees will receive their regular salary while attending such training programs during the workday. Non-exempt employees will be paid their regular hourly or overtime rate for attending training programs.

## **VIII. BENEFITS**

### **A. Government Mandated Benefits**

#### **1. Social Security Insurance**

As an employee of the CFMC you are covered under the provisions of the Federal Social Security Law (FICA). Social Security benefits can provide you some retirement income. There is a deduction from your wages for social security taxes as well as an employer contribution. The total contribution by you and the CFMC is credited toward your Social Security benefits, which may be available at the time you are eligible to retire. In addition, disability and survivors' benefits are financed through Social Security deductions.

#### **2. Workers' Compensation Insurance**

A comprehensive Workers' Compensation Insurance program is provided at no cost to you. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, Workers' Compensation Insurance provides benefits after a short waiting period or, if you are hospitalized, immediately. All employees are given a pamphlet explaining their benefits upon hire.

**Employees who sustain work related injuries or illnesses must inform a supervisor immediately.**

No matter how minor an on the job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. You will be furnished an "Employee's Claim Form" within one (1) business day of reporting the injury, which you must complete and return to your supervisor as soon as possible.

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In the case of a one-time treatment of minor scratches, cuts, burns, splinters or other minor injuries, as long as there is no lost work time beyond the date of the injury, it will be treated as a first aid case. If additional care and treatment is needed, or if time is lost from work after the date of the injury, the claim will no longer be considered a “first aid” claim, but will be processed as a regular claim under Workers’ Compensation Insurance.

If treatment is required, management will send (or arrange transportation, if necessary) you to the medical facility noted on the Workers’ Compensation poster. You must receive medical attention from this facility unless you have notified the Company in writing of your personal healthcare provider before the injury. A written notice by the healthcare provider is required to authorize a return to work. Should the healthcare provider indicate physical limitations upon return to work, CFMC will engage in the interactive process with the employee to determine if such limitations can be reasonably accommodated without undue hardship.

All employees should be aware that anti-fraud laws state that any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying Workers’ Compensation benefits or payments is guilty of a felony. Neither the Company nor the insurance carrier will be liable for the payment of Workers’ Compensation benefits for injuries that occur during your voluntary participation in any off duty recreational, social or athletic activity sponsored by the CFMC.

For additional information regarding Workers’ Compensation, see Leaves of Absence.

### **3. Unemployment Insurance**

If your employment separates with the CFMC, you may be eligible to receive Unemployment Insurance Benefits. This insurance is fully paid by the CFMC and is administered by the State of California’s Employment Development Department. In most cases, you must file a claim in order to collect this benefit. Benefits are generally available to employees who are out of work through no fault of their own (including a reduction in regular workweek). Eligibility for benefits is determined by the Employment Development Department.

### **4. State Disability Insurance**

To help provide compensation for employees who miss work due to a non-work related accident or illness, the law requires that a small percentage of your wages be deducted each pay period for State Disability Insurance (SDI). Please refer to the leaves of absence policies that are outlined later in this handbook for procedures on requesting a leave of absence for this purpose (Pregnancy Disability Leave, Medical Leave, and/or Personal Leave).

### **5. Paid Family Leave (PFL) Insurance**

To help provide compensation for time taken off to care for a new child or to care for a family member’s (child, parent, spouse, domestic partner, grandparent, grandchild,

sibling or parent-in-law”) serious health condition, the law requires that a small percentage of your wages be deducted each pay period for Paid Family Leave (PFL) Insurance. Please refer to the leaves of absence policies that are outlined later in this handbook for procedures on requesting a leave of absence (Personal Leave).

**B. Health Insurance**

All employees of the CFMC who work thirty (30) hours per week or more, their dependents, and registered domestic partners are offered medical, dental, vision care, long-term disability insurance and life insurance coverage. Specific details of the various coverages and non-covered items will be given to all employees upon their eligibility date.

**C. Benefits Continuation (Cal/COBRA)**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Company’s health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, separation of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under Cal/COBRA, the eligible employee or beneficiary pays the full cost of coverage at the Company’s group rates plus an administration fee.

The Company provides each eligible employee with a written notice describing rights granted under Cal/COBRA when the employee becomes eligible for coverage under our health insurance plan. The notice contains important information about the employee's rights and obligations.

**D. Retirement Plan**

The CFMC participates in a 403(b) Tax-Deferred Retirement Plan, which covers all employees who are over 21 years of age. Employer contributions to the plan may be made annually at the sole discretion of the Board of Directors.

**E. Limited Purpose Flexible Spending Account (FSA)**

The CFMC currently provides a Limited Purpose FSA for all CFMC employees who are at least 21 years of age and have completed six (6) months of employment with the CFMC on the effective date of the Plan (January 1 and July 1 of each year). The LPFSA allows you to maximize your earnings by allowing pre-tax deductions for out-of-pocket dental and vision expenses as well as dependent daycare expenses. The Director of Finance and Human Resources will provide eligible employees with additional information relating to the LPFSA.

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## **E. Health Savings Account (HSA)**

The CFMC currently provides a Health Savings Account (HSA) for all the CFMC employees. Specific details of the various coverages and non-covered items will be given to all employees upon their eligibility date. The Director of Finance and Human Resources will provide eligible employees with additional information relating to the Health Savings Account.

## **IX. LEAVES OF ABSENCE**

Both paid and unpaid time off may be granted to eligible employees, according to the following leave policies.

### **A. Paid Leaves**

#### **1. Paid Time Off**

##### **a. Full-time Employees**

The CFMC provides paid time off (PTO) benefits to regular full and part-time employees.

1. These days can be used for such things as vacation, sick leave, family leave, etc. Employees begin PTO accrual upon hire, and the employee may request use of PTO as accrued.
2. The amount of PTO employees earn each year increases with the length of their employment as shown below. The below numbers apply to employees who average thirty-seven and one-half (37½) hours per workweek. Regular employees who work less than thirty-seven and one-half (37½) hours will have their actual accrual prorated based on hours worked.

<b>Length of Eligible Service</b>	<b>Paid Time Off</b>
Hire date to 5 <sup>th</sup> anniversary	12 days each year
After 5th anniversary to 10th anniversary	17 days each year
After 10th anniversary	22 days each year

- a. The length of eligible service is calculated on the basis of the anniversary year. This is the twelve (12) month period that begins when the employee starts to earn PTO. An employee's benefit year may be extended for any significant leave of absence at CFMC's discretion.
- b. PTO time can be used in minimum increments of one (1) hour for non-exempt employees and full days for exempt employees. To take PTO, employees should request approval from their supervisor. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. PTO is paid at the employee's base rate at the time it is taken. It does not include overtime or any other special forms of compensation.



- c. If PTO is used for illness or injury, the following provisions apply:
    - i. Failure to follow reporting procedures outlined in the Attendance and Punctuality policy may result in disciplinary action, including, but not limited to denial of use of PTO for such absences.
    - ii. A doctor's certificate may be required if an employee is absent for three (3) or more days and/or to medically release an employee to return to work. The certificate shall state that the employee is unable to perform the essential functions of his/her job due to the employee's illness or injury, or due to the illness or injury of the employee's parent, child, spouse, or domestic partner. The return-to-work certificate shall state that the employee is released to return to work and can perform the essential functions of his/her job, with or without reasonable accommodation.
    - iii. Up to one-half of the current year's PTO accrual can be used to attend to the injury or illness of the employee's child, parent, spouse, or domestic partner.
  - d. Employees are encouraged to use available PTO for rest, relaxation and personal pursuits. Unused PTO may be carried forward to the next year, however, the maximum accrued PTO benefit that an employee may have at year end is two (2) times the amount of the employee's current annual accrual rate. If the earned but unused PTO reaches this maximum, at year end, future accrual will stop, and the PTO balance will remain capped until the employee uses PTO and his/her accrued hours have dropped below the two (2) year cap.
3. Upon separation of employment, employees will be paid for all accrued but unused PTO time earned through the last day of work based on the employee's base rate of pay at the time of separation.

**b. Part-time Employees**

PTO benefits for part-time employees will accrue prorated, based on the number of hours worked.

**2. Paid Sick Leave Under the Healthy Workplaces, Healthy Families Act of 2014**

Effective July 1, 2015 this policy provides paid sick leave to all CFMC employees as required by the Healthy Workplaces, Healthy Families Act of 2014. The benefits described in this policy are provided in addition to the Paid Time Off policy for the regular full time employees who are eligible for Paid Time Off under the CFMC's Paid Time Off policy.

Employees who have worked in California for 30 days within a year of beginning employment with the CFMC are eligible for benefits under this policy. All CFMC employees who are employed by the CFMC on July 1, 2015 will receive 24 hours (3 days) of paid sick leave benefits under the Healthy Workplaces, Healthy Families Act of 2014 commencing July 1, 2015. 24 hours of paid sick leave under the Healthy Workplaces, Healthy Families Act of 2014 will be provided to employees on January 1 of each following year.

Employees who are hired after July 1, 2015 will receive 24 hours (3 days) of paid sick leave under the Healthy Workplaces, Healthy Families Act of 2014 on their date of hire, and an additional 24 hours (3 days) on July 1 of each subsequent year.

Unused sick leave benefits under the Healthy Workplaces, Healthy Families Act of 2014 will not carry over from year to year. If an employee does not use all 24 hours (3 days) of paid sick leave by June 30, the unused hours will not carry over to the following year. Instead, the employee will receive 24 hours (3 days) of paid sick leave on July 1 of the next year.

Paid sick leave under the Healthy Workplaces, Healthy Families Act of 2014 can be used in minimum increments of one (1) hour, and can be taken only after it is earned. Employees may use sick leave benefits under the Healthy Workplaces, Healthy Families Act of 2014 for an absence due to diagnosis, care, or treatment of an existing health condition or preventative care for the employee or the following family members:

- The employee's biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis;
- The employee or the employee's spouse or registered domestic partner's biological, adoptive, or foster parent, stepparent, or legal guardian, or a person who stood in loco parentis when the employee was a minor child.
- The employee's spouse, registered domestic partner, grandparent, grandchild, or sibling.

Paid sick leave under the Healthy Workplaces, Healthy Families Act of 2014 can also be used by an employee who is a victim of domestic violence, sexual assault, or stalking to obtain treatment or counseling, or engage in safety planning.

If the need for paid sick leave is foreseeable, the employee shall provide reasonable advance notification to the employee's supervisor prior to the absence. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable. Employees are required to follow the reporting procedures outlined in the Attendance and Punctuality policy. Failure to do so may result in disciplinary action.

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Employees will receive a statement with each pay stub stating the amount of paid sick leave available for their use under the Healthy Workplaces, Healthy Families Act of 2014. Each year, paid sick leave available for use under the Healthy Workplaces, Healthy Families Act of 2014 will be applied first to an employee's sick leave absences until it is exhausted, and then Paid Time Off benefits will be applied for additional absences in the year.

Unused sick leave benefits will not be paid to employees upon separation of employment. However, if an employee is rehired within one year from the date of separation, previously unused paid sick days under the Healthy Workplaces, Healthy Families Act of 2014 shall be reinstated.

The CFMC will not deny an employee the right to use sick days under this policy, or discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for using sick days or exercising or attempting to exercise the rights provided by the Healthy Workplaces, Healthy Families Act of 2014.

### **3. Holidays**

All regular employees receive time off with pay for twelve (12) holidays: ten (10) of the commonly observed holidays and two (2) floating holidays. Holiday pay for part time employees will be prorated to the number of regular hours worked. The floating holidays may be used for religious holidays, the employee's birthday, personal business, etc.

All of the CFMC offices will be closed in observance of the holidays listed below, excluding the floating holiday which is scheduled on an individual basis.

New Year's Day	Martin Luther King Jr. Day	Presidents' Day
Memorial Day	Independence Day	Labor Day
Thanksgiving (2 days)	Christmas Eve	Christmas Day

Two Floating Holiday (arranged in advance with the employee's supervisor). Floating holidays must be used within the calendar year, and may not be carried over.

If a holiday falls on a Saturday, the preceding Friday is observed as a holiday. If a holiday falls on a Sunday, the following Monday is observed as a holiday. If a holiday occurs during an employee's PTO period, the employee will not be required to use accrued PTO on the holiday.

### **4. Bereavement Leave**

A leave of absence with pay for up to three (3) days will be granted to all regular full-time employees in the event of the death of the employee's spouse, domestic partner, child, parent, grandparent, sibling, aunt, uncle, niece, nephew, and any in-law. With the approval of the President/CEO, this leave may be extended with pay for up to five (5) days in cases where the employee is required to travel a great distance to attend the funeral or other services.

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With prior approval, time off without pay may be arranged for an employee who wishes to attend the funeral of other relatives or close friends.

### **5. Jury Duty**

The CFMC encourages you to fulfill your civic responsibilities by serving on a jury or as a witness when required and allows all employees time off for these purposes. Jury duty and witness leave is provided on a paid basis for regular full-time employees for up to the length of time impaneled. If you receive notice to report for jury duty, please notify management immediately so arrangements can be made to accommodate your absence. You must present the Summons for Jury Duty to your supervisor prior to the beginning date of such duty. Of course, you are expected to report for work whenever the court schedule permits.

If you are a regular, full-time, non-exempt employee who has completed your initial introductory period, the CFMC will pay the difference between jury duty fees and your base pay. To receive compensation from the CFMC, you must turn in a signed statement from the court clerk indicating the amount of fees you received for jury duty.

Employees must report for work on any day the employee is released from jury duty service before noon. If for any reason a jury is not in session on any day that an employee is on jury duty, he or she must report to work.

### **6. Voting Day Leave**

The CFMC encourages you to exercise your voting privileges in local, state, and national elections. However, since the polls are open for long periods, you are encouraged to vote before or after regular working hours. If necessary, you may take up to two (2) hours paid leave from work at the beginning or end of your shift to vote in a governmental election or referendum. You will be expected to notify your supervisor at least two (2) working days in advance of your need to take time off to vote.

## **B. Unpaid Leaves**

### **1. Worker's Compensation Disability Leave**

#### **a. Entitlement to Leave**

The CFMC will grant an unpaid workers' compensation disability leave in accordance with state and federal law if you incur an occupational illness or injury. As an alternative, the CFMC may offer you modified work in accordance with state and federal law.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance premiums (and dependent coverage as applicable) will continue to be paid by the CFMC to the same degree it was provided before the leave began for up to 4 months. At that time if you are still on worker's compensation disability leave you will become responsible for the full costs of these benefits if you wish coverage to continue (see Cal/COBRA policy). When you return from the leave, benefits will again be provided by the CFMC according to the applicable plans. In some instances, the CFMC

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may recover premiums it paid to maintain health coverage if you do not return to work following your workers' compensation disability leave.

Employees may choose to use accrued PTO and sick leave during the leave and payments will be coordinated with any temporary disability insurance payments. Benefits accrual such as PTO and holiday benefits, will be suspended during the leave and will resume upon return to active employment.

Upon submission of a medical certification that you are able to return to work, with or without reasonable accommodation, you will be reinstated in accordance with applicable law. Should the healthcare provider indicate work restrictions upon return to work, the CFMC will engage in the interactive process with you to determine if the CFMC can reasonably accommodate your work restrictions without causing undue hardship to the CFMC.

### **2. Pregnancy-Disability Leave**

#### **a. Entitlement to Leave**

The CFMC provides and grants to all pregnant employees regardless of length of service the right to take an unpaid Pregnancy Disability Leave (PDL) during the period of time that a medical care provider determines the employee is actually disabled by pregnancy or a related medical condition (including breastfeeding). PDL can be for **up to** a maximum of four months (the time normally worked in one-third of the year, or 17 and a third weeks). For planning purposes it may be helpful for you to know that the typical period of disability for pregnancy and related medical conditions is often six to eight weeks – please discuss with your healthcare provider the anticipated period of disability for your pregnancy. PDL will be provided in accordance with all applicable federal and state laws.

If an employee's schedule varies from month to month, a monthly average of the hours worked over the four months prior to the beginning of the leave will be used for calculating the employee's normal work month. Pregnancy-Disability leave may be taken intermittently, in increments of one hour, or on a reduced hours schedule, as medically advisable.

#### **b. Notification**

In instances of other than medical emergencies, management anticipates receiving thirty (30) days notice in advance of the date the leave is to begin and the estimated date upon which the employee will return to work. A pregnant employee may use accrued PTO time, sick leave, or other accrued paid leave during the period of time which she takes pregnancy leave.

#### **c. Certification**

Any employee is entitled to a reasonable accommodation for pregnancy, childbirth, or related medical conditions if she so requests and provides a medical certification from her healthcare provider. In addition to other forms of reasonable accommodation, a pregnant employee is entitled to transfer temporarily to a less strenuous or hazardous

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position or to less strenuous or hazardous duties if she requests, the transfer is medically necessary and supported by proper medical certification, and the transfer can be reasonably accommodated.

Written certification from your healthcare provider must be submitted to the Director of Finance and Human Resources containing the following information:

1. The date on which your pregnancy-related disability began or will begin.
2. The probable duration of your period or periods of disability.
3. An explanatory statement that, due to the disability, the employee is unable to work at all or is unable to perform any one or more of the essential functions of her position without undue risk to herself, her pregnancy, or to other persons. In the case of a pregnancy-disability transfer, the medical certification shall provide the following information: (a) the date on which the need to transfer became medically advisable; (b) the probable duration of the period or periods of the need to transfer; and (c) an explanatory statement that, due to the employee's pregnancy, the transfer is medically advisable. Upon expiration of the time period for the leave or transfer estimated by the health care provider, CFMC may require the employee to provide another medical certification if additional time is requested for leave or transfer.

If you need additional leave after the time stated in your original certification, you must submit re-certification containing the information outlined above.

### **d. Use of Paid Leave Time**

An employee taking pregnancy-disability leave may substitute any available paid time off for her leave, but is not required to do so. The substitution of paid leave for pregnancy-related disability leave does not extend the total duration of the leave to which an employee is entitled.

### **e. Health Benefits**

Subject to the terms, conditions, and limitations of the applicable plans, health insurance premiums (and dependent coverage as applicable) will continue to be paid by the CFMC to the same degree it was provided before the leave began for the duration of the PDL. If you are still disabled after exhausting your PDL, you may become responsible for the full costs of these benefits if you wish coverage to continue (see Cal/COBRA policy)..

### **f. Reinstatement**

Unless the CFMC and the employee have already agreed upon the employee's return date, an employee who has taken a pregnancy-related disability leave or transfer must notify the Director of Finance and Human Resources at least two (2) weeks before her scheduled return to work or, as applicable, transfer back to her former position.

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An employee returning from pregnancy-related disability leave is entitled to reinstatement to the same or comparable position consistent with applicable law. Each employee who has taken a pregnancy-related disability leave or transfer must be released by her doctor to return to work. The release should be in writing and submitted to the Director of Finance and Human Resources on or before the employee's return from a pregnancy-related disability leave or transfer.

### **g. Lactation Accommodation**

Recognizing the benefits of breastfeeding and in compliance with state law, the CFMC will provide employees who are nursing mothers with a private space and a reasonable amount of time to express milk. If possible, the time should run concurrently with the employee's paid break time. The space will be close to the employee's work area where she can express milk in private.

### **3. Personal Leave**

The CFMC may provide a leave of absence without pay to employees who wish to take time off from work duties to fulfill personal obligations. Regular full-time employees are eligible to request personal leave as described in this policy. As soon as you become aware of the need for a personal leave of absence, you should request a leave from your supervisor.

Requests for personal leave will be evaluated based on a number of factors, including amount of time requested, amount of time already taken, anticipated workload requirements and staffing considerations during the proposed period of absence. Personal leave may be granted for a period of up to 15 calendar days in any 12-month period. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 15 calendar days.

Employees are required to take any available PTO leave as part of the approved period of leave. Benefits accrual such as PTO, or holiday benefits will be suspended during the leave and will resume upon return from leave.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance premiums (and dependent coverage as applicable) will continue to be paid by the CFMC to the same degree it was provided before the leave began for up to for up to one month. At that time you will become responsible for the full costs of these benefits if you wish coverage to continue (see Cal/COBRA policy). When you return from a Personal Leave, benefits will again be provided by the CFMC according to the applicable plans.

When a personal leave ends, every reasonable effort will be made to return you to the same position, if it is available, or to a similar available position for which you are qualified. However, the CFMC cannot guarantee reinstatement.

Employees who accept other employment during the approved leave and/or employees who fail to report to work promptly at the expiration of the approved leave period will be considered to have resigned from the CFMC.

#### **4. Medical Leave**

Employees may take a temporary medical disability leave of absence if necessary to reasonably accommodate a qualified disability under the American with Disabilities Act or the Fair Employment and Housing Act.

Leave may be granted only if the leave is likely to be effective in allowing the employee to return to work at the end of the leave, with or without further reasonable accommodation, does not create an undue hardship for the CFMC, and is not for an indefinite duration. The duration of a disability leave under this policy shall be consistent with applicable law, but in no event shall the leave extend past the date on which an employee becomes capable of performing the essential functions of his or her position, with or without reasonable accommodation. For a full explanation of leave rights, employees should contact the Director of Finance and Human Resources.

##### Leave's Effect on Pay and Benefits

An employee taking medical disability leave must substitute any accrued sick pay and PTO pay for the leave. Except to the extent that paid leave is substituted for medical disability leave, the medical disability leave will be unpaid.

Group insurance benefits may be continued during the medical disability leave period. For the first four (4) months of the leave, the CFMC will continue to pay its regular premium payment with respect to the employee's participation in its group plans. The employee remains responsible for any employee contribution for dependent coverage. After four (4) months, the cost of such coverage, including the CFMC's share of the premium payment, becomes the responsibility of the employee. Coverage may be continued at the employee's own expense to the extent permitted by the group insurance plans.

This policy applies to employees who are on medical disability leave due to a non-work-related disability. The employee and the Director of Finance and Human Resources should agree upon a payment schedule before the employee's leave begins.

##### Procedures for Requesting Medical Disability Leave

Unless the circumstances render it impractical, medical disability leave must be approved in advance. Whenever possible, an employee should submit a written request for medical disability leave to the Director of Finance and Human Resources as soon as the employee is aware of the need for such leave. Any request for medical disability leave must be supported by medical certification from a health care provider which shall provide the following information: (a) the date on which the employee became disabled; (b) the probable duration of the period or periods of disability; and (c) an explanatory statement that, due to the disability, the employee is unable to work at all or is unable to perform any one or more of the essential functions of his or her position without undue risk to himself, or to other persons. The certification should also explain what accommodations, if any, will assist the employee in performing the essential functions of his or her position.



Reinstatement after Medical Disability Leave

Each employee who has taken a medical disability leave must keep the Director of Finance and Human Resources advised of any change in the anticipated duration of the medical disability leave and must contact the Director of Finance and Human Resources at least two (2) weeks prior to the expiration of scheduled leave to discuss the employee's return to work. An employee desiring to return to work from medical disability leave shall be given his or her former position or reinstated to an equivalent position to the extent required by law.

Each employee who has taken a medical disability leave must be released by a health care provider to return to work. The release should be in writing and submitted to the Director of Finance and Human Resources on or before the employee's return from medical disability leave. Should the healthcare provider indicate work restrictions upon return to work, the CFMC will engage in the interactive process to determine if the CFMC can reasonably accommodate the work restrictions without causing undue hardship to the CFMC.

**5. Organ and Bone Marrow Donation**

The CFMC will provide an unpaid leave for employees who have been employed by the CFMC for a minimum of 90 days in order for them to be able to donate organs and/or bone marrow as a medical necessity. The leaves are treated as followed:

Organ Donation – Paid leave up to 30 business days in a one year period. Employees must utilize 2 weeks of earned but unused PTO if available.

Bone Marrow – Paid leave up to 5 business days in a one year period. Employees must utilize earned but unused PTO or sick time if available.

More than one leave may be approved for organ and/or bone marrow donation in each 12 month period (measured backward from the date an employee uses any leave under this policy), but total amount of leave in either category may not exceed the maximum allowed for the specific leave type. For example, an employee could take off twice during a 12 month period for Organ Donation leave as long as the total time taken did not exceed 30 days.

Employees requesting organ or bone marrow donation leave may be required to have a healthcare provider certification prior to taking the leave stating that there is a medical necessity for the donation.

During the time the employee is off under either of these leave categories, the CFMC will continue to pay for group health insurance premiums at the same level as prior to the leave. In addition, the employee will continue to accrue any benefits, credits or other rewards provided if not on leave at the same rate as before he/she took leave.

Upon completion of the leave, a written approval by the healthcare provider is required to authorize a return to work. Should the healthcare provider indicate physical limitations upon return to work, the CFMC will engage in the interactive process to determine if the CFMC can reasonably accommodate the work restrictions without causing undue

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hardship to the CFMC. An employee who timely returns to work at the expiration of such leaves will be reinstated to his/her former position, or a comparable position, whenever possible and consistent with applicable laws.

### **6. Military Leave**

If you are a full-time employee and are inducted into the United States Armed Forces, you will be eligible for re-employment after completing military service in accordance with applicable law.

Employees who serve in United States military organizations or state militia groups may take the necessary unpaid leave to fulfill this obligation, and will retain all of their legal rights for continued employment under existing laws. These employees may apply accrued and unused paid time off to the leave if they wish. However, they are not obliged to do so.

You are expected to notify your supervisor as soon as you are aware of the dates you will be on duty so that arrangements can be made for replacement during this absence.

The CFMC fully complies with the applicable law regarding military leaves of absence. Specific terms of the absence and of your rights to reinstatement, seniority, benefits, and compensation after a military leave are governed by state and federal law. For more information and details about these protections and the Uniformed Services Employment and Re-Employment Rights Act of 1994, please contact the Director of Finance and Human Resources.

### **7. School Discipline Leave**

Any employee who is the parent or guardian of a child is eligible for a school discipline leave. The employee must have received a written notice from the principal of the school requesting his/her attendance at a conference to discuss the child's suspension from school. School discipline leave is not available to employees who voluntarily consult with school administrators regarding a child's performance in school.

The CFMC may require the employee to provide a copy of the notice received from the school, prior to granting school discipline leave, and may require documentation from the school as proof that the visit took place. The CFMC may ask the employee or the principal to briefly reschedule the conference if the employee's attendance at work is essential at the time originally scheduled. There is no limit to how frequently employees may be provided school discipline leave. Employees must first use accrued paid time off for school discipline leave. If an employee does not have any accrued paid time off available, the employee may take unpaid leave.

The CFMC will make reasonable efforts to maintain the confidentiality of an employee who requests School Discipline Leave.

### **8. Witness Duty**

An employee will be granted unpaid leave if required to appear as a witness in a judicial proceeding. You may be requested to provide a copy of the subpoena or other notice

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compelling attendance. You are required to provide reasonable advance notice of your request for witness leave.

The CFMC will make reasonable efforts to maintain the confidentiality of an employee who requests Witness Duty Leave.

### **9. Emergency Duty Leave**

The CFMC will provide unpaid leave to volunteer firefighters, reserve peace officers, and emergency rescue personnel when they are required to perform emergency duty. You are expected to notify your supervisor as soon as you are aware of the need to perform emergency duty. "Emergency rescue personnel" is defined as any person who is an officer, employee, or member of a fire department or fire protection or firefighting agency of the federal government, the State of California, a city, county, city and county, district, or other public or municipal corporation or political subdivision of California, or of a sheriff's department, police department, or a private fire department, whether that person is a volunteer or partly paid or fully paid, while he or she is actually engaged in providing emergency services.

### **10. Volunteer CA Wing of the Civil Air Patrol**

The CFMC allows for an employee who has worked at least 90 days to take up to 10 days of unpaid leave per calendar year for volunteering in the CA Wing of the Civil Air Patrol (the civilian auxiliary of the US Air Force) to respond to emergency operational missions.

### **11. Domestic Violence, Sexual Assault or Stalking Leave**

If an employee is the victim of domestic violence, sexual assault or stalking, time off may be necessary to seek judicial relief to help ensure the health, safety or welfare of the employee or a child. Unpaid leave will be given to any employee who needs time off to obtain any relief, including, but not limited to a temporary restraining order, a restraining order, or other injunctive relief from a court, or to appear in court. Unpaid leave may also be granted to allow the employee to seek medical attention for injuries caused by domestic violence, sexual assault or stalking, to obtain services from a domestic violence program, shelter, or rape crisis center, to obtain psychological counseling related to an experience of domestic violence, or to participate in safety planning.

If an employee needs time off from work for this purpose, reasonable advance notice must be provided to the Director of Finance and Human Resources in writing. If an unscheduled absence or emergency court appearance is required for the health, safety, or welfare of the employee or a child, the employee must provide certification of the absence within a reasonable time after the court appearance. Certification shall be any of the following:

- A police report indicating that the employee was a victim of domestic violence, sexual assault or stalking;
- A court order, restraining order, or other evidence from the court or prosecuting attorney that the employee appeared in court; or

## COMMUNITY FOUNDATION FOR MONTEREY COUNTY PERSONNEL POLICIES

- Documentation from a medical professional, domestic violence advocate, advocate for victims of sexual assault or stalking, health care provider, or counselor that the employee was undergoing treatment for injuries resulting from domestic violence, sexual assault or stalking.

The CFMC will make reasonable efforts to maintain the confidentiality of an employee who requests Domestic Violence, Sexual Assault, or Stalking Leave.

### **12. Victims of Crime Leave**

Employees who are victims of violent or serious felonies, or are the immediate family member of a victim of such crimes, can elect to use paid (PTO) or unpaid leave to attend the judicial proceedings related to the crime. For the purposes of the Victims of Crime Leave law, an immediate family member is a spouse, registered domestic partner, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, stepfather, and child of a registered domestic partner.

If feasible, the employee will be asked to provide advance notice to their supervisor. The employee will be asked to provide evidence of judicial proceedings.

The CFMC will make reasonable efforts to maintain the confidentiality of an employee who requests Victims of Crime Leave.

## **X. HEALTH AND SAFETY**

### **A. General Employee Safety**

The CFMC is committed to the safety and health of all employees and recognizes the need to comply with regulations governing injury and accident prevention and employee safety. Maintaining a safe work environment, however, requires the continuous cooperation of all employees.

The CFMC will maintain safety and health practices consistent with the needs of our industry. If you are ever in doubt about how to safely perform a job, it is your responsibility to ask your supervisor or the Director of Finance and Human Resources for assistance. Any suspected unsafe conditions and all injuries that occur on the job must be reported immediately. Compliance with these safety rules is considered a condition of employment. It is the responsibility of each employee to accept and follow established safety regulations and procedures.

New employees must read and understand our Injury and Illness Prevention Program and our Disaster & Emergency Preparedness, Response and Recovery Plan. If you do not understand something that you have read, please refer your questions to the Director of Finance and Human Resources.

### **B. Security Inspections**

The CFMC is committed to maintaining a work environment that is safe and free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the

possession, transfer, sale, or use of such materials on the CFMC premises is strictly prohibited. We ask for the cooperation of all employees in administering this policy. Desks or other storage devices may be provided for the convenience of employees, but remain the sole property of the CFMC. Accordingly, they, as well as any articles found within them, can be inspected by any agent or authorized representative of the CFMC at any time, either with or without prior notice.

**C. Smoking**

There will be no smoking or use of tobacco products or e-cigarettes permitted in the CFMC offices or within 15 feet of exterior doors, operable windows or ventilation equipment that draws outside air into the building.

**D. Reporting Safety Issues**

All accidents, injuries, potential safety hazards, safety suggestions, and health and safety related issues must be reported immediately to the Director of Finance and Human Resources. If you or another employee is injured, you must report it immediately to the Director of Finance and Human Resources. If medical attention is needed, you should seek medical attention immediately, or call 911 in the event of an emergency or serious injury.

**XI. EMPLOYEE ACKNOWLEDGEMENT**



Effective September 2014

This is to acknowledge that I have received a copy of the Employee Personnel Policies Handbook and understand that it contains important information on many of the CFMC's general personnel policies and on my privileges and obligations as an employee. The policies contained in this Employee Personnel Policies Handbook dated February 2015 apply to all employees and supersede and replace all previously communicated policies both in written and verbal form. I acknowledge that I am expected to read, understand, and adhere to these policies and will familiarize myself with the material in the handbook. Additionally, I agree to abide by any new or revised policy. I have been given an opportunity to ask questions about policies I do not understand.

I understand that I am governed by the contents of the handbook and that other than the policy of at-will employment, the CFMC may change, rescind or add to any policies, benefits or practices described in the handbook from time to time in its sole and absolute discretion with or without prior notice. The CFMC will advise employees of material changes within a reasonable time. I also understand that, because the CFMC cannot anticipate every issue that may arise during my employment, if I have any questions regarding any of the CFMC's policies or procedures, I should contact my supervisor or the Director of Finance & Human Resources. In addition, I commit to engaging in an ongoing, meaningful dialog with the CFMC regarding all matters of employment.

I further acknowledge and agree that employment with the CFMC is at-will, and may be terminated by either the CFMC or me at any time without cause or notice. This policy of at-will employment can be modified only in a written document signed by the President/CEO of the CFMC and me or my representative stating that it is modifying the at-will nature of my employment. Additionally, other terms and conditions of employment such as compensation, benefits, title, duties, and corrective action may be modified at the discretion of the CFMC. The terms of this Acknowledgment may not be modified or superseded except by a written agreement signed by me or my representative and the President/CEO with a statement that it is a modification to this Acknowledgment and at-will employment.

I understand it is my responsibility to read, understand, and comply with the provisions contained in the CFMC Employee Personnel Policies Handbook. If I am unable to understand any part of the handbook, I will arrange to have it translated or explained to me. I further understand that if I am unable to arrange for translation or explanation of the handbook, I will immediately notify my supervisor who will make arrangements for translation and/or explanation of the handbook to me.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name