



Staffing and Operations Committee Meeting
Wednesday, August 2, 2023
10:00 a.m. – 12:00 p.m. or immediately after the Commission meeting

IN-PERSON

Madera County Dept. of Social Services
1626 Sunrise Avenue
Madera, CA 93638

AGENDA

REASONABLE ACCOMMODATIONS FOR ANY INDIVIDUAL WITH A DISABILITY. Pursuant to the Rehabilitation Act of 1973 and the Americans with Disability Act of 1990, any meeting or function of the Madera County Children and Families Commission may request assistance by contacting the Madera County Children and Families Commission – telephone 559-661-5155.

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|---|---|-----------------------|
| 1.0
ACTION | OPENING REMARKS
1.1 Call to Order
1.2 Commission Member Remote Request (AB2449)
1.3 Roll Call | Sara Bosse, Chair |
| 2.0 | POTENTIAL CONFLICTS OF INTEREST
Any Commission Member who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter. | Sara Bosse, Chair |
| 3.0
ACTION | CONSENT AGENDA
These matters are routine in nature and are usually approved by a single vote. Prior to action by the Committee, the public will be given the opportunity to comment on any Consent Item.
3.1 Adoption of the SOC Agenda pg 1-2
3.2 Approval of the May 22, 2023, Special SOC Meeting Minutes pg 3-9 | Sara Bosse, Chair |
| 4.0 | PUBLIC COMMENT
This time is offered for the public wishing to address the Commission on matters not listed on the agenda. Commission members listen but may not discuss non-agenda matters. A public comment period is also offered for items on the agenda when the item is considered. | Sara Bosse, Chair |
| 5.0
ACTION
pg 10-20 | COMPENSATION STUDY RECOMMENDATIONS
The Committee will review the Compensation Study recommendations. | J. Monica Ramirez, ED |
| 6.0
ACTION
pg 21-23 | INTERNAL RESTRUCTURING PLAN
The Committee will review the restructuring plan. | J. Monica Ramirez, ED |
| 7.0
ACTION
pg 24-151 | PROPOSED PERSONNEL HANDBOOK UPDATES SECOND REVIEW
The Committee will review personnel handbook updates with feedback from Legal Counsel. | J. Monica Ramirez, ED |
| 8.0
INFORMATION
pg 152 | COMMISSION MEMBER RECRUITMENT UPDATE
The Committee will receive an update on the Commission Member recruitment. | J. Monica Ramirez, ED |
| 9.0 | UPDATES
The Committee will receive updates from staff. | J. Monica Ramirez, ED |

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|------|--|-------------------|
| 10.0 | ANNOUNCEMENTS | Sara Bosse, Chair |
| 11.0 | NEXT MEETING
Regularly scheduled SOC Meeting – September 6, 2023. Location to be noted on the posted agenda. | Sara Bosse, Chair |
| 12.0 | ADJOURNMENT | Sara Bosse, Chair |

**First 5 distributes monthly agendas electronically. Please forward your email address to
Patty Vega at pvega@first5madera.org to be added to the list.**



Special Staffing and Operations Committee Meeting (SOC)
Monday, May 22, 2023
10:00 am – 12:00 pm or immediately after the Commission Meeting

IN-PERSON
First 5 Madera County
525 East Yosemite Avenue
Madera, CA 93638

MINUTES

Present:	Linda Bresee Sara Bosse	Community Representative – Unincorporated Valley Area Director of the Department of Public Health
Absent:	Diana Saenz	Community Representative – City of Chowchilla
Staff:	Monica Ramirez Anali Manzano Patty Vega	Executive Director Operations Officer Administrative Officer
Public:	None	

1.0 CALL TO ORDER

1.2 Commissioner Bosse, SOC Chair, called the meeting to order at 3:01 p.m.

1.2 There were no Commission Member remote requests.

1.2 Roll Call

Present: Bresee, Bosse

Absent: Saenz

2.0 POTENTIAL CONFLICTS OF INTEREST

There were no potential conflicts of interest from any of the Commission Members.

There were no public comments.

3.0 CONSENT AGENDA

Motion to adopt the Consent Agenda and approval of the April 5, 2023, SOC Meeting minutes as presented. M/S by Commissioner Bresee and Bosse. Motion carried.

There were no public comments.

Ayes: Bresee, Bosse

Noes: None

Abstain: None

Recused: None

Absent: Saenz

4.0 PUBLIC COMMENT

There were no public comments.

5.0 FISCAL-YEAR 2022-2023 YEAR-END AUDIT ENGAGEMENT LETTER

The Committee reviewed and approved the fiscal-year 2022-2023 year-end audit engagement letter to move forward for full Commission consideration.

M. Ramirez asked the Committee to consider approving the item included in the consent agenda for June 7, 2023, Commission Meeting as it was a routine in nature item. She informed the Committee that the recommended action was for the SOC to review and approve the Audit Engagement Letter authorizing Hudson Henderson & Company Inc. to conduct the Fiscal Year 2022-2023 year-end financial and compliance audit. Each county commission is required to conduct an audit of its respective functions during the preceding fiscal year to comply with statutory requirements pursuant to the Health and Safety Code sections 130150(a) and 130151(b). The audit must include a financial statement, a compliance report, and a report on internal controls from the auditor. Furthermore, as per Senate Bill 35, each Commission shall include a compliance audit as a component of the year-end audit, consistent with expanded audit guidelines issued by the California Controller's Office. On April 5, 2023, the Commission reviewed and approved the three-year contract agreement with Hudson Henderson & Company Inc. for audit services. The Audit Engagement Letter is for year one of the contracts with Hudson Henderson & Company Inc. The Commission set aside \$15,000 in the First 5 Madera County (F5MC) 2023-2024 Budget for audit services. In conclusion, if approved, staff will finalize the Audit Engagement Letter process. Staff will also begin planning with the firm to conduct the year-end audit and be on track to meet the legislative requirements to be eligible to receive Proposition 10 revenues.

Commissioner Bosse commented that she found it odd that an Engagement Letter was needed for something F5MC had already contracted the company to do. M. Ramirez responded that it was part of the process. She also added that staff would ask legal counsel if there was a way to incorporate the language of the engagement letter into the contract.

There were no public comments.

Motion to approve the Fiscal-Year 2022-2023 Year-End Audit Engagement Letter as presented and add the item to the consent agenda for June 7, 2023, Commission Meeting. M/S by Commissioner Bresee and Bosse. Motion carried.

Ayes: Bresee, Bosse

Noes: None

Abstain: None

Recused: None

Absent: Saenz

6.0 LEASE AGREEMENT RENEWAL WITH CALIFORNIA HEALTH COLLABORATIVE

The Committee reviewed and approved a lease agreement renewal with California Health Collaborative to move forward for full Commission consideration.

M. Ramirez mentioned that this was another routine in nature item and asked the SOC to consider approving the item to be included in the consent agenda for June 7, 2023, Commission Meeting agenda. A. Manzano presented the item and mentioned that the recommended action was for the Committee to review a lease agreement renewal with the California Health Collaborative and consider approval to move forward for full Commission consideration. F5MC manages the Madera Family Resource Center (MFRC) to provide a safe and supportive learning environment where families can access services and receive resources. The MFRC aims to partner with and support community agencies that serve children and families with various services. In addition, as a sustainability strategy for the MFRC program, staff are charged with identifying and maintaining viable partners to co-locate at the MFRC.

The California Health Collaborative has co-located at the MFRC since 2014, and the current lease agreement is due to expire on June 30, 2023. Therefore, the staff sought approval from the Commission to renew the lease agreement with California Health Collaborative for one (1) double enclosed office for a three (3) year term. Effective July 1, 2023, and ending June 30, 2026. In conclusion, if approved, the MFRC will yield a monthly revenue of \$874.84. If approved, the item would be presented

at the June 2023 Commission meeting, followed by staff finalizing the lease agreement renewal with California Health Collaborative.

Commissioner Bosse commented that she would agree if, given that there is a 30-day termination clause in cased conversations at the Commission result in change with Family Resource Centers (FRCs).

There were no public comments.

Motion to move forward for full Commission consideration of the Lease Agreement Renewal with California Health Collaborative as presented on the Commission meeting consent agenda. M/S by Commissioner Bresee and Bosse. Motion carried.

Ayes: Bresee, Bosse

Noes: None

Abstain: None

Recused: None

Absent: Saenz

7.0 LEASE AGREEMENT RENEWAL FOR MIGRANT CHILDCARE ALTERNATIVE PAYMENT (MCAP) WITH COMMUNITY ACTION PARTNERSHIP OF KERN

The Committee reviewed and approved to move forward for full Commission consideration a lease agreement renewal for the Migrant Childcare Alternative Payment (MCAP) with the Community Action Partnership of Kern (CAPK).

A.Manzano mentioned that the recommended action was for SOC to review a lease agreement renewal with the CAPK MCAP and consider approval to move forward for full Commission Consideration. F5MC managed the Madera Family Resource Center (MFRC) to provide a safe and supportive learning environment where families can access services and receive resources. The MFRC aimed to partner with and support community agencies that serve children and families with various services. In addition, as a sustainability strategy for the MFRC initiative, staff are charged with identifying and maintaining viable partners to co-locate at the FRC.

MCAP had been co-locating at the MFRC since 2005, and the current lease agreement was due to expire on June 30, 2023. Therefore, the staff sought approval from the Commission to renew the lease agreement with the CAPK for two (2) fully enclosed offices for a three (3) year term. Effective July 1, 2023, and ending June 30, 2026. A.Manzano mentioned that this time around, MCAP requested another fully enclosed office instead of the cubicle that they currently leased. In conclusion, if approved, the MFRC would generate \$1,417.15 monthly. Additionally, if approved, the item would be presented during the June 7, 2023, Commission meeting and followed by staff finalizing the lease agreement renewal with CAPK.

There were no public comments.

Commissioner Bosse had a question regarding the previous lease amount. A.Manzano responded that the lease amount increased by approximately \$600.00.

Motion to move forward for full Commission consideration of the Lease Agreement Renewal for Migrant Childcare Alternative Payment (MCAP) with Community Action Partnership of Kern on the Commission meeting consent agenda. M/S by Commissioner Bresee and Bosse. Motion carried.

Ayes: Bresee, Bosse

Noes: None

Abstain: None

Recused: None

Absent: Saenz

8.0 2023-2024 ELECTION OF COMMISSION OFFICERS AND COMMITTEE MEMBERSHIP APPOINTMENTS

The Committee reviewed and approved the 2023-2024 Commission Officers and Committee composition based on survey

results to move forward for full Commission consideration.

M. Ramirez mentioned that the recommended actions for this item were for the SOC to 1)nominate Commission Officers for Chair, Vice-Chair, and Secretary positions and 2) nominate Committees Membership for 2023-2024. As indicated in the First 5 Madera County Bylaws Article VI, the Commission Officer Positions of Chair shall be the appointee of the Board of Supervisors. The Bylaws also state that the Commission Vice-Chair and Secretary are considered for election annually. Based on the 2023-2024 Commission Officers and Committee Membership Survey results, released on March 03, 2023, staff developed a slate of officers and standing committee members to serve from July 2023 through June 2024.

Executive Committee Nominees:

- Chairperson – Leticia Gonzalez – will remain
- Vice-Chairperson – Deborah Martinez
- Secretary – Aftab Naz, MD

Staffing and Operations Nominees:

- Chairperson – Sara Bosse
- Vice-Chairperson – Linda Bresee
- Member – Vacancy

Program and Grant Awards Nominees:

- Chairperson – Deborah Martinez
- Vice-Chairperson – Karen Wynn
- Member – Diana K. Saenz

In conclusion, Commission Officers and Committee Members shall serve for 12 months once selected.

There were no public comments.

Motion to accept both nominations 1)Commission Officer for Chair, Vice-Chair, and Secretary positions and 2) Committees Membership for the period 2023-2024 as presented. M/S by Commissioner Bresee and Bosse. Motion carried.

Ayes: Bresee, Bosse
 Noes: None
 Abstain: None
 Recused: None
 Absent: Saenz

9.0 COMMISSION MEMBER RECRUITMENT PROCESS

The Committee reviewed the Commission Member recruitment process.

M. Ramirez informed the SOC that this item was intended to keep the Committee updated on the Commission Member recruitment process. No action would be taken. The SOC identifies new Commissioner prospects and leads the Commission recruitment process. Serving as an F5MC Commissioner is more than just being elected - it requires continuous learning about the community and being an advocate for the mission, making decisions that are in the best interest of the organization, ensuring prudent use of the agency’s funds, and looking ahead to help the agency plan for the future.

The recruitment process seeks to answer what the agency needs to advance its mission now and in the future. Commissioners can bring expertise, connections, or experience vital to advancing F5MC’s mission. The process involves both vetting a candidate and growing the interest of a potential Commission member until they are ready to accept an invitation to become an ambassador and advocate for the agency.

M.Ramirez shared the outlined below of the Commission Member Recruitment Process:

1. **Commission assessment** - The agency conducts an evaluation to identify Commission gaps in skills, experience, expertise assessment, diversity, and county representation.
2. **Recruitment tasks** – The agency rolls out recruitment activities
3. **Application review** process by SOC Committee
4. **Interview** process by SOC Committee
5. **SOC / Commission recommendation** followed by BOS approval

Timeline:

- May 2023 – Recruitment Approval
- May 2023-July 2023 – Recruitment Activities
- August 2023 – Application Review Process
- September 2023 – Interview Process
- October 2023 – Commission Recommendation
- November 2023 – BOS Approval & Notify Commission Member

The Commission would receive regular updates during the recruitment process.

Commissioner Bosse had a question about the vacancy. M. Ramirez responded that Commissioner Zarucchi-Mize resigned. She added that Commissioner Zarucchi-Mize was the Community Representative for the City of Chowchilla and became the Community Representative for the City of Madera when Commissioner Contreras resigned. Then, Commissioner Saenz became the Community Representative for the City of Chowchilla; now that Commissioner Zarucchi-Mize left, Commissioner Saenz has accepted the nomination as the Community Representative for the City of Madera pending BOS approval.

There were no public comments.

10.0 EMPLOYEE WELLNESS POLICY & LACTATION ACCOMMODATION POLICY

The Committee reviewed and approved the Employee Wellness Policy and Lactation Accommodation Policy.

M. Ramirez informed the SOC that the recommended action was for the Committee to review the proposed Employee Wellness and Lactation Policies and consider moving forward for Commission consideration. The F5MC Family Resource Centers (FRC) were invited to apply for a non-competitive mini-grant offered by the Madera County Department of Public Health (MCDPH) Racial and Ethnic Approach to Community Health (CalREACH) Program. This one-time grant opportunity aims to support nutrition, physical activity, and other strategies to improve community/employee wellness.

F5MC FRCs of Madera and Chowchilla were awarded to implement their proposed plan, including the formal adoption of two policies: 1) An Employee Wellness Policy to support healthy changes in the workplace and in working with children and families and; 2) A Breastfeeding Lactation Accommodation Policy. Such policies would be aligned with the CalREACH Program and the F5MC overall mission.

The proposed policies were reviewed in partnership with Barrett Business Services, Inc. (BBSI), the Commission's contracted human resources firm, to include federal or state laws and requirements. There is no upfront fiscal impact on the Commission's budget—implementing the policies aligned with the current practices. In conclusion, the item would move forward for Commission consideration during the June meeting if approved. In addition, the Commission will fulfill the requirements set forth by the CalREACH grant. Furthermore, the Commission will formalize the long-standing practices for lactation support and employee wellness. If not approved, staff will need guidance fulfilling its grand commitments.

M. Ramirez overviewed the Employee Wellness Policy and Employee Wellness Policy Procedure. Commissioner Bosse suggested updating the language on the Food and Nutrition in the Workplace section. She suggested adding language to the second sentence to read as follows: “All activities and events in which food is offered that are sponsored or supported by F5MC will offer.” M. Ramirez responded that staff would update the language before presenting it to the Commission. Commissioner Bresee had a question about the food choices. M. Ramirez responded that the staff received information from the Department of Public Health that was very robust. However, F5MC had to cut back significantly because F5MC can only do so much. She added that the choices provided were standard. The Committee discussed the term mantras. After

discussion, the Committee recommended that the staff would remove the term. A. Manzano shared that staff is allowed additional minutes on Mondays, Wednesdays, and Fridays during their breaks for mental wellness.

M. Ramirez overviewed the Lactation Accommodation Policy and Lactation Accommodation Policy Procedure. Commissioner Bosse had minor recommendations on the Lactation Accommodation Policy and Lactation Accommodation Policy Procedure. She asked if BBSI had reviewed both policies. M. Ramirez responded that BBSI had reviewed both policies. Commissioner Bosse commented that the procedure did not address if there was a designated area where the breast pumps could air dry because if it was packed wet, it could get mold. M. Ramirez responded that staff could incorporate that language into the procedure.

Commissioner Bosse suggested putting up breastfeeding signage. M. Ramirez responded that signage would be available. She added that F5MC had formed the procedure from other public documents, such as handouts and pamphlets. Commissioner Bosse suggested that F5MC purchase mesh bags for staff to place the breast pumps to air dry. The Committee suggested adding additional language under the Employees' Responsibilities section to include that employees would be responsible for appropriately using, cleaning, and storing their breast pumps. M. Ramirez responded that staff would add the recommended language to the procedure before presenting it to the Commission.

There were no public comments.

Motion to approve the proposed Employee Wellness and Lactation Policies with the recommendations noted above to move forward for full Commission consideration. M/S by Commissioner Bresee and Bosse. Motion carried.

Ayes: Bresee, Bosse

Noes: None

Abstain: None

Recused: None

Absent: Saenz

11.0 PROPOSED PERSONNEL HANDBOOK UPDATES

The Committee reviewed the proposed personnel handbook updates.

M. Ramirez mentioned that the recommended action for this item was for the Committee to review the proposed updated Personnel Handbook and consider moving the item forward for Commission consideration. She mentioned that if the handbook was not ready and required additional conversations, staff could bring the item back to the Committee. An employee handbook sets forth the major policies and procedures of the Commission as well as the benefits provided to Commission employees. The Commission's Personnel Handbook was first adopted in April 2011 to comply with ever-changing laws and meet the Commission's changing needs. The SOC committed to reviewing the Personnel Handbook every 2-3 years and updating it as appropriate. The last updated version was adopted by the Commission in 2019.

This time, the Personnel Handbook underwent a full review and was updated with the BBSI consultation team, the Commission's contracted human resources firm. The proposed revamp includes changes and updates to the state and federal labor laws. Moving forward, the staff proposes adopting an annual review to remain accurate, relevant, and compliant with the law. M. Ramirez pointed out that the proposed handbook did not include redlining as it was new. The proposed handbook consists of the following:

- Comprehensive language and tone revamp.
- Handbook reorganization.
- Removal of references to procedures. The handbook contains only policies as procedures need implementation flexibility.
- Pruning of no-applicable policies.
- NOTE. Benefits levels remain as previously approved.

In conclusion, the item will move forward for Commission consideration during the June meeting if approved. In addition, once the updates are adopted and approved by the Commission, employees will receive an updated copy of the Employee Handbook.

If not approved, staff will request guidance from the Committee.

M. Ramirez shared with the SOC that the current personnel handbook and the proposed employee handbook were included in the packet. She pointed out that the title changed. The Committee requested that Legal Counsel review the proposed employee handbook. Additionally, if Legal Counsel did not report significant changes, the item could be moved forward for full Commission consideration. However, if the Legal Counsel recommended substantial changes, the item would be returned to the SOC for review.

There were no public comments.

Motion for Legal Counsel to review the proposed Employee Handbook as presented and bring any significant recommendations to SOC for review; if no significant changes are recommended, move the item forward for full Commission consideration. M/S by Commissioner Bresee and Bosse. Motion carried.

Ayes: Bresee, Bosse
Noes: None
Abstain: None
Recused: None
Absent: Saenz

12.0 STAFF UPDATES

M. Ramirez shared that F5MC was very busy on the programmatic side. Staff had picked up tasks since X. Villaseñor's departure to cover for now. Additionally, the staff was busy with strategic planning and evaluation. M. Ramirez also shared that the Summer Jam event for Chowchilla was a success, and approximately 90 children attended. She also added that the next Summer Jam event would be on June 3rd in Oakhurst.

13.0 ANNOUNCEMENTS

Commissioner Bosse shared that the Department of Public Health community assessment was available on the website at www.maderacounty.com.

14.0 NEXT MEETING

The SOC meeting is scheduled for June 7, 2023, at 10:00 a.m. or immediately following the Commission meeting.

15.0 ADJOURNMENT

The meeting adjourned at 4:00 p.m.

TO: Staffing and Operations Committee
 FROM: J. Monica Ramirez, Executive Director
 SUBJECT: Compensation Study Recommendations

RECOMMENDED ACTION:

Review and consider approving to move forward for Commission consideration: 1) the pending review of the Compensation Study recommendations and 2) the revised Salary Administration and Performance Evaluation Policies.

BACKGROUND:

On June 1, 2022, the Commission approved revisions from two parts of the independent study, the Classification Review and the Benefits Package, as recommended by the independent consultants and requested additional work before considering the Compensation Study recommendations.

Staff prepared the report with recommendations and was guided by the Commission and staff survey results. From the original report, the Compensation Study Recommendations were pending as the Commission requested policy updates adopting a Merit-Based pay increase to be presented simultaneously, see exhibit 5.2. HR consultants from BBSI have vetted the policy updates recommendations as presented.

See the table below for a summary of the recommendations and fiscal impact:

Compensation Study <small>Refer to exhibit 5.1 for details</small>	
Agency Recommendations and Fiscal Impact	
Base Pay Recommendations	<ul style="list-style-type: none"> • Adopt table B without proposed senior positions addressing several study findings recommendations (1, 2, 3, 4, 5); any fiscal impact can be addressed during budget planning. • The current Officer positions and coordinator positions will change to reflect higher-level responsibilities. • Adopt an annual Merit-Based pay increase. • Adopt a five-year COLA and salary analysis scheduled (next due in 2026). • There is no anticipated immediate fiscal impact on the budget. • The proposed effective date is September 2023.
Longevity and Other Types of Pay	<ul style="list-style-type: none"> • Discontinue Longevity Pay and Bilingual Pay Stipends while incorporating stipend amounts into employees' regular base pay without exceeding the maximum pay range for employees currently receiving stipends. • Advanced Degree to remain at the same level if relevant to the position. Job Descriptions will note the preference.

	<ul style="list-style-type: none">• Newly hired employees or those who do not currently qualify for any stipends would not be eligible for any in the future.
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FISCAL IMPACT:

The compensation recommendations observe no fiscal impact outside of the anticipated for the year.

CONCLUSION:

If approved, this item will be presented at the September commission meeting. Staff will then move forward implementing the necessary updates as outlined in the recommendations, including all personnel written notice of the updates. If not approved, the Commission will provide staff guidance outlining next steps.

Compensation Study

Base Pay Recommendations

Study Findings and Recommendations

1. Set mid-point of all pay grades at the 50th Percentile of market findings based on this study.
2. Increase the spread of pay grades from 17.5% closer to the overall average of 39%.
3. Eliminate step structure from salary table to introduce alternative pay increase structure such as Merit-Based and/or COLA.
4. Place all Manager roles within the same pay grade.
5. Separate Coordinator level role from Officer pay grade to reflect higher-level responsibilities.
6. Consider changing the Operations Officer job title to Operations Assistant or Liaison.
7. Add senior-level roles to the organization structure to recognize an increase in scope and depth of work instead of longevity.

Survey Results and Staff Recommendation

Leadership favors Tables A and B, tied in first place. The majority did not favor creating senior positions.

Agency recommendations:

1. Adopt table B without proposed senior positions addressing several study findings recommendations (1, 2, 3, 4, 5) while the fiscal impact is manageable and over time.
2. The current Officer positions and coordinator positions will change to reflect higher-level responsibilities.
3. Adopt an annual Merit-Based pay increase.
4. Adopt a five-year COLA and salary analysis scheduled (next due in 2026).

*No anticipated fiscal impact on the budget.

The recommended Table B with integrated leadership survey results is as follows:

TABLE OPTION B

Status	Job Level	FLSA	Min	Mid	Max	Spread
Active	Executive Director	E	\$7,707.88	\$9,068.09	\$10,428.30	35%
Proposed	Senior Manager	E	\$6,538.46	\$7,520.22	\$8,501.98	30%
Active	Manager	E	\$5,448.72	\$6,266.85	\$7,084.99	30%
Proposed	Senior Coordinator	N	\$30.80	\$35.43	\$40.06	30%
Active	Coordinator	N	\$25.67	\$29.53	\$33.39	30%
Proposed	Senior Assistant/Liaison	N	\$21.40	\$24.61	\$27.82	30%
Active	Officer	N	\$19.55	\$22.48	\$25.41	30%

Longevity and Other Types of Pay

Study Findings and Recommendations	Survey Results and Staff Recommendation
<p>Longevity Pay Stipend</p> <ul style="list-style-type: none"> Discontinue longevity stipend. Also, consider creating senior-level roles for certain positions to allow for position depth and growth, as mentioned in the compensation study portion of this report. <p>Bilingual Pay Stipend</p> <ul style="list-style-type: none"> Discontinue bilingual stipend. Current qualification for stipend does not require a certified test. <p>Advance Degree Stipend</p> <ul style="list-style-type: none"> Consider maintaining Advanced Degree Stipend if relevant and provides additional value to the role. <p>Additional Recommendations</p> <ul style="list-style-type: none"> For all employees currently receiving stipends, consider incorporating stipend amount into employee's regular base pay, as long it does not exceed the maximum pay range. Newly hired employees or those who do not currently qualify for any stipends would not be eligible for any in the future. 	<p>The leadership survey results regarding stipends varied, ranging from leave-as-is to elimination, with the majority recommending modifications.</p> <p>Agency recommendations:</p> <ol style="list-style-type: none"> Discontinue Longevity Pay and Bilingual Pay Stipends while incorporating stipend amounts into employees' regular base pay without exceeding the maximum pay range for employees currently receiving stipends. Advanced Degree to remain at the same level if relevant to the position. Job Descriptions will note the preference. Newly hired employees or those who do not currently qualify for any stipends would not be eligible for any in the future. <p>*No anticipated fiscal impact on the budget.</p>

120 Salary Administration

The Commission's wage and salary administration program aims to 1) create and maintain job descriptions reflective of the duties and responsibilities of all jobs in the agency; 2) establish and maintain equitable wage and pay grades taking into account the duties and level of responsibility of each job; and 3) encourage quality performance by adjusting pay rate based on individual performance.

Job Descriptions

Job descriptions include a summary of essential functions and responsibilities, skills, abilities, and knowledge required for a position. Job descriptions are used for establishing hiring criteria, a basis for making reasonable accommodations for individuals with disabilities, setting standards for performance evaluations, counseling and developing current employees, and comparing positions and salaries with other employers. The Admin team maintains updated job descriptions and ensures compliance with all applicable laws and regulations. Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned and that additional responsibilities may be assigned as necessary.

Job Analysis and Salary Schedule

Several factors, including job analysis and evaluation of the essential duties and responsibilities of the job and salary survey data on pay practices of other employers, determine equitable compensation for every position. All jobs are assigned to the salary grade schedule, including their spread from a minimum to a maximum rate paid. The Commission conducts a salary administration program review every five years and restructures as necessary to remain competitive within the labor market.

Compensation Review

New hires receive a salary within the range indicated in the Salary Schedule for their assigned position. The applicant's experience, education, and internal equity with existing positions determine the starting salary.

Employee compensation review is based on various measurable factors, performance, meeting objective goals established in the last performance review, increased responsibility without a change in job classification, length of service, and external market factors. Salary increases are not automatic.

Following the guidelines, supervisors are responsible for annual employee appraisals and determining employees' eligibility for a pay increase. The decision is based on a combination of performance, pay grade, length of service, and program budget considerations. Employees not meeting minimum requirements, having unsatisfactory or needing improvement ratings are not eligible for salary increases. Also, employees who have reached the maximum pay range will not be eligible for further salary increases.

The Scoring and Salary Increase Eligibility Rubric serves as a guide to determining a possible salary increase. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are solely within the discretion of F5MC and depend upon many factors in addition to performance. Employees should bring their pay-related questions or concerns to the attention of their immediate supervisors.

Scoring & Salary Increase Eligibility Rubric				
Job Expectations	Contributions	Professional Goals	Total Points	Salary Increase
46-50	11-15	5	65-70	7%
36-45	6-10	5	50-60	5%
30-35	5	5	40-45	3%

118 Performance Evaluation

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis.

The performance of probationary employees is evaluated on an ongoing 3-month cycle for the first 6 months of assignment.

The performance of all regular employees is generally evaluated according to an ongoing 12-month cycle, beginning at the fiscal-year end.

Formal performance evaluations are conducted at the end of an employee's initial period in any new position. This period, known as the probationary period, allows the supervisor and the employee to discuss the new position's job responsibilities, standards, and performance requirements. Additional formal performance evaluations are conducted to allow supervisors and employees to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches to meeting goals.

Performance evaluations may review factors such as the quality and quantity of the work you perform, your knowledge of the job, your initiative, your work attitude, and your attitude toward others. Performance evaluations are intended to inform employees of progress, improvement areas, and objectives or goals for future work performance.

Please be advised that a positive performance evaluation does not guarantee an increase in compensation, a promotion, or even continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are solely within the discretion of F5MC and depend upon many factors in addition to performance.

Suppose the overall evaluation of an employee is unsatisfactory or improvement is needed. In that case, the supervisor will develop a Performance Improvement Plan, and the employee will be reviewed again within 90 days. If no improvement is shown, the employee will be subject to corrective action, including termination.

In addition to these more formal performance evaluations, the Company encourages you and your supervisor to discuss your job performance on an ongoing basis.

NOTE: No policy or practice of the Company, past or present, shall obligate the completion of a formal or informal performance evaluation. The existence of a written or otherwise formal evaluation does not necessarily indicate the quality or acceptability of performance at any time thereafter, nor is it to be interpreted that similar or improved performance will result in continued employment for any specified period of time or that an adjustment in compensation will occur. Furthermore, the absence of a written or otherwise formal evaluation shall not be assumed to be a failure of the Company to have evaluated the performance of any employee. Nor does the absence of a formal evaluation mean that an employee has been denied a reasonable opportunity to perform

118 Performance Evaluation

Effective Date: 7/21/2010

Revision Date:

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of an employee's initial period in any new position. This period, known as the probationary period, allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

The performance of probationary employees is evaluated on an ongoing 3 month cycle for the first 12 months of assignment.

The performance of all regular employees is generally evaluated according to an ongoing 12 month cycle, beginning at the fiscal-year end.

120 Salary Administration

Effective Date: 7/21/2010

Revision Date:

The salary administration program at First 5 Madera County was created to achieve consistent pay practices, comply with federal and state laws, mirror our commitment to Equal Employment Opportunity, and offer competitive salaries within our labor market. Because recruiting and retaining talented employees is critical to our success, First 5 Madera County is committed to paying its employees equitable wages that reflect the requirements and responsibilities of their positions and are comparable to the pay received by similarly situated employees in other organizations in the area.

Compensation for every position is determined by several factors, including job analysis and evaluation, the essential duties and responsibilities of the job, and salary survey data on pay practices of other employers. First 5 Madera County periodically (every 5 years) reviews its salary administration program and restructures it as necessary.

Employees should bring their pay-related questions or concerns to the attention of their immediate supervisors, who are responsible for the fair administration of departmental pay practices. The Executive Director or Deputy Director is also available to answer specific questions about the salary administration program.

EMPLOYEE APPRAISAL AND PERFORMANCE PLANNING

Employee Name:		Supervisor:	
Job Title:		Appraisal Period:	00/00/2020 - 00/00/2020

I. MEETING JOB EXPECTATIONS – SCORE XX/30

The supervisor completes this section.

- 1) **UNSATISFACTORY:** Performance was consistently below expectations in most essential areas of responsibility, and/or reasonable progress toward critical goals was not made. Significant improvement is needed in one or more essential areas. A plan to correct performance, including a timeline, must be outlined and monitored to measure progress.
- 2) **IMPROVEMENT NEEDED:** Performance did not consistently meet expectations – performance failed to meet expectations in one or more essential areas of responsibility, and/or one of the most critical goals was not met. A *professional development plan* to improve performance must be attached, including timelines, and monitored to measure progress.
- 3) **MEETS EXPECTATIONS:** Performance consistently met expectations in all essential areas of responsibility, at times possibly exceeding expectations, and the quality of work overall was good. The most critical annual goals were met.
- 4) **EXCEEDS EXPECTATIONS:** Performance consistently exceeded expectations in all essential areas of responsibility, and the quality of work overall was excellent. Annual goals were met.
- 5) **OUTSTANDING/EXCEPTIONAL:** Performance far exceeded expectations due to exceptionally high quality of work performed in all essential areas of responsibility, resulting in an overall quality of work that was superior; and either 1) included the completion of a major goal or project or 2) made an exceptional or unique contribution in support of the department, or agency objectives. This rating is achievable by any employee though given infrequently.

PERFORMANCE EXPECTATIONS	1	2	3	4	5
WORK PRODUCT - The quality and quantity of work produced by the employee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DEPENDABILITY – Being where he/she should be doing what he/she is supposed to do	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COOPERATIVENESS – Working with people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ADAPTABILITY - Adjusting to change	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMUNICATION - Giving and receiving information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DAILY DECISION-MAKING AND PROBLEM-SOLVING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SERVICE TO CLIENTS AND PUBLIC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
USE OF EQUIPMENT AND MATERIALS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PROJECT PLANNING AND IMPLEMENTATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WORK-GROUP MANAGEMENT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

II. SIGNIFICANT CONTRIBUTIONS – Score XX/15

Describe highlights of what you are most proud of since the Appraisal period; these contributions go above and beyond your regular duties and responsibilities and advance the overall agency's mission.

III. ACHIEVEMENT OF PRIOR PROFESSIONAL GOALS – SCORE X/5

Describe how you accomplished your established professional development goals and how they have helped you professionally. If you were unable to complete some goals, please describe what prevented you from doing so and how you plan to accomplish the goals.

IV. PROFESSIONAL DEVELOPMENT PLAN –

Develop professional development goals and how they will help you professionally.

AREA The employee determines areas	SMART GOALS/ACTIVATES Specific, Measurable, Achievable, Relevant, Time-Bound	PROGRESS This section is to be used during progress check-ins
LEADERSHIP-	Goal:	
	Activities/Implementation:	
COMMUNICATION-	Goal:	
	Activities/Implementation:	
SELF-CARE-	Goal:	
	Activities/Implementation:	

V. OVERALL PERFORMANCE FOR THIS PERIOD –.

This section is intended to inform of progress, improvement areas, and objectives or goals for future work performance. Employees also have the opportunity to add any additional comments.

Employee's Comments:
Supervisor's Comments:

VI. APPRAISAL SCORING

Section	Points Possible And Criteria	Points
I. Meeting Job Expectations	30-50	
II. Significant Contributions	15	
III. Achievement Of Prior Professional Goals	5	
		Total:

VII. COMPENSATION RECOMMENDATION NO YES

Employees not meeting minimum requirements, having unsatisfactory or needing improvement ratings are not eligible for salary increases. Also, employees who have reached the maximum pay range will not be eligible for further salary increases.

VIII. SIGNATURES



TO: Staffing and Operations Committee
FROM: J. Monica Ramirez, Executive Director
SUBJECT: Internal Restructuring Plan

RECOMMENDED ACTION:

Review and consider approving the proposed organizational restructuring plan to move forward for Commission consideration.

BACKGROUND:

Given the revenue challenges and the unanticipated vacancy, staff sees the opportunity to consider an organizational restructuring. The proposed plan attempts to meet the changing needs of the Commission and reduce upper management costs by reorganizing departments and projects and promoting talented and experienced staff.

Proposal:

- Reducing the number of managers from four to two.
- The FRC Manager II responsibilities remain the same.
- The proposed Sr. Program Manager will assume responsibility for the managerial aspects of the Special Projects and Programatic, with the support from the Early Learning Specialist, a Program Specialist, and an AmeriCorps member.
- The proposed Finance & Operations Coordinator position will assume formal responsibility for tasks from the Finance & Operations Manager position with support from the Accounting Administrative Assistant.
- The proposed Executive Officer position will assume formal responsibility for tasks from the Finance & Operations Manager position.
- The Executive Director will continue to be responsible for Finance & Operations budget-related tasks.

FISCAL IMPACT:

Proposed organizational restructuring recommendations are within current personnel budget levels.

CONCLUSION:

If approved, staff will move forward implementing the necessary updates outlined in the recommendations and work with BBSI consultants in preparing all personnel written notice of the updates. If not approved, the Commission will provide staff with guidance outlining next steps.



Proposed Salary Schedule

Current Job Title		Proposed Restructure Job Title	Range	Steps				
				1	2	3	4	5
Exempt	Executive Level	Executive Level						
	Executive Director	Executive Director	15	\$89,000	\$93,450	\$98,123	\$103,029	\$108,180
	Deputy/Operations		20	\$80,066	\$83,261	\$86,583	\$90,038	\$93,630
	Manager Level	Upper Manager Level						
		Sr. Program Manager	20	\$80,066	\$83,261	\$86,583	\$90,038	\$93,630
	FRC Manager II	FRC Manager II	25	\$71,292	\$74,136	\$77,094	\$80,170	\$83,369
		Mid Manager Level						
	Finance & Operation Manager		30	\$68,550	\$71,250	\$73,951	\$76,652	\$79,352
	Program Manager		30	\$68,550	\$71,250	\$73,951	\$76,652	\$79,352
	Special Projects Manager		30	\$68,550	\$71,250	\$73,951	\$76,652	\$79,352
Non-Exempt	Operations Officer	Finance & Operations Coordinator* (Plus 5%)	35	\$57,507	\$59,771	\$62,035	\$64,299	\$66,563
	Administrative Officer	Executive Officer * (Plus 5%)	35	\$57,507	\$59,771	\$62,035	\$64,299	\$66,563
	FRC Coordinator	FRC Coordinator	35	\$57,507	\$59,771	\$62,035	\$64,299	\$66,563
	General Staff Level	General Staff Level						
	Early Learning Facilitator	Early Learning Specialist	37	\$50,460	\$54,246	\$58,032	\$61,817	\$65,603
		Program Specialist	37	\$50,460	\$54,246	\$58,032	\$61,817	\$65,603
	Secretary	Accounting Administrative Assistant	40	\$33,971	\$35,698	\$37,516	\$39,334	\$41,386

*Exempt positions



Proposed Salary Schedule

Job Title		Range	Steps				
			1	2	3	4	5
Exempt	Executive Level						
	Executive Director	15	\$89,000	\$93,450	\$98,123	\$103,029	\$108,180
	Upper Manager Level						
	Sr. Program Manager	20	\$80,066	\$83,261	\$86,583	\$90,038	\$93,630
	FRC Manager II	25	\$71,292	\$74,136	\$77,094	\$80,170	\$83,369
	Mid Manager Level						
	Finance & Operations Coordinator	35	\$57,507	\$59,771	\$62,035	\$64,299	\$66,563
	Executive Officer	35	\$57,507	\$59,771	\$62,035	\$64,299	\$66,563
FRC Coordinator	35	\$57,507	\$59,771	\$62,035	\$64,299	\$66,563	
Non-Exempt	General Staff Level						
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	Accounting Administrative Assistant	40	\$33,971	\$35,698	\$37,516	\$39,334	\$41,386

TO: Staffing and Operations Committee
FROM: J. Monica Ramirez, Executive Director
SUBJECT: Proposed Personnel Handbook Updates Second Review

RECOMMENDED ACTION:

The Committee will review the proposed updated Personnel Handbook and consider moving the item forward for Commission consideration.

BACKGROUND:

This item was presented at the June Staffing and Operations Committee meeting, at the time the handbook had been beted by the Human Resource consultant, but was pending final Legal counsel review.

An employee handbook sets forth the major policies and procedures of the Commission as well as the benefits provided to Commission employees. The Commission's Personnel Handbook was first adopted in April 2011, to comply with ever-changing laws and meet the Commission's changing needs. The Staffing and Operations Committee committed to reviewing the Personnel Handbook every 2-3 years and updating it as appropriate. The last updated version was adopted by the Commission in 2019.

This time around the Personnel Handbook underwent a full review and was updated in partnership with the BBSI consultation team, the Commission's contracted human resources firm. The proposed revamp includes changes and updates to the state and federal labor laws. Moving forward, the staff proposes adopting an annual review to remain accurate, relevant, and compliant with the law. The proposed handbook includes:

- Comprehensive language and tone revamp.
- Handbook reorganization.
- Removal of references to procedures. The handbook contains only policies as procedures need implementation flexibility.
- Pruning of no-applicable policies.
- NOTE. Benefits levels remain as previously approved.

CONCLUSION:

If approved, the item will move forward for Commission consideration during the June meeting. In addition, once the updates are adopted and approved by the Commission, employees will receive an updated copy of the Employee Handbook. If not approved, staff will request guidance from the Committee.

2023

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MADERA COUNTY CHILDREN AND FAMILIES COMMISSION

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2023

I. INTRODUCTION
A. WELCOME STATEMENT

We hope your experience here will be enjoyable and rewarding. Again, welcome!

We believe that each employee contributes directly to [Madera County Children and Families Commission](#) (First 5 Madera County or F5MC) growth and success, and we hope you will take pride in being a member of our team.

This handbook was developed to describe some of our employees' policies, benefits, and expectations and outline the policies, programs, and benefits available to eligible employees.

Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with F5MC.

On behalf of the Commission, we welcome you and wish you every success here.

Sincerely,

Monica Ramirez
Executive Director

Supervisor Leticia Gonzalez
Commissioner Chairwoman

B. DESCRIPTION OF EMPLOYEE HANDBOOK

This Employee Handbook ("Handbook") contains information about the employment policies and practices of F5MC. We expect each employee to read this Handbook carefully as it is a valuable reference for understanding your job and ~~the Company~~F5MC. This Handbook supersedes all previously issued Handbooks and inconsistent verbal or written policy statements. Except for the policy of at-will employment, which can only be changed by the Executive Director in a signed writing, ~~the Company~~F5MC reserves the right to revise, delete, and add to the provisions of this Handbook. All such revisions, deletions, or additions must be in writing and must be signed by the Executive Director of ~~the Company~~F5MC. No oral statements or representations can change the provisions of this Handbook.

Nothing contained in this Handbook shall be construed as constituting a contract or as creating any contractual obligations on the part of ~~F5MC~~the Company or any employee. ~~No F5MC~~None of the Company's personnel documents or benefit plans, including this Handbook, constitutes, ~~or is intended to constitute~~, an express or implied contract guaranteeing continued employment for any employee. No supervisor has any authority to enter into a contract of employment—express or implied—that changes or alters the at-will employment relationship. Only the Executive Director has the authority to enter into an employment agreement that alters the at-will employment relationship and any such agreement must be in writing and signed by the Executive Director.

Not all F5MC policies and procedures are necessarily set forth in this Handbook. We have summarized only some of the more important ones. If you have any questions or concerns about this Handbook or any other policy or procedure, please ask your supervisor or the ~~Human Resources Liaison~~Operations Officer.

~~C.~~ WAGE ORDER

~~The Company will comply with the wage order(s) applicable to its operations. A copy of the applicable wage order is posted and is also available to employees upon request. Please contact your supervisor or the Human Resources Liaison for a copy of the wage order applicable to your position. Nothing in this Handbook is intended to or shall be construed as in conflict with the wage order applicable to your position.~~

~~If at any time you believe you have not been provided with anything in the applicable wage order, please bring this to the attention of your supervisor, any other member of management and/or the Human Resources Liaison.~~

II. EMPLOYMENT RELATIONSHIP

A. EMPLOYMENT AT WILL

While we hope that your employment will prove mutually satisfactory, please understand that continued employment cannot be guaranteed for any employee. Employment at F5MC is employment at will. This means that you are free to leave your employment at any time, with or without cause or notice, and ~~the Company~~F5MC retains the same right to terminate your employment at any time, with or without cause or notice.

This policy of at-will employment may only be changed by a written employment agreement signed by the Executive Director that expressly changes the policy of at-will employment. Unless your employment is covered by a signed written employment agreement that specifically provides otherwise, this policy of at-will employment is the sole and entire agreement between you and ~~the Company~~F5MC as to the duration of employment and the circumstances under which employment may be terminated.

With the exception of employment at-will, terms and conditions of employment with ~~the Company~~F5MC may be modified at the sole discretion of the ~~Company~~Commission with or without cause or notice at any time. No implied contract concerning any employment-related decision or term or condition of employment can be established by any other statement, conduct, policy, or practice. Examples of the types of terms and conditions of employment that are within the sole discretion of the ~~Company~~Commission include, but are not limited to, the following: promotion; demotion; transfers; hiring decisions; compensation; benefits; qualifications; discipline; layoff or recall; rules; hours and schedules; work assignments; job duties and responsibilities; production standards; subcontracting; reduction, cessation, or expansion of operations; sale, relocation, merger, or consolidation of operations; determinations concerning the use of equipment, methods, or facilities; or any other terms and conditions that the ~~Company~~Commission may determine to be necessary for the safe, efficient, and economic operation of its business.

Nothing in this at-will statement is intended to interfere with an employee's rights to communicate or work with others toward altering the terms and conditions of his or her employment.

B. IMMIGRATION LAW COMPLIANCE

Federal law requires all employers to verify each new employee's identity and legal authority to work in the United States. All offers of employment are conditioned upon the receipt of satisfactory evidence of an employee's identity and legal authority to work in the United States. Employees must provide this information by the first day of employment to work at the Company. The Company will not engage in any unfair immigration-related practices when verifying an employee's identity and legal authority to work in the United States.

C. CONFLICTS OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Employees who meet the Conflict of Interest Code policy must fill out a conflict of interest form. This policy establishes only the framework within which F5MC wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Executive Director for more information or questions about conflicts of interest.

Transactions with outside firms must be conducted within a framework established and controlled by the executive level of F5MC. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls **in excess of \$25** designed to ultimately benefit either the employer, the employee, or both. Promotional plans that could be interpreted to involve unusual gain require specific executive-level approval.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of F5MC's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose using the Commission's

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Conflict of Interest Disclosure Form to an officer of F5MC as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which F5MC does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving F5MC.

[For copies of F5MC's Conflict of Interest Code, please contact the Executive Director.](#)

D. OUTSIDE EMPLOYMENT

Employees may hold outside jobs as long as they meet the performance standards of their job with F5MC. All employees will be judged by the same performance standards and will be subject to F5MC's scheduling demands, regardless of any existing outside work requirements.

If F5MC determines that an employee's outside work interferes with performance or the ability to meet the requirements of F5MC as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with F5MC.

Employees who wish to engage in employment that may be inconsistent, incompatible, or in conflict with their employment with F5MC must seek written authorization from the Executive Director. The authorization may be revoked at any time.

Employees may not receive any income or material gain from individuals outside F5MC for materials produced or services rendered while performing their jobs. Employees may not use F5MC materials for private or outside gain.

E. NON-DISCLOSURES

The protection of confidential business information is vital to the interests and the success of F5MC. Such confidential information includes, but is not limited to, the following examples:

- Family Case Files
- Scientific data
- Scientific formula
- Technological data

Employees who are exposed to confidential information may be required to sign a non-disclosure agreement as a condition of employment. Employees who improperly use or disclose confidential business information will be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information. [Confidential information does not include documents, records, or information, subject to disclosure pursuant to the California Public Records Act. For questions regarding what constitutes confidential information, please contact the Executive Director.](#)

F. EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

F5MC is an equal employment opportunity employer and makes employment decisions on the basis of merit. F5MC is committed to complying with all applicable laws prohibiting discrimination based on: race; color; national origin; ancestry; gender; sex; gender identity; gender expression; transgender; transitioning, having transitioned, or perceived to be transitioning; age ([40 and over](#)); physical or mental disability, perceived disability or perceived potential disability; pregnancy or perceived pregnancy, childbirth, breastfeeding or related medical conditions; religion or creed (including religious dress and grooming practices); requesting accommodation for disability or religious beliefs; marital status; registered domestic partner status; medical condition (including HIV and AIDS); citizenship; military/service member status; veteran status; sexual orientation; genetic characteristics; genetic information (including information from the employee's genetic tests, family members' genetic tests, and the manifestation of a disease or disorder in the employee's family member); driver's license status; political affiliation; as well as any other category protected by federal, state, or local laws.

Company policy prohibits unlawful discrimination based on the perception that anyone has any of these characteristics, or is

associated with a person who has or is perceived as having any of these characteristics. All such discrimination is unlawful and all persons involved in the operations of the Company are prohibited from engaging in this type of conduct. The ~~Company's~~ Commission's policy of equal employment opportunity applies to all employment practices including, but not limited to, recruitment, employment, training, compensation, benefits, promotions, layoffs, terminations, and any and all other terms, conditions, and privileges of employment.

Should an employee have a complaint regarding discrimination, please follow F5MC complaint procedure set forth in the Unlawful Discrimination policy in this Handbook.

G. DISABILITY ACCOMMODATION

F5MC is committed to complying with all applicable state and federal laws, including the Americans with Disabilities Act (ADA), the Americans with Disabilities Act Amendments Act, and the Fair Employment and Housing Act. In accordance with applicable federal and state law protecting qualified individuals with known disabilities, ~~the Company~~F5MC will attempt to reasonably accommodate those individuals unless doing so would create an undue hardship on the Company. Further, the Company will not retaliate or otherwise discriminate against an individual for requesting accommodation of the individual's disability.

Any qualified applicant or employee with a disability who requires an accommodation in order to perform the essential functions of the job should contact the ~~Human Resources Liaison Operations Officer~~ and request such an accommodation. ~~The Company~~F5MC will engage in the interactive process with the individual to determine if there is a reasonable accommodation that may be provided to enable the individual to perform the essential functions of the position to the extent that doing so would not create an undue hardship for ~~the Company~~F5MC. The individual with the disability should, but is not required to, specify what accommodation the individual needs to perform the job. As part of the interactive process, the ~~F5MC Company~~ may require the individual obtain reasonable medical documentation from the individual's health care provider confirming the existence of the disability and the need for reasonable accommodation. ~~The F5MC Company will then will~~ review the request and will identify possible reasonable accommodation(s), if any, that will allow the individual to perform the essential functions of the job. If there is more than one reasonable accommodation that will not impose an undue hardship, ~~the Company~~F5MC will identify and select the accommodation(s) that will be made for the applicant or employee.

In addition, to the extent required by California or federal laws, all provisions of this Handbook are subject to modification as necessary as a reasonable accommodation for a qualified applicant or employee with a known disability, provided that the modification is reasonable and does not impose an undue hardship on the Company.

This policy is neither exhaustive nor exclusive. F5MC is committed to taking all other actions necessary to ensure equal employment opportunities for persons with disabilities in accordance with the ADA and all other applicable federal, and local laws. If you feel the Company has not provided you a reasonable accommodation that does not result in an undue hardship on the Company, you should provide a complaint, preferably in writing, to your supervisor, any member of management, the ~~Human Resources Liaison Operations Officer~~, or the Executive Director of ~~F5MC~~the Company as soon as possible after your conclusion that you have not been properly accommodated. Your complaint should include the details of the situation, the names of the individuals involved and the names of any witnesses, and any documentary evidence (notes, etc.).

H. RELIGIOUS ACCOMMODATION

Any applicant, employee, or individual serving in an apprenticeship program, unpaid internship, or any other program to provide unpaid experience for a person in the workplace who requires a reasonable accommodation based on a religious belief and/or religious practice (including religious dress and grooming practices) should contact the ~~Human Resources Liaison Operations Officer~~ and request such an accommodation. ~~The Company~~F5MC will not retaliate or otherwise discriminate against an individual for requesting accommodation of the individual's religious beliefs. The individual should specify what accommodation the individual needs. ~~The Company~~F5MC will identify possible reasonable accommodation(s) that do not cause an undue hardship to the ~~Company~~Commission, if any, that will accommodate the individual's religious beliefs and/or religious practices. If there is more than one reasonable accommodation that will not impose an undue hardship, ~~the Company~~F5MC will identify and select the accommodation(s) that will be made for the applicant or employee.

I. LACTATION ACCOMMODATION

An employee who wishes to express breast milk while at work may request the opportunity to do so. Accommodation will be made for an eligible employee by allowing the employee to express breast milk in a private area in accordance with California Labor Code section 1031. The lactation location will be private (shielded from view and free from intrusion from co-workers and the public) and located close to your work area. The location will be safe, clean and free of toxic or hazardous materials; have a surface to place a breast pump and other personal items; have a place to sit; and have access to electricity or alternative devices (including, but not limited to extension cords or charging stations) needed to operate an electric or battery-powered breast pump. ~~The Company~~F5MC will also provide access to a sink with running water and a refrigerator suitable for storing milk in close proximity to your workspace. Where an employee has a private office, it may be used for that purpose. An employee may express breast milk during the employee's rest periods when possible. If it is not possible to express breast milk during a rest period, an employee can arrange with the employee's supervisor to take additional time or express breast milk at a different time. The time will be paid when an employee uses rest periods to express breast milk. In some instances where special accommodation(s) are made and a nonexempt employee receives time off in addition to the employee's rest period to express breast milk, the additional time may be unpaid. Employees must provide their own lactation equipment.

J. REQUESTS FOR MEDICAL CERTIFICATION

In the event F5MC requests any type of medical certification and/or information from you, the following is your notice that the ~~Company~~Commission shall comply with the provisions of the Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits employers from requesting or requiring genetic information of an employee or family member of the employee, except as specifically allowed by this law. To comply with GINA, ~~the Company~~F5MC is asking that employees not provide any genetic information when responding to this request for medical information. "Genetic Information" as defined by GINA, includes an employee's family medical history, the results of an employee's or family member's genetic tests, the fact that an employee or an employee's family member sought or received genetic services, and genetic information of a fetus carried by an employee or an employee's family member or an embryo lawfully held by an employee or family member receiving assistive reproductive services. F5MC will not discriminate against any employee on the basis of the employee's genetic tests, the genetic tests of that employee's family members, or the manifestation of a disease or disorder in family members of the employee.

K. EMPLOYEE'S PAY DETAILS

For nonexempt employees, ~~the Company~~F5MC will provide you with a notice that describes your pay information at the time of hiring and when any change to the information is made within 7 calendar days after the change is made unless the change is timely reflected on a wage statement or another writing required by law. ~~This information will include: (1) the rate(s) of your pay; (2) whether your pay is hourly, salary, commission, or other, including your overtime rate(s); (3) allowances, if any, claimed as part of the minimum wage, such as for meals or lodging; (4) your regular payday; (5) the name of this Company, including any names this Company does business under; (6) the physical and mailing addresses of the Company; (7) the Company's telephone number for its principal place of business or main office; (8) the name, address, and telephone number of the Company's worker's compensation carrier; (9) paid sick leave information; and (10) any other information required by law or the Labor Commissioner.~~

L. JOB POSTING

F5MC provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, notices of all regular, full-time job openings are posted, although F5MC reserves its discretionary right to not post a particular opening.

Job openings will be posted on the employee bulletin board and through email notifications, and normally remain open for 7 days. Each job posting notice will include the dates of the posting period, job title, department, location, range, job summary, essential duties, and qualifications (required skills and abilities).

To apply for an open position, employees should submit a job posting application to the Executive Director ~~or Executive Director~~ listing job-related skills and accomplishments. It should also describe how their current experience with F5MC and prior work experience and/or education qualifies them for the position.

F5MC recognizes the benefit of developmental experiences and encourages employees to talk with their supervisors about their career plans. Supervisors are encouraged to support employees' efforts to gain experience and advance within the organization. An applicant's supervisor may be contacted to verify performance, skills, and attendance. Any staffing limitations or other

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circumstances that might affect a prospective transfer may also be discussed.

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring manager. Other recruiting sources may also be used to fill open positions in the best interest of the organization.

III. COMMENCING EMPLOYMENT

A. INTRODUCTORY PERIOD

All new, promoted and rehired employees work in an "introductory" status for the first 90 calendar days after their date of hire. This "getting acquainted" or "introductory period" gives the supervisor the opportunity to determine the ability with which the employee performs the employee's job. It also provides the employee with the opportunity to decide if the employee is satisfied with the position. ~~The Company/F5MC~~ reserves the right to extend the duration of the introductory period when, in the ~~Company's~~ Commission's sole and absolute discretion, such an extension is determined appropriate. Completion of the introductory period does not entitle you to remain employed by F5MC for any definite period of time, but rather allows both you and ~~the~~ Company/F5MC to evaluate whether or not you are right for the position.

During their initial introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other ~~Company-F5MC~~ provided benefits, including health insurance coverage, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements.

Benefits eligibility and employment status are not changed during the secondary introductory period that results from a promotion of transfer within F5MC.

This introductory period does not alter or limit the ~~Company's-F5MC's~~ policy of employment at will. Either you or ~~the~~ Company/F5MC may terminate the employment relationship at any time for any reason, with or without cause or notice.

B. EMPLOYMENT STATUS

Employees at F5MC are classified as full-time nonexempt, part-time nonexempt, temporary, or exempt. Nonexempt employees are entitled to overtime pay under the specific provisions of federal and state laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws.

1. Full-Time Nonexempt Employees

For all purposes other than health insurance coverage, full-time nonexempt employees are those employees who are normally scheduled to work and who do work a schedule of thirty-two (32) or more hours per week. Full-time nonexempt employees, for purposes of health insurance coverage only, are those employees who are normally scheduled to work and who do work a schedule of thirty (30) or more hours per week. Full-time nonexempt employees are eligible for the employee benefits described in this Handbook.

2. Part-Time Nonexempt Employees

For all purposes other than health insurance coverage, part-time nonexempt employees are those employees who are scheduled to and do work less than thirty-two (32) hours per week. Part-time nonexempt employees, for purposes of health insurance coverage only, are those employees who are scheduled to work and who do work less than thirty (30) hours per week. If you are a part-time employee, you will enjoy those benefits specifically required by law, provided that you meet the minimum requirements set forth by law and in the benefit plans. Part-time nonexempt employees may be assigned a work schedule in advance or may work on an as-needed basis.

3. Temporary Employees

Temporary employees are those who are employed for temporary assignments. Temporary assignments generally are periods of three months or fewer; however, such assignments may be extended. Temporary employees are not eligible for employee benefits, except as required by applicable law, and may be classified as exempt or nonexempt on the basis of job duties and compensation. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change.

4. Exempt Employees

Exempt employees are those whose job assignments meet the federal and state requirements for overtime exemption. Exempt

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employees are compensated on a salary basis and are not eligible for overtime pay. Generally, executive, administrative, professional, and certain outside sales employees are overtime exempt. Exempt employees are eligible for the employee benefits described in this Handbook.

Your supervisor will inform you if your status is exempt.

C. ACCESS TO PERSONNEL FILES

F5MC maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of F5MC, and access to the information they contain is restricted. Employees who wish to review their own file should fill out the Personnel File Request Form and submit it to the Executive Director. With reasonable advance notice, employees may review their own personnel files in F5MC's offices and in the presence of the Executive Director (or Executive Director in the absence of the ED) who is appointed by F5MC to maintain the files. F5MC will always comply with legal requirements for employees' requests to access personnel files.

D. JOB DUTIES

As part of your initial orientation, you will learn the various duties and responsibilities of your job. You may be provided with a copy of the written job description for your individual position. ~~The Company~~F5MC maintains certain expectations and standards applicable to your job position. Your supervisor should review these with you.

It is expected that employees will perform additional duties and assume additional responsibilities as needed by the supervisor for the efficient operation of the Company.

In order to adjust to changes in ~~our Commission~~ business, it may become necessary to modify your job description, add to or remove certain duties and responsibilities, or reassign you to an alternate job position.

E. EMPLOYMENT OF RELATIVES

F5MC does not maintain a strict policy that prohibits the employment of relatives in all circumstances. However, there are significant restrictions on the employment of relatives under some circumstances. For example, F5MC may refuse to place one relative under the direct supervision of another relative for business reasons of supervision, safety, security, or morale. For the same reasons, F5MC may refuse to place both relatives in the same functional area of F5MC if the work involves conflicts of interest that are greater for relatives than for other individuals.

"Relatives" include an employee's parent, grandparent, spouse or domestic partner, siblings, children, children of your spouse or domestic partner, in-laws, and step-relationships.

F. NON-FRATERNIZATION

1. Managers and Supervisors

F5MC desires to avoid misunderstandings, complaints of favoritism, possible claims of sexual harassment, and employee morale and dissention problems that can potentially result from personal or social relationships involving managerial and supervisory employees in F5MC. Accordingly, managers and supervisors are prohibited from fraternizing or becoming romantically involved with any subordinate employee in their chain-of-command. Additionally, relatives of current employees may not occupy a position that will be working directly for or supervising their relative. For purposes of this policy, a relative is any person who is related by blood or marriage or registered domestic partnership status, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

All employees should also remember that F5MC maintains a strict policy against harassment of any kind, including sexual harassment.

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In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated or reassigned or terminated from employment.

IV. PAYROLL

A. WORKING HOURS & SCHEDULE

The workweek is Sunday through Saturday. ~~Employees are entitled to one day of rest during each workweek unless the total hours of employment do not exceed 30 hours in any week or six hours in any one day thereof.~~
~~The regular works schedule for all employees is eight (8) hours a day, five (5) days a week.~~ Work hours vary by department and team requirements. Commuting time between your home and your work site is not considered part of your work time. At times, emergencies such as power failures, road closings, earthquakes, fires, or severe weather may interfere with the Company's operations. In such an event, the Company may order a temporary shutdown of part or all of its operations. Depending on the circumstances, time off may or may not be paid in accordance with state or federal law.

In some instances, an employee's position may require an employee to perform certain "preparatory activities" on the Company's premises at the start of the employee's scheduled shift. You may not clock in more than five minutes before the start of your scheduled shift. All employees are required to clock-in before performing any work including any "preparatory activities" relating to their employment.

In some instances, an employee's position may require an employee perform certain "conclusory activities" on the Company's premises at the end of the employee's scheduled shift. In the event that your position requires you to perform "conclusory activities," you are to remain on-the-clock until all work including any "conclusory activities" are completed.

Work hours are negotiated within departments to ensure that there is no interference with the completion of work for each particular department activity. Supervisors will advise employees of the times their schedules will generally begin and end. Staffing needs and operational demands may necessitate changes in starting and ending times and the total hours that may be scheduled each day and week. If you would like to change your work hours or need an accommodation, talk with your supervisor. Flexible scheduling is sometimes available at the discretion of the Executive Director, to allow employees to vary their daily starting and ending times within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the supervisor. However, such issues as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime.

B. REST PERIODS

~~All nonexempt e~~Employees are provided a duty-free net 15-minute rest period during each 4 hours of work or major fraction thereof. Anything more than two hours is considered to be a "major fraction" of four hours.

As much as practicable take your rest periods in the middle of each work period. You will be compensated for your rest period. Employees are relieved of all duties during the rest periods and the Company relinquishes all control over the employees' activities.

Employees are free to leave the work premises during their rest periods, but must not be absent from their workstations beyond the allotted rest period time. Employees must not perform any work duties during rest periods and rest periods will not be interrupted. For example, employees must have work radios stored or turned off during their rest periods. Rest periods may not be combined with another rest period or a meal period and may not be skipped or saved. Employees cannot waive their rest periods.

Employees will be provided with sufficient time to perform any necessary conclusory and/or preparatory activities with respect to the rest periods. Employees must be on-the-clock while performing any and all conclusory and/or preparatory activities before and/or after the rest periods. With respect to the rest periods, employees will be provided with an additional reasonable amount of time immediately before and following the rest period to travel between their work stations and the designated rest area(s).

~~The Company provides a form entitled "California Meal, Rest and Recovery Period Compensation Form" for employees to use to notify the Company of any occasion when rest periods were not provided in accordance with this policy. Employees may put the "California Meal, Rest and Recovery Period Compensation Form" in the designated drop box to notify the Company of any~~

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~~occasion when rest periods were not provided in accordance with this policy. Should the employee fail to complete the "California Meal, Rest and Recovery Period Compensation Form," the employee's manager or supervisor must complete the form, seek the employee's approval, and turn it into the designated drop box.~~

~~If the Company fails to provide an employee with a compliant rest period, it will pay the employee one additional hour of pay at the employee's regular rate of compensation for each workday that the rest period is not provided.~~

C. MEAL PERIODS

Meal periods of at least net 30-minutes are provided for nonexempt employees who work more than five hours in a workday so that the meal periods may commence no later than the end of the employee's fifth hour of work. However, when an employee will complete the employee's shift in six (6) hours of work or less, the employee may choose to waive the employee's meal period so long as the Company mutually consents to the waiver.

~~When an employee works more than 10 hours in a workday, the employee will be provided with a second net 30-minute meal period. The second meal period will be provided so that it may commence no later than the end of the employee's tenth hour of work. If an employee works more than 10 hours of work in a day, but no more than 12 hours, the employee may choose to waive the second meal period so long as the Company mutually consents to the waiver and the employee did not waive the employee's first meal period.~~

Employees are relieved of all duties during the meal periods and the Company relinquishes all control over the employees' activities. The Company permits employees to take an uninterrupted 30-minute meal period and does not impede or discourage employees from doing so.

Employees must clock out at the start of their meal period and clock in at the end of their meal period. Meal periods must be a minimum of 30 minutes and may be up to 60 minutes in duration. The meal periods are unpaid. Meal periods must not be interrupted and employees must not perform any work during meal periods. For example, employees must have work radios stored or turned off during their meal periods. Employees are free to leave the work premises during their meal period. Meal periods may not be combined with another meal period or a rest period and may not be skipped or saved.

With respect to the meal period, employees will be provided with sufficient time to perform any necessary conclusory and/or preparatory activities. Employees must be on-the-clock while performing any and all conclusory and/or preparatory activities before and/or after the meal period.

~~The Company provides a form entitled "California Meal, Rest and Recovery Period Compensation Form" for employees to use to notify the Company of any occasion when meal periods were not provided in accordance with this policy. Employees may put the "California Meal, Rest and Recovery Period Compensation Form" in the designated drop box to notify the Company of any occasion when meal periods were not provided in accordance with this policy. Should the employee fail to complete the "California Meal, Rest and Recovery Period Compensation Form," the employee's manager or supervisor must complete the form, seek the employee's approval, and turn it into the designated drop box.~~

~~If the Company fails to provide an employee with a compliant meal period, it will pay the employee one additional hour of pay at the employee's regular rate of compensation for each workday that the meal period is not provided.~~

D. TIMEKEEPING PROCEDURES

All nonexempt employees must record their actual time worked as directed by F5MC~~the Company~~. Nonexempt employees must clock in when work begins and clock out when work ends. Nonexempt employees must also clock out and in for each meal period. Nonexempt employees must also clock out and in for any departure from work for any non-work-related reason.

Altering, falsifying, and tampering with time records, or clocking/recording another employee's time record is prohibited and may result in disciplinary action, up to and including termination of employment.

Exempt employees may also be required to record their time worked and report absences from work for reasons such as leaves of absence, sick leave, or personal business.

It is your responsibility to clock-in and clock-out for every shift you work. You may not begin working, **including the performance**

of “preparatory activities,” until you have clocked in. In addition, you must remain on the clock while performing any “conclusory activities.”

It is also your responsibility to sign your time record to certify the accuracy of all time recorded. If you have forgotten to clock in or out, or if you believe that your time records are not recorded accurately, you must notify the ~~Human Resources Liaison~~ Operations Officer immediately, so that the time can be accurately recorded for payroll purposes. In addition, any errors in your timecard should be reported immediately to ~~your Human Resources Liaison~~ the Operations Officer, who will correct the errors.

E. OFF-THE-CLOCK WORK PROHIBITED

~~The Company~~ F5MC strictly prohibits nonexempt employees from working off-the-clock, including any preparatory and/or conclusory work at the beginning and end of work. Nonexempt employees may not perform any work off-the-clock, including checking emails and messages remotely, and must record their time at work accurately. It is the employee’s responsibility to clock in and clock out for every shift the employee works. Employees may not begin working until they have clocked in and may not do any work after they have clocked out. Working “off-the-clock” for any reason is a violation of ~~Company~~ F5MC policy.

All work must be performed while the employee is clocked in, such as at the beginning of work, before beginning the employee’s meal period(s), after ending the employee’s meal period(s), and at the conclusion of work. Employees must report and record any time that is worked off-the-clock to the Company so that it can be paid.

Nonexempt employees who believe that they were required to work off-the-clock or not provided sufficient time to conduct preparatory and/or conclusory work, should ~~submit a report in the designated drop box entitled “Off the Clock Work Form.”~~ notify the Executive Director as soon as possible of this off-the-clock work. Further, nonexempt employees who forget to clock in or out or believe their time records were not recorded accurately should report ~~that on the “Off the Clock Work Form” and submit the report in the designated drop box.~~ this to the Executive Director as soon as possible.

F. OVERTIME

When operating requirements or other needs cannot be met during regular working hours, you may need to work overtime. All overtime work must be authorized by your supervisor. Working overtime without authorization may result in disciplinary action, up to and including termination of employment.

Nonexempt employees will be paid ~~overtime in accordance with state or federal law, whichever is applicable, time and one-half compensation for all hours worked in excess of eight hours in one workday, 40 hours in one workweek, and for the first eight hours on the seventh consecutive day of work in a single workweek. Double time will be paid for hours worked in excess of 12 hours in one workday and in excess of eight hours on the seventh consecutive day of work in a single workweek.~~

Exempt employees are expected to work as much of each workday as is necessary to complete their job responsibilities. No overtime or additional compensation is provided to exempt employees.

For the purposes of calculating overtime for nonexempt employees, the workday begins at 12:00 a.m. and ends at 11:59 p.m. and the workweek begins at 12:00 a.m. Monday and ends at 11:59 p.m. Sunday.

Nonexempt employees cannot waive their rights to overtime pay. Employees who believe that they have not been paid properly for all overtime hours worked should bring their concerns immediately to the attention of the ~~Human Resources Liaison~~ Operations Officer. ~~by submitting the “Off the Clock Work Form” in the designated drop box.~~

G. PAYMENT OF WAGES

Paydays are bi-weekly on every other Friday. In the event that a regular payday falls on a holiday, employees will be paid on the first workday following the regularly scheduled payday.

No payroll checks will be given out early and checks will only be given to the employee named on the payroll check, unless prior written authorization is given to F5MC. Any errors should be reported immediately.

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If a regular payday falls during an employee's vacation, the employee may receive the employee's earned wages before departing for vacation if a written request is submitted at least one week prior to departing for vacation.

Employees will receive itemized wage statements along with their paychecks in accordance with applicable state or federal law, showing the following: (1) gross wages earned; (2) total hours worked by nonexempt employees; (3) the number of piece rate units earned and any applicable piece rate; (4) all deductions; (5) net wages earned; (6) the inclusive dates of the period for which employees are paid; (7) the name of the employee and the last four digits of the employee's Social Security number or an employee identification number; (8) the name and address of the legal entity that is the employer; (9) paid sick leave information (which may be on a separate sheet); and (10) all applicable hourly rates and the corresponding number of hours worked at each hourly rate. ~~The Company~~F5MC will keep a copy of these statements on file for at least four years.

The law requires that F5MC make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The Company also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." ~~The Company~~F5MC matches the amount of Social Security taxes paid by each employee.

~~The Company~~F5MC offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs. If you have questions concerning why deductions were made from your pay check or how they were calculated, the ~~Human Resources Liaison~~Operations Officer can assist in having your questions answered.

F5MC maintains a policy of not advancing any exempt and nonexempt employee monies against future earnings. There are no exceptions to this policy.

F5MC strives to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the immediate Supervisor so that corrections can be made as quickly as possible.

H. DIRECT DEPOSIT

F5MC offers automatic payroll deposit for employees at all locations. Employees may begin and stop automatic payroll deposit at any time. To begin automatic payroll deposit, you must complete a form (available from the ~~Human Resources Liaison~~F5MC's payroll contractor) and return it to payroll at least 10 days before the pay period for which you would like the service to begin. You should carefully monitor your payroll deposit statements for the first two pay periods after the service begins.

Employees will receive itemized statements of wages when the Company makes direct deposits. Employees may designate one or more bank accounts for direct deposit of their paychecks. For example, a set amount may be directed into your savings account, with the balance deposited into your checking account. All of the required enrollment and consent forms are available from the ~~Human Resources Liaison~~payroll contractor.

To stop automatic payroll deposit, complete the form available from the ~~Human Resources Liaison~~Operations Officer and return it to the ~~m, Human Resources Liaison~~. You will receive a regular payroll check on the first pay period after the receipt of the form.

I. PAY FOR MANDATORY MEETINGS/TRAINING

F5MC will appropriately pay ~~nonexempt~~ employees for their attendance at meetings, lectures, and training programs that are mandatory.

An employee who is required to attend such meetings, lectures, or training programs will be notified of the necessity for such attendance by the employee's supervisor.

J. SALARY PAY POLICY

Exempt employees will receive their salary for any week in which they perform any work. For purposes of this salary pay policy, a week begins at 12:00 a.m. Sunday and ends at 11:59 p.m. Saturday. Exempt employees will receive their full salary for any week in which they do any work, unless otherwise allowed by law and subject to the following rules:

- An employee's salary may be reduced for complete days of absence due to sick leave, vacations and personal leave, before bona fide sick leave and/or vacation benefits are available or after they are exhausted;
- An employee's salary will not be reduced for partial weeks of work due to service as a juror, witness, or in the military, or for lack of work. However, if an exempt employee is absent for a partial workday and such absence is longer than four hours, the partial absence will be deducted from the exempt employee's available vacation/sick leave pay; and
- An employee's salary will be prorated for the week in which the employee begins work and in which the employee ends employment, if such employment starts or stops at a partial week.

This salary pay policy is intended to comply with the salary pay requirements of ~~the California Labor Code and the Fair Labor Standards Act~~state and federal law, as applicable, and shall be construed in accordance with those regulations.

Employees are encouraged to direct any questions concerning their salary pay to the ~~Human Resources Liaison~~Operations Officer so that any inadvertent error can be corrected.

Please contact your supervisor or the ~~Human Resources Liaison~~Operations Officer for more information.

K. BUSINESS EXPENSE REIMBURSEMENT

Employees will be reimbursed for reasonable expenses incurred during business. These expenses may include cellular phone use, required uniforms, air travel, hotels, motels, cab fare, rental vehicles, or gas and car mileage for personal vehicles. ~~Mileage to and from assigned worksite(s) is non-reimbursabel, however, employees shall be reimbursed for all mileage accrued to conduct F5MC business after arriving at their assigned worksite(s).~~ All expenses incurred should be submitted to ~~the Company~~F5MC along with the receipts within 30 days of the date of the expenditure.

Employees are expected to exercise restraint and good judgment when incurring expenses. Employees should contact the Executive Director in advance if they have any question about whether an expense will be reimbursed. Violations or abuse of the travel and reimbursement policies will be subject to disciplinary action up to and including termination of employment.

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V. PERSONNEL

A. OPEN-DOOR POLICY

F5MC recognizes that employees will have suggestions for improving the workplace, as well as complaints about the workplace. The most satisfactory solution to a job-related problem or concern is usually reached through a prompt discussion with your supervisor. Please feel free to contact your supervisor with any suggestions and/or complaints.

If you do not feel comfortable contacting your supervisor or are not satisfied with your supervisor's response, please submit your complaint or suggestion to the ~~Human Resources Liaison~~ Operations Officer. The ~~Human Resources Liaison~~ Operations Officer will review your submission and work toward resolution.

While the Company provides you with this opportunity to communicate your views, please understand that not every complaint can be resolved to your satisfaction. Even so, F5MC believes that open communication is essential to a successful work environment and all employees should feel free to raise issues of concern without fear of reprisal.

B. UNLAWFUL HARASSMENT

In accordance with applicable law, F5MC prohibits sexual harassment and harassment of employees, applicants, independent contractors, unpaid interns or volunteers because of race; color; national origin; ancestry; gender; sex; gender identity; gender expression; transgender; transitioning, having transitioned, or perceived to be transitioning; age; physical or mental disability, perceived disability or perceived potential disability; pregnancy or perceived pregnancy, childbirth, breastfeeding or related medical conditions; religion or creed (including religious dress and grooming practices); requesting accommodation for disability or religious beliefs; marital status; registered domestic partner status; medical condition (including HIV and AIDS); citizenship; military/service member status; veteran status; sexual orientation; genetic characteristics; genetic information (including information from the employee's genetic tests, family members' genetic tests, and the manifestation of a disease or disorder in the employee's family members); driver's license status; political affiliation; or any other basis protected by federal, state, or local law.

All such harassment is unlawful and will not be tolerated. Prohibited harassment in any form, including verbal, physical and visual conduct, threats, demands and retaliation, is a violation of this policy and will not be tolerated regardless of whether or not it is severe or pervasive enough to be unlawful or if it is consensual.

1. Sexual Harassment and/or Misconduct

Applicable state and federal law defines sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal, nonverbal or physical conduct of a sexual nature when:

- a. **Submission to the conduct is made a term or condition of employment;**
- b. **Submission to or rejection of the conduct is used as a basis for employment decisions affecting the individual; or**
- c. **The conduct has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive working environment.**

This definition includes many forms of offensive behavior. The following is a partial list of sexual harassment examples:

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- a. Unwanted sexual advances;
- b. Offering employment benefits in exchange for sexual favors;
- c. Making or threatening reprisals after a negative response to sexual advances;
- d. Nonverbal and/or visual conduct such as leering, making sexual gestures, or displaying derogatory and/or sexually suggestive objects, pictures, cartoons, posters, or drawings;
- e. Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about any employee's body or dress;
- f. Verbal sexual advances or propositions;
- g. Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, or suggestive or obscene letters, notes, or invitations;
- h. Electronic sexual harassment (including, but not limited to: harassment via cell phone, including e-mail and text messages, harassing instant messages, harassing comments and/or pictures posted on social networking sites);
- i. Physical conduct such as touching, assault, or impeding or blocking movements, or any physical interference with normal work or movement; and
- j. Retaliation for reporting or opposing harassment or threatening to report harassment, or for participation in an investigation, proceeding or hearing conducted by the California Civil Rights Department (CCRD) or the Equal Employment Opportunity Commission (EEOC).

It is unlawful for employees to sexually harass anyone, including sexually harassing others of their same and/or different gender, gender identity or gender expression. Sexual harassment on the job is unlawful whether it involves co-worker harassment, harassment by a supervisor or member of management, or harassment by persons doing business with or for ~~the~~ [CompanyF5MC](#). In addition, sexually harassing conduct need not be motivated by sexual desire.

Any of the above behavior is considered inappropriate conduct and a violation of this policy, even if it is not severe or pervasive or if it is consensual. Employees engaging in such misconduct will be subject to disciplinary action up to and including termination of employment.

2. Other Types of Harassment and/or Misconduct

Prohibited harassment on the basis of race inclusive of traits historically associated with race; color; national origin; ancestry; gender; sex; gender identity; gender expression; transgender; transitioning, having transitioned, or perceived to be transitioning; age; physical or mental disability, perceived disability or perceived potential disability; pregnancy or perceived pregnancy; childbirth, breastfeeding or related medical conditions; religion or creed (including religious dress and grooming practices); requesting accommodation for disability or religious beliefs including religious dress; marital status; registered domestic partner status; medical condition (including HIV and AIDS); citizenship; military/service member status; veteran status; sexual orientation; genetic characteristics; genetic information (including information from the employee's genetic tests, family members' genetic tests, and the manifestation of a disease or disorder in the employee's family members); driver's license status; political affiliation; or any other protected basis, includes behavior similar to sexual harassment, such as:

- a. Verbal conduct such as threats, epithets, derogatory jokes or comments, or slurs;
- b. Nonverbal and/or visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- c. Physical conduct such as assault, unwanted touching, or blocking normal movement, or any physical interference with normal work or movement; and
- d. Retaliation for reporting harassment or threatening to report harassment.

Any of the above behavior is considered inappropriate misconduct and a violation of this policy, even if it is not severe or pervasive or if it is consensual. Employees engaging in such misconduct will be subject to disciplinary action up to and including termination of employment.

3. F5MC Complaint Procedure

F5MC complaint procedure provides for an immediate, thorough, and objective investigation of any claim of unlawful or prohibited harassment, appropriate disciplinary action against one found to have engaged in prohibited harassment, and appropriate remedies for any victim of harassment. A claim of harassment may exist even if the employee, applicant, independent contractor, unpaid intern or volunteer has not lost a job or some economic benefit.

If you believe you have been harassed, or if you are aware of the harassment of others, you should provide a written or verbal complaint to your supervisor/manager, or, if your supervisor/manager is unavailable or you believe it would be inappropriate to contact your supervisor/manager, to any other supervisor/manager with the Company F5MC, the Human Resources Liaison Operations Officer, or the Executive Director as soon as possible. Your complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, direct quotations when language is relevant, and any documentary evidence (notes, pictures, cartoons, et cetera). Managers/supervisors will refer all harassment complaints to the Human Resources Liaison Operations Officer or the Executive Director.

Applicable law also prohibits retaliation against any employee by another employee or by ~~the Company F5MC~~ for using this complaint procedure or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by a governmental enforcement agency. Additionally, ~~the Company F5MC~~ will not knowingly permit any retaliation against any employee who complains of prohibited harassment or who participates in an investigation.

All incidents of prohibited harassment that are reported will be investigated in a timely manner. ~~The Company F5MC~~ will immediately undertake or direct an effective, thorough, impartial and objective investigation of the harassment allegations. Confidentiality in the investigation process will be kept by ~~the Company~~ the Commission to the extent possible, ~~but the investigation will not be completely confidential.~~ The investigation will be completed and a determination regarding the reported harassment will be made and communicated to the employee who complained and to the accused employee(s), subject to the right of privacy of each employee.

If ~~the Company F5MC~~ determines that prohibited harassment has occurred, ~~the Company~~ will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited harassment is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken. ~~The Company F5MC~~ will not retaliate against you for filing a complaint or providing information related to a complaint and will not knowingly tolerate or permit retaliation by management, employees, co-workers, or others in the workplace.

~~The Company F5MC~~ encourages all employees to report any incidents of harassment forbidden by this policy **immediately** so that complaints can be quickly and fairly resolved.

4. Liability For Harassment and/or Misconduct

Any employee of F5MC, whether a co-worker, supervisor, or other member of management, who is found to have engaged in

prohibited harassment and/or engaged in conduct in violation of this policy is subject to disciplinary action, up to and including termination of employment. Any employee who engages in prohibited harassment may be held personally liable for monetary damages. ~~The Company~~F5MC does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one's duties. Accordingly, to the extent permitted by law, F5MC~~the Company~~ reserves the right not to provide a defense or pay damages assessed against employees for conduct in violation of this policy.

5. Additional Enforcement Information

In addition to the Company's internal complaint procedure, employees should also be aware that the federal Equal Employment Opportunity Commission (EEOC) and the California Civil Rights Department (CCRD) investigate and prosecute complaints of unlawful harassment in employment. Employees who believe that they have been unlawfully harassed may file a complaint with either of these agencies. The EEOC and the CCRD may serve as neutral fact finders and attempt to help the parties voluntarily resolve disputes.

For more information, contact the ~~Company's~~F5MC Executive Director. You may also contact the nearest office of the EEOC or the CCRD, as listed in the telephone directory or on the Internet.

C. UNLAWFUL DISCRIMINATION

In accordance with applicable law, F5MC prohibits sexual discrimination and discrimination of employees, applicants, unpaid interns or individuals in a limited-duration program that provides unpaid work experience because of race; color; national origin; ancestry; gender; sex; gender identity; gender expression; transgender; transitioning, having transitioned, or perceived to be transitioning; age; physical or mental disability, perceived disability or perceived potential disability; pregnancy or perceived pregnancy, childbirth, breastfeeding or related medical conditions; religion or creed (including religious dress and grooming practices); requesting accommodation for disability or religious beliefs; marital status; registered domestic partner status; medical condition (including HIV and AIDS); citizenship; military/service member status; veteran status; sexual orientation; genetic characteristics; genetic information (including information from the employee's genetic tests, family members' genetic tests, and the manifestation of a disease or disorder in the employee's family members); driver's license status; political affiliation; or any other basis protected by federal, state, or local law. All such discrimination is unlawful and will not be tolerated.

1. F5MC Complaint Procedure

F5MC complaint procedure provides for an immediate, thorough, and objective investigation of any claim of unlawful or prohibited discrimination, appropriate disciplinary action against one found to have engaged in prohibited discrimination, and appropriate remedies for any victim of discrimination. A claim of discrimination may exist even if the employee, applicant, unpaid intern or individual in a limited-duration program that provides unpaid work experience has not lost a job or some economic benefit.

If you believe you have been unlawfully discriminated against, or if you are aware of the discrimination of others, you should provide a written or verbal complaint to your supervisor/manager, or if your supervisor/manager is unavailable or you believe it would be inappropriate to contact your supervisor/manager, to any other supervisor/manager with ~~the Company~~F5MC, the ~~Human Resources Liaison~~Operations Officer, or the Executive Director as soon as possible. Your complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, direct quotations when language is relevant, and any documentary evidence (notes, pictures, cartoons, etc.). Managers/supervisors will refer all complaints of discrimination to the ~~Human Resources Liaison~~Operations Officer or the Executive Director.

Applicable law also prohibits retaliation against any employee by another employee or by ~~the Company~~F5MC for using this complaint procedure or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by a governmental enforcement agency. Additionally, ~~the Company~~F5MC will not knowingly permit any retaliation against any employee who complains of prohibited discrimination or who participates in an investigation concerning alleged prohibited discrimination.

All incidents of prohibited discrimination that are reported will be investigated in a timely manner. ~~The Company~~F5MC will immediately undertake or direct an effective, thorough, impartial and objective investigation of the discrimination allegations.

Confidentiality in the investigation process will be kept by the Company-Commission to the extent possible, ~~but the investigation will not be completely confidential~~. The investigation will be completed and a determination regarding the reported discrimination will be made and communicated to the employee who complained and to the accused employee(s), subject to the right of privacy of each employee.

If ~~the Company~~F5MC determines that prohibited discrimination has occurred, ~~the Company~~it will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future discrimination. If a complaint of prohibited discrimination is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken. ~~The Company~~F5MC will not retaliate against you for filing a complaint or providing information related to a complaint and will not knowingly tolerate or permit retaliation by management, employees, co-workers, or others in the workplace.

~~The Company~~F5MC encourages all employees to report any incidents of discrimination forbidden by this policy **immediately** so that complaints can be quickly and fairly resolved.

2. Liability for Discrimination

Any employee of F5MC, whether a co-worker, supervisor, or other member of management, who is found to have engaged in prohibited discrimination and/or engaged in conduct in violation of this policy is subject to disciplinary action, up to and including termination of employment. ~~The Company~~F5MC does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one's duties. Accordingly, to the extent permitted by law, ~~the Company~~F5MC reserves the right not to provide a defense or pay damages assessed against employees for conduct in violation of this policy.

3. Additional Enforcement Information

In addition to the Company's internal complaint procedure, employees should also be aware that the Federal Equal Employment Opportunity Commission (EEOC) and the California Civil Rights Department (CCRD) investigate and prosecute complaints of unlawful harassment in employment. Employees who believe that they have been unlawfully harassed may file a complaint with either of these agencies. The EEOC and the CCRD may serve as neutral fact finders and attempt to help the parties voluntarily resolve disputes.

For more information, contact ~~the Company's~~F5MC's Executive Director. You may also contact the nearest office of the EEOC or the CCRD, as listed in the telephone directory or on the Internet.

D. UNLAWFUL RETALIATION

F5MC is committed to providing a workplace free from unlawful retaliation and/or unlawful retaliatory activities. Company policy prohibits any unlawful retaliation and/or unlawful retaliatory activities by anyone in its employ against another employee because that employee or the employee's family member participated in "protected activities."

What is retaliation: Retaliation is an employee (or several employees) taking revenge against an employee because that employee or the employee's family member has engaged in protected activities.

What are "protected activities": A protected activity is an action by an employee that is protected under federal or California law. Some examples of protected activities, include but are not limited to ~~are~~: (1) making a complaint to a supervisor and/or member of management based on a reasonable and good faith belief that unlawful conduct in the workplace has occurred; (2) filing a complaint with a government agency, in good faith, regarding perceived unlawful conduct in the workplace; (3) participating in an investigation into an employee's complaint of perceived unlawful conduct in the workplace; and (4) making a complaint to a supervisor or member of management based on a reasonable good faith belief regarding the terms and conditions of employment.

F5MC Unlawful Retaliation Policy applies to all persons involved in the operation of ~~the Company~~F5MC and prohibits unlawful retaliation and/or unlawful retaliatory activities by any employee of ~~the Company~~F5MC, including supervisors and those in

management.

1. F5MC Complaint Procedure

F5MC complaint procedure provides for an immediate, thorough, and objective investigation of any claim of unlawful retaliation and/or unlawful retaliatory activities, appropriate disciplinary action against one found to have engaged in unlawful retaliation and/or unlawful retaliatory activities, and appropriate remedies for any victim of unlawful retaliation and/or unlawful retaliatory activities. A claim of retaliation may exist even if the employee has not lost a job or some economic benefit.

If you believe you have been unlawfully retaliated against, or if you are aware of retaliation against others, you should provide a written or verbal complaint to your supervisor/manager, or if your supervisor/manager is unavailable or you believe it would be inappropriate to contact your supervisor/manager, to any other supervisor/manager with the Company F5MC, to the Human Resources Liaison Operations Officer, or to the Executive Director as soon as possible. Your complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, direct quotations when language is relevant, and any documentary evidence (notes, pictures, cartoons, et cetera). Managers/supervisors will refer all complaints of retaliation and/or retaliatory activities to the Human Resources Liaison Operations Officer or the Executive Director.

All incidents of prohibited retaliation and/or retaliatory activities that are reported will be investigated in a timely manner. The Company F5MC will immediately undertake or direct an effective, thorough, impartial and objective investigation of the retaliation allegations. Confidentiality will be kept by the Company Commission to the extent possible, ~~but the investigation will not be completely confidential~~. The investigation will be completed and a determination regarding the reported retaliation will be made and communicated to the employee who complained and to the accused employee(s), subject to the right of privacy of each employee.

If ~~the Company F5MC~~ determines that prohibited retaliation and/or retaliatory activities have occurred, ~~the Company~~ will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future retaliation. If a complaint of prohibited retaliation is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken. ~~The Company F5MC~~ will not retaliate against you for filing a complaint and will not knowingly tolerate or permit retaliation by management, employees, co-workers, or others in the workplace.

~~The Company F5MC~~ encourages all employees to report any incidents of retaliation forbidden by this policy **immediately** so that complaints can be quickly and fairly resolved.

2. Liability for Retaliation

Any employee of F5MC, whether a co-worker, supervisor, or other member of management, who is found to have engaged in retaliation and/or retaliatory activities and/or engaged in conduct in violation of this policy is subject to disciplinary action, up to and including termination of employment. ~~The Company F5MC~~ does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one's duties. Accordingly, to the extent permitted by law, ~~the Company F5MC~~ reserves the right not to provide a defense or pay damages assessed against employees for conduct in violation of this policy.

3. Additional Enforcement Information

In addition to ~~F5MC's the Company's~~ internal complaint procedure, employees should also be aware that the federal Equal Employment Opportunity Commission (EEOC) and the California Civil Right Department (CCRD) investigate and prosecute complaints of unlawful harassment in employment. Employees who believe that they have been unlawfully harassed may file a complaint with either of these agencies. The EEOC and the CCRD may serve as neutral fact finders and attempt to help the parties voluntarily resolve disputes.

For more information, contact the ~~Company's~~ Executive Director. You may also contact the nearest office of the EEOC or the CCRD, as listed in the telephone directory or on the Internet.

E. UNLAWFUL HARASSMENT, DISCRIMINATION AND/OR RETALIATION ENFORCEMENT INFORMATION

In addition to F5MC internal complaint procedure, employees should also be aware that the Federal Equal Employment Opportunity Commission (EEOC) and the California Civil Rights Department (CCRD) investigate and prosecute complaints of unlawful harassment, discrimination and retaliation in employment. In addition, the Labor Commissioner investigates complaints of retaliation in employment. Employees who believe there has been an unlawful violation of the Unlawful Harassment, Unlawful Discrimination and/or Unlawful Retaliation policy may file a complaint with these agencies. The EEOC and the CCRD may serve as neutral fact finders and attempt to help the parties voluntarily resolve disputes.

For more information, contact the ~~Company's Human Resources Liaison~~ Executive Director. You may also contact the nearest office of the EEOC, the CCRD or the Labor Commissioner, as listed in the telephone directory or on the Internet.

F. ABUSIVE CONDUCT

F5MC prohibits abusive conduct, including any type of bullying behavior, in the workplace.

1. Abusive Conduct Defined

Abusive conduct is defined as conduct by ~~the Company~~ F5MC or an employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to ~~the Company's~~ F5MC's legitimate business interests.

2. Examples of Abusive Conduct

Abusive conduct includes, but is not limited to, behavior in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to ~~the Company's~~ F5MC's legitimate business interests such as:

- a. **Repeated verbal conduct, such as derogatory jokes or comments, insults, and epithets;**
- b. **Nonverbal and/or visual conduct, such as derogatory or threatening postings/pictures or gestures;**
- c. **Verbal or physical conduct that is threatening, intimidating, or humiliating; and**
- d. **Gratuitous sabotage or undermining of a person's work performance.**

Unless it is especially severe or egregious, a single act will not constitute abusive conduct.

3. F5MC Complaint Procedure

F5MC complaint procedure provides for an immediate, thorough, and objective investigation of any claim of abusive conduct, appropriate disciplinary action against one found to have engaged in abusive conduct, and appropriate remedies for any victim of abusive conduct.

If you believe you have been subjected to abusive conduct, or if you are aware of abusive conduct towards others, you should provide a written or verbal complaint to your supervisor/manager, or if your supervisor/manager is unavailable or you believe it would be inappropriate to contact your supervisor/manager, to any other supervisor/manager with ~~the Company~~ F5MC, the ~~Human Resources Liaison~~ Operations Officer, or the Executive Director as soon as possible. Your complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, direct quotations when language is relevant, and any documentary evidence (notes, pictures, cartoons, etc.). Managers/supervisors will refer all abusive conduct complaints to the ~~Human Resources Liaison~~ Operations Officer or the Executive Director.

Applicable law also prohibits retaliation against any employee by another employee or by ~~the Company~~ F5MC for using this complaint procedure or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by a governmental enforcement agency. Additionally, ~~the Company~~ F5MC will not knowingly permit any retaliation against any employee who complains of abusive conduct or who participates in an investigation.

All incidents of abusive conduct that are reported will be investigated in a timely manner. ~~The Company~~F5MC will immediately undertake or direct an effective, thorough, impartial and objective investigation of the abusive conduct allegations. Confidentiality will be kept by the ~~Company~~Commission to the extent possible, ~~but the investigation will not be completely confidential.~~ The investigation will be completed and a determination regarding the reported abusive conduct will be made and communicated to the employee who complained and to the accused employee(s), subject to the right of privacy of each employee.

If ~~F5MC~~~~the Company~~ determines that abusive conduct has occurred, ~~the Company~~ will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future abusive conduct. ~~The Company~~F5MC will not retaliate against you for filing a complaint or providing information related to a complaint and will not knowingly tolerate or permit retaliation by management, employees, co-workers, or others in the workplace.

~~The Company~~F5MC encourages all employees to report any incidents of abusive conduct immediately so that complaints can be quickly and fairly resolved.

4. Liability For Abusive Conduct

Any employee of F5MC, whether a co-worker, supervisor, or other member of management, who is found to have engaged in abusive conduct and/or engaged in conduct in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

This policy does not apply to employees who are exercising their statutory rights to organize or engage in concerted activity under the National Labor Relations Act or other laws.

G. CONDUCT & EMPLOYMENT OUTSIDE WORK

In general, ~~the Company~~F5MC does not seek to interfere with employees' off-duty activities. However, ~~the Company~~F5MC cannot tolerate off-duty conduct that is illegal.

H. PROHIBITED CONDUCT

In order to assure orderly operations and provide the best possible work environment, F5MC expects employees to follow rules of conduct that will protect the interests and safety of its personnel. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, but the following are examples of infractions of rules of conduct that may result in disciplinary action, including change of job duty, transfer, suspension, demotion, or termination of employment:

1. Falsification of employment records, employment information, or other records.
2. Recording the work time of another employee, allowing any other employee to record your work time, or allowing falsification of any time card, whether your own or another employee's.
3. Theft or the deliberate or careless damage of any ~~Company~~F5MC property or the property of any employee or client.
4. Removing or borrowing ~~Company~~F5MC property without prior authorization.
5. Unauthorized use of ~~Company~~F5MC equipment, time, materials, or facilities.
6. Working under the influence of alcohol, marijuana, and/or illegal drugs.
7. Possessing, distributing, selling, transferring, or using--or being under the influence of--alcohol, marijuana, or illegal drugs in the workplace.
8. Provoking a fight or fighting during working hours or on premises owned or occupied by the ~~Company~~F5MC.
9. Participating in horseplay or practical jokes on the ~~Company's~~F5MC's time or on premises owned or occupied by the ~~Company~~F5MC.
10. Carrying firearms, any other dangerous weapons, or any part of a dangerous weapon (e.g. ammunition, knife blade, etc.), at any time, on premises owned or occupied by the ~~Company~~F5MC.
11. Being insubordinate, abusive, intimidating, or threatening to a manager/supervisor, co-worker, customer, or vendor.
12. Using profane or abusive language at any time during working hours or while on premises owned or occupied by

~~the Company~~F5MC.

13. Failing to notify the appropriate manager when unable to report to work.
14. Unreported absence on scheduled workdays.
15. Failing to obtain permission to leave work during normal working hours (not including lawful off-duty meal periods).
16. Failing to observe working schedules.
17. Sleeping or malingering on the job.
18. Making or accepting personal telephone calls of more than three minutes in duration while being compensated on the clock, except for rest and/or recovery cool-down periods, or making or accepting calls at any time while driving during work hours.
19. Working overtime without authorization or refusing to work assigned overtime.
20. Wearing extreme, unprofessional, or inappropriate styles of dress or hair while working to the extent not otherwise protected by law.
21. Violating any safety, health, or security policy, rule, or procedure of ~~the Company~~F5MC.
- ~~22.~~ 22. Committing harassment, discrimination, and/or retaliation in violation of ~~Company~~-F5MC policy.
- ~~22-23.~~ 22-23.

This statement of prohibited conduct does not alter or limit ~~the Company's~~F5MC's policy of employment at will. Either you or ~~the Company~~F5MC may terminate the employment relationship at any time for any reason, with or without cause or notice.

I. DRUG & ALCOHOL ABUSE

The use of alcohol, marijuana, illegal drugs, illegal intoxicants, and illegal controlled substances, whether on or off duty, can impair employees' ability to work safely and efficiently. ~~The Company~~F5MC prohibits the use of these substances by its employees to the extent that they affect, or have the potential to affect, the workplace. F5MC will not jeopardize the safety of the employee, other employees, our clients, the public, and ~~Company~~-Commission operations due to an individual's poor judgment. Accordingly, ~~the Company~~F5MC prohibits the following:

- a. Possession, use, or being under the influence of alcohol, marijuana, or an illegal drug, intoxicant, or controlled substance during working hours.
- b. Operating a vehicle owned or leased by ~~the Company~~F5MC while under the influence of alcohol, marijuana, or an illegal drug, intoxicant, or controlled substance.
- c. Distribution, sale, manufacture or purchase—or the attempted distribution, sale, manufacture or purchase—of an illegal drug, intoxicant, or controlled substance during working hours or while on premises owned or occupied by ~~the Company~~F5MC.

Any employee suspected of possessing alcohol, marijuana, an illegal drug, intoxicant, or controlled substance is subject to inspection and search, with or without notice. Employees' personal belongings, including any bags, purses, briefcases, and clothing, and all ~~Company~~-F5MC property, are also subject to inspection and search, with or without notice. Employees who violate ~~the Company's~~F5MC's drug and alcohol abuse policy will be removed from the workplace immediately. ~~The Company~~F5MC may also bring the matter to the attention of appropriate law enforcement authorities. Any conviction for criminal conduct involving illegal drugs, intoxicants, or controlled substances, whether on or off duty, or any violation of the ~~Company's~~F5MC's drug and alcohol abuse policy, including having a positive drug-test result, may lead to disciplinary action, up to and including termination of employment.

Any employee's conviction on a charge of sale, distribution, manufacturing or attempted sale, distribution, or manufacturing or possession of any controlled substance while off ~~Company~~-F5MC property will not be tolerated because that conduct, even though off duty, reflects adversely on ~~F5MC~~the ~~Company~~. In addition to reflecting adversely on ~~the Company~~F5MC, ~~the Company~~F5MC must keep people who are involved with illegal drugs, intoxicants, and controlled substances off premises owned or occupied by ~~the Company~~it in order to keep those substances off the premises.

An employee who is using prescription or over-the-counter drugs that impairs the employee's ability to safely perform the job or affects the safety or well-being of others must inform the employee's supervisor and submit a physician's statement that the prescription drug use will not affect job safety to the extent allowed by law. The employee should not identify the medication or

the underlying illness. Various federal, state, and local laws protect the rights of individuals with disabilities and others with regard to the confidentiality of medical information, medical treatment, and the use of prescription drugs and substances taken under medical supervision. Nothing contained in this policy is intended to interfere with individual rights under, or to violate, these laws.

1. Testing Program

The Company F5MC may require drug, including marijuana, and/or alcohol testing:

- a. When a reasonable suspicion exists that an employee is under the influence of alcohol, marijuana, or any illegal drug, intoxicant, or controlled substance while on the job, or is otherwise in violation of this policy. Reasonable suspicion means suspicion based on information regarding, among other things, the appearance, behavior, speech, attitude, mood, and/or breath odor of an employee sufficient to suspect the employee is under the influence of alcohol, marijuana, or any illegal drug, intoxicant or controlled substance;
- b. When an accident or incident occurs in which employee drug, marijuana, and/or alcohol use is likely to have contributed to the accident or incident and a reasonable possibility exists that drug, marijuana, and/or alcohol use by the employee was a contributing factor, the Company F5MC will test for the current use of such drugs, marijuana and/or alcohol;
- c. Randomly for employees employed in a safety-sensitive position; and
- d. When required by a state or federal law or regulation.

The testing required by the Company F5MC will involve an initial screening test for drug, including marijuana, and/or alcohol use. If that test result is positive, the positive result will be confirmed using a different testing methodology. The test results will be kept as confidential as possible.

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2. Reasonable Accommodation

The Company F5MC will reasonably accommodate any employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program, provided that this reasonable accommodation does not impose an undue hardship on the Company Commission. Nothing in this policy shall be construed to prohibit the Company F5MC from refusing to hire, or discharging an employee who, because of an employee's current use of alcohol or drugs, is unable to perform the employee's duties, or cannot perform the duties in a manner which would not endanger the employee's health or safety or the health or safety of others. The Company F5MC will make reasonable efforts to safeguard the privacy of the employee as to the fact that the employee has enrolled in an alcohol or drug rehabilitation program. The time off to enter and participate in an alcohol or drug rehabilitation program is unpaid. However, an employee may use paid sick leave to which the employee is entitled for the purpose of entering and participating in an alcohol or drug rehabilitation program.

3. Drug Statute Conviction

Consistent with the Federal Drug-Free Workplace Act, every employe is required to notify the Executive Director of any criminal drug statute conviction for a violation occurring while on duty, on F5MC property, at work locations, while on break, during the work day or meal periods, or "on-call" time no later than five (5) working days after such conviction or plea. Additionally, the Executive Directors is required to notify any Federal sponsorin agency within ten (10) calendar days after receiving notice from an employee of a conviction for criminal drug statute occurring in the workplace. For purposes of this policy, a conviction includes a plea of guilty or nolo contendere pursuant to California Penal Code section 1016. An employee's failure to report an obligatory drug statute conviction may constitute a cause for serious disciplinary action, up to and including termination.

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J. PUNCTUALITY & ATTENDANCE

F5MC expects you to report to work on a reliable and punctual basis. Absenteeism, early departures from work, and late arrivals burden your fellow employees and the Company F5MC. If you cannot avoid being late to work or are unable to work as scheduled, you must call your supervisor prior to the beginning of your shift.

Employees are expected to report to work as scheduled, on time. Employees also are expected to remain in designated areas on the work premises for their entire work schedule, except for rest or meal periods or when required to leave on authorized Company F5MC business. Late arrival, early departure, or other unanticipated and unapproved absences from scheduled hours

are disruptive, must be avoided, and may result in disciplinary action up to and including termination of employment.

Every time you are absent or late, or leave early, you must provide your supervisor with a reason or explanation to the fullest extent allowed by law. You must also inform your supervisor of the expected duration of any absence. ~~The Company~~F5MC will comply with applicable laws relating to time off from work, but it is your responsibility to provide sufficient information to enable ~~the Company~~F5MC to make a determination. You must notify your supervisor of any change in your status as soon as possible.

In case of illness, a doctor's release to return to work may be required from an employee before the employee will be allowed to return to work if the employee has exhausted the employee's California mandatory paid sick leave and kin care and takes additional time off. In providing this doctor's note, ~~the Company~~F5MC shall comply with the provisions of the Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits employers from requesting or requiring genetic information of an employee or family member of the employee, except as specifically allowed by this law. To comply with GINA, ~~the Company~~F5MC is asking that employees not provide any genetic information when responding to this request for medical information. Please see the Requests for Medical Certification policy in this Handbook for more information.

Absenteeism may lead to disciplinary action, up to and including termination of employment. Absences may be excessive if they occur frequently or if they show a pattern. ~~Absences immediately before or after holidays and weekends are suspect.~~ Continuing patterns of absences, early departures, or tardies--regardless of the exact number of days--may also result in disciplinary action, up to and including termination of employment.

If you fail to report for work without any notification to your supervisor, you may be subject to disciplinary action up to and including termination of employment.

Individuals with disabilities may be granted reasonable accommodation in complying with these policies if undue hardship does not result to ~~the Company's~~F5MC's operations. However, regular attendance and punctuality are essential functions of each employee's job.

Absences protected by local, state and federal law do not count as a violation of the punctuality and attendance policy. Paid sick time protected under California law does not count as a violation of this policy.

K. REPORTING ABSENCES

If you are unable to report for work on any particular day, you must under all but the most extenuating circumstances call your supervisor at least two (2) hours before the time you are scheduled to begin working for that day based on the nature of the work. In all cases of absence or tardiness, employees must provide their supervisor with a verifiable explanation. Employees also must inform their supervisor of the expected duration of any absence.

L. TIME OFF REQUEST

Employees must complete ~~a Request for Time Off form~~ notify the Executive Director in writing for any situation in which the employee wishes to take time off, whether paid or unpaid. Please refer to the electronic timeclock guidelines.

M. PERFORMANCE EVALUATIONS

Each employee may receive periodic performance evaluations conducted by the employee's supervisor. Performance evaluations may be conducted from time to time to provide both you and your supervisor with the opportunity to discuss your job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss methods for improving your performance. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, ~~or~~ recurring performance problems, or at the discretion of the Executive Director.

Your performance evaluations may review factors such as the quality and quantity of the work you perform, your knowledge of the job, your initiative, your work attitude, and your attitude toward others. Performance evaluations are intended to make you aware of your progress, areas for improvement, and objectives or goals for future work performance.

Please be advised that a while a salary increase may follow a performance evaluation, a positive performance evaluation does not guarantee an increase in compensation, a promotion, or even continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are solely within the discretion of F5MC and depend upon many factors in addition to performance.

In addition to these more formal performance evaluations, ~~the Company~~F5MC encourages you and your supervisor to discuss your job performance and goals on an informal and ongoing basis.

NOTE: No policy or practice of ~~the Company~~F5MC, past or present, shall obligate the completion of a formal or informal performance evaluation. The existence of a written or otherwise formal evaluation does not necessarily indicate the quality or acceptability of performance any time thereafter, nor is it to be interpreted that similar or improved performance will result in continued employment for any specified period of time or that an adjustment in compensation will occur. Furthermore, the absence of a written or otherwise formal evaluation shall not be assumed to be a failure of ~~the Company~~F5MC to have evaluated the performance of any employee. Nor does the absence of a formal evaluation mean that an employee has been denied a reasonable opportunity to perform.

N. INVESTIGATIONS OF CURRENT EMPLOYEES AND SECURITY INSPECTIONS

F5MC may occasionally find it necessary to investigate current employees, for example, where behavior or other relevant circumstances raise questions concerning work performance, reliability, honesty, trustworthiness, or potential threat to the safety of co-workers or others.

Employee investigations may, where appropriate, include investigations of criminal records allowed by law. ~~The Company~~F5MC will comply with all applicable federal and state laws when conducting investigations of current employees. Employees subject to an investigation are required to cooperate with ~~the Company's~~F5MC lawful efforts to obtain relevant information, and may be subject to disciplinary action up to and including termination of employment for failure to do so.

~~The Company~~F5MC maintains a work environment that is free of illegal drugs, marijuana, alcohol, firearms, explosives, or other improper materials. To this end, F5MC prohibits the possession, transfer, sale, or use of such materials on its premises. The Company requires the cooperation of all employees in administering this policy.

~~Company~~F5MC-issued desks, lockers, and other storage devices along with cell phones/ iPhones/Personal Digital Assistants (PDAs), lap top/desktop computers, and other electronic devices may be provided for the convenience of employees, but remain the sole property of F5MC. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the Company at any time, either with or without prior notice.

~~Company~~-F5MC voice mail and/or electronic mail (e-mail) are for business purposes. F5MC reserves the right to monitor voice mail messages, e-mail messages, text messages, chat logs, and instant messaging to ensure compliance with its policies, with or without notice to the employee and at any time, not necessarily in the employee's presence.

F5MC discourages theft or unauthorized possession of the property of employees, the ~~Company~~Commission, visitors, and clients. To facilitate enforcement of this policy, ~~the Company~~F5MC or its representative may inspect not only desks and lockers but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto ~~the Company's~~F5MC's premises.

In addition, there may be an occasion where management needs to conduct an internal investigation as a result of an employee's performance, alleged misconduct, or behavior issue. The purpose of an investigation is to determine the facts prior to management taking a course of action. Whether you may be the subject of the investigation, the complaining employee, a witness or an employee who may be questioned, you will be expected to cooperate in all phases of this investigation as a condition of employment. Any employee who refuses to cooperate in this investigation is subject to disciplinary action up to and including termination of employment.

O. PERSONNEL RECORDS

The information recorded in your personnel file is extremely important. Make sure that the personal data in the file is accurate and up to date. Please report any change of address, phone number, et cetera, to the ~~Human Resources Liaison~~ Operations Officer. The Company will maintain an employee's personnel file.

Employees or former employees or their authorized in writing representative may inspect or receive a copy, at the employee's expense, of the employee's personnel file within thirty calendar days of a written request made to the ~~Human Resources Liaison~~ Operations Officer. Employees may request a form from the ~~Human Resources Liaison~~ Operations Officer that can be used to request to inspect or receive a copy of their personnel file. An employee's personnel records will be available for inspection or copying within thirty (30) calendar days following a written request at the employee's workplace or another mutually agreeable location. An employee will not have any loss of compensation if the inspection or copying it is at a location other than the employee's workplace.

Current employees may inspect their personnel file at their workplace or another mutually agreeable location. If the location is not the employee's workplace, the employee will not lose any compensation by traveling to that location. For former employees, the personnel file will be made available for inspection and/or copying where the records are maintained or at a mutually agreeable location. Alternatively, ~~the Company~~ F5MC may mail a copy of the file to the former employee and receive reimbursement for the mailing. However, if the former employee was terminated for a violation of a law or a workplace policy or for workplace violence, ~~the Company~~ F5MC will make the records available for inspection at a location other than the workplace within a reasonable distance of the former employee's residence or provide a copy to the former employee by mail. ~~A current or former employee that files a lawsuit over a personnel matter against the Company ceases to have the right to inspect or copy personnel records during the pendency of the lawsuit.~~

The Company is not required to comply with more than 50 requests for a copy of the records (seeking 50 separate employee's records) filed by a representative or representatives of employees in one calendar month. Further, the Company is not required to comply with more than one request per year by a former employee to inspect or to receive a copy of the former employee's personnel file.

If desired, an employee may add a written statement to the employee's file explaining any disputed item. An employee's personnel file will be maintained by ~~the Company~~ F5MC for at least three years after the employee's employment terminates. Only authorized supervisors and management personnel will have access to your personnel file. However, ~~the Company~~ F5MC will cooperate with and provide access to your personnel file to law enforcement officials or local, state, or federal agencies in accordance with applicable law.

All requests to review an employee's personnel file should be referred to the ~~Human Resources Liaison~~ Operations Officer. Confidential health/medical records are not included in your personnel file. ~~The Company~~ F5MC will safeguard them from disclosure and will divulge that information only: (1) as allowed by law; (2) to the employee's personal physician upon written request of the employee; or (3) as required for workers' compensation cases.

P. CLIENT RELATIONS

F5MC success depends on satisfying our clients. Clients are to be treated courteously and given proper attention at all times. Do not regard a client's question or concern as an interruption or an annoyance. You must respond to inquiries from clients, whether in person or by telephone, promptly and professionally.

Do not place a telephone caller on hold for an extended period. Direct incoming calls to the appropriate person and make sure the call is received.

Through your conduct, show your desire to assist the client in obtaining the help the client needs. If you are unable to help a client, find someone who can.

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All correspondence and documents, whether to clients or others, must be expertly prepared and error-free. Attention to accuracy and detail in all paperwork demonstrates your commitment to those with whom we do business.

Do not argue with a client. If a problem develops or if a client remains dissatisfied, ask your supervisor or the [Human Resources Liaison/Operations Officer](#) to intervene.

Q. BUSINESS CONDUCT AND ETHICS

Employees must decline or return any gift or gratuity from any [member of the public](#), client, vendor, supplier, or other person doing business with [the Company/F5MC](#). In doing so, please explain that [the Company/F5MC's conflict of interest code and state law](#) prohibits employees from accepting gifts or gratuities to ensure that business decisions, transactions, and services are provided on an objective and professional basis.

R. CONFIDENTIALITY

Some information about F5MC, its clients, suppliers, and vendors may be kept confidential by [the Company/F5MC](#) as a matter of law. Trade secrets, driver's license information and confidential medical information of other employees fall into this category. Information of this nature is to be kept confidential and divulged only to individuals within [the Company/F5MC](#) with both a need to receive and authorization to receive the information. [Such confidential information may include, but is not limited to: family case files, scientific data, scientific formula, technological data, etc.](#) ~~Trade secrets may include information that has been kept confidential from F5MC competitors, such as strategic plans, pricing, customer lists, contractual terms with vendors or customers, and certain financial records. Confidential information does not include information or records which constitute public record, pursuant to California Public Records Act.~~

Employees who improperly use or disclose ~~trade secrets or other confidential~~ information F5MC may, or is required to, keep confidential as a matter of law will be subject to disciplinary action, up to and including termination of employment, even if they do not actually benefit from the disclosed information. The Company reserves the right to avail itself of all legal or equitable remedies to prevent impermissible use of such information or to recover damages incurred as a result of the impermissible use of such information.

S. OWNERSHIP OF INTANGIBLES

All processes, inventions, patents, copyrights, trademarks, and other intangible rights that may be conceived or developed by employee, either alone or with others, during the term of employee's employment, whether or not conceived or developed during employee's working hours, and with respect to which the equipment, supplies, facilities, or trade secret information of ~~F5MC/the Company~~ was used, or that relate at the time of conception or reduction to practice of the invention to the business of [the Company/F5MC](#) or to ~~the Company's/F5MC's~~ actual or demonstrably anticipated research and development, or that result from any work performed by employee for [the Company/F5MC](#), shall be the sole property of [the Company/F5MC](#).

Employee hereby agrees promptly to disclose to [the Company/F5MC](#) any and all inventions, discoveries, improvements, trade secrets, formulas, techniques, processes, and know-how, whether or not patentable and whether or not reduced to practice, made or conceived by employee, either solely or in conjunction with others, during the period of employee's employment with [the Company/F5MC](#), which (i) are related to or result from the actual or demonstrably anticipated business, work, or research and development of [the Company/F5MC](#); (ii) result, to any extent, from use of [the Company's/F5MC's](#) premises or property; or (iii) are suggested by any task assigned to employee or any work performed by employee for or on behalf of [the Company/F5MC](#).

Employee acknowledges and agrees that all such inventions shall be the sole property of [the Company/F5MC](#), and employee hereby assigns to [the Company/F5MC](#) employee's entire right and interest in all the inventions; provided, however, that such assignment does not apply to any invention that qualifies fully under the provision of California Labor Code § 2870. Employee shall execute all documents, including patent applications and assignments, required by [the Company/F5MC](#) to establish the [Company's/its](#) rights under this section.

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T. EMPLOYEE DRESS & PERSONAL APPEARANCE

Employees must demonstrate professionalism and good judgment in matters of dress and appearance in the workplace. Employees are expected to dress in a manner that is usually acceptable in similar work environments. The Commission has adopted two standards for employees to follow as a guide:

Business Casual: Often, a Business Casual appearance will be appropriate for the nature of your work. Keep in mind that there is a distinction between "casual" and "business casual," and dress should still be appropriate for a professional office environment. Business Casual includes appropriate jeans, Dockers, polo shirts, etc. In addition, all footwear must provide adequate protection from hazards to reduce the possibility of injury to employees. Shoes should cover the foot as applicable to the work area. Flip-flops or similar casual footwear are not acceptable. The wearing of suggestive or offensive attire is prohibited. Athletic clothing, shorts, T-shirts, tank tops, or similar items of casual attire are not permitted, as they do not present a business-like appearance.

Business Professional: While the Commission generally observes a business casual dress environment, situations will require more formal attire. Suppose you are conducting or attending meetings, seminars, roundtables, etc., where you come in contact with other business professionals. In that case, you are expected to represent the Commission in a professional manner and dress appropriately for conducting such business. Know your audience, remember whom you represent, and dress accordingly. A Business Professional attire, due to the nature of your work or level of contact with the public or community partners, should include appropriate shoes, slacks, pantsuits, dresses, and skirts of appropriate length (no more than two inches above the knees), dress shirts, sweaters or turtlenecks, socks, and ties. If you doubt whether the item of clothing is professional, err on the conservative side.

Please consult with your supervisor if you have questions as to what constitutes appropriate attire. Any employee who requires an accommodation for any reason protected by law, including based on a religious belief and/or religious practice (including religious dress and grooming practices), should contact the Human Resources Liaison/Operations Officer and request such an accommodation. Employees who appear for work inappropriately dressed may be subject to disciplinary action, up to and including termination of employment. In some cases, employees may be sent home and directed to return to work in proper attire.

U. EMPLOYMENT REFERENCES AND VERIFICATION

Employees contacted by outside sources requesting an employment reference or employment verification for a current or former employee should not provide any information to the requesting individual or organization. Instead, employees should refer the requesting individual or organization to the Human Resources Liaison/Operations Officer. No employee, other than the Human Resources Liaison/Operations Officer, is authorized to provide employment references or employment verifications for any current or former employee.

Employees wishing to receive either an employment reference or an employment verification should provide written authorization to the Company/F5MC.

VI. F5MC FACILITIES

~~VI.~~

A. POLICY AGAINST WORKPLACE VIOLENCE

1. Statement of Policy

F5MC recognizes that violence in the workplace is a growing nationwide problem necessitating a firm, considered response by employers. The costs of workplace violence are great, both in human and financial terms. We believe that the safety and security of F5MC employees are paramount. Therefore, the Company has adopted this policy regarding workplace violence.

Acts or threats of physical violence, including intimidation, harassment, and/or coercion, that involve or affect the Company/F5MC or that occur on Company-F5MC property or in the conduct of Company business off Company property, will not be tolerated. This prohibition against threats and acts of violence applies to all persons involved in Company operations, including, but not limited to, F5MC personnel, contract workers, temporary employees, and anyone else on F5MC property or conducting Company business off Company property. Violations of this policy, by any individual, will lead to disciplinary and/or legal action as

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appropriate.

This policy is intended to bring F5MC into compliance with existing legal provisions requiring employers to provide a safe workplace; it is not intended to create any obligations beyond those required by existing law.

2. Definitions

Workplace violence is any intentional conduct that is sufficiently severe, offensive, or intimidating to cause an individual to reasonably fear for the individual's personal safety or the safety of the individual's family, friends, and/or property such that employment conditions are altered or a hostile, abusive, or intimidating work environment is created for one or several F5MC employees. Workplace violence may involve any threats or acts of violence occurring on ~~Company-F5MC~~ premises, regardless of the relationship between ~~F5MCthe Company~~ and the parties involved in the incident. It also includes threats or acts of violence that affect the business interests of ~~the CompanyF5MC~~ or that may lead to an incident of violence on ~~Company-F5MC~~ premises. Threats or acts of violence occurring off ~~Company-F5MC~~ premises that involve employees, agents, or individuals acting as a representative of ~~the CompanyF5MC~~, whether as victims of or active participants in the conduct, may also constitute workplace violence. Specific examples of conduct that may constitute threats or acts of violence under this policy include, but are not limited to, the following:

- a. Threats or acts of physical or aggressive contact or conduct directed toward another individual;
- b. Threats or acts of physical harm directed toward an individual or the individual's family, friends, associates, or property;
- c. Bringing firearms, any other dangerous weapons, or any part of a dangerous weapon (e.g. ammunition, knife blade, etc.) on premises owned or occupied by ~~the CompanyF5MC~~ or another employee;
- d. The intentional destruction or threat of destruction of ~~Company-F5MC~~ property or another employee's property;
- e. All acts of harassment, including harassment that is based on any charastic protected by federal, state, or local law or based on the perception of an individual's association with such protected characteristic;
- e.f. Harassing or threatening phone calls, e-mails, and/or text messages;
- f.g. Surveillance;
- g.h. Stalking;
- h.i. Veiled threats of physical harm or similar intimidation; and
- i.j. Any conduct resulting in the conviction under any criminal code provision relating to violence or threats of violence that adversely affects ~~the CompanyF5MC~~'s legitimate business interests.

Workplace violence does not refer to occasional comments of a socially acceptable nature. These comments may include references to legitimate sporting activities, popular entertainment, or current events. Rather, it refers to behavior that is personally offensive, threatening, or intimidating.

1. Video Recording

Due to concerns regarding the potential for invasion of privacy, sexual or other harassment, and protection of proprietary or confidential information, employees may not use any audio or video recording devices while on working time. You also may not use any audio or video recordings in work areas that the business has identified as confidential, secure or private, unless you are engaged in protected activity related to improving the terms and conditions of your employment, such as documenting health and safety issues.

~~The companyF5MC~~ uses or may use video surveillance in public areas (not in restrooms, locker rooms or changing areas). The video surveillance will not include sound recording.

2. Prohibited Items on Company Property

~~The CompanyF5MC~~ specifically prohibits the possession of weapons by any employee while on ~~Company-F5MC~~ property. This ban includes keeping or transporting a weapon in any vehicle while on ~~Company-F5MC~~ business or on ~~Company-F5MC~~ premises (regardless of whether the vehicle is owned, leased, rented or borrowed). Employees are also prohibited from carrying a weapon while performing work-related services involving ~~the CompanyF5MC~~'s clients, vendors, or other employees off the

~~Company's-F5MC's~~ business premises. Under no circumstances are the following items permitted on ~~Company-F5MC~~ property, including parking areas: all types of firearms; switchblades, daggers, dirks, and other types of unauthorized knives or cutting instruments; dangerous chemicals; explosives or blasting caps; and clubs, chains or other objects carried for the purpose of injury, harassment, or intimidation.

3. Reporting Procedures

3. Any employee who has been subject to acts or threats of workplace violence or who has witnessed actual or threatened workplace violence must immediately notify a supervisor or manager at the facility. Additionally, employees are expected to report behavior that they reasonably believe poses a potential for workplace violence. It is imperative that all employees take this responsibility seriously. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

Employees must notify management whenever they observe individuals that exhibit behavior that could be a sign of a potentially dangerous situation.

Employees who obtain a protection or restraining order that identifies ~~Company-F5MC~~ facilities/property as a protected place must also notify the ~~Human Resources Liaison Operations Officer~~ immediately and provide a copy of the protection or restraining order and proof of service.

4. Enforcement

Any person who engages in a threat or violent action on ~~Company-F5MC~~ property may be removed from the premises as quickly as safety permits and may be required, at ~~the CompanyF5MC's~~ discretion, to remain off ~~Company-F5MC~~ premises pending the outcome of an investigation of the incident.

First 5 Madera County will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, when threats are made or acts of violence are committed by employee(s), a judgment will be made by ~~the CompanyF5MC~~ as to what actions are appropriate, including possible medical evaluation and/or possible disciplinary action.

Under this policy, decisions may be needed to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing. No existing policy or procedure of ~~the CompanyF5MC~~ should be interpreted in a manner that prevents the making of these necessary decisions.

F5MC encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Executive Director before the situation escalates into potential violence. F5MC is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

Important Note: F5MC will make the sole determination of whether, and to what extent, threats or acts of violence will be acted upon by ~~the CompanyF5MC~~. In making this determination, ~~the CompanyF5MC~~ may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that workplace violence has occurred. No provision of this policy shall alter the at-will nature of employment at F5MC.

B. OPERATION OF VEHICLES

The use of ~~CompanyF5MC~~-owned or ~~CompanyF5MC~~-leased vehicles and rental of vehicles for ~~Company-F5MC~~ business are limited to authorized employees. These vehicles must only be used in work-related activities and may not be used for personal business or activities without the express prior approval of management.

All employees required to drive ~~CompanyF5MC~~-owned or ~~CompanyF5MC~~-leased vehicles, must possess a current, valid

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California Class "C" driver's license and an acceptable driving record. Such employees must report any change in license status or driving record to management immediately. From time to time, ~~the Company~~F5MC or its insurance carrier will request reports from the Department of Motor Vehicles regarding the license status and driving record of employees whose job responsibilities require driving. In the event that the license status or driving record of any employee whose job responsibilities require driving becomes unacceptable to management or ~~the Company's~~F5MC's insurance carrier, that employee may be restricted from driving, reassigned, suspended, or terminated, at management's discretion, to the fullest extent allowed by law.

It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers should demonstrate safe driving habits and not drive too fast or recklessly.

Certain employees may drive their own personal vehicles while conducting ~~Company~~-F5MC business. These employees must maintain adequate personal automobile liability insurance, which shall be kept on file by F5MC. Employees ~~doing using their personal vehicles to conduct F5MC~~ should promptly submit an expense report detailing the number of miles driven on ~~Company~~-F5MC business. ~~The Company~~F5MC will pay mileage reimbursement in accordance with applicable reimbursement rates. The following are reminders for private vehicle usage whenc conducting F5MC business:

- a) Private vehicles are not to be used to transport clients.
- b) Supervisors are responsible for auditing Travel Reimbursement Claim Forms submitted by their staff.
- c) All approved Travel Reimbursement Claims forms must be turned in to the Fiscal Manager by the 5th of each month.
- d) Effective January 1, 2013, all First 5 Madera County employees (and others seeking mileage reimbursement) must maintain automobile liability insurance consistent with California State law.

Employees are expected to observe the above policies while on ~~Company~~-F5MC business, even if driving their own personal vehicles.

C. GLOBAL POSITIONING SYSTEM

~~The Company~~F5MC may install Global Positioning Systems (GPS) in ~~some of the Company~~F5MC provided cell phones or other electronic devices and in certain ~~Company~~-F5MC vehicles. This information can increase employee safety (e.g., ~~the Company~~F5MC knowing where an ~~injured~~ employee is ~~who is injured~~located) and can be useful in the event of an urgent project, to allow ~~the Company~~F5MC to see, in real-time, which employees are near the site where a project needs to be completed. If an ~~F5MC-company~~ provided cell phone, electronic device or vehicle has a GPS installed, the employee or employees using the device or driving the vehicle will be notified of this fact in advance. All employees using such devices or vehicles may be required to sign an acknowledgement indicating they are aware the GPS system is in place in the device or vehicle. Employees shall have no expectation of privacy in their location when being tracked by an ~~F5MC-company~~ installed GPS during work hours. Employees are required to turn off GPS tracking on ~~company~~-F5MC provided electronic devices when they are not working.

1. Driver Responsibilities

The driver is never to fuel the vehicle at any time with passengers aboard the vehicle. Fueling should normally take place after completion of any passenger delivery.

The driver is responsible for maintaining the cleanliness of the vehicle, such as removing garbage items, sweeping the vehicle when needed and/or wiping down the interior as needed. All such work must be on-the-clock.

The driver should use good judgment at all times when operating the vehicle. These basic standards are required:

- a. Be a courteous driver at all times to the passengers;
- b. Use good judgment in avoiding risk or hazards;
- c. Comply with all applicable Department of Motor Vehicle laws;
- d. Maintain safe driving standards, such as safe distance between vehicles and careful driving during questionable weather conditions;
- e. Never leave a vehicle unattended, always remove the keys from the vehicle when you are away from the vehicle;

- f. Always report any recognizable hazards to the office;
- g. Operate the vehicle safely, such as appropriate use of brakes;
- h. Report any concerns you have that the vehicle may need repair or service;
- i. All speed limits will be strictly adhered to;
- j. You are to operate your vehicle free of any prescribed drug that impairs your ability to safely operate a vehicle.
- k. You are prohibited from operating your vehicle if you have consumed alcohol within the previous 12 hours.
- l. You are not permitted to smoke, drink any type of beverage, or eat during the operation of the vehicle, with or without passengers.

In the event of any vehicle accident, ~~you are not to discuss any details of the accident with anyone except the police officer. Employees must promptly report the incident to their immediate supervisor and be~~ prepared to provide the following information to the police officer: name, address, contact phone number; vehicle registration and your driver's license.

D. CELL PHONE USAGE POLICY

F5MC wishes to make certain that employees devote their full attention to their job responsibilities and duties. The Company also wishes to make certain that employees who are operating vehicles are not distracted. Based on these considerations, F5MC has established a policy regarding the use of cell phones that applies while employees are at work or operating vehicles.

1. Use of Cell Phones in the Workplace

Using a personal cell phone during work hours may interfere with an employee's productivity and safety. Employees who have cell phones should keep them either turned off or on silent mode and should not use them during working hours.

~~Company-F5MC~~ business normally should be conducted on ~~Company-F5MC~~ phones while an employee is on the ~~Company's F5MC's~~ premises.

If cell phones must be used when an employee is not on a rest, recovery or meal period, occasional, brief personal use is permitted within a reasonable limit. use must be kept to a minimum and occur only in the event of an emergency.

Employees may use their cell phones during approved rest, recovery and meal periods. Under no circumstances should a cell phone be used where it would prevent the employee from being fully attentive to the employee's duties and responsibilities.

As a representative of F5MC, cell phone users are reminded that the regular business etiquette employed when speaking from office phones or in meetings applies to conversations conducted over a cell phone.

2. Use of Cell Phone While Driving on Company Business and/or on Company Time

In the interest of the safety of our employees and other drivers, Company employees are strictly prohibited from using cell phones while driving on ~~Company-F5MC~~ business and/or ~~Company-F5MC~~ time.

If your job requires that you keep your cell phone turned on while you are driving, you must use a hands-free device and safely pull off the road before conducting ~~Company-F5MC~~ business. If no safe place is available, wait to speak on the phone until after you have reached your destination or found a safe place to park. Under no circumstances should employees place or receive any phone calls while operating a motor vehicle when driving on ~~Company-F5MC~~ business and/or ~~Company-F5MC~~ time. *Violating this policy is a violation of law and a violation of Company rules.*

~~In addition, a person under the age of 18 years is prohibited from driving a motor vehicle while using a wireless telephone, even if equipped with a hands-free device, or while using a mobile service device. The prohibition would not apply to such a person using a wireless telephone or a mobile service device for emergency purposes. Violating this policy is a violation of law and a violation of Company rules.~~

Finally, employees are prohibited from reading and/or sending text and/or e-mail messages when operating a motor vehicle while driving on ~~Company-F5MC~~ business and/or ~~Company-F5MC~~ time. In addition, violating this policy is a violation of California law and is also a violation of Company rules.

Employees who violate this policy may be subject to disciplinary action, up to and including termination of employment. Please be further advised that any employee who is in violation of this policy is acting outside the course and scope of the employee's employment.

E. USE OF TECHNOLOGY AND THE INTERNET

The Company's F5MC's technical resources—including, but not limited to, desktop and portable computer systems, file servers, terminal servers, fax machines, Internet and World Wide Web (Web) access, voice mail, cell phones, including cell phone voicemail and text messages, electronic mail (e-mail), and its intranet—enable employees to quickly and efficiently access and exchange information throughout the Company and around the world. When used properly, we believe these resources greatly enhance employee productivity and knowledge. In many respects, these new tools are similar to other Company F5MC tools, such as stationery, file cabinets, photocopiers, and telephones. Because these technologies are both new and rapidly changing, it is important to explain how they fit within the Company and within your responsibilities as an employee.

This policy applies to all technical resources that are owned or leased by the Company F5MC, that are used on or accessed from Company F5MC premises, or that are used for Company F5MC business. This policy also applies to all activities using any Company F5MC-paid accounts, subscriptions, or other technical services, such as Internet and Web access, voice mail, e-mail, chat logs, and instant messaging, whether or not the activities are conducted from Company F5MC premises.

NOTE: As you use the Company's F5MC's technical resources, it is important to remember the nature of the information created and stored there. Because they seem informal, e-mail messages are sometimes offhand, like a conversation, and not as carefully thought out as a letter or memorandum. Like any other document, an e-mail message or other computer information can later be used to indicate what an employee knew or felt. You should keep this in mind when creating e-mail messages and other documents. Even after you delete an e-mail message or close a computer session, it may still be recoverable and may even remain on the system.

1. Acceptable Uses

The Company's F5MC's technical resources are provided for the benefit of the Company F5MC and its clients, vendors, and suppliers. These resources are provided for use in the pursuit of Company F5MC business and are to be reviewed, monitored, and used only in that pursuit, except as otherwise provided in this policy.

Employees have no right of privacy as to any information or file maintained in or on the Company's F5MC property or transmitted or stored through the Company's F5MC's computer, voice mail, e-mail, or telephone systems.

2. Unacceptable Uses

The Company's F5MC's technical resources should not be used for personal gain or the advancement of individual views. Employees who wish to express personal opinions on the Internet are encouraged to obtain a personal account with a commercial Internet service provider and to access the Internet without using Company F5MC resources.

Solicitation for any non-Company F5MC business or activities using Company F5MC resources is strictly prohibited. Your use of the Company's F5MC's technical resources must not interfere with your productivity, the productivity of any other employee, or the operation of the Company's F5MC's technical resources.

You should not use the Company's F5MC's technical resources to send e-mail or other communications that either mask your identity or indicate that they were sent by someone else. You should never access any technical resources using another employee's password. Similarly, you should only access the libraries, files, data, programs, and directories that are related to your work duties. Unauthorized review, duplication, dissemination, removal, installation, damage, or alteration of files, passwords, computer systems or programs, or other property of F5MC the Company, or improper use of information obtained by unauthorized means, is prohibited.

Sending, saving, or viewing offensive material is prohibited. Messages stored and/or transmitted by computer, voice mail, e-mail, chat logs, instant messaging, or telephone systems must not contain content that may reasonably be considered offensive to any employee. Offensive material includes, but is not limited to, sexual comments, jokes or images, racial slurs, gender-related comments, or any comments, jokes, or images that would offend someone on the basis of the person's race; color; national

origin; ancestry; gender; sex; gender identity; gender expression; transgender; transitioning, having transitioned, or perceived to be transitioning; age; physical or mental disability, perceived disability or perceived potential disability; pregnancy or perceived pregnancy, childbirth, breastfeeding or related medical conditions; religion or creed (including religious dress and grooming practices); requesting accommodation for disability or religious beliefs; marital status; registered domestic partner status; medical condition (including HIV and AIDS); citizenship; military/service member status; veteran status; sexual orientation; genetic characteristics; genetic information (including information from the employee's genetic tests, family members' genetic tests, and the manifestation of a disease or disorder in the employee's family members); driver's license status; political affiliation; or any other category protected by federal, state, or local laws.

Any use of the Internet/Web or intranet to harass or discriminate is unlawful and strictly prohibited by ~~the Company~~F5MC. In addition, use of technical resources that is with malice or that a reasonable person would find hostile, offensive, and unrelated to ~~the Company's~~F5MC's legitimate business interests is also strictly prohibited. Violators will be subject to disciplinary action, up to and including termination of employment.

F5MC does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one's duties. Accordingly, to the extent permitted by law, ~~the Company~~F5MC reserves the right not to provide a defense or pay damages assessed against employees for conduct in violation of this policy.

3. Access to Information

The Company asks you to keep in mind that when you are using the ~~Company's~~F5MC's technical resources you are creating ~~Company~~F5MC information using an ~~Company~~F5MC asset. ~~The Company~~F5MC respects the individual privacy of its employees. However, that privacy does not extend to an employee's work-related conduct or to the use of ~~Company~~F5MC-provided technical resources or supplies.

~~The Company's~~F5MC's computer, voice mail, e-mail, cell phones, or telephone systems, and the data stored on them (including chat logs and instant messaging logs) are and remain at all times the property of ~~the Company~~F5MC. As a result, computer data, voice mail messages on ~~Company~~F5MC phones and ~~Company~~F5MC-provided cell phones, e-mail messages, text messages, and other data are readily available to numerous persons and potentially members of the public pursuant to California's open records law, otherwise known as the California Public Records Act. If, during the course of your employment, you perform or transmit work on ~~F5MC's~~~~the Company's~~ computer system and other technical resources, your work may be subject to the investigation, search, and review of others in accordance with this policy and state law.

All information, including e-mail messages and files, that is created, sent, or retrieved over ~~the Company's~~F5MC's technical resources is the property of ~~the Company~~F5MC, and should not be considered private or confidential. Employees have no right to privacy as to any information or file transmitted or stored through ~~the Company's~~F5MC's computer, voice mail, cell phone, e-mail, text messages, or telephone systems. Any electronically stored information that you create, send to, or receive from others may be retrieved and reviewed when doing so serves the legitimate business interests and obligations of ~~the Company~~F5MC. Employees should also be aware that, even when a file or message is erased or a visit to an Internet or Web site is closed, it is still possible to recreate the message or locate the Web site. ~~The Company~~F5MC reserves the right to monitor your use of its technical resources at any time. All information including text and images may be disclosed to law enforcement or to other third parties without prior consent of the sender or the receiver.

4. Copyrighted Materials

You should not copy and distribute copyrighted material (e.g., software, database files, documentation, articles, graphics files, and downloaded information) through the e-mail system or by any other means unless you have confirmed in advance from appropriate sources that ~~the Company~~F5MC has the right to copy or distribute the material. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights. Failure to observe a copyright may result in disciplinary action by ~~the Company~~F5MC, up to and including termination of employment, as well as legal action by the copyright owner. Any questions concerning these rights should be directed to your supervisor.

5. Confidential Information

E-mail and Internet/Web access are not entirely secure. Others outside ~~the Company~~F5MC may also be able to monitor your e-mail and Internet/Web access. For example, Internet sites maintain logs of visits from users; these logs identify which company, and even which particular person, accessed the service. If your work using these resources requires a higher level of security, please ask your supervisor or the Executive Director for guidance on securely exchanging e-mail or gathering information from sources such as the Internet or Web.

All employees should safeguard ~~the Company's~~F5MC's confidential information as defined in this Handbook, as well as that of clients and others, from disclosure. Do not access new voice mail or e-mail messages with others present. Messages containing confidential information should not be left visible while you are away from your work area.

It is best if e-mail messages containing confidential information include the following statement, in all capital letters, at the top of the message: **CONFIDENTIAL: UNAUTHORIZED USE OR DISCLOSURE IS STRICTLY PROHIBITED.**

6. Security of Information

Although you may have passwords to access computer, voice mail, and e-mail systems, these technical resources belong to ~~the Company~~F5MC, are to be accessible at all times by ~~the Company~~F5MC, and are subject to inspections by ~~the Company~~F5MC with or without notice. ~~The Company~~F5MC may override any applicable passwords or codes to inspect, investigate, or search an employee's files and messages. All passwords must be made available to the Executive Director upon request. You should not provide a password to other employees or to anyone outside ~~the Company~~F5MC and should never access any technical resources using another employee's password.

In order to facilitate ~~the Company's~~F5MC's access to information on its technical resources, you may not encrypt or encode any voice mail or e-mail communication or any other files or data stored or exchanged on ~~Company~~-F5MC systems without the express prior written permission from the Executive Director and your supervisor. As part of this approval, the Executive Director will indicate a procedure for you to deposit any password, encryption key or code, or software with the Executive Director so that the encrypted or encoded information can be accessed in your absence.

7. F5MC Software Policy

If you want to install software on ~~Company~~-F5MC computers, you must contact the Executive Director and request to have the software installed. Employees are prohibited from installing any software on any ~~Company~~-F5MC technical resource without the express prior written permission from the Executive Director.

Involving the Executive Director ensures that ~~the Company~~F5MC can manage the software on ~~Company~~-F5MC systems, prevent the introduction of computer viruses, and meet its obligations under any applicable software licenses and copyright laws. Computer software is protected from unauthorized copying and use by federal and state law; unauthorized copying or use of computer software exposes ~~the Company~~F5MC and the individual employee to substantial fines and exposes the individual employee to imprisonment. Therefore, employees may not load personal software onto the ~~Company's~~-F5MC's computer system and may not copy software from ~~the Company~~F5MC for personal use.

8. Your Responsibilities

Each employee is responsible for the content of all text, audio, or images that they place, view or send over ~~the Company~~F5MC's technical resources. Employees may access only files or programs, whether computerized or not, that they have permission to enter.

Violations of any guidelines in this policy may result in disciplinary action up to and including termination of employment. In addition, ~~the Company~~F5MC may advise appropriate legal officials of any violations it believes are illegal.

F. USE OF SOCIAL NETWORKING AND SOCIAL MEDIA

Social media, professional networking sites, rapid-fire communications, blog sites, and personal Web sites are all useful technologies and with the ready availability of these technologies, every employee has an opportunity to express and communicate online in many ways. F5MC realizes these facts and has developed this policy in order to provide its employees with guidelines for expected online behavior. Social media is defined as an electronic service or account, or electronic content, including, but not limited to, videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email online services or accounts, or internet website profiles or locations.

F5MC encourages employees to post freely and exchange opinions and ideas on interactive websites in a way that follows all ~~Company-F5MC~~ policies. Accordingly, the following policy is intended to set forth the terms of ~~the Company's F5MC's~~ policy on employee use of blogs and other interactive websites. This policy covers employees creating, posting, commenting, or uploading to any Internet website, as well as any non-~~Company-F5MC~~ external site, such as media sites, chat rooms, bulletin boards, newsgroups, discussion groups, non-~~Company-F5MC~~ e-mail groups, personal websites, video sharing sites, picture sharing sites, dating sites, and social networking sites (e.g. Facebook, Twitter, YouTube, LinkedIn, etc.), whether or not such sites are set to private. The absence of, or lack of, explicit reference to a specific site does not limit the extent of the application of this policy. Employees are ultimately responsible for what they post online, and should keep in mind that inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject employees to disciplinary action up to and including termination.

Employees should refrain from using social media while on work time and/or on F5MC equipment, unless it is work-related as authorized by your supervisor. Employees may use their own personal devices to engage in social media during breaks and meal periods; however, all F5MC policies against inappropriate usage apply.

Employees should never represent themselves as a spokesperson for F5MC on their personal social media accounts. Employees are not authorized to speak on behalf of F5MC unless given specific prior written approval from the Executive Director. If F5MC is the subject of the content employees are creating, employees should be clear and open about the fact that they are an employee and that they are not speaking on behalf of F5MC.

All F5MC social media should remain professional in nature and should be conducted in accordance with F5MC's mission. F5MC social media sites shall only pertain to F5MC-related, F5MC-sponsored, or F5MC-endorsed programs, services, events, or facilities. F5MC social media sites shall comply with all applicable federal and state laws, regulations, and F5MC policies, including but not limited to those related to the Brown Act, the disclosure of confidential information, including HIPAA, copyright, trademark, privacy laws, and records retention, as may be amended from time to time. F5MC employees or third parties who maintain or manage F5MC social media sites shall not post content on F5MC social media sites that is inconsistent with the mission of the F5MC or that discredits the F5MC or F5MC employees. F5MC employees who maintain or manage F5MC social media sites shall conduct themselves as professional representatives of the F5MC and adhere to all F5MC policies, including this policy. Failure to do so may result in disciplinary action.

Nothing in this policy shall be applied to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor laws or other applicable laws.

Failure to follow F5MC Social Networking and Social Media Policy may lead to disciplinary action, up to and including termination of employment.

G. ELECTRONIC DATA PROTECTION

F5MC is responsible for keeping confidential certain ~~customer~~ information that is kept electronically. Such confidential ~~customer~~ information includes, but is not limited to, social security numbers, drivers' license or California Identification Card numbers, or financial account information. Therefore, employees must closely guard access to computer files that contain such confidential information. Employees are required to password protect any such confidential information and such passwords must be provided to the Executive Director so that ~~the Company F5MC~~ can access such information. Use of encryption technology may

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also be necessary. Employees should contact their supervisor or the ~~Human Resources Liaison~~Operations Officer with any questions they have regarding electronic data protection.

H. ~~USE OF STATIONERY, PHONE, AND MAIL SERVICES~~

All engraved or printed ~~Company-F5MC~~ stationery, envelopes, and other work materials are for ~~Company-F5MC~~ business only. These materials may not be used for personal correspondence or non-business matters. When signing business letters on F5MC letterhead, the employee's name and title or position must be used.

~~Personal use of the telephone for long-distance and toll calls is not permitted. Employees should practice discretion when making local personal calls and may be required to reimburse F5MC for any charges resulting from their personal use of the telephone.~~

Employees are requested not to send or receive personal mail using ~~the Company's F5MC's~~ mail services. Employees will be asked to reimburse the cost of postage for non-business-related materials sent through ~~the Company's F5MC's~~ mail services.

I. SECURITY

You should be alert at all times and should report the presence of any suspicious persons to your supervisor, the ~~Human Resources Liaison~~Operations Officer, or the security guard immediately. You should also maintain your keys in your possession at all times. Do not lend these items to anyone who is not authorized to possess them.

J. SOLICITATION & DISTRIBUTION OF LITERATURE

~~The Company F5MC~~ has established rules, applicable to all employees, to govern solicitation and distribution of written material during working time and entry onto ~~Company-F5MC~~ premises and work areas. All employees are expected to comply strictly with these rules.

1. Defining Key Terms

As used in this policy:

- **"Solicitation"** includes asking employees:
 - for funds or contributions;
 - to purchase goods for charitable or commercial purposes;
 - to sign petitions;
 - to join or become members of a group;
 - to support political candidates; or
 - to support or commit to causes, groups, or interests.
- **"Distribution of literature"** means handing out or giving employees written materials about causes, products, charities, unions, or political issues during working time.
- **"Nonemployees"** are persons who do not work for the Company and include salespersons; representatives of religious, political, or social organizations or associations; representatives of product manufacturers or distributors; and other persons engaged in similar activities.
- **"~~Company-F5MC~~ premises"** include all buildings, roads, parking lots, and land owned or leased by F5MC or used as a worksite. ~~Company-F5MC~~ premises do not include public property such as public streets and public sidewalks.
- **"Public spaces"** are areas not owned or leased by F5MC, including city or county public roads, highways, and sidewalks.
- **"Work areas"** are any areas where actual work is performed for F5MC.
- **"Non-work areas"** include cafeterias, lobbies, parking lots, break rooms, and restrooms but do not include any areas where customers or clients may congregate or employees perform work for F5MC.

2. Permissible Solicitation/Literature Distribution

F5MC does not interfere with, restrain, or coerce employees in exercising their rights under federal or state labor laws. F5MC allows employees to solicit co-workers about causes, interests, political issues, unions, or union organizing during meal and rest

periods and during any other period of nonworking time, so long as employees do not disrupt or interfere with ongoing Company operations or harass other employees.

In addition, employees can distribute written information or materials to co-workers in non-work areas during meal and rest periods or whenever employees and their co-workers are not working. All solicitation must be in a written format and may be left in the staff lounge.

3. Prohibited Solicitation/Literature Distribution

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

In addition, no employee shall distribute or circulate any written or printed material in work areas at any time, during the employee's working time, or during the working time of the employee or employees at whom the activity is directed. No solicitation from outside vendors is permitted.

4. Use of Company Equipment for Solicitation/Literature Distribution by Employees

Employees who have access to the Company's e-mail system may use it to engage in discussions about the terms and conditions of employment during nonworking time. F5MC forbids employees from using Company equipment and supplies to copy or distribute literature or to solicit support for non-work-related causes. ~~Employees who have access to the Company's e-mail system may use it to engage in discussions about the terms and conditions of employment during nonworking time~~

5. Prohibited Discrimination and Harassment

F5MC prohibits any solicitation or distribution of literature that is discriminatory, hateful, harassing, illegal, defamatory, profane, or obscene.

F5MC expects employees to respect the desires of co-workers who do not wish to receive handouts or talk to employees who solicit their support for causes, products, interests, or organizations. F5MC prohibits employees from pressuring co-workers to contribute to or get involved in any causes or activities, even if F5MC supports the causes or activities.

6. Discipline

Employees who violate this policy are subject to disciplinary action, up to and including termination of employment.

7. Solicitation/Literature Distribution by Nonemployees

F5MC prohibits nonemployees from entering ~~Company F5MC~~ premises to ~~solicit support, proselytize, distribute literature, or sell products or services.~~ F5MC has the right to contact local law-enforcement authorities to take action against nonemployees who trespass on ~~company F5MC~~ property. F5MC requires employees to contact Security or the ~~Human Resources Liaison Operations Officer~~ immediately to report nonemployee violations of this policy.

Nonemployees can solicit or distribute literature in public spaces outside ~~Company F5MC~~ premises.

8. Management Contacts

Employees who have questions or complaints about F5MC solicitation/literature distribution policy or who wish to report violations of the policy are encouraged to speak to their supervisors. Employees whose supervisor is involved in a violation should contact the ~~Human Resources Liaison~~ Executive Director.

K. BULLETIN BOARDS

The Company has bulletin boards located throughout the facility for the purpose of communicating with employees. Postings on these boards are limited to ~~Company F5MC~~-related material including statutory and legal notices, safety and disciplinary rules, ~~Company F5MC~~ policies, memos of general interest relating to the ~~Company F5MC~~, local operating rules, and other ~~Company~~

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~~F5MC items. Posting of other material on the bulletin boards is strictly prohibited. The posting of written solicitations on company bulletin boards is restricted. Employees should bulletins them frequently for:~~

- ~~Affirmative Action statement~~
- ~~Employee announcements~~
- ~~Internal memoranda~~
- ~~Job openings~~
- ~~Organization announcements~~
- ~~Payday notice~~
- ~~Workers' compensation insurance information~~
- ~~State disability insurance/unemployment insurance information~~

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~~Posting of other material on the bulletin boards is strictly prohibited If employees have a message of interest to the workplace, they may submit it to the Deputy Director for approval. All approved messages will be posted by the Deputy Director. Postings on the bulletin boards must be approved and posted by F5MC Human Resources Liaison.~~ Please check the bulletin boards regularly.

L. SMOKING POLICY

Employees, clients, vendors, and other guests are not allowed to use tobacco products, use e-cigarettes (e.g. vaping), or otherwise smoke in ~~Company F5MC~~ facilities, client areas, break rooms, vehicles, or restrooms at any time. Outdoor smoking should be limited to at least 20 feet from openings (i.e., doors, windows, vents, etc.). This policy applies equally to all employees, vendors, and visitors.

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M. HEALTH & SAFETY

The health and safety of employees and others on ~~Company F5MC~~ property are of critical concern to F5MC. We strive to attain the highest possible level of safety in all activities and operations. ~~The Company F5MC~~ also intends to comply with all health and safety laws applicable to our business.

To this end, ~~the Company F5MC~~ must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees should be conscientious about workplace safety, including proper operating methods and known dangerous conditions or hazards. You should report any unsafe conditions or potential hazards to your supervisor *immediately*, even if you believe you have corrected the problem. If you suspect a concealed danger is present on the ~~Company's F5MC~~ premises, or in a product, facility, piece of equipment, process, or business practice for which the ~~Company F5MC~~ is responsible, bring it to the attention of your supervisor or the ~~Human Resources Liaison Operations Officer~~ *immediately*. Supervisors should arrange for the correction of any unsafe condition or concealed danger immediately and should contact the ~~Human Resources Liaison Operations Officer~~ regarding the problem.

Periodically, ~~the Company F5MC~~ may issue rules and guidelines governing workplace safety and health. All employees should familiarize themselves with these rules and guidelines as strict compliance will be expected. Contact your supervisor for copies of current rules and guidelines. Failure to comply strictly with rules and guidelines regarding health and safety or negligent work performance that endangers health and safety will not be tolerated.

Additionally, F5MC has developed a written Injury and Illness Prevention Program as required by law. If you have not received your copy of this Program, or if you wish an additional copy, please contact the ~~Human Resources Liaison Executive Director~~. It is your responsibility to read, understand, and observe the Injury and Illness Prevention Program provisions applicable to your job.

Any workplace injury, accident, or illness *must* be reported to your supervisor as soon as possible, regardless of the severity of the injury or accident. If medical attention is required immediately, supervisors will assist employees in obtaining medical care, after which the details of the injury or accident must be reported. First aid supplies are located in strategic areas, accessible to all appropriate personnel. The location of the nearest doctor and/or medical facility is also posted.

VII. BENEFITS

Eligible employees at F5MC are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, state disability, California paid family leave, and unemployment insurance) cover all employees in the manner prescribed by law.

~~The Company's F5MC's~~ benefit programs are intended to comply with state and federal law. In the event that any of the terms of these programs are found by a court or agency of competent jurisdiction to be contrary to any state or federal law, such term(s) will be deemed void and the remainder of the programs shall not be affected.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found in this Handbook.

Some benefit programs require contributions from the employee and such contributions may be increased on an annual basis. Upon becoming eligible for certain employee benefit plans, you will receive Summary Plan Descriptions which describe the benefits in greater detail. For information regarding employee benefits and to answer any questions you may have contact the ~~Company~~ Executive Director.

~~The Company F5MC~~ reserves the right to modify, amend, or terminate benefits and to modify or amend benefit eligibility requirements at any time and for any reason, subject to any legal restrictions.

The Company offers the following employee benefits:

- 457B Retirement Plan
- Dental Insurance
- Health Insurance
- Holidays
- Life Insurance
- Personal Leave
- Vacation Benefits
- Vision Care Insurance
- Auto Mileage
- Family/Medical Leave
- Jury Duty Leave
- Personal Leave
- Travel Allowances

A. HOLIDAYS

F5MC will grant holiday time off to all eligible employees. Holiday pay is available if the holiday falls on a regularly scheduled work day and will be calculated based on the employee's assigned pay rate (as of the date of the holiday) times the number of hours. See holidays (12) listed, and one (1) floating holiday below:

Independence Day
Labor Day
Veterans Day
Thanksgiving
Thanksgiving – Day After
Christmas Eve
Christmas Day
Day after Christmas
New Year's Day

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Martin Luther King, Jr. Day
Presiden'ts Day
Memorial Day
Floating Holiday

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

Suppose a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave). In that case, holiday pay will be provided instead of the paid time off benefit.

If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay an additional half of their hourly rate. All eligible employees will receive one (1) floating holiday. If not used by the end of the fiscal year (June 30th), that floating holiday will expire and may not be carried over.

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In the event of an executive order to declare a holiday by the Governor of the State of California or the Executive Director of the United States, employees may submit a request to use vacation or personal time off for observance.

Paid time off for holidays will be counted as hours worked to determine whether overtime pay is owed.

B. VACATION

All regular full-time and eligible employees are able to accrue vacation benefits on their continuous length of service from when they became eligible for vacation benefits, as shown in the following schedule:

Years of Continuous Service	Total Vacation Days per Year	Accrual Rate Per Pay Period
Initial Eligibility	12	3.69 hrs.
After 3 Yrs.	16	4.92 hrs.
After 6 Yrs.	20	6.15 hrs.
After 9 Yrs.	24	7.38 hrs.

Once employees become eligible, vacation accrues bi-weekly based on the number of hours worked. However, a waiting period of 90 calendar days (3 months) must be completed before vacation time can be used. After that time, employees can request the use of earned vacation time, including that accrued during the waiting period. Increases for vacation accruals will be on the employee's eligible anniversary month.

Paid vacation time may only be used in a minimum of half-hour increments. All vacations must be approved in advance by the employee's supervisor, at least two weeks advance notice. Requests will be reviewed and approved by the Executive Director based on a number of factors, including operational requirements.

Vacation time off is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

Employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. In the event that available vacation is not used by the end of the benefit year, employees may carry unused time forward to the next benefit year. If the total amount of unused vacation time reaches a "cap" equal to 300 hours (37.5 days), further vacation accrual will stop. When the employee uses paid vacation time and brings the available amount below the cap, vacation accrual will begin again.

Upon termination of employment, all employees will be paid for unused vacation time that has been earned through the last day

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of work.

C. PAID SICK LEAVE

F5MC provides paid sick leave benefits to all eligible employees for periods of temporary absence due to personal or family illnesses or injuries. An employee who works 30 or more days for ~~the Company~~F5MC within a year from the commencement of employment is entitled to California mandatory paid sick leave hours pursuant to this policy. Eligible employees will accrue 12 days of sick leave benefits per year. However, employees will not accrue sick leave benefits during any unpaid leave. Sick leave benefits are calculated based on a "benefit year," the 12-month period that begins when the employee starts to earn sick leave benefits.

Employees will receive written notice setting forth the amount of unused paid sick leave available on each payday.

Employees may take paid sick leave for the diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member. In addition, employees may use paid sick leave if they are a victim of domestic violence, sexual assault or stalking. For purposes of this policy, a family member is any of the following:

- A biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis;
- A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child;
- A spouse;
- A registered domestic partner;
- A grandparent;
- A grandchild; or
- A sibling.
- A "designated person." A designated person any individual you identify at the time you request paid sick leave. You are limited to one designated person per 12-month period for purposes of paid sick leave.

Paid sick leave may only be used in minimum of half an hour increments. If possible, employees who cannot report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday. The supervisor must also be contacted on each additional day of absence.

Suppose an employee is absent for four (4) or more consecutive days due to illness or injury. In that case, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may also be requested for other sick leave absences and may be required as a condition for receiving sick leave benefits.

Before returning to work from a sick leave absence of four (4) calendar days or more, an employee must provide a physician's verification that they may safely return to work.

A Sick Time-Off request must be completed in advance unless, in the event of an "unanticipated" event (illness, injury, emergencies, etc.), a request must be completed upon the first day the employee returns to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence. It will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Employees may carry unused time forward to the next benefit year. If the total amount of unused sick leave reaches a cap equal to 160 hours (20 days), further accrual will stop. When the employee uses sick leave and brings the available amount below the cap, accrual will begin again.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury and may not be used for any other absence. Sick leave is not considered part of the wages under California law and has no cash value at the time of separation/termination. Paid sick leave will be paid in accordance with California Labor Code section 246.

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If the need for paid sick leave is foreseeable, employees must provide reasonable advance notification. If the need for paid sick leave is unforeseeable, employees must provide notice of the need for paid sick leave as soon as practicable. ~~The Company~~ F5MC will not deny an employee the right to use available sick days or discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for using available sick days, attempting to exercise the right to use available sick days, filing a complaint regarding or alleging a violation of California mandatory paid sick leave, cooperating in an investigation or opposing any California mandatory paid sick leave policy or practice.

Sick leave is not considered hours worked for purposes of overtime calculation. Paid sick leave hours are forfeited when employment is terminated in any manner. However, if an employee separates from employment and is rehired by ~~the Company~~ F5MC within one year from the date of separation, the employee's previously available paid sick leave hours will be reinstated. In such situation, the rehired employee will be able to use previously unused and available paid sick leave hours upon rehire.

Remote Work

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Under special circumstances, the employee when feasible may request to work remotely during prolonged sick leave (employee/child quarantine, recovery, etc.) . The request shall be reviewed and approved by the Executive Director. Refer to the "Remote Work Policy for detail information.

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D. USE OF VACATION/SICK LEAVE BEFORE UNPAID LEAVE

If you are taking an unpaid leave of absence, there are circumstances where you may be required to use your accrued and unused PTO-vacation before taking unpaid leave or having unpaid absences. In other circumstances, you can choose to use PTO-vacation before taking unpaid leave or having unpaid absences, but it is not required. It will depend on the type of leave you are taking and/or federal and state leave requirements.

Please contact the Human Resources Liaison/Operations Officer to discuss coordination of your benefits.

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments do not begin until after you have been absent from work for seven (7) calendar days. If you have available vacation/sick leave hours, those hours may be used for the first seven (7) days before SDI payments begin.

SDI benefits do not replace all of your usual wages. Unless otherwise prohibited by law, your SDI benefits will be supplemented with any available vacation/sick leave hours, except when an employee is receiving benefits while on parental leave, in which case the employee may elect to supplement benefits with any unused and available vacation/sick leave.

E. CALIFORNIA INSURANCE BENEFITS

California has two programs designed to provide benefits to employees when they are unable to work either because of a personal illness or injury that is not work-related; or the need to care for a qualified family member who is ill or injured; or to bond with a new child. One program applies where the employee is personally ill or injured. The other applies when the employee is not ill but must care for a family member or bond with a new child.

State Disability Insurance (SDI) benefits are available to eligible employees who are personally ill or injured. Unlike the workers' compensation program that covers work-related injuries, SDI benefits are available from the state if the illness or injury is not work related.

Paid Family Leave (PFL) benefits (also known as Family Temporary Disability Insurance (FTDI) benefits) are available to eligible employees who are unable to work as a result of a need to care for qualified family members or to bond with a new child.

Both the SDI and PFL programs are administered by the California Employment Development Department (EDD) and are financed by employee taxes. Both programs work independently from the workers' compensation system, which provides

benefits to eligible employees who sustain work-related illnesses or injuries.

1. Time Missed From Work

The SDI and PFL programs provide benefits to eligible employees who miss work for reasons specified in the programs. Neither program grants employees the right to time off, job protections or reinstatement guarantees if they do miss work. Employees should therefore ask the Human Resources Liaison Operations Officer whether they qualify for a leave of absence under any Company-F5MC policy, the parental leave policy, or applicable law. Employees must satisfy several conditions to be eligible to take different types of leave. Employees are required to provide advance notice of the request for leave to the extent permitted by applicable laws.

2. Advance Notice Rules

Employees who wish to apply for SDI and PFL benefits must submit claims directly with the EDD. The CompanyF5MC is not involved in the administration of the SDI or PFL programs. Because the EDD provides benefits to eligible employees who take time off from work, employees must submit their request for time off in writing as far in advance as is reasonably possible.

It is the responsibility of each employee to provide a written request for time off at least 30 days before the absence is expected to begin whenever the need for the absence is foreseeable. If the need for the absence is sudden and unforeseeable, the employee must provide notice as soon as possible and practicable. However, the notice must be provided no later than the day on which the absence begins.

When feasible, the notice and request for time off must be accompanied by proper medical certification that does not include the underlying medical diagnosis or other confidential medical information. In providing this medical certification, the CompanyF5MC shall comply with the provisions of the Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits employers from requesting or requiring genetic information of an employee or family member of the employee, except as specifically allowed by this law. To comply with GINA, the CompanyF5MC is asking that employees not provide any genetic information when responding to this request for medical information. Please see the Requests for Medical Certification policy in this Handbook for more information.

~~3. Use of Vacation/Sick While on Leave~~

~~If you are taking an unpaid leave of absence, there are circumstances where you may be required to use your accrued and unused PTO before taking unpaid leave or having unpaid absences. In other circumstances, you can choose to use Vacation before taking unpaid leave or having unpaid absences, but it is not required. It will depend on the type of leave you are taking and/or federal and state leave requirements.~~

~~Please contact Human Resources to discuss coordination of your benefits.~~

4.3. Concurrent Use of PFL and Other Leave Time

If an employee is eligible for PFL benefits and also for leave under F5MCa-Company policy, the time off will run concurrently with time available under all applicable leave of absence policies maintained by the CompanyF5MC. This includes leave where the employee is eligible for time off pursuant to the parental leave policy. As a result, if an employee receives benefits under the PFL program, the time taken off will be counted against the maximum limitations on time off imposed by all potentially applicable Company-F5MC leave policies and the parental leave rules, to the extent legally permissible.

F. INSURANCE BENEFITS

1. Medical Insurance

Full-time employees and some part-time employees are eligible for medical insurance coverage under the Company'sF5MC's policy. Medical insurance coverage is a benefit provided by the CompanyF5MC. Employees should consult the Summary Plan Description for more complete information about eligibility and the details of the Company'sF5MC's medical insurance plan. Copies of the Plan Document and Summary Plan Description are available from the Human Resources Liaison Executive Director. The Plan Document is controlling. Consistent with California state law, F5MC medical insurance provides the same coverage to an employee's registered domestic partner as is provided to an employee's spouse.

The Company F5MC will not discharge, discriminate against, or otherwise retaliate against any employee because the employee has: received a credit or subsidy pursuant to the Affordable Care Act; provided, caused to provide, or is about to provide or cause to be provided to the Company F5MC, the federal government, or the California attorney general information relating to any violation of, or any act or omission the employee reasonably believes to be a violation of, any provision of the Affordable Care Act; testified or is about to testify in a proceeding concerning such violation; assisted or participated, or is about to assist or participate, in such a proceeding; or objected to, or refused to participate in, any activity, policy, practice or assigned task that the employee reasonably believed to be in violation of the Affordable Care Act.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) Policy for more information.

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2. Dental and Vision Insurance

Full-time employees and some part-time employees are eligible for dental and vision insurance coverage under ~~the Company's~~ F5MC's policy. Dental and vision insurance coverage is a benefit provided by ~~the Company~~ F5MC. Employees should consult the Summary Plan Descriptions for more complete information about eligibility and the details of the Company's dental and vision insurance plans. Copies of the Plan Documents and Summary Plan Descriptions are available from the ~~Human Resources Liaison~~ Operations Officer. The Plan Documents are controlling.

3. Supplemental Employee Benefits

F5MC is committed to offering the most comprehensive, cost effective employee benefit programs available, to this end F5MC has aligned itself with AFLAC. The policy's available for selection by the employee are those most beneficial to them. 100% of the premium for these supplemental insurance programs are the responsibility of the employee, as the employee receives 100% of the benefits derived therefrom. For more information on the AFLAC supplemental insurance benefit programs, see the ~~Human Resources Liaison~~ Operations Officer for details.

4. Unemployment Compensation

The Company contributes to the Unemployment Insurance Fund on behalf of its employees.

5. Social Security

You may be eligible to receive these benefits upon your retirement and/or perhaps in other circumstances in accordance with the Social Security laws.

6. Workers' Compensation

F5MC provides a comprehensive workers' compensation insurance program at no cost to employees. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately. If you are injured or become ill on the job, then you may receive, at no cost to you, workers' compensation insurance benefits which may include medical care, compensation, and vocational rehabilitation. To receive workers' compensation benefits, you must:

- a. Report any work-related injury to your supervisor immediately;
- b. Complete a written claim form and return it to the ~~Human Resources Liaison~~ Operations Officer; and
- c. Seek medical treatment and follow-up care, if required.

-Neither F5MC nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by F5MC.

VIII. LEAVES OF ABSENCE AND OTHER TIME OFF

A. PREGNANCY DISABILITY LEAVE

1. Employee Eligibility

The Company F5MC will grant an unpaid pregnancy disability leave if you are disabled because of your pregnancy, childbirth, or a related medical condition. The Company F5MC will not interfere with, attempt to interfere with, restrain, or deny an employee's rights to pregnancy disability leave.

2. Leave Available

If you are disabled due to pregnancy, childbirth, or a related medical condition, you may take up to a maximum of four months leave per pregnancy. The leave available is determined based on the number of days or hours the employee would normally work within four calendar months (one-third of a year equaling 17 and one-third 1/3 weeks). If the employee's schedule varies from month to month, a monthly average of hours worked over the four months prior to the beginning of the leave shall be used for calculating the employee's normal work. As an alternative, the Company F5MC may modify work practices or policies, work duties, or work schedules, provide furniture, or transfer you to a less strenuous or hazardous position if you so request, with the advice of your physician, and if it may be reasonably accommodated. Under some circumstances, employees may take pregnancy disability leave intermittently. Intermittent pregnancy disability leave must be taken in increments of at least one hour. Leave taken under the pregnancy disability policy does not run concurrently with parental leave.

3. Notice & Certification Requirements

You must provide the Company F5MC with reasonable advance notice of your need for a pregnancy disability leave. An employee must provide at least 30 days advance notice before the start of reasonable accommodation, transfer or pregnancy disability leave if the need is foreseeable. If the employee is unable to give 30 days' advance notice because it is not known when reasonable accommodation, transfer or leave will be required to begin or because of a change in circumstances, a medical emergency or other good cause, notice must be given as soon as practicable. In addition, you must provide the Company F5MC with a health care provider's statement certifying the last day you can work, and the expected duration of your leave, and which states that due to the disability, the employee is unable to perform one or more of the essential functions of her positions without undue risk to herself, the successful completion of her pregnancy, or to other persons. The Company F5MC will provide you with a medical certification form for your health care provider to complete. When leave is foreseeable and at least 30 days notice has been provided, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the medical certification to the Company F5MC within 15 calendar days after the Company's F5MC's request, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts.

In providing this medical certification, the Company F5MC shall comply with the provisions of the Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits employers from requesting or requiring genetic information of an employee or family member of the employee, except as specifically allowed by this law. To comply with GINA, the Company F5MC is asking that employees not provide any genetic information when responding to this request for medical information. Please see the Requests for Medical Certification policy in this Handbook for more information.

4. Compensation During Leave

If you are granted a pregnancy disability leave, the Company F5MC will pay you sick pay for the period of time equivalent to your available paid sick leave. Once you have exhausted your paid sick leave, you will have the option of using any accrued but unused vacation time. All of those payments will be integrated with any state disability or other wage reimbursement benefits that you may receive. At no time will you receive a greater total payment than your regular compensation.

5. Benefits During Leave

If you are eligible for pregnancy disability leave, and are otherwise eligible for medical insurance coverage under F5MC's the Company's policy, you may continue participating in any health and welfare benefit plans in which you were enrolled before the

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~~first day of the leave as set forth in detail in the Family and Medical Leave policy.~~ F5MC will maintain and pay for group health coverage for up to four months of your leave. The coverage will remain at the same level and under the same conditions as it would have been had you not taken pregnancy disability leave.

The time that ~~the Company~~F5MC maintains and pays for the employee's medical insurance coverage during the pregnancy disability leave will not be used to meet ~~the Company's~~F5MC's obligation to pay for 12 weeks of medical insurance coverage during parental leave. ~~Additionally, vacation days and sick leave do not accrue during any period of a leave of absence, including pregnancy disability leave.~~

6. Reinstatement

Upon the submission of a medical certification from a health care provider that you are able to return to work, you will, in most circumstances, be offered the same position held at the time of the leave. However, you will not be entitled to any greater right to reinstatement than if you had been employed continuously rather than on leave. For example, if you would have been laid off if you had not gone on leave, then you will not be entitled to reinstatement.

If upon return from a pregnancy disability leave you are unable to perform the essential functions of the job because of a physical or mental disability, ~~the Company~~F5MC will engage in the interactive process with you to determine if there is a reasonable accommodation that may be provided to enable you to perform the essential functions of your position to the extent that doing so would not create an undue hardship for ~~the Company~~F5MC.

B. CALIFORNIA FAMILY RIGHTS ACT

California's California Family Rights Act (CFRA) provides up to 12 workweeks of unpaid family/medical leave within a 12-month period, under the following conditions:

- You have been employed with ~~the Company~~F5MC for a total of at least 12 months prior to the commencement of leave. The 12 months of employment must have accumulated within the previous seven years (certain exceptions apply).
- You have worked at least 1,250 hours during the previous 12-month period before the need for leave*.
*Special hours of service eligibility requirements apply to airline flight crew employees.

Leave may be taken for one or more of the following reasons:

- Your serious health condition that makes you unable to perform your job.
- To care for your family member who has a serious health condition. For purposes of CFRA leave, a "family member" includes your:
 - Spouse
 - Parent
 - Child of any age (biological, adopted, foster, step, legal ward, child of domestic partner, or a person to whom the employee stands in loco parentis)
 - Registered domestic partner
 - Grandparent
 - Grandchild
 - Sibling
 - Parent-in-law
 - Designated person." This is someone else with a blood or family-like relationship with you. You may identify this individual at the time you request leave. You are limited to one designated person per 12-month period for purposes of CFRA leave.
- The birth of your child, or placement of a child with you for adoption or foster care.
- Because of a qualifying exigency related to covered active duty or a call to covered active duty of your spouse, registered domestic partner, child, or parent in the Armed Forces of the United States. (See Qualifying Exigencies

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Related to Active Duty below.)

Please note that incapacity due to pregnancy, prenatal medical care or childbirth is not an eligible reason for CFRA leave. (See the *Pregnancy Disability Leave Policy* for more information).

For additional information about eligibility for CFRA leave, contact the ~~Company~~-Executive Director.

Qualifying Exigencies Related to Active Duty

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Eligible employees whose spouse, domestic partner, child or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement for certain qualifying exigencies. Qualifying exigencies may include, but are not necessarily limited to, attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Calculating the 12-month Period.

For purposes of calculating the 12-month period during which 12 weeks of CFRA leave may be taken, ~~the Company~~F5MC uses a "rolling" 12-month period measured backward from the date an employee uses any CFRA leave. [e.g., rolling year measured backward from the date an employee uses any CFRA leave, calendar year].

Pregnancy, Childbirth or Related Conditions and Baby Bonding

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Leave because of a disability for pregnancy, childbirth or related medical condition is not counted as time used under CFRA leave. Employees who take time off for pregnancy disability will be placed on pregnancy disability leave (PDL). (See *Pregnancy Disability Leave policy* for more information.)

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Once the pregnant employee is no longer disabled, or once the employee has given birth and exhausted PDL, the employee may apply for leave under the CFRA, for purposes of baby bonding.

Any leave taken for the birth, adoption, or foster care placement of a child does not have to be taken in one continuous period of time. CFRA leave taken for the birth or placement of a child will be granted in minimum amounts of two weeks. However, ~~the Company~~F5MC will grant a request for a CFRA leave (for birth/placement of a child) of less than two weeks' duration on any two occasions. ~~The Company~~F5MC may also grant additional requests for leave lasting less than two weeks at its discretion. Any leave taken must be concluded within one year of the birth or placement of the child with the employee.

Leave Procedures

The following procedures shall apply to CFRA leave:

- Please contact the ~~Company~~-Executive Director as soon as you realize the need for family/medical leave. If the leave is based on the expected birth, placement for adoption or foster care, or planned medical treatment for your serious health condition or that of a family member, you must notify ~~the Company~~F5MC at least 30 days before leave is to begin. You must consult with the ~~Company~~-Executive Director regarding scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of ~~the Company~~F5MC. Any such scheduling is subject to the approval of your health care provider or the health care provider of your family member.
- If you cannot provide 30 days' notice, ~~the Company~~F5MC must be informed as soon as is practical.
- If the CFRA request is made because of your own serious health condition, ~~the Company~~F5MC may require, at its expense, a second opinion from a health care provider that ~~the Company~~F5MC chooses. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by ~~the Company~~F5MC.
- If the second opinion differs from the first opinion, ~~the Company~~F5MC may require you, at ~~the Company's~~F5MC's expense, to obtain the opinion of a third health care provider designated or approved jointly by you and the employer. The opinion of the third health care provider shall be considered final and binding on you and ~~the Company~~F5MC.

Certification

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[▲]The CompanyF5MC requires you to provide certification. You will have 15 calendar days from the Company'sF5MC's request for certification to provide it to the CompanyF5MC, unless it is not practical to do so. The CompanyF5MC may require recertification from the health care provider if you request additional leave upon expiration of the time period in the original certification. (For example, if you need two weeks of family and medical leave, but following the two weeks you need intermittent leave, a new medical certification will be requested and required.) If you do not provide medical certification in a timely manner to substantiate the need for family and medical leave, the CompanyF5MC may delay approval of the leave, or continuation thereof, until certification is received. If certification is never received, the leave may not be considered CFRA leave.

If the leave is needed to care for a sick family member, you must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition
- Probable duration of the condition
- Estimated amount of time for care by the health care provider
- Confirmation that the serious health condition warrants your participation

If your serious health condition is the reason for leave, you must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition
- Probable duration of the condition
- Your inability to work at all or to perform any one or more of the essential functions of your position because of the serious health condition

If you are on leave because of your own serious health condition, the CompanyF5MC will also require a medical release to return to work form or certification from your health care provider that you are able to resume work.

Failure to provide a release to return to work from your health care provider may result in denial of reinstatement until the certificate is obtained.

Leave Related to Military Service

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[▲]A leave taken due to a "qualifying exigency" related to military service must be supported by a certification of its necessity. Special certification requirements apply to leaves related to military service.
Health and Benefit Plans

If you are taking CFRA leave, you will be allowed to continue participating in any health and welfare benefit plans in which you were enrolled in before the first day of the leave (for a maximum of 12 workweeks) at the level and under the conditions of coverage as if you had continued in employment for the duration of such leave. The CompanyF5MC will continue to make the same premium contribution as if you had continued working. The continued participation in health benefits begins on the date leave first begins. In some instances, the CompanyF5MC may recover premiums paid to maintain health coverage if you fail to return to work following CFRA leave.

Employees on pregnancy disability leave will be allowed to continue to participate in group health coverage for up to a maximum of four months of pregnancy disability leave (if such insurance was provided before the leave was taken) on the same terms as if you had continued to work. The right to continued group health coverage during pregnancy disability leave is a separate and distinct entitlement from the CFRA entitlement.

-Payment is due when it would be made by payroll deduction.

Substitution of Paid Leave

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Generally, CFRA leave is unpaid. ~~The Company~~F5MC may require, or you may choose, to use accrued paid leave while taking CFRA leave. In order to use paid leave for CFRA leave, you must comply with ~~the Company's~~F5MC's normal paid leave policies. For more information on those specific circumstances requiring or allowing the substitution of paid leave contact the Company Executive Director.

Reinstatement

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Under most circumstances, upon return from CFRA leave, you will be reinstated to your original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if an employee on CFRA leave would have been laid off had the employee not gone on leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement. In addition, an employee's use of CFRA leave will not result in the loss of any employment benefit that the employee earned before using CFRA leave.

Time Accrual

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Please contact the ~~Company~~ Executive Director with any questions regarding accrual of other ~~Company~~ F5MC provided paid leave benefits (such as vacation, ~~PTO~~ or sick leave) during unpaid CFRA leave.

Carryover

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Leave granted under any of the reasons provided by CFRA and/or FMLA will be counted as family/medical leave and will be considered as part of the 12-workweek entitlement in any 12-month period. No carryover of unused leave from one 12-month period to the next 12-month period is permitted.

Intermittent Leave

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You may take CFRA leave intermittently (in blocks of time, or by reducing your normal weekly or daily work schedule) if the leave is for your serious health condition or that of a qualifying family member and the reduced leave schedule is medically necessary as determined by the health care provider of the person with the serious health condition. The smallest increment of time that can be used for such leave is ~~one hour maximum~~.

See also the discussion of Pregnancy, Childbirth or Related Conditions and Baby Bonding above.

For more information on eligibility for CFRA leave and how it may or may not interact with FMLA leave, contact the ~~Company~~ Executive Director.

The following procedures shall apply to CFRA leave:

- Please contact the ~~Company~~ Executive Director as soon as you realize the need for family/medical leave. If the leave is based on the expected birth, placement for adoption or foster care, or planned medical treatment for your serious health condition or that of a family member, you must notify ~~the Company~~F5MC at least 30 days before leave is to begin. You must consult with the ~~Company~~ Executive Director regarding scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the Company. Any such scheduling is subject to the approval of your health care provider or the health care provider of your family member.
- If you cannot provide 30 days' notice, ~~the Company~~F5MC must be informed as soon as is practical.
- If the CFRA request is made because of your own serious health condition, ~~the Company~~F5MC may require, at its expense, a second opinion from a health care provider that ~~the Company~~F5MC chooses. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by ~~the Company~~F5MC.

- If the second opinion differs from the first opinion, ~~the Company~~F5MC may require you, at ~~the Company's~~F5MC's expense, to obtain the opinion of a third health care provider designated or approved jointly by you and the employer. The opinion of the third health care provider shall be considered final and binding on you and ~~the Company~~F5MC.

Certification

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~~The Company~~F5MC requires you to provide certification. You will have 15 calendar days from ~~the Company's~~F5MC's request for certification to provide it to ~~the Company~~F5MC, unless it is not practical to do so. ~~The Company~~F5MC may require recertification from the health care provider if you request additional leave upon expiration of the time period in the original certification. (For example, if you need two weeks of family and medical leave, but following the two weeks you need intermittent leave, a new medical certification will be requested and.) If you do not provide medical certification in a timely manner to substantiate the need for family and medical leave, ~~the Company~~F5MC may delay approval of the leave, or continuation thereof, until certification is received. If certification is never received, the leave may not be considered CFRA leave.

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If the leave is needed to care for a sick family member, you must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition
- Probable duration of the condition
- Estimated amount of time for care by the health care provider
- Confirmation that the serious health condition warrants your participation.

If your serious health condition is the reason for leave, you must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition
- Probable duration of the condition
- Your inability to work at all or to perform any one or more of the essential functions of your position because of the serious health condition

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If you are on leave because of your own serious health condition, ~~the Company~~F5MC will also require a medical release to return to work form or certification from your health care provider that you are able to resume work.

Failure to provide a release to return to work from your health care provider may result in denial of reinstatement until the certificate is obtained.

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Leave Related to Military Service

A leave taken due to a "qualifying exigency" related to military service must be supported by a certification of its necessity. Special certification requirements apply to leaves related to military service.

Health and Benefit Plans

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If you are taking CFRA leave, you will be allowed to continue participating in any health and welfare benefit plans in which you were enrolled in before the first day of the leave (for a maximum of 12 workweeks) at the level and under the conditions of coverage as if you had continued in employment for the duration of such leave. ~~The Company~~F5MC will continue to make the same premium contribution as if you had continued working. The continued participation in health benefits begins on the date leave first begins. In some instances, ~~the Company~~F5MC may recover premiums paid to maintain health coverage if you fail to return to work following CFRA leave.

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Employees on pregnancy disability leave will be allowed to continue to participate in group health coverage for up to a maximum of four months of pregnancy disability leave (if such insurance was provided before the leave was taken) on the same terms as if you had continued to work. The right to continued group health coverage during pregnancy disability leave is a separate and distinct entitlement from the CFRA entitlement.

Payment is due when it would be made by payroll deduction.

Substitution of Paid Leave

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Generally, CFRA leave is unpaid. ~~The Company~~F5MC may require, or you may choose, to use accrued paid leave while taking CFRA leave. In order to use paid leave for CFRA leave, you must comply with ~~the Company's~~F5MC's normal paid leave policies. For more information on those specific circumstances requiring or allowing the substitution of paid leave contact the ~~Company~~ Executive Director.

Reinstatement

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Under most circumstances, upon return from CFRA leave, you will be reinstated to your original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if an employee on CFRA leave would have been laid off had the employee not gone on leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement. In addition, an employee's use of CFRA leave will not result in the loss of any employment benefit that the employee earned before using CFRA leave.

Intermittent Leave

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You may take CFRA leave intermittently (in blocks of time, or by reducing your normal weekly or daily work schedule) if the leave is for your serious health condition or that of a qualifying family member and the reduced leave schedule is medically necessary as determined by the health care provider of the person with the serious health condition. The smallest increment of time that can be used for such leave is ~~one hour maximum~~.

1. Other Leaves

A personal leave of absence without pay may be granted at the discretion of Management. Personal leave should be limited to unusual circumstances requiring an absence of no longer than 30 days.

California offers many programs pertaining to leaves. These leaves are outlined on 2020 labor poster located in breakroom. If you have questions, please contact ~~Human Resources~~the Executive DirectorOperations Officer. ~~The Company~~F5MC complies with all required leaves, if a leave is not mentioned within these policies this does not mean that such a leave is not available and you should reach out to the Executive Director for questions regarding leave availability and eligibility.

C. WORKERS' COMPENSATION DISABILITY LEAVE

1. Employee Eligibility

~~The Company~~F5MC will grant you a workers' compensation disability leave in accordance with state law if you incur an occupational illness or injury. As an alternative, the Company may offer you modified work.

2. Notice & Certification Requirements

You must report all accidents, injuries, and illnesses, no matter how minor, to your immediate supervisor. You must also provide ~~the Company~~F5MC with a health care provider's statement certifying your work-related illness or injury, your inability to work, and the expected duration of your leave.

In providing this medical certification, ~~the Company~~F5MC shall comply with the provisions of the Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits employers from requesting or requiring genetic information of an employee or family member of the employee, except as specifically allowed by this law. To comply with GINA, ~~the Company~~F5MC is asking

that employees not provide any genetic information when responding to this request for medical information. Please see the Requests for Medical Certification policy in this Handbook for more information.

3. Compensation During Leave

Workers' compensation disability leaves are without pay. However, you may utilize accrued vacation time and any other available paid time off during the leave. All of those payments will be coordinated with any state disability, workers' compensation, or other wage reimbursement benefits for which you may be eligible. At no time will you receive a greater total payment than your regular compensation.

4. Benefits During Leave

If you are eligible for workers' compensation disability leave, and are otherwise eligible for medical insurance coverage under ~~the CompanyF5MC~~'s policy, F5MC will maintain and pay for health coverage for up to two (2) months of your leave. The coverage will remain at the same level and under the same conditions as it would have been had you not taken workers' compensation disability leave. After two (2) months, you may continue your group health insurance coverage through ~~the CompanyF5MC~~ in conjunction with federal Consolidated Omnibus Budget Reconciliation Act (COBRA) guidelines. You should contact the ~~Human Resources Liaison Operations Officer~~ for further information.

5. Reinstatement

Upon the submission of a medical certification that you are able to return to work, you will be reinstated in accordance with applicable law. If you are disabled due to an industrial injury, ~~the CompanyF5MC~~ will attempt to engage in the interactive process with you to determine if there is a reasonable accommodation that may be provided to enable you to perform the essential functions of your position to the extent that doing so would not create an undue hardship for ~~the CompanyF5MC~~.

D. MILITARY LEAVE (ACTIVE AND RESERVE SERVICE)

An employee who enters the Armed Forces of the United States will be placed on extended leave without pay in accordance with applicable federal and California laws (e.g. the Uniformed Services Employment and Reemployment Rights Act and the California Military and Veterans Code). Employees may use any available paid time off for such an absence. Upon completion of military service, the employee will be reinstated with full seniority to the employee's former position or to a comparable position, if application for reemployment is made within 90 calendar days of release from the service or hospitalization following such service.

An employee who is a member of the National Guard or a reserve component of the Armed Forces shall, upon furnishing a copy of the official orders or instructions, be granted a military training leave. Training leaves will not, except in an emergency or in the event of extenuating circumstances, exceed two weeks a year, plus reasonable travel time.

All leave requests must be presented in writing on the appropriate form to the employee's supervisor or department head as far in advance as possible. The leave requests will be promptly forwarded to the ~~Human Resources Liaison Operations Officer~~ for processing and final approval.

E. MILITARY SPOUSE LEAVE POLICY

Employees who work more than 20 hours per week and have a spouse in the Armed Forces, National Guard or Reserves who have been deployed during a period of military conflict are eligible for up to 10 unpaid days off when their spouse is on leave from military deployment.

Employees must request this leave in writing to the ~~Human Resources Liaison Operations Officer~~ within two business days of receiving official notice that their spouse will be on leave. Employees requesting this leave are required to attach to the leave request written documentation certifying the spouse will be on leave from deployment.

F. BEREAVEMENT LEAVE

In the event of a death in your immediate family, ~~you-employees~~ may have up to five (5) days off of leave to handle family affairs

and attend the funeral. ~~The Company~~F5MC will pay for three (3) days ~~of the five (5) allowed for those~~ in the state of California, and pay (5) days if the death is out of state. "Immediate family" is defined as your father, mother, brother, sister, spouse, registered domestic partner, child, child of your spouse or registered domestic partner, mother-in-law, father-in-law, grandparents, and grandchildren. Special consideration may also be given to any other person whose association with the employee was similar to any of the above relationships, however, F5MC has the final determination regarding the granting of bereavement leaves for these relationships which do not fit the "immediate family" definition. The days of bereavement leave do not need to be taken consecutively, however, you must complete your bereavement leave within three months of your family member's death, at which time any remaining unused bereavement leave will expire. Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Employees may, with the Company's approval, use any available vacation for additional time, as necessary.

G. CIVIC DUTY TIME OFF

F5MC encourages employees to serve on jury or witness duty when called. You must notify your supervisor of the need for time off for jury or witness duty as soon as a notice or summons from the court or a subpoena is received. If the appearance in court is unscheduled or an emergency appearance, advance notice is not required, but you may be required to provide evidence from the court within a reasonable time after your appearance that shows you appeared in court.

Jury and/or witness duty is paid with a cap for paid time for jury services to 10 working days. Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. The employee must provide a copy of the jury summons or subpoena to appear in court. Additionally, to be received for days of absence, the employee must present a certificate or proof from the court verifying jury service or testimony for each day of absence along with the time card. Benefit such as vacation, sick leave, or holiday benefits will continue to be accrued during jury duty leave. In the event that this civic service exceeds 10 working days, employees will be provided time off as required by law.

H. TIME OFF CHILD CARE SCHOOL ACTIVITIES

If you are a parent, guardian, stepparent, foster parent or grandparent of, or a person who stands in loco parentis to, a child in kindergarten, grades 1-12, inclusive, or a licensed child care provider and you wish to take time off to visit your child's school or licensed child care provider to participate in activities or to find, enroll or reenroll your child in a school or with a licensed child care provider, you may take off up to eight hours each calendar month, per child, provided you give reasonable notice to the ~~Human Resources Liaison~~Operations Officer of your planned absence. You may also take time off to address a child care provider or school emergency if you give notice to the ~~Human Resources Liaison~~Operations Officer. The maximum amount of time off is 40 hours each calendar year. Employees wishing to take leave for a child's school or licensed child care provider activities may utilize their existing vacation time or other available paid time off. ~~The Company~~F5MC requires documentation from the school or licensed child care provider noting the date and time of your participation in activities.

If both parents of a child work for ~~the Company~~F5MC, only one parent--the first to provide notice--may take the time off, unless ~~the Company~~F5MC approves both parents taking time off simultaneously.

You also may take time off to attend a school conference involving the possible suspension of your child or ward. The time off is unpaid. Employees may use their accrued and unused vacation to cover the time off. ~~The Company~~F5MC will not discriminate against employees who take time off to appear at their child's or ward's school in connection with a suspension from a class or school. Please contact your supervisor if time off is needed for this reason.

I. VOTING TIME

Because ~~the Company~~F5MC has a continuing interest in encouraging responsible citizenship, employees are urged to vote for candidates and issues of their choice at local, state, and national elections. To make the voting process more available, employees who do not have sufficient time outside their working hours within which to vote will be allowed to take up to two hours off at the beginning or end of the employee's work schedule, with pay, for this purpose. To receive time off for voting, employees

must notify their supervisor and present a valid voter's registration card. When employees return from voting, it is necessary to present a voter's receipt to their supervisor. Two hours maximum may be arranged in advance with their supervisor.

J. VOLUNTEER CIVIL SERVICE LEAVE

Employees who are registered as a volunteer firefighter, reserve peace officer, or emergency rescue personnel (e.g. any officer, employee, or member of a fire department or fire protection or firefighting agency, or of a sheriff's department, police department, or a private fire department, whether a volunteer or paid worker, or any officer, employee, or member of a disaster medical response entity sponsored or requested by the state) who would like to perform emergency duty during work hours must notify their supervisor and the ~~Human Resources Liaison~~ Operations Officer. Also, please alert your supervisor before leaving the premises when summoned for emergency duty.

All time off to serve as a volunteer is unpaid.

K. VICTIMS OF VIOLENCE OR STALKING

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. This may include efforts to obtain a temporary restraining order, a restraining order, or other injunctive relief from a court.

If an employee needs time off from work for one of these purposes or any other purpose protected by law, reasonable notice must be provided to the ~~Human Resources Liaison~~ Operations Officer, in writing. If an unscheduled or emergency court appearance is required for the health, safety or welfare of the domestic violence, sexual assault or stalking victim or a child, the employee must provide evidence from the court or prosecuting attorney that the employee has appeared in court within a reasonable time after the court appearance.

Employees may use their available vacation/sick leave to cover the period of the absence.

In addition, ~~the Company~~ F5MC will provide a reasonable accommodation(s) for a victim of domestic violence, sexual assault, or stalking who requests an accommodation for the safety of the employee while at work provided the accommodation does not constitute an undue hardship on ~~the Company~~ F5MC.

Employees may also take time off to seek medical attention for injuries caused by domestic violence, sexual assault or stalking; obtain services from a domestic violence shelter, program or rape crisis center as a result of domestic violence, sexual assault or stalking; obtain psychological counseling related to domestic violence, sexual assault or stalking; and participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault or stalking, including temporary and permanent relocation. If feasible, employees should provide reasonable advance notice of their intent to take such time off. If not feasible, employees should provide certification of the need for leave within a reasonable time. Certification includes a police report, court order or documentation from a medical professional, advocate, health care provider or counselor. ~~The Company~~ F5MC will maintain the confidentiality of any employee who requests leave as a result of domestic violence, sexual assault or stalking. Employees may use their unused and available vacation/sick leave to cover the period of leave. This leave is limited to 12 weeks in a 12-month period.

~~The Company~~ F5MC will provide written notice to new employees and to current employees upon their request of these rights for victims of domestic violence, sexual assault or stalking.

L. TIME OFF FOR VICTIMS OF SERIOUS CRIMES

Under certain circumstances provided by law, employees who are victims of serious crimes may take time off from work to participate in judicial proceedings. Qualified family members of such crime victims may also be eligible to take time off from work to participate in judicial proceedings. The law defines a serious crime to include violent or serious felonies, including felonies involving theft or embezzlement. Where possible, employees must provide the Company advance notice of the need for time off.

2023

Employees may use their available vacation/sick leave to cover the period of the absence in accordance with the provisions of California law.

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IX. TERMINATION

A. VOLUNTARY TERMINATION

F5MC will consider an employee to have voluntarily terminated the employee’s employment if an employee does any of the following:

- Elects to resign from ~~F5MC~~the Company;
- Fails to return from an approved leave of absence on the date specified by ~~the Company~~F5MC unless otherwise agreed to by ~~the Human Resources Liaison~~F5MC pursuant to state or federal law; or
- Fails to report for work without notice to the Company F5MC.

F5MC will schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to F5MC, or return of F5MC-owned property. Suggestions, complaints, and questions can also be voiced.

Employees will receive their final pay in accordance with applicable state law. Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.~~The Company Should employees voluntarily resign from their position with F5MC, F5MC would requests appreciate~~ two weeks' advance notice in written form indicating the effective date of your voluntary ~~termination~~resignation. This will allow the Company time to seek a replacement for your position without a loss of work activity.

B. INVOLUNTARY TERMINATION

While the decision to commence employment is consensual, the same is not always true when the time comes to terminate the employment relationship. As an at-will employer, the Company reserves the right to end the employment relationship at any time, with or without cause or notice. In the event your employment is terminated, please return all property owned by the Company to the ~~Human Resources Liaison~~Operations Officer prior to your departure.

X. CONCLUSION

Many F5MC policies and employee benefits have been discussed only briefly in this Handbook. Nothing in this Handbook is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment with ~~the Company~~F5MC. The policies in this Handbook do not apply to employees who are exercising their statutory rights to organize or engage in concerted activity under the National Labor Relations Act or other laws.

If you have any questions or want more information, your supervisor will be glad to fill in the details for you. The ~~Human Resources Liaison~~Operations Officer will also be happy to help you with questions or concerns.

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Confirmation of Receipt – Employee Copy

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I have received my copy of the Madera County Children and Families Commission's (F5MC) employee handbook. I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the handbook.

I understand and agree that nothing in the employee handbook creates or is intended to create a promise or representation of continued employment and that employment at F5MC is employment at-will; employment may be terminated at the will of either ~~the Company~~F5MC or myself. My signature certifies that I understand that the foregoing agreement on at-will status is the sole and entire agreement between ~~the Company~~F5MC and myself concerning the duration of my employment and the circumstances under which my employment may be terminated. It supersedes all prior agreements, understandings, and representations concerning my employment with F5MC.

I understand that except for employment at-will status, any and all policies or practices can be changed at any time by ~~the Company~~F5MC. ~~The Company~~F5MC reserves the right to change my hours, wages, and working conditions at any time. I understand and agree that other than the Executive Director ~~of the Company~~, no manager, supervisor, or representative of ~~the Company~~F5MC has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; only the Executive Director has the authority to make any such agreement and then only in writing, signed by the Executive Director.

Employee's Signature _____

Employee's Printed Name _____

Date _____

Confirmation of Harassment Discrimination and Retaliation Prevention Policy – Employee Copy

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I have received my copy of ~~the Company's~~F5MC's Harassment, Discrimination and Retaliation Prevention policy. I understand and agree that it is my responsibility to read and familiarize myself with this policy.

I understand that ~~the Company~~F5MC is committed to providing a work environment that is free from harassment, discrimination and retaliation. My signature certifies that I understand that I must conform to and abide by the rules and requirements described in this policy.

Employee's Signature _____

Employee's Printed Name _____

Date _____

Confirmation of Receipt – Employer Copy

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Employee's Printed Name _____

Date _____

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Employee's Signature _____

Employee's Printed Name _____

Date _____



MADERA COUNTY CHILDREN AND FAMILIES COMMISSION

Personnel Handbook

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Welcome, new employee!

On behalf of the Madera County Children and Families Commission (herein referred to as First 5 Madera County), I welcome you and wish you every success here.

We believe that each employee contributes directly to First 5 Madera County's growth and success, and we hope you will take pride in being a member of our team.

This handbook was developed to describe some of the policies, procedures, benefits, and expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with First 5 Madera County.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome! Sincerely,

Executive Director

Commission Chairman

INTRODUCTORY STATEMENT

This handbook is designed to acquaint you with First 5 Madera County and provide you with information about working conditions, employee benefits, and some of the policies affecting your 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 programs developed by First 5 Madera County to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As First 5 Madera County continues to grow, the need may arise and First 5 Madera County reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. Employees will, of course, be notified of such changes to the handbook as they occur.

FAMILIES AND STAKEHOLDER RELATIONS

Families and stakeholders are among our organization's most valuable assets. Every employee represents First 5 Madera County to our families and the general public. The way we do our jobs presents an image of our entire organization. Families and stakeholders judge all of us by how they are treated with each employee contact. Therefore, one of our first business priorities is to assist our families and the general public. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention you give to families and stakeholders.

First 5 Madera County will provide customer relations and services training to all employees with extensive customer contact. Families and stakeholders who wish to lodge specific comments or complaints should be directed to the Executive Director or Deputy Director for appropriate action. Our personal contact with the public, our manners on the telephone, and the communications we send to families and stakeholders are a reflection not only of ourselves, but also of the professionalism of First 5 Madera County. Positive customer relations not only enhance the public's perception or image of First 5 Madera County, but also pay off in greater loyalty and increased community relations.

101 Nature of Employment

Effective Date: 7/01/2011

Revision Date: 05/06/2019

Employment of exempt and non-exempt status with First 5 Madera County is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. First 5 Madera County Commission may terminate the employment relationship so long as there is no violation of applicable federal or state law. Nothing in this at-will statement is intended to interfere with an employee's rights to communicate or work with others toward altering the terms and conditions of their employment.

Reduction in Force

Budget constraints, internal change in duties, funding reductions, and/or reorganization may necessitate elimination of positions and layoff or severance from employment of employees within a department.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between First 5 Madera County and any of its employees. The provisions of the handbook have been developed at the discretion of the Commission and management and may be amended or cancelled at any time, at First 5 Madera County's sole discretion.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the Madera County Children and Families Commission.

102 Employee Relations

Effective Date: 7/01/2011

Revision Date:

First 5 Madera County believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that First 5 Madera County amply demonstrates its commitment to employees by responding effectively to employee concerns.

103 Equal Employment Opportunity

Effective Date: 7/01/2011

Revision Date: 05/06/2019

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at First 5 Madera County will be based on merit, qualifications, and abilities. First 5 Madera County does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex/gender (including pregnancy, childbirth, breastfeeding or related medical condition), sex stereotype, gender identity/gender expression/transgender (including whether or not you are transitioning or have transitioned), and sexual orientation, marital status/registered domestic partner status, national origin (including language use restrictions and possession

of a driver's license issued to persons unable to prove their presence in the United States is authorized under federal law pursuant to Vehicle Code § 12801.09), ancestry, age (40 and over), physical or mental disability, medical condition, genetic information/characteristics, military/veteran status, or any other basis protected by federal, state, or local law or ordinance or regulation.

First 5 Madera County will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Executive Director. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

104 Business Ethics and Conduct

Effective Date: 7/01/2011

Revision Date: 05/06/2019

The successful business operation and reputation of First 5 Madera County is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of First 5 Madera County is dependent upon our families and stakeholders' trust and we are dedicated to preserving that trust. Employees owe a duty to First 5 Madera County, its families and stakeholders to act in a way that will merit the continued trust and confidence of the public.

First 5 Madera County will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor and, if necessary, with the Executive Director or Deputy Director for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every First 5 Madera County employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

105 Personal Relationships in the Workplace

Effective Date: 7/01/2011

Revision Date: 05/06/2019

The employment of relatives or individuals involved in a dating relationship in the same area of an organization may

cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

For purposes of this policy, a relative is any person who is related by blood or marriage or registered domestic partnership status, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. A dating relationship is defined as a relationship that may be reasonably expected to lead to the formation of a consensual "romantic" or sexual relationship. This policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

Relatives of current employees may not occupy a position that will be working directly for or supervising their relative. Individuals involved in a dating relationship with a current employee may also not occupy a position that will be working directly for or supervising the employee with whom they are involved in a dating relationship. First 5 Madera County also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

If a relative relationship or dating relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of the supervisor involved in the relationship to disclose the existence of the relationship to the Executive Director. The individuals concerned will be given the opportunity to decide who is to be transferred to another available position. If that decision is not made within 30 calendar days, the Executive Director will decide who is to be transferred or, if necessary, terminated from employment.

In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. Employees in a close personal relationship should refrain from public workplace displays of affection or excessive personal conversation.

106 Immigration Law Compliance

Effective Date: 7/01/2011

Revision Date:

First 5 Madera County is committed to employing only United States citizens and residents who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with First 5 Madera County within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Executive Director or Deputy Director. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

107 Conflicts of Interest

Effective Date: 7/01/2011

Revision Date:

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Employees who meet the Conflict of Interest Code policy must fill out a conflict of interest form. This policy establishes only the framework within which First 5 Madera County wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Executive Director for more information or questions about conflicts of interest.

Transactions with outside firms must be conducted within a framework established and controlled by the executive level of First 5 Madera County. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls **in excess of \$25** designed to ultimately benefit either the employer, the employee, or both. Promotional plans that could be interpreted to involve unusual gain require specific executive-level approval.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of First 5 Madera County's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose using the Commission's Conflict of Interest Disclosure Form to an officer of First 5 Madera County as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which First 5 Madera County does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving First 5 Madera County.

[Appendix Form A-1: Conflict of Interest Disclosure Form] [Appendix Form A-2 Statement of Economic Interest Form 700]

108 Outside Employment

Effective Date: 7/01/2011

Revision Date: 10/05/2016

Employees may hold outside jobs as long as they meet the performance standards of their job with First 5 Madera County. All employees will be judged by the same performance standards and will be subject to First 5 Madera County's scheduling demands, regardless of any existing outside work requirements.

If First 5 Madera County determines that an employee's outside work interferes with performance or the ability to

meet the requirements of First 5 Madera County as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with First 5 Madera County.

Employees who wish to engage in employment that may be inconsistent, incompatible, or in conflict with their employment with First 5 Madera County must seek written authorization from the Executive Director. The authorization may be revoked at any time.

Employees may not receive any income or material gain from individuals outside First 5 Madera County for materials produced or services rendered while performing their jobs. Employees may not use First 5 Madera County materials for private or outside gain.

[Appendix Form B: Outside employment form]

109 Non-disclosures

Effective Date: 7/01/2011

Revision Date:

The protection of confidential business information is vital to the interests and the success of First 5 Madera County. Such confidential information includes, but is not limited to, the following examples:

- Family Case Files
- Scientific data
- Scientific formula
- Technological data

Employees who are exposed to confidential information may be required to sign a non-disclosure agreement as a condition of employment. Employees who improperly use or disclose confidential business information will be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

[Appendix Form C: Confidentiality Form]

110 Disability Accommodation

Effective Date: 7/01/2011

Revision Date: 05/06/2019

First 5 Madera County is committed to complying fully with the Americans with Disabilities Act (ADA) and the Civil Rights Department (CRD) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria,

not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression and seniority lists. Leave of all types will be available to all employees on an equal basis.

First 5 Madera County is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. First 5 Madera County will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. First 5 Madera County is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

111 Job Posting

Effective Date: 7/01/2011

Revision Date:

First 5 Madera County provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, notices of all regular, full-time job openings are posted, although First 5 Madera County reserves its discretionary right to not post a particular opening.

Job openings will be posted on the employee bulletin board and through email notifications, and normally remain open for 7 days. Each job posting notice will include the dates of the posting period, job title, department, location, range, job summary, essential duties, and qualifications (required skills and abilities).

To apply for an open position, employees should submit a job posting application to the Executive Director or Deputy Director listing job-related skills and accomplishments. It should also describe how their current experience with First 5 Madera County and prior work experience and/or education qualifies them for the position.

First 5 Madera County recognizes the benefit of developmental experiences and encourages employees to talk with their supervisors about their career plans. Supervisors are encouraged to support employees' efforts to gain experience and advance within the organization.

An applicant's supervisor may be contacted to verify performance, skills, and attendance. Any staffing limitations or other circumstances that might affect a prospective transfer may also be discussed.

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring manager. Other recruiting sources may also be used to fill open positions in the best interest of the organization.

112 Employment Categories

Effective Date: 7/21/2010

Revision Date:

It is the intent of First 5 Madera County to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by First 5 Madera County management.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or probationary status and who are regularly scheduled to work First 5 Madera County's full-time schedule. Generally, they are eligible for First 5 Madera County's benefit package, subject to the terms, conditions, and limitations of each benefit program.

PART-TIME employees are those who are not assigned to a temporary or probationary status and who are regularly scheduled to work less than 20 hours per week. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are ineligible for all of First 5 Madera County's other benefit programs.

PROBATIONARY employees are those whose performance is being evaluated to determine whether further employment in a specific position or with First 5 Madera County is appropriate. Employees who satisfactorily complete the probationary period of one year following the hire anniversary will be notified of their new employment classification.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of First 5 Madera County's other benefit programs.

[113 Access to Personnel Files](#)

Effective Date: 7/21/2010

Revision Date: 05/06/2019

First 5 Madera County maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of First 5 Madera County, and access to the information they contain is restricted. Employees who wish to review their own file should fill out the Personnel File Request Form and submit it to the Deputy Director. With reasonable advance notice, employees may review their own personnel files in First 5 Madera County's offices and in the presence of the Executive Director (or Deputy Director in the absence of the ED) who is appointed by First 5 Madera County to maintain the files. First 5 Madera County will always comply with legal

requirements for employees' requests to access personnel files.

[Appendix Form D: Personnel File Review Request Form]

114 Employment Reference Checks

Effective Date: 03/05/2014

Revision Date: 07/01/2014

To ensure that individuals who join First 5 Madera County are well qualified and have a strong potential to be productive and successful, it is the policy of First 5 Madera County to conduct employment references for all applicants.

The Executive Director or Deputy Director will respond to all reference check inquiries from other employers. Responses to such inquiries will confirm only dates of employment, wage rates, duties, and position(s) held.

First 5 Madera will conduct a reference check for all employees. Upon completion of a successful reference check, First 5 Madera County will conduct background checks prior to a formal job offer.

Within the first 30 days of employment, employees will submit a tuberculosis ("TB") skin test result to be kept on file with the Deputy Director. TB skin test results are resubmitted every 4 years for all employees.

115 Personnel Data Changes

Effective Date: 7/21/2010

Revision Date: 05/06/2019

It is the responsibility of each employee to promptly notify First 5 Madera County of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Deputy Director as soon as possible.

[Appendix Form E: Emergency Procedure and Current Address Information Form]

116 Probationary Period

Effective Date: 7/21/2010

Revision Date: 05/06/2019

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. First 5 Madera County uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or First 5 Madera County may end the employment relationship at any time during the probationary period, with or without cause or advance notice.

All new and rehired employees work on a probationary basis for the first 365 calendar days after their date of hire. Employees who are promoted or transferred within First 5 Madera County must complete a secondary probationary period of the same length with each reassignment to a new position. Any significant absence will automatically

extend a probationary period by the length of the absence. If First 5 Madera County determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended for a specified period.

In cases of promotions or transfers within First 5 Madera County, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during the secondary probationary period. If this occurs, the employee may be allowed to return to his or her former job or to a comparable job for which the employee is qualified, depending on the availability of such positions and First 5 Madera County's needs.

Upon satisfactory completion of the initial probationary period, employees enter the "permanent" employment classification.

During the initial probationary period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. After becoming regular employees, they may also be eligible for other First 5 Madera County-provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements.

Benefits eligibility and employment status are not changed during the secondary probationary period that results from a promotion or transfer within First 5 Madera County.

Completion of the introductory period does not entitle the employee to remain employed by First 5 Madera County for any definite period of time. The employee's status as an at-will employee does not change. The employment relationship may be terminated with or without cause and with or without advance notice, at any time by the employee or First 5 Madera County.

117 Employment Applications

Effective Date: 7/21/2010

Revision Date:

First 5 Madera County relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

118 Performance Evaluation

Effective Date: 7/21/2010

Revision Date:

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of an employee's initial period in any new position. This period, known as the probationary period, allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for

meeting goals.

The performance of probationary employees is evaluated on an ongoing 3 month cycle for the first 12 months of assignment.

The performance of all regular employees is generally evaluated according to an ongoing 12 month cycle, beginning at the fiscal-year end.

119 Job Descriptions

Effective Date: 7/21/2010

Revision Date:

First 5 Madera County makes every effort to create and maintain accurate job descriptions for all positions within the organization. Each description includes a job information section, a job summary section (giving a general overview of the job's purpose), essential duties and responsibilities section, a qualifications section (including education and/or experience, language skills, mathematical skills, reasoning ability, and any certification required), a core competencies for all employees section, general knowledge and a work environment section.

First 5 Madera County maintains job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

The Executive Director or Deputy Director prepares job descriptions when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up to date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees will be expected to help ensure that their job descriptions are accurate and current, reflecting the work being done. Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Contact the Executive Director or Deputy Director if you have any questions or concerns about your job description.

120 Salary Administration

Effective Date: 7/21/2010

Revision Date:

The salary administration program at First 5 Madera County was created to achieve consistent pay practices, comply with federal and state laws, mirror our commitment to Equal Employment Opportunity, and offer competitive salaries within our labor market. Because recruiting and retaining talented employees is critical to our success, First 5 Madera County is committed to paying its employees equitable wages that reflect the requirements and responsibilities of their positions and are comparable to the pay received by similarly situated employees in other organizations in the area.

Compensation for every position is determined by several factors, including job analysis and evaluation, the essential duties and responsibilities of the job, and salary survey data on pay practices of other employers. First 5 Madera County periodically (every 5 years) reviews its salary administration program and restructures it as necessary.

Employees should bring their pay-related questions or concerns to the attention of their immediate supervisors, who are responsible for the fair administration of departmental pay practices. The Executive Director or Deputy Director is also available to answer specific questions about the salary administration program.

121 Medical Information Privacy

Effective Date: 7/21/2010

Revision Date:

This Medical Information Privacy policy describes how health information about employees may be used and disclosed by First 5 Madera County and how employees can get access to this information. First 5 Madera County is committed to maintaining and protecting the confidentiality of our employees' personal information in compliance with the Health Insurance Portability and Accountability Act (HIPAA). The Executive Director or Deputy Director is the designated Privacy Officer for all employee medical information.

This policy of privacy practices applies to the health plans of First 5 Madera County that are covered by privacy regulations, for example health benefit plans, dental plans, and pharmacy benefit programs (collectively referred to as the Benefit Plans). The Benefit Plans are required by federal and state law to protect the privacy of employees' individually identifiable health information and other personal information and to provide employees with notice about their policies, safeguards, and practices. When the Benefit Plans use or disclose employees' protected health information, the Benefit Plans are bound by the terms of this policy, or a revised policy, if applicable.

The Benefit Plans will not use employees' protected health information or disclose it to others without the employees' authorization, except for the following purposes:

Treatment - The Benefit Plans may disclose employees' protected health information, or employees' covered dependents' protected health information, to a health care provider or administrator for its provision, coordination, or management of the employees' health care and related services. For example, prior to providing a health service to an employee, the employee's doctor may ask for information concerning whether and when the service was previously provided to the employee. The Benefit Plans may use and disclose employees' protected health information for treatment activities of a health care provider.

Payment - The Benefit Plans may use and disclose employees' protected health information to facilitate payment of

premiums for employees' coverage, and to determine and fulfill their responsibility to provide employees' medical, dental, and EAP benefits. For example, employees' protected health information may be used to make coverage determinations, administer claims, and coordinate benefits with other coverage employees may have. The Benefit Plans may also disclose employees' protected health information to a health plan or administrator to determine employees' eligibility for coverage, or for the health care provider to obtain payment for health care services provided to the employee.

Health Care Operations - The Benefit Plans may use and disclose employees' protected health information for their health care operations, or the health care operations of a third party administrator of the Benefit Plans. For example, the Benefit Plans may use protected health information to conduct quality assessment and improvement activities. Other health care operations may include providing appointment reminders, or sending employees' information about treatment alternatives or other health-related benefits and services. The Benefit Plans also may disclose employees' protected health information to another health plan or provider that has a relationship with an employee, so that it can conduct quality assessment and improvement activities (for example, to perform case management).

Disclosure to Employer or Operating Company - The Benefit Plans may disclose employees' protected health information to First 5 Madera County, or to a company acting on the behalf of First 5 Madera County, so that it can monitor, audit, and otherwise administer the employee health benefit plan in which employees participate. First 5 Madera County and its operating companies are not permitted to use protected health information for any purpose other than administration of employees' health, dental, and EAP benefits. The Benefit Plans will not disclose protected health information to First 5 Madera County for the purposes of employment-related actions or decisions, or in connection with any other benefit or employee benefit plan. The Benefit Plans will identify employees who are authorized to receive and use protected health information.

Disclosure to Health Care Vendors and Accreditation Organizations - The Benefit Plans may disclose employees' protected health information to companies with whom they contract, if they need it to perform requested services. For example, the Benefit Plans may provide protected health information to vendors who provide important information and guidance to plan members with chronic conditions such as diabetes and asthma. Protected health information may be disclosed to accreditation organizations such as the National Committee for Quality Assurance (NCQA) for quality measurement purposes. When the Benefit Plans enter into these arrangements, they will obtain a written agreement to protect employees' protected health information.

Public Health Activities - The Benefit Plans may disclose employees' protected health information for the following public health activities and purposes:

- 1) to report health information to public health authorities that are authorized by law to receive such information for the purpose of controlling disease, injury, or disability;
- 2) to report child abuse or neglect to a government authority that is authorized by law to receive such reports;
- 3) to report information about a product or activity that is regulated by the U.S. Food and Drug Administration (FDA) to a person responsible for the quality, safety, or effectiveness of the product or activity; and, 4) to alert a person who may have been exposed to a communicable disease, if the Benefit Plans are authorized by law to give this notice.

Health Oversight Activities - The Benefit Plans may disclose employees' protected health information to a government agency that is legally responsible for oversight of the health care system or for ensuring compliance with the rules of government benefit programs, such as Medicare or Medicaid, or other regulatory programs that need health information to determine compliance.

For Research - The Benefit Plans may disclose employees' protected health information for medical research purposes, subject to strict legal restrictions.

To comply with the Law - The Benefit Plans may use and disclose employees' protected health information to comply with the law.

Judicial and Administrative Proceedings - The Benefit Plans may disclose employees' protected health information in a judicial or administrative proceeding or in response to a legal order.

Law Enforcement Officials - The Benefit Plans may disclose employees' protected health information to the police or other law enforcement officials, as required by law or in compliance with a court order or other process authorized by law.

Health or Safety - The Benefit Plans may disclose employees' protected health information to prevent or lessen a serious and imminent threat to employees' health or safety or the health and safety of the general public.

Government Functions - The Benefit Plans may disclose employees' protected health information to various departments of the government such as the U.S. military or the U.S. Department of State.

Workers' Compensation - The Benefit Plans may disclose employees' protected health information when necessary to comply with workers' compensation laws.

Other - The Benefit Plans may disclose employees' protected health information when necessary to file claims with re-insurers or stop-loss carriers, or to obtain coverage with re-insurers or stop-loss carriers. The Benefit Plans may also disclose employees' protected health information to subrogation vendors to recoup payments made by the Benefit Plans that were reimbursed by other insurance arrangements.

Uses and Disclosures with Employees' Written Authorization - The Benefit Plans will not use or disclose employees' protected health information for any purpose other than the purposes described in this policy without the employees' written authorization. For example, the Benefit Plans will not supply protected health information to another company for its marketing purposes or to a potential employer with whom an employee is seeking employment without the employee's signed authorization. Employees may revoke an authorization that has previously been given by sending a written request to the Executive Director or Deputy Director, but not with respect to any actions the Benefit Plans have already taken.

Disclosure to Others Involved in an Employee's Care - The Benefit Plans may disclose protected health information about employees to a relative, a friend, the subscriber of employees' benefits, or any other person employees identify, provided the information is directly relevant to that person's involvement with employees' health care or payment for that care. For example, if a family member or a caregiver calls First 5 Madera County with knowledge of an employee's protected health information, First 5 Madera County may confirm protected health information or answer questions. Employees have the right to stop or limit this type of disclosure by contacting the Executive Director or Deputy Director. If an employee is a minor, the employee also may have the right to block parental access to the employee's protected health information in certain circumstances, if permitted by state law.

Employees may request restrictions on the use and disclosure of the employee's protected health information for the treatment, payment, and health care operations purposes explained in this policy. While the Benefit Plans will consider all requests for restrictions carefully, the Benefit Plans are not required to agree to a requested restriction.

Employees may ask to receive communications of their protected health information from the Benefit Plans by alternative means of communication or at alternative locations. While the Benefit Plans will consider reasonable requests carefully, they are not required to agree to all requests.

Employees may ask to inspect or to obtain a copy of their protected health information that is included in certain records the Benefit Plans maintain. Under limited circumstances, the Benefit Plans may deny employees access to a portion of their records. If employees request copies, the Benefit Plans may charge employees copying and mailing costs.

Employees have the right to ask the Benefit Plans to amend protected health information that is contained in the Benefit Plans records. If the Benefit Plans determine that the record is inaccurate, and the law

permits the Benefit Plans to amend it, the Benefit Plans will correct it. If the employee's doctor or another person created the information that the employee wants to change, the employees should ask that person to amend the information.

Upon request, employees may obtain an accounting of disclosures the Benefit Plans have made of their protected health information. The accounting that the Benefit Plans provide will not include disclosures made before April 14, 2003, disclosures made for treatment, payment or health care operations, disclosures made earlier than six years before the date of the request, and certain other disclosures that are exempted by law. If employees request an accounting more than once during any 12-month period, the Benefit Plans will charge those employees a reasonable fee for each accounting statement after the first one.

Employees may contact the Executive Director or Deputy Director to obtain a paper copy of this policy, even if the employees previously agreed to receive notices electronically. Employees must also contact the Executive Director or Deputy Director if they wish to make any of the requests listed above.

If employees want more information about privacy rights, do not understand their privacy rights, are concerned that the Benefit Plans have violated their privacy rights, or disagree with a decision that the Benefit Plans made about access to protected health information, they may contact the Executive Director or Deputy Director. Employees may also file written complaints with the Secretary of the U.S. Department of Health and Human Services. First 5 Madera County will not take any action against employees if they file a complaint.

First 5 Madera County may change the terms of this policy at any time. If First 5 Madera County changes this policy, First 5 Madera County may make the new policy terms effective for all protected health information that the Benefit Plans maintain, including any information the Benefit Plans created or received before First 5 Madera County issued the new policy. If First 5 Madera County makes any changes to the Medical Information Privacy policy, notice of the changes will be provided to employees.

[Appendix Form F: Request for Restrictions on Use or Disclosure of Protected Health Information Form]

122 Social Security Number

Effective Date: 7/21/2010

Revision Date:

To protect employees' personal information, First 5 Madera County prohibits the use of employees' Social Security numbers for identification purposes, except as allowed by law. First 5 Madera County will not:

- Publicly post or publicly display in any manner an employee's Social Security number. "Publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public.
- Print an employee's Social Security number on any card required for the employee to access products or services provided by First 5 Madera County.
- Require an employee to transmit his or her Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted.
- Require an employee to use his or her Social Security number to access an Internet web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet web site.
- Print an employee's Social Security number on any materials that are mailed to the employee, unless state or federal law requires the Social Security number to be on the document to be mailed.

However, Social Security numbers may be included in applications and forms sent by mail, including documents sent as part of an application or enrollment process; or to establish, amend, or terminate an account, contract, or policy; or to confirm the accuracy of the Social Security number.

In instances where First 5 Madera County previously used an employee's Social Security number in a manner inconsistent with this policy, it will continue using that employee's Social Security number in that manner, if all of the following conditions are met:

- The use of the Social Security number is continuous. If the use is stopped for any reason, the conditions listed above will apply.
- The employee is provided an annual disclosure that informs the employee that he or she has the right to stop the use of his or her Social Security number in a manner prohibited by those conditions listed above.

A written request by an employee to stop the use of his or her Social Security number in a prohibited manner will be implemented within 30 days of the receipt of the request. There will be no fee or charge for implementing the request.

First 5 Madera County will not deny services to an employee because the employee makes a written request to stop the use of his or her Social Security number.

First 5 Madera County will continue to collect, use, or release Social Security numbers as required by state or federal law, and may use Social Security numbers for internal verification or administrative purposes.

Employees who have questions about this policy or who feel that their Social Security number has been used inappropriately by First 5 Madera County should contact the Executive Director.

123 Employee Benefits

Effective Date: 7/01/2011

Revision Date:

Eligible employees at First 5 Madera County are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the

employee handbook.

The following benefit programs are available to eligible employees:

- 457B Retirement Plan
- Auto Mileage
- Bereavement Leave
- Dental Insurance
- Family/Medical Leave
- Health Insurance
- Holidays
- Jury Duty Leave
- Life Insurance
- Personal Leave
- State Disability Insurance (SDI)
- Travel Allowances
- Vacation Benefits
- Vision Care Insurance
- Voting Time Off
- Witness Duty Leave

Some benefit programs require contributions from the employee, but most are fully paid by First 5 Madera County.

124 Vacation Benefits

Revision Date: 06/01/2022

All regular full-time and eligible employees are able to accrue vacation benefits on their continuous length of service from when they became eligible for vacation benefits, as shown in the following schedule:

Years of Continuous Service	Total Vacation Days per Year	Accrual Rate Per Pay Period
Initial Eligibility	12	3.69 hrs.
After 3 Yrs.	16	4.92 hrs.
After 6 Yrs.	20	6.15 hrs.
After 9 Yrs.	24	7.38 hrs.

Once employees become eligible, vacation accrues bi-weekly based on the number of hours worked. However, a waiting period of 180 calendar days (6 months) must be completed before vacation time can be used. After that time, employees can request the use of earned vacation time, including that accrued during the waiting period. Increases for vacation accruals will be on the employee's eligible anniversary month.

Paid vacation time may only be used in a minimum of half-hour increments. All vacations must be approved in advance by the employee's supervisor, at least two weeks advance notice. Requests will be reviewed and approved by the Executive Director based on a number of factors, including operational requirements.

Vacation time off is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

Employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. In the event that available vacation is not used by the end of the benefit year, employees may carry unused time forward to the next benefit year. If the total amount of unused vacation time reaches a "cap" equal to 300 hours (37.5 days), further vacation accrual will stop. When the employee uses paid vacation time and brings the available amount below the cap, vacation accrual will begin again.

Upon termination of employment, all employees will be paid for unused vacation time that has been earned through the last day of work.

125 Holidays

Revision Date: 06/01/22

First 5 Madera County will grant holiday time off to all eligible employees. Holiday pay is available if the holiday falls on a regularly scheduled work day and will be calculated based on the employee's assigned pay rate (as of the date of the holiday) times the number of hours. See holidays (12) listed, and one (1) floating holiday below:

Independence Day
Labor Day
Veterans Day
Thanksgiving
Thanksgiving – Day After
Christmas Eve
Christmas Day
Day after Christmas
New Year's Day
Martin Luther King, Jr. Day
President's Day
Memorial Day
Floating Holiday

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

Suppose a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave). In that case, holiday pay will be provided instead of the paid time off benefit.

If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay an additional half of their hourly rate.

All eligible employees will receive one (1) floating holiday. If not used by the end of the fiscal year (June 30th), that floating holiday will expire and may not be carried over.

In the event of an executive order to declare a holiday by the Governor of the State of California or the President of the United States, employees may submit a request to use vacation or personal time off for observance.

Paid time off for holidays will be counted as hours worked to determine whether overtime pay is owed.

126 Workers' Compensation Insurance

Effective Date: 7/01/2011

Revision Date:

First 5 Madera County provides a comprehensive workers' compensation insurance program at no cost to employees. 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 the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their 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.

Neither First 5 Madera County nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by First 5 Madera County.

127 Sick Leave Benefits

Revision Date: 06/01/2022

First 5 Madera County provides paid sick leave benefits to all eligible employees for periods of temporary absence due to personal or family illnesses or injuries.

Eligible employees will accrue 12 days of sick leave benefits per year. However, employees will not accrue sick leave benefits during any unpaid leave. Sick leave benefits are calculated based on a "benefit year," the 12-month period that begins when the employee starts to earn sick leave benefits.

Paid sick leave may only be used in minimum of half an hour increments. If possible, employees who cannot report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday. The supervisor must also be contacted on each additional day of absence.

Suppose an employee is absent for four (4) or more consecutive days due to illness or injury. In that case, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may also be requested for other sick leave absences and may be required as a condition for receiving sick leave benefits.

Before returning to work from a sick leave absence of four (4) calendar days or more, an employee must provide a physician's verification that they may safely return to work.

A Sick Time-Off request must be completed in advance unless, in the event of an "unanticipated" event (illness, injury, emergencies, etc.), a request must be completed upon the first day the employee returns to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence. It will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Employees may carry unused time forward to the next benefit year. If the total amount of unused sick leave reaches a cap equal to 160 hours (20 days), further accrual will stop. When the employee uses sick leave and brings the available amount below the cap, accrual will begin again.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury and may not be used for any other absence. Sick leave is not considered part of the wages under California law and has no cash value at the time of separation/termination.

Remote Work

Under special circumstances, the employee when feasible may request to work remotely during prolonged sick leave (employee/child quarantine, recovery, etc.) . The request shall be reviewed and approved by the Executive Director. Refer to the "Remote Work Policy for detail information.

128 Time Off to Vote

Effective Date: 7/01/2011

Revision Date:

First 5 Madera County encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their nonworking hours, First 5 Madera County will grant up to 2 hours of paid time off to vote.

Employees should request time off to vote from their supervisor at least two working days prior to the election day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

[Appendix Form G: Leave Request Form]

129 Bereavement Leave

Effective Date: 7/01/2011

Revision Date: 05/06/2019

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately.

An employee may request up to 5 days of bereavement leave 3 days paid for in state (5 days for out of state funeral) will be provided to eligible employees in the following classification(s):

- All employees

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. In addition to bereavement leave, employees may with their supervisors' approval use any available paid leave for

additional time off as necessary.

First 5 Madera County defines "immediate family" as the employee's spouse, domestic partner, parent, child, sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

130 Jury Duty

Effective Date: 7/28/2010

Revision Date:

First 5 Madera County encourages employees to fulfill their civic responsibilities by serving jury duty when required.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Employee classifications that qualify for paid jury duty leave are:

- All employees

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

First 5 Madera County will continue to provide health insurance benefits for the full term of the jury duty absence.

Benefit such as vacation, sick leave, or holiday benefits will continue to be accrued during jury duty leave.

131 Witness Duty

Effective Date: 7/28/2010

Revision Date:

If employees have been subpoenaed or otherwise requested to testify as witnesses by First 5 Madera County, they will receive paid time off at their base pay for the entire period of witness duty.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

[Appendix Form G: Leave Request Form]

132 Benefits Continuation (COBRA)

Effective Date: 7/28/2010

Revision Date:

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under First 5 Madera County's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an

employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at First 5 Madera County's group rates plus an administration fee. First 5 Madera County provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under First 5 Madera County's health insurance plan. The notice contains important information about the employee's rights and obligations.

133 Health Insurance

Effective Date: 7/28/2010

Revision Date:

First 5 Madera County's health insurance plan provides employees and their dependents access to medical, dental, and vision care insurance benefits. Employees in the following employment classifications must participate in the health insurance plan:

- All Full-time and Part Time Employees

Eligible employees must participate in the health insurance plan subject to all terms and conditions of the agreement between First 5 Madera County and the insurance carrier.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) Policy for more information.

Details of the health insurance plan are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Executive Director or Deputy Director for more information about health insurance benefits.

134 457(b) Savings Plan

Effective Date: 03/05/2014

Revision Date: 10/05/2016

First 5 Madera County has established a 457 (b) savings plan to provide employees the potential for future financial security for retirement.

To be eligible to join the Commission Contribution 457 (b) savings plan, you must be a full time employee, and complete 12 months of service. Employees may join the plan upon his/her one year anniversary month. Eligible employees may participate in the 457 (b) plan subject to all terms and conditions of the plan.

The 457 (b) savings plan allows you to elect how much salary you want to contribute and direct the investment of your plan account, so you can tailor your own retirement package to meet your individual needs. First 5 Madera County also contributes an additional 4% over matching amount to each employee contributing at least 3% to the 457 (b) savings plan.

Because your contribution to a 457 (b) plan is automatically deducted from your pay before federal and state tax withholdings are calculated, you save tax dollars now by having your current taxable amount reduced. While the amounts deducted generally will be taxed when they are finally distributed, favorable tax rules typically apply to 457 (b) distributions.

Complete details of the 457 (b) savings plan are described in the Summary Plan Description provided to eligible employees. Contact the Executive Director or Deputy Director for more information about the 457 (b) plan.

135 Parental Leave for School Visits

Effective Date: 03/05/2014

Revision Date: 03/05/2014

First 5 Madera County recognizes the value of parental involvement in children's education. Parental leave for school visits allows employees to participate in activities sponsored, approved, or supervised by the school or daycare such as parent/teacher conferences or field trips.

All employees can use any time on the books for Parental Leave for School Visits. Employees must provide their immediate supervisors reasonable advance notice of the need for Parental Leave for School Visits. Upon return from the leave, employees must provide documentation to the Executive Director or Deputy Director from the school verifying the date and time of the visit. Contact the Executive Director or Deputy Director for more information or questions about and requests for parental leave for school visits.

136 Timekeeping

Effective Date: 7/28/2010

Revision Date: 05/06/2019

Accurately recording time worked is the responsibility of every employee. Federal and state laws require First 5 Madera County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Exempt employees should accurately record attendance on the exempt time sheet. Nonexempt employees should accurately record the number of hours worked on the nonexempt timesheet. Hours worked or time off is recorded in half hour (30 minutes) increments. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Employees should report to work no more than 5 minutes prior to their scheduled starting time nor stay more than 5 minutes after their scheduled stop time without expressed, prior authorization from their supervisor.

It is the employees' responsibility to sign their time records to certify the accuracy of all time recorded. The supervisor will review and then sign the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.

137 Paydays

Revision Date: 06/01/22

All employees are paid on a bi-weekly basis. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a day off, such as a weekend or holiday, employees will receive payment on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's vacation, the employee's paycheck will be available for pick up.

Employees may have their pay directly deposited into their bank accounts by filling out a direct deposit authorization form as provided by the Commission's payroll contractor. Employees will receive an itemized statement of wages when First 5 Madera County makes direct deposits.

138 Employment Termination

Effective Date: 7/28/2010

Revision Date:

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation - voluntary employment termination initiated by an employee.
- Discharge - involuntary employment termination initiated by the organization.
- Layoff - involuntary employment termination initiated by the organization for no disciplinary reasons.
- Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

First 5 Madera County will schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to First 5 Madera County, or return of First 5 Madera County-owned property. Suggestions, complaints, and questions can also be voiced.

Employees will receive their final pay in accordance with applicable state law. Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

139 Severance Pay

Effective Date: 7/28/2010

Revision Date:

First 5 Madera County provides severance pay to eligible employees whose employment is terminated for reasons that are not prejudicial to First 5 Madera County, as determined by First 5 Madera County in its sole discretion. Severance pay will be provided to the following eligible employee classifications:

- All employees

Specifically excluded from benefits under this provision are employees who: were hired as temporary employees for a specified period of time; leave work due to a reduction in the work force; were offered but refused to accept another suitable position with the organization; were provided the opportunity to be retained for any length of time by a successor employer.

140 Administrative Pay Corrections

Effective Date: 7/28/2010

Revision Date:

First 5 Madera County takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Executive Director or Deputy Director so that corrections can be made as quickly as possible.

141 Pay Deductions

Effective Date: 7/28/2010

Revision Date:

The law requires that First 5 Madera County make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. First 5 Madera County also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." First 5 Madera County matches the amount of Social Security taxes paid by each employee.

First 5 Madera County offers programs and benefits beyond those required by law. Eligible employees will authorize deductions from their paychecks to cover the costs of participation in medical/dental/vision programs based upon the plan selected. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in the 457(b) retirement plan.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your supervisor can assist in having your questions answered.

142 Safety

Effective Date: 7/01/2011

Revision Date:

To assist in providing a safe and healthful work environment for employees, customers, and visitors, First 5 Madera County has established a workplace safety program. This program is a top priority for First 5 Madera County. The Deputy Director has responsibility for implementing, administering, monitoring, and evaluating the safety program through the Illness and Injury Prevention Program Committee. Its success depends on the alertness and personal commitment of all.

First 5 Madera County provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards. A safety advisory group has been established to assist in these activities and to facilitate effective communication between employees and management about workplace safety and health issues.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for

improved safety in the workplace are encouraged to submit it to the suggestion box, or bring them to the attention of the Deputy Director. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the Executive Director or Deputy Director or the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

[Appendix Form I: Accident/Incident Report Form]

143 Work Schedules

Revision Date: 06/01/22

The regular work schedule for all employees is 8 hours a day, 5 days a week. Supervisors will advise employees of the times their schedules will generally begin and end. Staffing needs and operational demands may necessitate changes in starting and ending times and the total hours that may be scheduled each day and week.

Flexible scheduling is sometimes available to allow employees to vary their daily starting and ending times within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the supervisor. However, such issues as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime.

Employees will need to submit a Request for Flexible Schedule Memo to the Executive Director, copying the direct supervisor. A detailed proposal will help determine if reasonable accommodations can be made. The request should include the following information:

- A brief explanation for the request
- A detailed description of the regular work schedule
- A detailed description of the proposed modified work schedule (remote work, hybrid model, modified work schedule, workday schedule reduction with salary adjustment, sick or other types of leave)
- The requested period for the modified schedule
- Describe in detail your approach to fulfilling your role and responsibilities
- If you provide supervision, what is the proposed approach that satisfies this responsibility

Every request will be considered while striving for consistency, acknowledging employees' individual needs and responsibilities, and balancing the available agency's resources to support the request. Submission of a request does not guarantee approval. Please note that a request to modify the working schedule may lead to employment terms and conditions changes.

144 Use of Phone and Mail Systems

Effective Date: 7/01/2011

Revision Date:

Personal use of the telephone for long-distance and toll calls is not permitted. Employees should practice discretion when making local personal calls and may be required to reimburse First 5 Madera County for any charges resulting from their personal use of the telephone.

The use of First 5 Madera County-paid postage for personal correspondence is not permitted. To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

145 Smoking

Effective Date: 7/01/2011

Revision Date:

In keeping with First 5 Madera County's intent to provide a safe and healthful work environment, smoking is prohibited throughout the workplace. Outdoor smoking should be limited to at least 20 feet from openings (i.e., doors, windows, vents, etc.).

This policy applies equally to all employees, customers, and visitors.

146 Rest and Meal Periods

Effective Date: 7/01/2011

Revision Date:

Each workday, full-time nonexempt employees are provided with 2 rest periods of 15 minutes in length. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

All regular employees are required to take one meal period of 60 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements and will ensure that they are taken before the beginning of the 6th hour of work. Employees and supervisors are strongly encouraged to adhere to this policy. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

147 Use of Equipment

Effective Date: 7/01/2011

Revision Date:

Equipment essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor of any equipment, machines, and tools appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as

excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

148 Emergency Closings

Effective Date: 7/01/2011

Revision Date:

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt company operations. In extreme cases, these circumstances may require the closing of a work facility as authorized by the First 5 Madera County Commission.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request available paid leave time such as unused vacation benefits.

149 Business Travel and Reimbursements

Effective Date: 03/05/2014

Revision Date: 05/06/2019

First 5 Madera County will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location.

Each employee has an assigned worksite(s). Mileage to and from assigned worksite(s) is non-reimbursable. However, the employee shall be reimbursed for all mileage accrued to conduct Commission business after arriving at their assigned worksite(s). In instances when the employee must report to an alternative location (not their assigned worksite) and mileage accrued **exceeds** their regular commute to their assigned worksite, he/she will subtract the distance from their starting point (home) to their assigned worksite and only report the remaining mileage for reimbursement.

All business travel should be submitted on a Requisition Form and approved in advance by the Supervisor and Executive Director. The Travel Request Form should be completed when traveling outside of Madera County. Employees whose travel plans have been approved should follow the travel request process below.

When approved, the costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed at the General Services Administration (GSA) per diem state rate. Mileage will be reimbursed at the current IRS rate. See Reimbursement Claim For Travel Form for more details.

In accordance to the De Minimis Fringe Benefits and regulated by the Internal Revenue Services (IRS), the First 5 Madera County is legally obligated to process day meal reimbursements to withhold Income Taxes, as well as FICA and Medicare and SDI (as it applies). The IRS regulations only applies to meals that does not involve overnight/travel. Form S: Day Meal Reimbursement will be completed for same day travel.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by First 5 Madera County may not be used for personal use without prior approval. (see **policy # 177 Vehicle Use**)

When travel is completed, employees should submit completed Reimbursement Claim For Travel Form along with the Travel Request (if travel outside of county) within 30 days, not to cross fiscal years. See Reimbursement Claim For

Travel Form for details on when meals can be reimbursed.

Employees should contact the Deputy Director for guidance and assistance on procedures related to registrations, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

Proof of Vehicle Insurance

When an employee utilizes his/her personal vehicle to conduct Commission business, he/she is required to conform to public policy regarding financial responsibility to have vehicle insurance. Employees are required to maintain on file current vehicle insurance with the Deputy Director. Mileage reimbursement claims will NOT be approved without current vehicle insurance on file. In the event vehicle insurance is not in effect during time of travel, the employee will not be eligible for reimbursement; not even retroactively.

H-6 DMV Printout

To protect employees and insure safe traveling, all employees are required to submit an H-6 Driving Record printout prior to beginning employment. The cost of the initial H-6 Driving Record will be afforded by First 5 Madera County. An updated H-6 Driving Record printout is to be submitted to the Deputy Director within 24 hours of any changes to the employees legal driving status if it impedes the employee's ability to legally operate a vehicle.

Proof of License to Drive

To protect employees and insure safe traveling, all employees required to drive on Commission business as part of their normal duties are required to inform their supervisor or Deputy Director within 24 hours of any changes to the employee's driver's license status if it impedes the employee's ability to legally operate a vehicle.

Comp Time for Travel (Non-Exempt Employees Only)

Comp Time will be given to employee when they are directed to travel to an alternative location (not their assigned worksite) to conduct business and their work day exceeds the 8 hour work schedule. This includes driving time.

The following travel request process should be followed:

1. The Requisition Form should be completed at least 21 working days in advance when attending workshops and trainings.
2. The Travel Request Form should be completed at least 10 working days in advance if traveling out of county.
3. Completed Requisition and Travel Request Form should be forwarded to your supervisor and Executive Director for approval.
4. Registration for workshops, conferences and trainings should be made by the employee. The business office should be contacted if a purchase order or credit card is needed.
5. Car rental, hotel registration and train/plane ticket arrangements will be made by the business office.

[Appendix Form K: Reimbursement Claim for Travel Expenses Form]

[Appendix Form O: Requisition Form]

[Appendix Form P: Travel Request Form]

[Appendix Form S: Day Meal Reimbursement Request]

150 Visitors in the Workplace

Effective Date: 7/01/2011

Revision Date:

To provide for the safety and security of employees and the facilities at First 5 Madera County, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

All visitors should enter First 5 Madera County at the main entrance. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on First 5 Madera County's premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the main entrance.

151 Computer and Email Usage

Effective Date: 7/01/2011

Revision Date:

Computers, computer files, the email system, and software furnished to employees are First 5 Madera County property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and email usage may be monitored.

First 5 Madera County strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, First 5 Madera County prohibits the use of computers and the email system in ways that are disruptive, offensive to others, or harmful to morale.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

Email may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.

First 5 Madera County purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, First 5 Madera County does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. First 5 Madera County prohibits the illegal duplication of software and its related documentation.

Employees should notify their immediate supervisor, the Manager of Operations or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

152 Internet Usage

Effective Date: 7/01/2011

Revision Date:

Internet access to global electronic information resources on the World Wide Web is provided by First 5 Madera County to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. While Internet usage is intended for job-related activities, incidental and occasional brief personal use is permitted within reasonable limits.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of First 5 Madera County and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of First 5 Madera County. As such, First 5 Madera County reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by First 5 Madera County in violation of law or First 5 Madera County policies will result in disciplinary action, up to and including termination of employment.

Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- Sending or posting discriminatory, harassing, or threatening messages or images
- Using the organization's time and resources for personal gain
- Stealing, using, or disclosing someone else's code or password without authorization
- Copying, pirating, or downloading software and electronic files without permission
- Sending or posting confidential material, trade secrets, or proprietary information outside of the organization
- Violating copyright law
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet

services and transmissions

- Sending or posting messages or material that could damage the organization's image or reputation
- Participating in the viewing or exchange of pornography or obscene materials
- Sending or posting messages that defame or slander other individuals
- Attempting to break into the computer system of another organization or person
- Refusing to cooperate with a security investigation
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- Using the Internet for political causes or activities, religious activities, or any sort of gambling
- Jeopardizing the security of the organization's electronic communications systems
- Sending or posting messages that disparage another organization's products or services
- Passing off personal views as representing those of the organization
- Engaging in any other illegal activities

154 Workplace Violence Prevention

Effective Date: 7/01/2011

Revision Date:

First 5 Madera County is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, First 5 Madera County has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of First 5 Madera County without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

First 5 Madera County will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, First 5 Madera County may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these

guidelines will be subject to prompt disciplinary action up to and including termination of employment.

First 5 Madera County encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Executive Director before the situation escalates into potential violence. First 5 Madera County is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

155 Ergonomics

Effective Date: 7/01/2011

Revision Date:

First 5 Madera County has developed an ergonomics program to minimize repetitive motion injuries (RMIs) in the workplace. The primary elements of the ergonomics program include: (1) worksite evaluations, (2) control of exposures that may have caused RMIs, and (3) ergonomics training of employees. The ergonomics program also focuses on educating employees on their personal responsibility to ensure good work habits (such as posture and body mechanics) and adequate fitness for work.

RMIs are musculoskeletal injuries, identified and diagnosed by a licensed physician that can result from a job, process, or operation where employees perform the same repetitive motion tasks. Examples of repetitive motion tasks include, but are not limited to, sustained computer keyboard and mouse usage; assembling materials and products; or lifting, carrying, and loading objects.

When an RMI has been reported at First 5 Madera County that results from a job, process, or operation, a worksite evaluation will be conducted. The evaluation identifies potential exposures that may have caused RMIs and determines the methods First 5 Madera County will use to control or minimize them. Affected employees will be informed of the potential exposures and trained in the control measures.

Every reasonable effort will be made to correct exposures in a timely manner that may have caused RMIs or, if the exposure is not capable of being corrected, to minimize it to the extent feasible. In determining how to correct or minimize exposures, First 5 Madera County will consider reasonable, cost-effective engineering or administrative controls.

Employees are provided with training that includes an explanation of the ergonomics program, exposures that have been associated with RMIs, the symptoms and consequences of injuries caused by repetitive motion, the importance of reporting symptoms and injuries, and the methods used to minimize RMIs.

All employees are encouraged to immediately report to the Deputy Director all suspected RMIs, RMI symptoms, or other ergonomic concerns. All employees are required to report to the Manager of Operations all workplace RMIs as soon as possible after they have been identified and diagnosed by a licensed physician.

156 Cell Phone Usage

Effective Date: 07/01/2011

Revision Date:

First 5 Madera County provides cellular telephones to some employees as a business tool. They are provided to

assist employees in communicating with management and other employees, their clients, associates, and others with whom they may conduct business. Cell phone use is primarily intended for business-related calls. However, occasional, brief personal use is permitted within a reasonable limit. Personal usage should not be a cause for additional cost for service. Cell phone invoices may be regularly monitored.

Employees may have access to a cell phone while in their cars and should remember that their primary responsibility is driving safely and obeying the rules of the road. Employees are prohibited from using cell phones while driving and should safely pull off the road and come to a complete stop before dialing or talking on the phone.

As a representative of First 5 Madera County, cell phone users are reminded that the regular business etiquette employed when speaking from office phones or in meetings applies to conversations conducted over a cell phone.

157 Medical Leave

Effective Date: 7/01/2011

Revision Date: 10/05/2016

First 5 Madera County provides medical leaves of absence without pay to eligible employees who are temporarily unable to work due to a serious health condition or disability. For purposes of this policy, serious health conditions or disabilities include inpatient care in a hospital, hospice, or residential medical care facility; continuing treatment by a health care provider; and temporary disabilities associated with pregnancy, childbirth, and related medical conditions.

Employees in the following employment classifications are eligible to request medical leave as described in this policy:

- Regular full-time employees
- Regular part-time employees

Eligible employees may request medical leave only after having completed 30 calendar days of service. Exceptions to the service requirement will be considered to accommodate disabilities. Eligible employees should make requests for medical leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

A health care provider's statement must be submitted verifying the need for medical leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to First 5 Madera County. Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work.

Eligible employees are normally granted Medical Leave for the period of the disability, up to a maximum of 12 weeks within any 12 month period. Employees wishing to use additional leave (for obligations relating to childbirth, adoption, foster child placement, to care for a child, spouse or parent with a serious health condition) may take up to a maximum of 12 weeks during a 12 month period from the point of origin. Employees will be required to first use any accrued paid leave time before taking unpaid medical leave. Medical leave will run concurrently with Pregnancy Disability Leave.

Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities.

Subject to the terms, conditions, and limitations of the applicable plans, First 5 Madera County will continue to provide health insurance benefits for the full period of the approved medical leave while on paid status.

Benefit accruals, such as vacation, sick leave, and holiday benefits, will continue during the approved medical leave period.

So that an employee's return to work can be properly scheduled, an employee on medical leave is requested to provide First 5 Madera County with at least two weeks advance notice of the date the employee intends to return to work. When a medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If an employee fails to return to work on the agreed upon return date, a certified letter will be sent to the employee. A response is needed within 5 working days or First 5 Madera County will assume that the employee has resigned.

[Appendix Form G: Leave Request Form] [Appendix Form M: Return to Work Form]

158 Pregnancy Disability Leave

Effective Date: 7/01/2011

Revision Date: 1/01/2023

Child-bearing employees who are disabled as a result of pregnancy, childbirth or related conditions may take up to four months of leave, defined as $17\frac{1}{3}$ weeks. For a full-time employee regularly scheduled to work 40 hours per week, "four months" means 693 hours of leave entitlement, while the amount of leave available to employees who work more or less than five days a week, or who work variable work schedules, is calculated on a pro rata or proportional basis.

An employee who needs to take Pregnancy Disability Leave ("PDL") must provide written notice of the need for leave, which should include the anticipated timing and duration of the leave. If the need for the leave is foreseeable because of the pregnancy, the employee must provide at least 30 days' advance written notice before the pregnancy disability leave is to begin. If 30 days' advance notice is not possible, notice must be given as soon as practicable. Employees should consult with their and supervisor regarding the scheduling of any planned medical treatment so as to minimize disruption to the operations of the Company.

PDL usually will begin when ordered by the employee's physician. The employee must provide the Company with a certification from a health care provider supporting their need for PDL. The certification indicating disability should contain:

The date on which the employee became disabled due to pregnancy,

The probable duration of the period or periods of disability, and

A statement that, due to the disability, the employee is unable to perform one or more of the essential functions of her positions without undue risk to herself, the successful completion of her pregnancy, or to other persons.

An employee returning from PDL will not be allowed to return to work until and unless she receives a release to return to work from her treating physician.

PDL does not need to be taken in one continuous period of time and may be taken intermittently or on a reduced leave schedule, as needed and determined by the employee's health care provider. Intermittent PDL must be taken in increments of at least one hour.

PDL is unpaid leave. However, employees may choose to use their accrued vacation time and/or paid sick time during PDL. An employee may continue participating in any health and welfare benefit plans in which the employee was enrolled before the first day of the leave as set forth in detail in the Family and Medical Leave policy above. However, vacation days and sick leave do not accrue during any period of a leave of absence.

Failure to return from leave of absence by the scheduled time may result in termination unless leave is extended by the employee's physician.

Under most circumstances, upon submission of a medical certification that an employee is able to return to work from a pregnancy disability leave, an employee will be reinstated to her same position held at the time the leave began or to an equivalent position, if available. An employee returning from a pregnancy disability leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if the employee on pregnancy disability leave would have been laid off had she not gone on leave and there are no equivalent or comparable positions available, then the employee would not be entitled to reinstatement.

Pregnancy Accommodation

In lieu of a pregnancy leaves of absence, a pregnant employee may request a transfer to a less strenuous or hazardous position or an alternative reasonable accommodation. If such a transfer can reasonably be accommodated, a pregnant employee will be accommodated for the period of disability, provided that she submits a written request and, in addition, furnishes a doctor's written certification attesting that the transfer request or accommodation is upon doctor's advice. However, the Company will not undertake to create additional employment that the Company would not otherwise have created to meet its own business needs, nor will the Company be required to discharge any employee, transfer any employee, or promote any employee to accommodate the individual requesting a pregnancy accommodation. Upon transfer, an employee will receive the salary and benefits which are regularly provided to employees in the position to which the employee has transferred.

[Appendix Form G: Leave Request Form]

[Appendix Form Q: Certification of Physician Form]

159 Family and Medical Leave

Effective Date: 12/31/2021

Revision Date: 1/01/2023

160 Military Leave

Effective Date: 7/01/2011

Revision Date:

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Employees will receive partial pay for two-week training assignments and shorter absences. Upon presentation of satisfactory military pay verification data, employees will be paid the difference between their normal base compensation and the pay (excluding expense pay) received while on military duty.

The portion of any military leaves of absence in excess of two weeks will be unpaid. However, employees may use any available paid time off for the absence.

Vacation, sick leave, and holiday benefits will continue to accrue during a military leave of absence.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact the Executive Director or Deputy Director for more information or questions about military leave.

[Appendix Form G: Leave Request Form]

161 Employee Conduct and Work Rules

Effective Date: 7/01/2011

Revision Date:

To ensure orderly operations and provide the best possible work environment, First 5 Madera County expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property
- Falsification of timekeeping records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- Insubordination or other disrespectful conduct
- Violation of safety or health rules
- Smoking in prohibited areas
- Sexual or other unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or any absence without notice
- Unauthorized absence from work station during the workday
- Unauthorized use of telephones, mail system, or other employer-owned equipment
- Unauthorized disclosure of business "secrets" or confidential information
- Violation of personnel policies
- Unsatisfactory performance or conduct

160 Drug and Alcohol-Free Workplace

Effective Date: 10/05/2016

Revision Date:

1. Purpose

The purpose of this policy is to eliminate drug and alcohol abuse and the effects of such abuse in the workplace, thereby providing and maintaining an efficient and safe workplace for all employees. Drug and alcohol abuse increases the potential for accidents, absenteeism, substandard performance, poor morale, and damages the public service and First 5 Madera County. Involvement with drugs and alcohol can take its toll on job performance and employee safety whether on or off duty. Employees should be in a condition to perform their duties safely and efficiently, in the interest of their co-workers and the public. The presence of drugs and alcohol on the job and the influence of these substances on employees during working hours are inconsistent with the objective of this policy.

2. Policy

It is the policy of First 5 Madera County that all employees shall not possess, use, unlawfully manufacture, distribute, dispense, sell or be under the influence of prohibited substances or alcohol, as defined below, while on duty, on First 5 Madera County property, at work locations, while on break, during the work day or meal periods or on "on-call" time. For purposes of this policy, "on-call" time is time during which an employee is required by the Executive Director to be available to perform duties for First 5 as set forth by First 5 Madera Employee Handbook.

Employees who believe that they may have a drug or alcohol usage problem are encouraged to voluntarily seek confidential assistance from the Employee Assistance Program or their primary treatment medical professional. While it is First 5 Madera County Policy to be supportive of those who seek help voluntarily, it is also policy that abuse of alcohol or drugs will not be tolerated and disciplinary action, up to and including termination, will be used as necessary to implement this policy and assure a drug free workplace, subject to applicable disability laws. Furthermore, it is the policy of First 5 Madera County that all employees should be made aware of the dangers of abusing drugs or alcohol, of the guidelines for the detection and deterrence of drug and alcohol abuse, of the responsibilities of managers and employees alike, and of resources available for treatment of drug and alcohol abuse. This shall be accomplished through approved training resources.

3. Prohibited Substances

Prohibited substances addressed by this policy include the following:

Illegal Drugs

For purposes of this policy, illegal drugs shall be Amphetamines, Marijuana, Cocaine, Opiates, and Phencyclidine (PCP), or any other controlled substance taken without a lawful prescription as defined by sections 802(6) and 812 of Title 21 of the United States Code or the California Health and Safety Code.

Legal Drugs

For purposes of this policy, prohibited substances may include lawfully prescribed legal drugs or non-prescription medications, described in detail in Section VII, that negatively impact the employee's work performance or ability to safely and effectively perform the essential job functions of his or her position. Whether or not legal drugs constitute prohibited substances depends on the extent of impairment of the employee's job performance and in limited circumstances receipt of medical clearance as provided in Section VII below.

Alcohol

For purposes of this policy, alcohol shall refer to any form of consumable alcohol (ethyl) in any strength (proof) in any quantity.

4. Employee Responsibilities

An employee shall not do any of the following while on duty, on First 5 Madera County property, at work

locations, while on break, during the work day or meal periods, or on “on-call” time:

- A. Have his or her ability to perform job duties impaired due to any use of a prohibited substance.
- B. Possess or use prohibited substances.
- C. Sell or provide, directly or through any third person, any prohibited substance to any person, including any employee.
- D. Manufacture or procure any prohibited substances.

An employee shall:

- A. Notify the Executive Director when taking a legal drug which may adversely impact his or her ability to perform the duties of their job safely, as provided in Section VII below.
- B. Notify the Executive Director of any criminal drug statute conviction as provided in Section VIII below.
- C. Attend such programs as First 5 Madera County may designate for the purpose of instructing employees generally on the dangers of drug and alcohol abuse, which will be scheduled during normal working hours.
- D. Receive a copy of this policy, read this policy, agree to the policy’s terms and provide written acknowledgment that these conditions have been met.

5. Management Responsibilities

Management shall:

- A. Provide each employee with a copy of this policy and the Federal and State Drug-Free Workplace Acts, which shall be received by employees during new employee orientation.
- B. Obtain written acknowledgment from each employee that he or she has received a copy of this policy, read this policy, and agreed to the policy’s terms and retain a copy of the written acknowledgement in each employee’s personnel file.
- C. Establish a Drug-Free Workplace awareness program to inform employees about:
 - 1. The dangers of drug and alcohol abuse in the workplace;
 - 2. Available counseling and rehabilitation; and
 - 3. The potential discipline of employees for violations of this policy and for drug and alcohol abuse violations.
- D. Notify the Federal sponsoring agency within ten (10) calendar days after receiving notice from an employee of a conviction for criminal drug statute violation occurring in the workplace.
- E. Either within thirty (30) calendar days of receipt of notice from an employee of any conviction for a drug statute violation occurring in the workplace or as soon as possible after learning that an employee was definitively in possession of, using, unlawfully manufacturing, distributing, dispensing, selling or under the influence of a prohibited substance while on duty, on First 5 Madera County property, at work locations, while on break, during the work day or meal periods, or on “on-call” time, take one (1) or both of the following actions:
 - a. Take appropriate personnel action against such employee, up to and including termination;
 - b. Require such employee to participate satisfactorily in a substance abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency. Failure to participate satisfactorily in such program may result in personnel action set forth in paragraph (E)(1) above.
- F. Prevent an employee from engaging in further work when there is reasonable suspicion, as defined in Section IX below, to believe that the employee in question is impaired or under the influence of a prohibited

substance.

- G. Order an employee to remain on the premises for a reasonable time to assure that he or she can be safely transported from the work site when there is reasonable suspicion, as defined in Section IX below, to believe that the employee in question is impaired or under the influence of a prohibited substance.

6. Education and Training

As noted above, every employee shall receive a copy of this policy and the Federal and State Drug-Free Workplace Acts. In addition, every employee shall attend such programs as First 5 Madera County may designate for the purpose of instructing employees generally on the dangers of drug and alcohol abuse, available counseling and rehabilitation, and the discipline of employees for violations of this policy and for drug and alcohol abuse violations, which will be scheduled during normal working hours.

All supervisory personnel who are in the position to determine employee fitness for duty (i.e., managers, supervisors, Executive Director) shall receive two (2) hours of reasonable suspicion training on the physical, behavioral and performance indicators of probable drug use and alcohol misuse. In addition, supervisory personnel shall receive training on how to intervene constructively when employee drug or alcohol abuse is suspected, and how to effectively integrate an employee back into his or her work group following intervention and/or treatment. Such training shall occur every two (2) years for current supervisory personnel and within six (6) months of hire for new supervisory personnel. The Executive Director shall have the sole authority to determine who should receive the training.

7. Legal Drugs

Legal drugs are lawfully prescribed drugs and non-prescription medications. Their appropriate use is not prohibited by the policy. An employee, however, must immediately report to the Executive Director about the use of any legal drug which adversely impacts his or her ability to perform the duties of their job safely. Additionally, if the Deputy Director, Executive Director, or supervisory employee reasonably suspects that an employee's use of any legal drug adversely affects the employee's ability to perform their job safely and efficiently, the Deputy Director, Executive Director, or supervisory employee may request that the employee obtain and provide a written release from a medical professional indicating that the employee can work safely and efficiently while taking the legal drug. The employee need not disclose the name or medical purpose of the legal drug.

First 5 has the right to restrict an employee's work activities while that employee is using legal drugs that may adversely impact his or her ability to perform the duties of their job safely. First 5 may also require an employee using legal drugs to take a leave of absence while taking such legal drugs if a medical professional determines that the employee cannot work safely and efficiently while taking the legal drugs. It is acknowledged that such leave may fall within the parameters of Medical Leave under the Employee Handbook. In any case, no employee may report to work if he or she is impaired by the use of the legal drugs to the point that the impairment may endanger the employee's safety or the safety of anyone else, pose a risk of significant breach of security, or substantially interfere with the performance of assigned job duties or the efficient operations of the First 5.

8. Drug Statute Conviction

Consistent with the Federal Drug-Free Workplace Act, every employee is required to notify the Executive Director of any criminal drug statute conviction for a violation occurring while on duty, on First 5 Madera County property, at work locations, while on break, during the work day or meal periods, or on "on-call" time no later than five (5) working days after such conviction or plea. Additionally, the Executive Director is required to notify any Federal sponsoring agency within ten (10) calendar days after receiving notice from an employee of a conviction

for criminal drug statute occurring in the workplace.

For purposes of this policy, a conviction includes a plea of guilty or nolo contendere pursuant to California Penal Code § 1016.

An employee's failure to report an obligatory drug statute conviction may constitute a cause for serious disciplinary action, up to and including termination.

9. Abuse Identification and Management Directed Testing

First 5 Madera County is committed to providing reasonable accommodation to employees whose substance abuse problem classifies them as disabled under federal or state law. Where appropriate, the employee will be referred to a substance abuse treatment program.

An employee will be subject to a reasonable suspicion drug and/or alcohol analysis test, as defined in Sections X and XIII below, when a manager or supervisor has reasonable suspicion to believe that an employee is intoxicated or under the influence of a prohibited substance.

Any manager or supervisor who has reasonable suspicion that an employee is under the influence of a prohibited substance or has illegal drugs in his or her possession or stored at or in First 5 property shall document the facts constituting reasonable suspicion in writing.

If a manager or supervisor has reasonable suspicion that an employee may have any prohibited substance in his or her possession or stored at or in any First 5 property, the manager or supervisor shall notify the Executive Director. If the Executive Director agrees that there is reasonable suspicion that an employee may have any prohibited substance in his or her possession or stored at or in First 5 property, the Executive Director shall notify the appropriate law enforcement agency. If the Executive Director is unavailable, the Executive Director's designee shall stand in their place.

For the purpose of this policy, "reasonable suspicion" is a belief based on objective evidence sufficient to lead a reasonable and prudent manager or supervisor to suspect that an employee:

1. is under the influence of, or has used, a prohibited substance so that the employee's ability to perform the functions of his or her job is impaired or so that the employee's ability to perform his or her job safely is reduced.
2. has any prohibited substance in his or her possession or stored at or in any First 5 property.

Reasonable suspicion may, without limitation, include any of the following objective factors singly or in combination:

1. Incoherent and/or slurred speech.
2. Rapid speech.
3. Dry mouth with frequent swallowing and/or lip wetting.
4. Unusual odor emanating from breath and/or person.
5. Red and/or watery eyes.
6. Dilated and/or constricted pupils.
7. Poor balance and/or coordination (i.e., Unsteadiness afoot).
8. Hand tremors.
9. Disorientation and/or inattention.
10. Erratic and/or volatile behavior.
11. Drowsiness.
12. Detachment from physical and/or emotion pain.
13. Physical and/or verbal altercations.

14. Information from a reliable source with personal knowledge

An employee who refuses an order to submit to a drug and/or alcohol analysis test under these circumstances, or refuses to authorize release of the results of this testing to the authorized representative(s) of First 5, shall be subject to disciplinary action, up to and including termination.

Any manager or supervisor encountering an employee who refuses an order to a drug and/or alcohol analysis test under these circumstances or refuses to authorize release of the results of this testing to the authorized representative(s) of First 5 shall remind the employee that failure to comply is insubordination and may result in disciplinary action.

An employee shall be placed on administrative leave pending the test results

10. Reasonable Suspicion Testing Requirements

1. A determination that an employee's conduct and behavior gives rise to a reasonable suspicion that the employee is under the influence of a prohibited substance so that the employee's ability to perform the functions of his or her job is impaired or so that the employee's ability to perform his or job safely is reduced shall be made by one (1) or more managers and/or supervisors, or by the Executive Director, who are trained in detecting indicators of probable drug and/or alcohol influence and intoxication.
2. Upon the determination of reasonable suspicion that an employee is intoxicated or under the influence of a prohibited substance so that the employee's ability to perform the functions of his or her job is impaired or so that the employee's ability to perform his or her job safely is reduced, the employee shall submit to testing for the use of prohibited substances when requested to do so by the manager, supervisor, or Executive Director.
3. Any manager, supervisor or Executive Director requesting or ordering an employee to submit to a drug and/or alcohol analysis test shall, prior to the test, document in writing the facts constituting reasonable suspicion that the employee in question is intoxicated or under the influence of a prohibited substance. In the event that extenuating circumstances prevent a manager, supervisor or Executive Director from completing the required written documentation prior to testing, such manager, supervisor or Executive Director shall complete the documentation as soon as possible but not later than twenty-four (24) hours after the test. The documentation also shall specify the extenuating circumstances.
4. A manager or supervisor requesting or ordering an employee to submit to a drug and/or alcohol analysis test shall notify the Executive Director before the test is required of the employee. The Executive Director shall possess the final authority on whether or not a drug and/or alcohol analysis test is needed. If the Executive Director is unavailable, the Executive Director's designee shall stand in their place.

11. Return-to-Duty Testing

Before returning to work after either testing positive on a drug or alcohol analysis test, or refusing to take a test when properly ordered, an employee must: (i) test negative for drugs and/or have a blood alcohol content below 0.02 percent; and (ii) be evaluated and released by a Substance Abuse Professional.

For a first-time positive drug test, a Return-to-Duty drug test is required and an alcohol test is optional, at the discretion of First 5. For a first-time positive alcohol test, a Return-to-Duty alcohol test is required and a drug test is optional, at the discretion of First 5.

The above shall not limit the ability of First 5 to discipline an employee, up to and including termination, for a

positive drug or alcohol test in the first instance.

12. Follow-up Testing

All employees who have returned to work following their Return-to-Duty test will be required to undergo random and unannounced follow-up drug and/or alcohol analysis testing. The follow-up testing will be performed for a period of up to three (3) years, with no minimum or maximum cap on the number of tests performed the first year and a maximum cap of three (3) tests performed in the second and third year.

The frequency of the follow-up tests, beyond the first year, will be determined by a Substance Abuse Professional reflecting the Substance Abuse Professional's assessment of the employee's unique situation and recovery progress. The follow-up testing should be frequent enough to deter and/or detect a relapse. The follow-up testing is separate and in addition to reasonable suspicion and Return-to-Duty testing. An employee shall be responsible for the cost for follow-up testing as required by this Policy.

The above shall not limit the ability of First 5 to discipline an employee, up to and including termination, for a positive drug or alcohol test in the first instance.

13. Drug and Alcohol Testing Procedures

14. Results of Drug /Alcohol Analysis Test

1. An employee who has a verified positive drug and/or alcohol analysis test will be removed from duty, informed of educational and rehabilitation programs available, and referred to a Substance Abuse Professional for assessment. No employee will be allowed to return to duty without a Return-to-Duty test as provided in Section XI and the release of a Substance Abuse Professional.
2. A drug test with the result of negative dilute¹ shall be retested.
3. A positive drug and/or alcohol analysis test ordered in compliance with this policy may result in disciplinary action, up to and including termination.
4. Refusal to submit to a drug and/or alcohol analysis test shall be considered a positive test and a direct act of insubordination and shall result in disciplinary action, up to and including termination.
5. The cost of any treatment or rehabilitation services shall be paid directly by an employee or the employee's insurance provider pursuant to the plans coverage limitations.
 - a. An employee shall be permitted to take accrued sick leave to participate in the Substance Abuse Professional prescribed treatment program. If an employee has no accrued sick leave, time off to participate in a treatment program can be charged to either vacation or compensatory time off.
 - b. If an employee has insufficient accrued leave, the employee shall be placed on leave without pay until the Substance Abuse Professional has determined that the employee has successfully completed the required treatment program and releases the employee to return-to-duty.

¹ Negative Dilute – A drug test result which is negative for the five (5) drug metabolites but has a specific gravity value lower than expected for human urine.

- c. Any leave taken, either paid or unpaid, shall be considered leave taken under the Medical Leave policy in the Employee Handbook if an employee otherwise qualifies for Medical Leave.

- d. An employee who, after failing a drug and/or alcohol analysis test, fails or refuses in participating the treatment program prescribed Substance Abuse Professional shall be considered insubordinate and shall face additional disciplinary action, up to an including termination.
- e. An employee shall be responsible for the cost for follow-up testing, as required by this Policy. All costs charged by the service provider for follow-up testing shall be incurred by the employee, and the service provider shall invoice the employee directly.

163 Sexual and Other Unlawful Harassment

Effective Date: 7/01/2011

Revision Date: 05/06/2019

First 5 Madera County is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's race, color, religion, sex/gender (including pregnancy, childbirth, breastfeeding or related medical condition), sex stereotype, gender identity/gender expression/transgender (including whether or not you are transitioning or have transitioned), and sexual orientation, marital status/registered domestic partner status, national origin (including language use restrictions and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized under federal law pursuant to Vehicle Code § 12801.09), ancestry, age (40 and over), physical or mental disability, medical condition, genetic information/characteristics, military/veteran status, or any other basis protected by federal, state, or local law or ordinance or regulation will not be tolerated. First 5 Madera County provides ongoing sexual harassment training to ensure you the opportunity to work in an environment free of sexual and other unlawful harassment.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the Executive Director or any other member of management. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the Executive Director or any member of management so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

160 Personal Appearance

Effective Date: 03/05/2014

Revision Date: 03/05/2014

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image First 5 Madera County presents to customers and visitors.

During business hours or when representing First 5 Madera County, you are expected to present a clean, neat, and tasteful appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards. This is particularly true if your job involves dealing with customers or visitors in person.

Your supervisor or department head is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstance, you will not be compensated for the time away from work. Consult your supervisor if you have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made to a person with a disability.

Without unduly restricting individual tastes, the following personal appearance guidelines should be followed:

Employees are required to maintain grooming standards and dress appropriately for work each day as delineated by this policy.

- Exceptions to the dress code policy may be approved when a medical condition exists which would be affected by the dress code. The Executive Director or Deputy Director may require the employee to submit documentation to support an appropriate accommodation.
- Clothes shall be neat, clean, tidy, properly fitted, and sized as professionally appropriate for the job.
- Clothes shall not contain political statements or political symbols, pornography, offensive language,

- advertising or promotion of alcohol, tobacco or other drugs.
- Clothes shall not be ripped, torn or frayed.
- No clothes shall be worn which, as part of the design, intentionally exposes undergarments or midriffs.
- Employees shall not be permitted to work barefoot. Shoes or sandals, as defined by this policy as appropriate, must be worn at all times (shoes are defined as an outer foot covering with a thick or stiff sole and an attached heel; sandals are defined as a shoe consisting essentially of a sole fastened to the foot by means of a strap, or a slip on dress shoe may be considered appropriate).
- Hats are only allowed as specified in this policy.

In addition to A-H, the following are specifically not permitted:

- Footwear commonly known as "flip flops" and/or "thongs".
- Dirty tennis shoes that are not appropriate for the employees' job duties are prohibited.
- Slippers
- Tank tops (a sleeveless blouse that is a piece of a professional suit/outfit is permitted).
- "T" shirts (Henley style shirts, a collarless shirt with neck buttons, are permitted).
- Sweat shirts and/or pants, jogging suits, and workout clothes.
- Blouses or tops that are too revealing or transparent -- undergarments must not be exposed.
- Leggings without the covering of a tunic length top (legging is defined as a covering for the leg which is designed as outerwear and fits the form of the leg; tunic is defined as an outer garment that covers the buttocks)
- Tube tops.
- Jeans - Monday through Thursday (jeans are defined as a durable twilled cotton or denim material, commonly known as "blue jeans") Dress jeans of non-denim-like material is appropriate, but should not be faded or frayed.
- Jeans of any color may be worn on Friday, pursuant to conformance with this policy (otherwise known as casual Fridays).
- Tennis shoes or sneakers may be worn on Friday.
- Shorts and skirts are to be knee length or longer.

Individual exceptions may be approved on a day to day basis by supervisors based upon particular assignments, for example requiring professional dress on an otherwise casual day when appropriate, or permitting jeans on days when it is expected that the work will be such that clothes may be soiled.

If any supervisor is contemplating taking action regarding a violation of this policy, that action must be discussed prior to implementation with the Executive Director. If an employee gets sent home to change due to a violation, it will be on the employee's time.

160 Return of Property

Effective Date: 7/01/2011

Revision Date: 05/06/2019

Employees are responsible for items issued to them by First 5 Madera County or in their possession or control, such as the following:

- Business cards
- Industry Related Literature

- Cell Phones
- Computer equipment (laptop, flash drives, etc.)
- Credit cards
- Equipment
- Identification badges
- Keys

Employees must return all First 5 Madera County property immediately upon request or upon termination of employment. Where permitted by applicable laws, First 5 Madera County will seek reimbursement from the employee for the cost of any items that are not returned when required. First 5 Madera County may also take all action deemed appropriate to recover or protect its property.

[Appendix Form J: Equipment Checkout Form]

167 Resignation

Effective Date: 7/01/2011

Revision Date:

Resignation is a voluntary act initiated by the employee to terminate employment with First 5 Madera County. Although advance notice is not required, First 5 Madera County requests written resignation notice at least 2 weeks from all employees.

Prior to an employee's departure, an exit interview will be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits.

168 Security Inspections

Effective Date: 7/01/2011

Revision Date:

First 5 Madera County wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, First 5 Madera County prohibits the possession, transfer, sale, or use of such materials on its premises. First 5 Madera County requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remains the sole property of First 5 Madera County. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of First 5 Madera County at any time, either with or without prior notice.

First 5 Madera County likewise wishes to discourage theft or unauthorized possession of the property of employees, First 5 Madera County, visitors, and customers. To facilitate enforcement of this policy, First 5 Madera County or its representative may inspect not only desks and lockers but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto First 5 Madera County's premises.

169 Solicitation

Effective Date: 7/01/2011

Revision Date:

First 5 Madera County recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

Staff may not actively solicit donations or the sale of items in the workplace. All solicitation must be in a written format and may be left in the staff lounge. No solicitation from outside vendors is permitted.

In addition, the posting of written solicitations on company bulletin boards is restricted. These bulletin boards display important information, and employees should consult them frequently for:

- Affirmative Action statement
- Employee announcements
- Internal memoranda
- Job openings
- Organization announcements
- Payday notice
- Workers' compensation insurance information
- State disability insurance/unemployment insurance information

If employees have a message of interest to the workplace, they may submit it to the Deputy Director for approval. All approved messages will be posted by the Deputy Director.

170 Progressive Discipline

Effective Date: 7/01/2011 Revision Date:

The purpose of this policy is to state First 5 Madera County's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

First 5 Madera County's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with First 5 Madera County is based on mutual consent and both the employee and First 5 Madera County have the right to terminate employment at will, with or without cause or advance notice, First 5 Madera County may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps -- verbal warning, written warning, suspension with or without pay, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment.

First 5 Madera County recognizes that there are certain types of employee problems that are serious enough to

justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct and Work Rules policy includes examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and First 5 Madera County.

171 Problem Resolution

Effective Date: 7/01/2011

Revision Date:

First 5 Madera County is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from First 5 Madera County supervisors and management.

First 5 Madera County strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with First 5 Madera County in a reasonable, business-like manner, or for using the problem resolution procedure.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

Employee presents problem to immediate supervisor after incident occurs. If supervisor is unavailable or employee believes it would be inappropriate to contact that person, employee may present problem to Executive Director.

Supervisor responds to problem during discussion or after consulting with appropriate management, when necessary. Supervisor documents discussion.

Employee presents problem to Executive Director if problem is unresolved.

Executive Director counsels, advises employee and assists in putting problem in writing.

Employee presents problem to Executive Director in writing.

Executive Director reviews and considers problem. Executive Director informs employee of decision and forwards copy of written response to Deputy Director for employee's file. The Executive Director has full authority to make any adjustment deemed appropriate to resolve the problem.

If the point of contention is the Executive Director, or the Executive Director fails to handle a matter in a way that is

satisfactory to the employee, the employee shall contact the First 5 Madera County Chair of the Staffing and Operations Committee.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment, and helps to ensure everyone's job security.

172 Workplace Etiquette

Effective Date: 7/01/2011

Revision Date:

First 5 Madera County strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues can be addressed by politely talking with a co-worker to bring the perceived problem to his or her attention. In most cases, common sense will dictate an appropriate resolution. First 5 Madera County encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

The following workplace etiquette guidelines are not necessarily intended to be hard and fast work rules with disciplinary consequences. They are simply suggestions for appropriate workplace behavior to help everyone be more conscientious and considerate of co-workers and the work environment. Please contact the direct supervisor if you have comments, concerns, or suggestions regarding these workplace etiquette guidelines.

- Return copy machine and printer settings to their default settings after changing them.
- Replace paper in the copy machine and printer paper trays when they are empty.
- Retrieve print jobs in a timely manner and be sure to collect all your pages.
- Be prompt when using the manual feed on the printer.
- Keep the area around the copy machine and printers orderly and picked up.
- Be careful not to take or discard others' print jobs or faxes when collecting your own.
- Avoid public accusations or criticisms of other employees. Address such issues privately with those involved or your supervisor.
- Try to minimize unscheduled interruptions of other employees while they are working.
- Communicate by email or phone whenever possible, instead of walking unexpectedly into someone's office or workspace.
- Be conscious of how your voice travels, and try to lower the volume of your voice when talking on the phone or to others in open areas.
- Keep socializing to a minimum, and try to conduct conversations in areas where the noise will not be distracting to others.
- Minimize talking between workspaces or over cubicle walls. Instead, conduct conversations with others in their workspace.
- Try not to block walkways while carrying on conversations.
- Refrain from using inappropriate language (swearing) that others may overhear.
- Avoid discussions of your personal life/issues in public conversations that can be easily overheard.
- Monitor the volume when listening to music, voice mail, or a speakerphone that others can hear.
- Clean up after yourself and do not leave behind waste or discarded papers.

173 Life-Threatening Illnesses in the Workplace

Effective Date: 7/01/2011

Revision Date:

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. First 5 Madera County supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, First 5 Madera County will make reasonable accommodations in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. First 5 Madera County will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact the Executive Director for information and referral to appropriate services and resources.

174 Recycling

Effective Date: 7/01/2011

Revision Date:

First 5 Madera County supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This support includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.

Special recycling receptacles have been set up to promote the separation and collection of the following recyclable materials at First 5 Madera County:

- Paper (white or color)
- Newspaper
- Aluminum
- Glass
- Plastics
- Printer cartridges

The simple act of placing a piece of paper, can, or bottle in a recycling container is the first step in reducing demand on the earth's limited resources. Success of this program depends on active participation by all of us. Employees are encouraged to make a commitment to recycle and be a part of this solution.

First 5 Madera County encourages reducing and, when possible, eliminating the use of disposable products. Source reduction decreases the consumption of valuable resources through such workplace practices as:

- communication through computer networks with email
- posting memos for all employees

- two-sided photocopying
- Computerized business forms
- routing slips for reports
- reusing paper clips, folders, and binders
- reusing packaging material
- turning off lights when not in use
- use reusable kitchenware

Whenever possible, employees of First 5 Madera County are encouraged to purchase products for the workplace that contain recycled or easily recyclable materials. Buying recycled products supports recycling and increases the markets for recyclable materials.

By recycling, First 5 Madera County is helping to solve trash disposal and control problems facing all of us today. If you have any questions or new ideas and suggestions for the recycling program, contact the Deputy Director.

175 Suggestion Program

Effective Date: 7/01/2011

Revision Date:

As employees of First 5 Madera County, you have the opportunity to contribute to our future success and growth by submitting suggestions for practical work-improvement or cost-savings ideas.

All regular employees are eligible to participate in the suggestion program.

A suggestion is an idea that will benefit First 5 Madera County by solving a problem, reducing costs, improving operations or procedures, enhancing customer service, eliminating waste or spoilage, or making First 5 Madera County a better or safer place to work. Statements of problems without accompanying solutions, or recommendations concerning co-workers and management are not appropriate suggestions.

All suggestions must be submitted on a suggestion form and should contain a description of the problem or condition to be improved, a detailed explanation of the solution or improvement, and the reasons why it should be implemented. If you have questions or need advice about your idea, contact your supervisor for help.

All suggestions are to be turned into the suggestion box. Suggestions will be collected by the Deputy Director monthly and forwarded to the Leadership Team or Injury and Illness Prevention Committee for review as appropriate. You will be notified of the adoption or rejection of your suggestion when a decision has been made.

176 Child Abuse and Neglect Reporting

Effective Date: 7/01/2011

Revision Date:

Reason this policy is important: Besides being illegal, child abuse and neglect interfere with healthy child development and later achievement in life. State requirements may differ, but those in which reporting suspected abuse is mandatory usually include child care personnel. Staff should be aware of reporting requirements and procedures for handling reports of child abuse and neglect. Information on where to call and how to report abuse and neglect should be posted, so it is readily available to staff.

Procedure and Practices, including responsible person(s):

All employees are mandated reporters and trained annually. All observations or suspicions of child abuse or neglect will be immediately reported by any staff who witnessed it to the Child Protective Services hotline: 1-800-801-3999, no matter where the abuse might have occurred. The suspected child abuse report form will also be completed within 24 hours.

All staff involved in the reported incident will follow the direction of Child Protective Services regarding completion of written reports. If the parent or legal guardian of the child is suspected of abuse, staff will follow the guidance of Child Protective Services regarding notification of the child's parent or legal guardian. Reporters of suspected child abuse will not be discharged for making a report; unless it is proven that a false report was knowingly made.

Signs of suspected child abuse or neglect will be recorded, which will be kept in a confidential file located in the Executive Director's office.

If a staff member is suspected of abuse, parents or legal guardians of suspected abused children will be notified by the Executive Director immediately after contact with Child Protective Services is made.

Parents or legal guardians of other children in the program will be contacted by the Executive Director within 24 hours of contact with Child Protective Services, so that they may share any concerns they have.

Staffs who are accused of child abuse may be suspended or given leave (**with/without**) pay, pending investigation of the accusation. Such staff may also be removed from his/her duty and given a job that does not require interaction with children. However, no accusation or affirmation of guilt will be made until the Child Protective Services investigation is complete. Caregivers found guilty of child abuse will be immediately dismissed.

When this policy applies: Whenever any staff member has reason to suspect that any child on the premises of this facility may have been abused or neglected by anyone.

Communication plan for staff and parents:

Staff and volunteers will receive a written copy of this policy in their Orientation Packets before beginning work.

[Appendix Form R: Suspected Child Abuse Report Form]

177 Vehicle Use

Effective Date: 10/03/2012

Revision Date:

This procedure provides guidelines to govern usage of the First 5 Madera County owned vehicle.

Authorized Drivers

1. **Procedures for Obtaining Vehicle Usage**
2. **Electronic Device Usage**

Employees are not permitted to use any electronic devices (PDA, GPS, MP3, IPOD, Cell Phone, etc.) while operating a vehicle (regardless if the vehicle is First 5 or personally owned). Use of GPS should be set prior to starting trip.

3. **Use of Vehicle For Meals**

There will be no allowable in-county use of the vehicle for meal breaks without prior approval from the

Executive Director.

Use of vehicle for lunch and/or break purposes is permissible only in those instances when an employee is out of county. As an example, if an employee is traveling for a conference and out of county, they may travel in the vehicle to an appropriate establishment if they have noted on their "Out of County Request Form" that they will be continuing on business outside of their designated work site after their break or lunch. Vehicle **may not** be used for the sole purpose of going to break or lunch.

4. Use of Private Vehicle

Since there is only one First 5 owned vehicle (prioritized for Mountain Area FRC activities) staff may need to use their own vehicle at times. In these instances, the employee is entitled to mileage reimbursement consistent with policies and procedures outlined in the First 5 Madera County HR Handbook. The following are reminders for private vehicle usage:

- a) Private vehicles are not to be used to transport clients.
- b) Supervisors are responsible for auditing Travel Reimbursement Claim Forms submitted by their staff.
- c) All approved Travel Reimbursement Claims forms must be turned in to the Fiscal Manager by the 5th of each month.
- d) Effective January 1, 2013, all First 5 Madera County employees (and others seeking mileage reimbursement) must maintain automobile liability insurance consistent with California State law.

178 Temporary Assignment

Effective Date: 03/05/2014

Revision Date:

When it has been determined an employee must perform duties of a higher level of responsibility due to an extended vacancy or absence of a staff in a higher classification, the employee shall be compensated for the added responsibilities.

The additional compensation will begin after 15 days of performing the additional duties.

179 Job References

Effective Date: 03/05/2014

Revision Date:

A job reference is defined as a person who can speak well about the skills and qualifications of someone who is applying for a job.

Due to risks involved with providing job references, all employees (including supervisors & managers) are expected to observe the following:

Oral Job References are usually given when employers call a reference to ask a series of questions related to the applicant's skills and qualifications.

- If the applicant is a current, previous, or affiliated employee of First 5 Madera County, the job reference call is redirected to the Deputy Director. Employees should **NEVER** accept this type of phone call and/or respond to any inquiries.
- If the applicant is a personal acquaintance, an oral job reference may be given.

Written Job References are usually used to accompany a job application packet.

- If the applicant is a current, previous, or affiliated partner of First 5 Madera County, a written letter of recommendation may be requested from the Deputy Director or Executive Director of First 5 Madera County. Employees should NEVER write a letter of reference on behalf of First 5 Madera County.

A personal letter of reference may be written, however is NOT permitted on Madera County letterhead. Further, the inclusion of "First 5 Madera County", position, title and any other work related matters is strictly prohibited. Violation of this protocol can cause serious exposure to the agency and will result in sanctioning as appropriate

Employee Acknowledgment

The employee handbook describes important information about First 5 Madera County, and I understand that I should consult the Executive Director regarding any questions not answered in the handbook.

I have entered into my employment relationship with First 5 Madera County voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or First 5 Madera County can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur. In absent of a bargaining unit, the employee handbook will be revisited no less than every three years for any relevant modifications. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only First 5 Madera County has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____



TO: Staffing and Operations Committee
FROM: J. Monica Ramirez, Executive Director
SUBJECT: Commission Member Recruitment Update

RECOMMENDED ACTION:

The Committee receives an update on the progress of the Commission Member recruitment and guides staff.

BACKGROUND:

This item aims to offer an update on the recruitment status for the Commission Member Chowchilla Representative. Public notices have been published in relevant local newspapers, Madera Tribune, and distributed to various social media, local agencies, and other organizations.

The recruitment status – Unfortunately, no submissions have been received. As a result, staff proposes extending the recruitment activities to August 2023, as some agencies are closed for the summer. Extending the recruitment activities will allow community members, such as school district members, to receive the information and consider the vacancy.

Outlined below is the Commission Member Recruitment Process:

1. **Commission assessment** - The agency conducts an evaluation to identify Commission gaps in skills, experience, expertise assessment, diversity, and county representation.
2. **Recruitment tasks** – The agency rolls out recruitment activities
3. **Application review** process by SOC Committee
4. **Interview** process by SOC Committee
5. **SOC / Commission recommendation** followed by BOS approval

TIMELINE	
May 2023	Recruitment Approval
May 2023 – August 2023	Recruitment Activities
September 2023	Application Review Process
October 2023	Interview Process
November 2023	Commission Recommendation
December 2023	BOS Approval & Notify Commission Member

The Commission would receive regular updates during the recruitment process.