

Contra Costa County – Employer Advisory Council Employment Policies Workshop

July 17, 2012

- Review Workshop Objectives
You will be able to:
 - ✓ Identify the employment policies you have application for in your company.
 - ✓ Ask questions about policy content and get recommendations.
 - ✓ Determine what policies you wish analyze further.

- What Might Be Considered Policy Subjects?
 - ✓ List of 144 possible policy subjects
 - ✓ What can be added to the list?

- Review of Sample Policies

- Review Objectives & Close Workshop
You will be able to:
 - ✓ Identify the employment policies you have application for in your company.
 - ✓ Ask questions about policy content and get recommendations.
 - ✓ Determine what policies you wish analyze further.

Possible Employment Policy Subjects

1. 401K Plan	2. Absences	3. Alcohol and Drugs
4. Alternative Work Schedules	5. American's With Disabilities	6. Anniversary Dates
7. Benefits Eligibility	8. Bringing Personal Property to Work	9. Bulletin Boards
10. Cash Handling	11. Cell Phones	12. Child Support Orders
13. COBRA	14. Community Activities	15. Complaint Procedures
16. Computer Use	17. Confidentiality	18. Conflicts of Interest
19. Contagious Diseases	20. Customer Relations	21. Dating Co-Workers
22. Desk and Property "Searches"	23. Disability Insurance	24. Discrimination
25. Dispute Resolution	26. Dress Guidelines (Codes)	27. Driving
28. Educational Assistance	29. E-Mail	30. Employee Classifications
31. Employee Discounts	32. Employee Newsletter	33. Employee Recognition Awards
34. Employment of Minors	35. Employment of Relatives	36. Equal Employment Opportunity
37. Ethical Behavior	38. Ethics	39. Exempt v Non-Exempt
40. Expense Accounts	41. Family and Medical Leave	42. Family Rights Leave
43. First 90 Days	44. Fraternalization	45. Funeral Leave
46. Garnishments	47. Gifts	48. Gratuities
49. Grooming Standards	50. Harassment	51. Holidays
52. Hours of Work	53. Inappropriate Behavior	54. Inspection of Property
55. Insurance	56. Insurance Eligibility	57. Internet Use
58. Introductory Period	59. Jury Duty	60. Layoffs
61. Leaves of Absence	62. Life Insurance	63. Literacy Programs
64. Loans to Employees	65. Meal Periods	66. Medical Conditions
67. Military Leave	68. News Media Contact	69. No-Smoking Policy
70. Off-Work Sports Activities	71. Open Door Policy	72. Outside Work Behavior
73. Overtime	74. Parking	75. Part-Time Employment
76. Pay Dates	77. Pay Records	78. Paydays
79. Performance Evaluations	80. Personal Appearance	81. Personal Leave
82. Personal Mail	83. Personnel Files	84. Photocopying Charges

85. Political Activities	86. Pregnancy Leaves	87. Privacy
88. Problem Resolution	89. Problem-Solving Procedures	90. Property Damage
91. References	92. Rehiring Former Employees	93. Religious Conflicts
94. Rest Periods	95. Retaliation	96. Ridesharing
97. Right to Know – MSDS	98. Safety	99. School Activities Leave
100. School Requirements Leave	101. Second Business	102. Second Jobs
103. Serious Diseases	104. Severe Weather	105. Sexual Harassment
106. Sick Pay	107. Smoking Policy	108. Social Security
109. Solicitations – Distribution of Info	110. Standards of Conduct	111. State Disability Insurance
112. Substance Abuse	113. Suggestions	114. Tardiness
115. Telecommuting	116. Telephone Calls	117. Temporary Employees
118. Terminations	119. Timekeeping	120. Timeliness
121. Tools & Equipment	122. Training Opportunities	123. Uniforms
124. Using Company Property	125. Vacation	126. Violence in the Workplace
127. Violence Prevention	128. Voluntary Resignation	129. Volunteer Firefighting
130. Voting Time	131. Wage Advances	132. Wage Deductions
133. Wage Increases	134. Weapons Policy	135. Withholding Orders & Garnishments
136. Work Day Defined	137. Work Performance	138. Work Schedules
139. Work Week Defined	140. Workers' Compensation	141. Workplace Monitoring

EMPLOYMENT POLICIES

SAMPLES AND SUGGESTIONS

**** CAUTION ****

Following are samples of employment policies. They do not offer the entire range of selection or policy design which is possible. Any employer wishing to develop its own personnel policies is strongly advised to review its planned policies with its labor attorney prior to publishing and implementation.

Prepared by

William H. Truesdell, SPHR

© 2003, 2012
The Management Advantage, Inc.
All Rights Reserved

EMPLOYMENT POLICIES

<u>EMPLOYMENT RELATIONSHIP</u>	4
<u>GENERAL EMPLOYEE RELATIONS</u>	5
<u>EMPLOYMENT CATEGORIES</u>	6
<u>EMPLOYMENT AUTHORIZATION</u>	7
<u>PROMOTIONS AND TRANSFERS</u>	7
<u>EQUAL EMPLOYMENT OPPORTUNITY</u>	8
<u>HARASSMENT AND DISCRIMINATION COMPLAINTS</u>	9
<u>PRIVACY OF EMPLOYEE INFORMATION</u>	10
<i>Employee Records</i>	10
<i>Computer Data and E-Mail</i>	10
<i>Employee Workstations</i>	11
<u>COMPENSATION</u>	11
<u>PERSONAL APPEARANCE</u>	12
<u>TELEPHONE USE</u>	12
<u>MOONLIGHTING</u>	13
<u>GIFTS AND TIPPING</u>	13
<u>SMOKING</u>	13
<u>BULLETIN BOARDS</u>	14
<u>OPEN DOOR POLICY</u>	14
<u>STANDARDS OF CONDUCT</u>	15
<i>Fair Competition</i>	15
<i>Conflict of Interest</i>	15
<i>Political Contributions</i>	16
<i>Work Time and Personal Integrity</i>	17
<i>Personal Behavior</i>	17
<i>Safeguarding (The Organization) Property</i>	19
<i>Safeguarding (The Organization) Funds</i>	20
<i>Overall Employee Conduct Requirements</i>	20
<u>LEAVE OF ABSENCE</u>	21
<i>Bereavement</i>	21
<i>Jury Duty</i>	21
<i>Witness Duty</i>	22
<i>Voting Time</i>	22
<i>Military Leave</i>	22
<i>Family and Medical Care Leave</i>	23
<i>Personal Leave</i>	23
<i>Medical Disability Leave</i>	23
<i>Literacy Leave</i>	24
<i>Parent's Leave for Children in School</i>	24
<i>Religious Leave</i>	24
<i>Volunteer Firefighter Leave</i>	25
<i>Coordination of Benefits</i>	25
<i>Notification Requirements</i>	25

<u>OVERTIME</u>	26
<u>EXCHANGING SHIFTS</u>	27
<u>GARNISHMENT OF WAGES</u>	27
<u>PERFORMANCE APPRAISAL</u>	27
<u>ATTENDANCE</u>	28
<u>TARDINESS</u>	28
<u>SAFETY</u>	28
<u>TERMINATION PROCEDURES</u>	29
<u>EXIT INTERVIEW</u>	29
<u>SOLICITATION RULES</u>	30
<u>USE OF SOCIAL MEDIA</u>	31
<u>BACKGROUND CHECKS</u>	31

Employment Relationship

Unless there is a specific, individual employment contract in writing between you and (The Organization), the employment relationship is by mutual consent. This handbook is not intended to create an express or implied employment contract which is inconsistent with the fact that you and (The Organization) have entered into an "at will" employment relationship. That means you can quit at any time, with or without cause, and (The Organization) can end your employment at any time, with or without cause. (The Organization) [President, Executive Director, CEO, Senior Partner] is the only representative who has the authority to promise, or give you a written contract for employment lasting a specified period of time. To be enforceable, any promise or contract must be in writing and signed by you and (The Organization) [President, Executive Director, CEO, Senior Partner].

General Employee Relations

Our sincere conviction is that the best and most rewarding employee-management system results from a direct relationship between management and employees. Because of that philosophy, we prefer to deal with employees directly, rather than through a third party. We feel that putting a third party or union between supervisors and employees can cause upset and morale problems.

(The Organization) is a non-union organization. It always has been, and it is our desire that it remain so. Even though no organization is free of day-to-day problems, we believe we have personnel policies and practices to help resolve those problems. In our view there is no advantage in having to resort to strikes and work stoppages.

Unions can not guarantee you a job, nor can they assure you continuous employment. We want to have a healthy working environment and, by working together, (The Organization) can offer just such a place for all of us.

We encourage you to bring your problems to your supervisor or any other member of the management team whom you feel can help you. We promise to listen to your concerns with respect and do our best to help you solve your problems. Management accepts responsibility to provide favorable working conditions, competitive pay and benefits. We believe that you as an employee have the individual right to speak for yourself. You do not need an outsider to speak for you.

Employment Categories

Regular employees: Employees who successfully complete their training period are called regular employees. All regular employees retain that status at the mutual consent of the employee and (The Organization) your employment can be terminated at will by you or (The Organization).

Temporary employees: Temporary employees are those holding jobs of limited duration which exist because of a special project, abnormal work load, or emergency.

Full-Time employees: Full-time employees are defined as those who are hired to work on a regular basis for (number) or more hours a week.

Part-Time employees: Part-time employees are defined as those who are hired to work on a regular basis for less than (number) hours a week.

Rehired employees: Employees who are rehired following a break in service in excess of one month (other than an approved leave of absence) must serve a new training period whether or not such a period was previously completed. All rehired employees are considered new employees from the effective date of their reemployment for all purposes, including benefit eligibility.

Contract employees: Employees who work based on the specific content of an employment agreement and are subject to its provisions.

Trainee: Any new employee, rehired employee or other person who has yet to master job requirements and meet job performance standards. Length of an employee's status as "trainee" will depend upon how quickly they are able to demonstrate satisfactory job performance at the level required by job standards for their position.

(NOTE: Courts have told us to avoid using the terms "permanent employee" and "probationary employee." Each term has been judged to create contractual relationships that may not be advantageous to the employer.)

Employment Authorization

(The Organization) is subject to the requirements and provisions of the Immigration Control and Reform Act of 1986, as are all U.S. employers. In order for us to keep individuals on our payroll, satisfactory proof of employment authorization and identity must be furnished to (The Organization). (The Organization) will meet all legal requirements in this regard.

Promotions and Transfers

(The Organization) encourages employees to apply for promotions to positions for which they are qualified. Promotions and transfers shall be based on the ability, qualifications, and potential of the candidates for the positions to be filled.

Employees will be notified of openings when they occur. With the notification will be a job description summary and other information about the job that might be available.

The qualifications, past performance, potential, and capacity to assume the increased responsibilities of the position will be evaluated for all candidates. When, in (The Organization)'s judgment, two or more candidates are equally qualified, length of service with (The Organization) will be the determining factor.

If there are no candidates within the company who are sufficiently qualified for an opening, (The Organization) will seek candidates from outside (The Organization).

Equal Employment Opportunity

(The Organization) hereby reaffirms its policy to provide equal employment opportunity in all aspects of the employer-employee relationship; including recruiting, hiring, upgrading and promoting, company-sponsored training, education assistance, social and recreational programs, compensation, benefits, transfers, discipline, layoff, recalls, and all privileges and conditions of employment. (The Organization) will not unlawfully discriminate because of sex, gender (including gender identity), race, color, ancestry, religion, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (Cancer), age (over 40), marital status, pregnancy, denial of family care leave, political affiliation, sexual orientation, veteran, genetic information, or other protected status. (The Organization) prohibits unlawful harassment of its employees in any form. Sexual, religious and other harassment of employees is strictly prohibited and such behavior on the part of an employee may result in disciplinary action including the possibility of termination without further warning.

Employment decisions will be evaluated on the basis of an individual's skills, knowledge, abilities, job performance and other legitimate qualifications.

The ongoing support of this policy by each employee is a vital part of our commitment to further the principles of equal employment opportunity within our company.

[PLEASE NOTE: Some states have additional protected categories. Be sure you have reviewed them with your labor/management attorney and included them in your EEO policy before finalizing the policy for distribution.]

Harassment and Discrimination Complaints

(The Organization) is committed to providing a work environment that is free of discrimination and harassment. In keeping with this commitment, (The Organization) has a strict policy prohibiting harassment because of sex, gender (including gender identity), race, color, ancestry, religion, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (Cancer), age (over 40), marital status, pregnancy, denial of family care leave, political affiliation, sexual orientation, veteran, genetic information, or other protected status. This policy applies to all employees, including non-management and management staff. Harassment toward anyone based upon their protected status is considered unlawful and will not be tolerated.

Unlawful Sexual Harassment includes:

VERBAL CONDUCT, such as epithets, derogatory comments, slurs, jokes or other offensive "humor," or unwanted sexual advances, invitations or comments;

VISUAL CONDUCT, such as derogatory posters, photographs, cartoons, displays, drawings or gestures;

PHYSICAL CONDUCT, such as assault, blocking normal movement or interference with work directed at you because of your sex or other protected basis;

THREATS AND DEMANDS to submit to sexual requests in order to keep your job or avoid some other loss, and offers of job benefits in return for sexual favors;

RETALIATION for having reported the harassment.

Any employee who believes he or she has been harassed or otherwise discriminated against by a co-worker, supervisor, agent, vendor or visitor of (The Organization) should promptly make a written report of the facts of the incident or incidents and the names of the individuals involved. This written report should be made to his or her supervisor, or the (Director of the Office of Human Resources, Executive Director, CEO, Senior Partner), or persons designated by the (Director, Executive Director, CEO, Senior Partner), or, in the alternative, to any other member of the Executive Staff to whom the employee would feel comfortable making such report, without fear of retaliation. Upon receipt of a written complaint, (The Organization) will immediately conduct an investigation of the alleged discrimination or harassment. If, after a full and complete investigation, it is determined that there has been a violation of this policy, immediate and appropriate action will be taken to remedy the situation and those found to be at fault will be subject to discipline, up to and including discharge.

If you have any questions concerning this policy, please contact the (Director of the Office of Human Resources, Executive Director, CEO, Senior Partner).

Privacy of Employee Information

Employee Records

It is the policy of (The Organization) to insure that all records containing personally identifiable employee information are held in confidence and properly safeguarded. The information contained in such records is to be kept accurate, complete, relevant and up-to-date, and, when feasible, should be obtained directly from the employee.

Collection and retention of personally identifiable information must be limited to valid business or legal requirements.

Access to personally identifiable employee information will be limited to those persons having a specific need-to-know in order to perform their duties.

Employee medical records will only be released to third parties with the written permission of the employee, in the case of a medical emergency, or as required by law.

Computer Data and E-Mail

All employees should be aware that (The Organization) reserves the right to scan content of computer files and E-mail sent or received on company computer equipment. This is necessary for (The Organization) to properly maintain its computerized information processing systems. Computer systems and all records stored on them are considered company property and must be protected from abuse.

We suggest that you treat E-mail and other computer-based information as public in so far as your personal privacy is concerned. No employee is entitled to assume communications processed over company computers will be private. Any violation of company policies which is discovered as a result of reviewing computer records will be handled by the company with appropriate discipline, which may include immediate dismissal.

Employee Workstations

All workstation equipment is considered to be company property. This includes such things as desks, chairs, file cabinets, storage lockers, telephones, computers or other devices or tools which the company furnishes employees so they may perform their normal work. Because it is company property, the company has the right to inspect such equipment at any time, with or without the knowledge of any employee. While you may wish to keep personal property in your desk, for example, you may not assume any right to privacy over your desk or its contents. The same is true of company lockers, even though you may have a personal lock on the locker assigned to you. Treat what you keep at work as though everyone has access to it as far as your privacy is concerned.

Compensation

(The Organization) will provide compensation programs that attract and retain qualified, productive employees and that promote long-term consistency in employee performance.

These compensation programs will attempt to match in dollars and features the relevant market of our competitors as set by salary surveys conducted by our company or others.

The compensation program will distinguish differences in individual contribution to the business. Annual average compensation will depend on the organization's performance and will be designed to be acceptable to the employees of (The Organization).

All compensation programs will comply with the applicable legal requirements.

Personal Appearance

(The Organization) provides (clients/customers) with _____. In the interests of presenting a professional image to our (clients/customers), we ask that all employees observe good habits of grooming and personal hygiene. Please dress conservatively and professionally in an appropriate manner for the workplace. If you have any questions about what constitutes proper business attire please see your supervisor and discuss them. While rare, it is possible for employees to be disciplined for reporting to work in attire which is considered by management to be unacceptable for our work environment.

(OTHER ISSUES: tattoos, piercings, hair styles, etc. Do Not require employees to purchase brand name clothing from you for use on the job. That constitutes a uniform requirement which represents an expense that must be born by the employer.)

Telephone Use

Good telephone manners are important and mainly a matter of habit. The voice on the telephone is often the only contact with (The Organization) the caller remembers. Here are some basic guidelines we ask that you follow:

- Answer politely and promptly, announcing (The Organization) name followed by your name.
- Be considerate and polite if the call must be referred to someone else.
- Take messages carefully, asking the caller to spell any names which are not obvious in their spelling. Repeat all information before hanging up to verify you noted everything accurately.
- Give concise and accurate information, but do not attempt to provide information you are not qualified or able to give.
- Be pleasant and non-defensive to everyone, no matter how upset they may be. You may be able to make a difference in how the caller views (The Organization).

The use of (The Organization) telephones is restricted to official business. We are limited in the amount of equipment available, and request that you use it only for business activities. If you must make a personal call, we ask that you do so quickly. Long distance personal telephone calls are acceptable only with advance approval of a management representative.

Moonlighting

There is no rule which prevents employees from holding another job as long as their performance here is not adversely affected. You might give some serious consideration to your personal endurance, personal health, and your effectiveness with (The Organization) before deciding to take on another job in addition to the one you have with us. All employees are expected to meet the same standards of performance, scheduling demands, and attendance standards whether or not they maintain more than one job.

Gifts and Tipping

Every (client/customer) is entitled to efficient and courteous service. Our policy is that we give such service to everyone impartially. In that context, tips or gratuities are not expected. Therefore, you are not allowed to accept tips or gifts of any kind from customers, vendors, or visitors. If you are pressed to accept such a gift, thank the giver, but explain that (The Organization) policy makes it impossible to accept any gift.

Smoking

California state law prohibits smoking in workplaces such as ours. Smoking is therefore prohibited in all locations on (The Organization) property. You may smoke if you do so at least 20 feet away from an entrance to company buildings.

[PLEASE NOTE: Not all states prohibit smoking in the workplace. Be sure you understand your state laws and then establish your policy accordingly.]

Bulletin Boards

Information of special interest to all employees is posted regularly on bulletin boards. Only management personnel are authorized to post material on or remove material from the bulletin board. Any employee wishing further information about any notice on the bulletin board should seek clarification from their supervisor.

Open Door Policy

(The Organization) wants to manage its business in a spirit of willingness to listen and deal fairly with all employees. To do that effectively, we have established an open door policy which we hope will enhance open communication and mutual trust.

Whenever you have an issue to discuss, we encourage you to see your supervisor about it. Your supervisor may assist you by obtaining the aid of other resource people.

You are also welcome to exercise your privilege of requesting a meeting with any management representative without regard to the position occupied by that person. Because (The Organization) is union free, you can feel free to talk over any matter of concern directly with any management representative.

We urge you not to keep a problem inside. You can not find a solution if no one knows about it. You may use this procedure without fear of reprisal.

Standards of Conduct

Fair Competition

It is our policy to comply fully with the law, including antitrust laws. We must avoid even the appearance of wrongdoing and, at all times, conduct our business according to the highest ethical standards. We will compete with others solely on the merits of our products and services as well as our ability to service what we offer. We will not engage in any form of unfair competition.

Under no circumstances should an employee agree or even discuss with a competitor restricting competition by fixing prices, allocating markets or engaging in other anticompetitive activities. Generally, an employee should not even discuss with a competitor any matters directly involved in competition between us. Employees should not refuse arbitrarily to deal with others, nor should they decline to purchase goods or services from others, simply because they are competitors in other respects. Equally important, an employee should not require others to buy from us before we buy from them, nor should customers be required to take a service from us they do not want in order to obtain one they do want.

Conflict of Interest

We will always award business solely on the basis of merit, without favoritism, at the lowest reasonable price and, wherever practicable, on a competitive basis.

You must exercise independent judgment when making purchases or negotiating contracts and avoid making arrangements, contracts or commitments with any supplier or contractor with whom you have a personal interest, either direct or indirect.

You must notify the office of the (Executive) if you have a financial interest of any kind in a firm with whom you have a business relationship on behalf of (The Organization).

Never accept or solicit, even indirectly, gifts, loans, free tickets, "kick-backs," special privileges, services, benefits, or unusual hospitality. Of course, you should never give such gifts in an effort to influence the decisions of those with whom we do business.

You are permitted to receive unsolicited promotional materials of nominal value if they are of a general advertising nature, such as imprinted pencils, memo pads and calendars. Gifts other than unsolicited promotional materials of nominal value should be reported

promptly to the office of the (Executive). Acceptance of a meal or refreshments in the normal course of business relations is permitted as a matter of courtesy.

Employees of (The Organization) should do nothing outside their course of employment by (The Organization) which would aid those directly competing with (The Organization). Nor should they ever compete directly with (The Organization) themselves.

Each employee's primary obligation is to (The Organization), and any form of outside activity (including employment or self-employment) must be kept totally separate from your employment with (The Organization). No outside activity should involve the use of (The Organization) assets, funds, materials, facilities or the services of other employees, without express consent of (The Organization).

Employee obligations include the protection of all (The Organization) work product, records, lists, and other such (The Organization) property. Since such things are the only source of revenue for our organization, it is considered a violation of these Standards of Conduct to disclose them. You may consider all such information you handle while at work to be trade secrets or client's confidential information, and as such the property of (The Organization).

If you ever find yourself in a situation where you suspect a conflict of interest, real or imagined, talk with your supervisor about it immediately.

Political Contributions

No employee may use the name of (The Organization), its funds, or services in support of political parties or political candidates, or for any involvement in political elections. No employee is authorized to approve such a contribution.

As an individual, (The Organization) encourages you to participate in the political process. You will not be pressured in any way by (The Organization) to make contributions to any political candidate or cause. Your involvement is for you to decide.

Work Time and Personal Integrity

Personal integrity means, among other things, doing a full day's work each day. That includes starting on time, staying with it and not wasting time, and restricting personal conversations during working hours. It also means being at work each time you are scheduled to work. If absence is unavoidable you are expected to call your supervisor immediately to discuss the reason and your probable return date.

Personal Behavior

Whenever people are required to work together for any purpose, they need certain guidelines to govern their personal conduct and relations. (The Organization) considers work rules to be an important part of constructing that sort of environment. They are a necessary part of managing our business so that every employee can be treated fairly, and work safely and effectively. These rules apply to all employees.

Violation of the rules identified below may call for some form of disciplinary action. In some cases, the action may result in either verbal or written warnings, followed by suspension and discharge if repeated. The severity of the corrective action taken in a given situation is the sole discretion of management. In serious cases or cases where an employee has previously violated the same or other rules or is not performing at an acceptable level, the employee may be subject to immediate discharge.

It is necessary to point out that the types of misconduct identified below are merely examples of conduct that can result in disciplinary action. They are not a complete list of all types of conduct that can result in disciplinary action, up to and including discharge. Any actions that violate good conduct and order may lead to immediate corrective action or dismissal, whether or not they are listed here.

All employees are expected to work according to these rules. They are here so you may know early in your employment with us what is expected. We hope you will agree that they are important to us all. If you have any questions about them, talk with your supervisor, as you would with any other questions.

While (The Organization) reserves its right to terminate any employee's employment at will, without cause, corrective action, possibly including discharge, will result from the following:

1. Dishonesty in any form, including, but not limited to obtaining employment based on false or misleading information, or falsifying information in or making material omissions in any documents or records.

2. Malicious or willful destruction or damage to (The Organization) property or supplies, or the property of another employee, a client or visitor.
3. Theft or inappropriate removal from (The Organization) premises of property that belongs to or is in the possession of (The Organization), another (The Organization) employee, or a client or visitor.
4. Bringing or possessing firearms, weapons, or any other hazardous or dangerous devices on (The Organization) property or during on-duty time without proper authorization.
5. Sexual, racial, ethnic, religious, disabled or age discrimination, harassment or intimidation of any kind.
6. Absence of three or more days without authorization.
7. Embezzlement, disclosure of trade secrets or other (The Organization)-private information (including client and/or employee rosters), industrial espionage, conviction of a felony, working for a competitor or establishing a competing business.
8. Unsatisfactory job performance which may include unsatisfactory attendance.
9. Fighting, provoking a fight or engaging in physical aggression or attempting bodily injury to any person on (The Organization) time or property.
10. Insubordination, including refusal to do assigned work or refusal to perform work in the manner described by a supervisor without prior justification.
11. Use, possession or sale of any unlawful drug while on duty or while on (The Organization) premises, or reporting or attempting to work while under the influence of alcohol or drugs or being otherwise unfit for work.
12. Non-compliance or disregard of any established safety rule.
13. Frequent or excessive tardiness or absence from work, or your assigned work area. Sleeping on the job.
14. Falsifying or destroying any time-keeping record, logging time records for another employee, or allowing another employee to log time records for you.
15. Leaving (The Organization) premises or your job during working hours without notifying (The Organization) or obtaining permission.
16. Horseplay or any other action that endangers others, (The Organization) property, or disrupts work.

17. Smoking in restricted areas, or where no smoking signs are posted.
18. Harassing, threatening, or intimidating any employee or any other person on (The Organization) property or on (The Organization) time.
19. Working unauthorized overtime or refusing to work assigned overtime.
20. Failure to follow management directives or perform in accordance with instructions and established standards.
21. Being uncooperative with supervisors, managers, customers, clients and/or regulatory agencies, or other engaging in conduct which does not support the goals and objectives of (The Organization).
22. Inability or refusal to work in harmony or cooperation with fellow employees so as to cause friction, conflict, or lowering of group morale, including a deliberate spreading of false rumors.
23. Bullying, otherwise known as Power Harassment, is prohibited in the workplace, regardless of who is the aggressor. There are six categories of actions that constitute power harassment: Committing acts of physical abuse or assault; Committing mental or psychological attacks, such as intimidation, defamation or slander, or insulting; Isolating or ignoring individuals; Making excessive demands, such as assigning work that is impossible to perform or is clearly unnecessary; Making demeaning demands, such as assigning work that is clearly below the employee's ability or experience or assigning no work at all; Intruding or invading into the employee's personal life.

Safeguarding (The Organization) Property

You are expected to use, maintain and store (The Organization) property so it is protected from loss, theft, damage or destruction.

You should lock unattended facilities, including (The Organization) cars or cars rented under the name of (The Organization).

Practice economy and avoid waste and spoilage when using supplies of any kind.

Report promptly any suspected or actual loss, theft, damage or destruction of (The Organization) property to your supervisor or to the office of the (Executive).

Safeguarding (The Organization) Funds

(The Organization) funds take many forms: checks, money orders, petty cash, customer payments, airplane tickets and credit cards, to name a few. All of these are valuable and should be protected carefully.

Any employee who's job involves handling, receiving, or spending (The Organization) funds should use all reasonable care when doing so. You have a personal responsibility to use good judgment and to be sure that (The Organization) gets the value received for the money spent, that the incoming and outgoing funds are accounted for properly, and that petty cash amounts do not exceed those specified by the (Office Supervisor).

You are individually responsible for the maintenance of proper records in the handling of (The Organization) funds.

Overall Employee Conduct Requirements

Each employee alone is responsible ultimately for his or her actions. For each, integrity is a personal responsibility. No one will be permitted to justify an illegal act by claiming it was ordered by someone else in higher management. No one, regardless of level, is ever authorized to direct an employee to commit an illegal or unethical act. And, no one is ever allowed to knowingly perform an illegal act whether at the direction of someone else or based on self-direction.

Leave of Absence

Bereavement

In the event of death in the immediate family a full-time employee who has completed at least six months of continuous service, will be allowed up to five consecutive working days off to arrange and attend the funeral. If the employee has no responsibility for arranging the funeral, a time period of three days will generally be allowed. You will be paid your regular base wage for each day of approved absence. If you require more than five days you may request a personal leave of absence for additional unpaid time or you may request the opportunity to use any accrued vacation time.

Immediate family should be understood to include your spouse, children, grandchildren, sister, brother, mother, father, current mother-in-law, current father-in-law, or legal guardian.

Employees who have not completed at least six months of continuous service, and employees who are not full-time employees may request up to five days off without pay for bereavement leave.

Jury Duty

(The Organization) believes it is important to fulfill its civic obligations. If you are called to serve on jury duty, you should notify your supervisor immediately. All regular full-time employees who have completed at least six months of continuous service will be paid their regular wages or salary while on jury duty up to a maximum of 10 working days each calendar year. Pay will be calculated on normal base pay rate.

Employees other than regular full-time employees will be provided time off to spend on jury duty but are ineligible for compensation for time spent on jury duty.

All jury duty time will be excused up to the amount indicated on the “certification of days spent on jury duty” provided by the Jury Commissioner's office.

All employees on jury duty leave are expected to report to work as soon as they are released each day by the Jury Commissioner, if there is any work time left in the business day.

Witness Duty

If you are required by law to appear in court as a witness, you may take unpaid time off for such purpose provided arrangements are made through your supervisor with appropriate advance notice.

Voting Time

Because (The Organization) has a continuing interest in encouraging responsible citizenship, employees are urged to vote for candidates 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 normal working hours within which to vote, will be allowed to take up to two hours off, with pay, for this purpose. To receive time off for voting, make the request of your supervisor, at least two days in advance, and present your voter's receipt to your supervisor following your return to work.

Military Leave

An employee who enters the uniformed services of the United States will be placed on an extended leave without pay in accordance with applicable federal laws.

Employees who complete their military service with a discharge category other than "less than honorable" will be reinstated with full seniority to his or her former position, or to a comparable position, if application for reemployment is made within the time allowed by federal law.

An employee who is a member of the uniformed services of the United States and is ordered to active duty for any period of time, will be granted military leave for the duration of their active service period. Employees should provide a copy of their military orders to management when requesting military leave.

Upon presentation of a military pay voucher, employees will be reimbursed for the difference between their normal compensation and the pay they received while on military duty, up to a maximum of two weeks time per calendar year.

Employees will be returned to the same or similar job following their leave at the same or similar pay. Please see the Human Resources Manager for details about qualifications for returning to work.

Family and Medical Care Leave

This leave of absence is intended for the use of either parent when time off is needed on an extended basis for care of oneself or family members, including newborn or newly adopted children. Duration of the leave will be based upon the employee's request and the needs of our organization, but shall not exceed 12 weeks per year. None of the time involved in a leave of this type will be paid, although any company-paid benefits enjoyed prior to the leave will be continued for the duration of the leave. Some specific restrictions may apply, so talk with your manager about the details of your personal situation to determine exactly what benefits you may be eligible to receive.

The employee will be returned to the same or similar job following their leave at the same or similar pay.

(California Family Rights Act and the Federal Family and Medical Leave Act have impact on employers with

Personal Leave

This leave of absence is intended for the use of employees when time off is needed on an extended basis to attend school, settle family matters, or attend to other personal needs. Duration of the leave will be based upon the employee's request and the needs of the organization. None of the time involved in a leave of this type will be paid. Insurance coverage may be continued if desired, by the employee paying premiums directly to the appropriate insurance carrier. All other benefit accruals will stop after 30 days from the date the leave began.

There will be no guarantee of return to work following the leave expiration.

Medical Disability Leave

A request for a medical leave of absence may be submitted by an employee who is temporarily disabled and unable to work due to a personal injury or illness, including a pregnancy-related disability. Medical leaves of absence will be granted in writing for the period of the illness or disability, provided such period shall not exceed four months. Medical leaves may be extended only with the written approval of the (Executive). Requests for extensions of medical leaves due to industrial injuries will be considered on a case-by-case basis in compliance with the law.

Before returning to work following a medical leave of absence, an employee must submit a physician's verification stating the employee's ability to return to work and the date that he/she is able to return. Any work restrictions imposed by the physician should also be

indicated on the return-to-work authorization. The company will attempt to accommodate any medical or rehabilitation restrictions arising from either permanent or temporary physical or mental disability. If accommodation can not be made, the employee will be informed. Employees returning from a leave of absence will be reinstated without loss of seniority earned prior to the beginning of their leave. Seniority will not accrue during the leave.

[Note: Some jurisdictions require that seniority accrue during the leave. Be sure you check your state requirements before saying that employees will not have benefits continued or paid for during the leave. And, be sure to coordinate any Medical Leave Policy with the FMLA or state requirements for personal medical leave.]

Literacy Leave

Employees who reveal a literacy problem to (The Organization) or request assistance in enrolling in an adult literacy education program will be granted unpaid time off to attend such a program. Proof of enrollment must be given to your supervisor.

Parent's Leave for Children in School

Up to four hours of (paid/unpaid) time per year, per child will be provided to any parent or guardian who needs to attend meetings or other events at their child's school. There is no limit to the number of unpaid hours which will be granted a parent or guardian for school-discipline leave when the employee's attendance at meetings is requested by the school principal, as long as the frequency of such absence doesn't cause undue hardship on (The Organization). Employees should give their supervisor written confirmation from the school that they actually attended the required meeting.

[There is also a requirement in California that all employers permit leave of absence for employees with children suspended from school so they can meet with school officials about the suspension. Only reasonable notice from the employee is required and employers may request a written confirmation from school officials that the meeting was held.]

Religious Leave

(The Organization) will consider employee requests for religious leave for the purpose of observing the Sabbath or other special religious practices. All requests should be in writing from the employee with their signed statement explaining their reason for

requesting a religious leave. Management will attempt to accommodate each religious leave request as long as it does not place an undue hardship on the organization.

Volunteer Firefighter Leave

Employees who are registered as volunteer firefighters, who must respond to emergency firefighting duty, will be permitted to perform emergency duty for the duration of the emergency. No notification to the organization is required. Any absence from work for this reason will be paid up to (number) of (days/hours) per year. Time off for this reason which exceeds that time limit will be excused, but unpaid.

Coordination of Benefits

All leaves of absence will be coordinated with sick leave and disability payments in an effort to minimize the impact of a leave of absence for both the employee and (The Organization). Accrued vacation and sick leave benefits shall be paid during a leave of absence, but such pay shall be coordinated with any state disability or other wage replacement benefits for which the employee may be eligible.

Leave of Absence Notification Requirements

It is the employee's responsibility to provide (The Organization) with the following information in writing.

1. The reason the leave of absence is being requested.
2. The anticipated dates the leave of absence will begin and end.
3. A physician's certification or other medical proof acceptable to (The Organization) indicating the nature of the disability.
4. Periodic updates to (The Organization) at least every week concerning the employee's status, expected date of return and continued intent to return to work upon expiration of the leave.
5. Immediate notification of a need to change the duration of the leave of absence.
6. If an employee desires a leave of absence for elective medical procedures, he/she must submit the request for a leave at least two weeks prior to the date he/she wishes such leave to commence.

Overtime

Employees shall be paid for their hours worked as specified by all applicable legal requirements. Employees who qualify as administrative, executive, or professional employees with the meaning of the state and federal wage and hour laws are exempt from overtime pay. Outside sales people and some computer professionals may also be classified as exempt from overtime requirements.

All overtime work by non-exempt employees must be approved in advance by your supervisor. Because working unauthorized overtime is against (The Organization) policy, employees who work unauthorized overtime are subject to discipline, including the possibility of dismissal.

1. Time Worked - Employees shall record all time worked, including time worked over their normal schedule, on the time sheet or time card when it actually occurs. Time is rounded to the nearest quarter of an hour.
2. Overtime - Overtime pay is calculated at one and one-half times your regular rate for all hours over eight hours in one workday or 40 hours in one workweek. All hours worked in excess of 12 hours in one work day are paid at double the regular rate of pay. Overtime is computed on the basis of a non-exempt employee's total hours worked in a workday and a workweek. Hours paid for that are not worked (e.g., holidays, sick days, and vacation days) do not count as hours worked for overtime computation purposes.
3. Weekends - Weekend work does not automatically qualify for compensation at a premium rate of pay. Hours worked on Saturdays and/or Sundays qualify for premium pay only if they qualify as overtime hours under the wage and hour laws.
4. Holidays Worked - Non-exempt employees who work on a (The Organization)-recognized holiday shall be paid their straight-time rate of pay for hours actually worked on the holiday, plus the regular holiday pay for the day. Overtime rates of pay shall apply only if they qualify under wage and hour laws.

Exchanging Shifts

You are not permitted to exchange shifts with another employee without the prior authorization of both employee's supervisors. No authorization for exchanging shifts will be granted unless the exchange can be accomplished without interference with (The Organization)'s operations and without either employee working overtime.

Garnishment of Wages

(The Organization) is required by law to recognize certain court orders, liens, and wage assignments. When (The Organization) receives a notice of a pending garnishment or wage assignment, the office of (Executive) will discuss it with the employee in an effort to settle the matter without involving (The Organization). Employees are encouraged to avoid financial transactions that result in wage garnishments.

Performance Appraisal

Each employee's job performance will be reviewed with the employee by the supervisor at least once a year. At that time you will receive a copy of the written performance appraisal that has been completed by your supervisor. A copy of the appraisal will also be included in your personnel file.

The appraisal process is designed to allow each employee an opportunity to note major accomplishments and progress as well as performance problems.

Attendance

Each employee shall be responsible for being present at the correct time each day they are scheduled to work. On occasion, when you have a reason to be absent from work, you are expected to contact your supervisor no later than your scheduled starting time. You should do this on each day of your absence. You should tell your supervisor the reason and probable duration of your absence. As we have noted earlier, excessive absence will result in corrective action and possible discharge.

Tardiness

You are expected to be ready to start and end work on schedule. Arriving late or leaving early compared to your scheduled work times, breaks, or meal periods is not acceptable. Repeated incidents of tardiness or leaving work early may result in corrective action, including possible discharge.

Safety

Every employee is responsible for safety and for understanding the content of (The Organization) Injury and Illness Prevention Program. To achieve our goal of providing a completely safe work place, everyone must be safety conscious. Please report any unsafe or hazardous condition directly to your supervisor immediately. Every effort will be made to remedy problems quickly.

In case of accident involving a personal injury, regardless of how serious, please notify your supervisor of the office of (Executive) immediately. Failure to report accidents can result in a violation of legal requirements, and can lead to difficulties in processing insurance and benefit claims.

Termination Procedures

Since employment in (The Organization) is based on mutual consent at the will of both the employer and employee, either your or (The Organization) has the right to terminate your employment at any time, with or without cause. Under this employment relationship, there are four types of termination procedures:

1. Resignation - This occurs when employees decide to terminate their service with (The Organization). We request that you provide at least a two-week advance notice of the effective date of a resignation. While giving advance notice is not a requirement, it does allow (The Organization) to arrange for someone else to take over your duties once you have gone. Once accepted, a letter of resignation cannot be withdrawn unless expressly authorized by (Executive).
2. Quitting - This is the term applied when an employee leaves (The Organization) without submitting adequate written notice.
3. Layoff - This term refers to unavoidable termination of employment by (The Organization) due to a lack of work or change in operations. If (The Organization) determines that conditions require a reduction in the workforce, (The Organization) shall provide as much advance notice as it believes to be possible under the circumstances. In the event of a layoff, ability, aptitude, personal qualifications, experience and record with (The Organization) will be the basis for choosing the order of layoff. If, in the sole judgment of (The Organization), these criteria are equally satisfied by two or more persons, the least senior employees will be the first to be laid off.
4. Release - Release is a termination of employment by (The Organization).

Exit Interview

(The Organization) may schedule an exit interview with employees who leave (The Organization), regardless of the reason. This interview allows employees to communicate their views on their work with (The Organization) and the job requirements, operations and training needs. It also provides the employees an opportunity to discuss issues concerning the continuation of benefits and insurance. At the time of the interview, employees are expected to return all (The Organization) property, arrange for clearing any outstanding debts with (The Organization), and receive final pay.

Solicitation Rules

In order to maintain and promote efficient operations, discipline and security, (The Organization) maintains rules applicable to all employees which govern solicitation, distribution of written material and entry onto the premises and work areas. All employees are expected to comply with these rules, which will be strictly enforced. Any employee who is in doubt concerning the application of these rules should consult with his or her supervisor immediately.

1. No employee shall sell merchandise or solicit or promote support for any cause or organization during his or her working time or during the working time of the employee or employees at whom such activity is directed. As used in these rules, working time excludes meal and break periods.
2. No employee shall distribute or circulate any written or printed material in work areas at any time, or during his or her working time or during the working time of the employee or employees at whom such activity is directed.
3. Employees are prohibited from being in (The Organization)'s facility and other working areas when they are off duty. Employees may not report for work more than 10 minutes before the beginning of the work shift or remain in the facility and other working areas more than 10 minutes after the end of the work shift.
4. Under no circumstances will non-employees be permitted to solicit or distribute written material for any purpose on the property of (The Organization).
5. Non-employees are forbidden from entering upon (The Organization) property at any time, except on official business with (The Organization).

Use of Social Media

(The Organization) recognizes the right of each employee to discuss issues such as wages and working conditions. While not wishing to intrude on those rights, we do suggest that while doing so you refrain from bad language or name calling. Verbal or written attacks on individuals may not be legal and you should recognize that you are personally responsible for every posting you make to any social media site or account. Here are some guidelines to go by:

- Unless it is an emergency, do not send or receive personal texts or phone calls during working time. You may use your meal period and rest breaks for that purpose.
- You are not permitted under any circumstances to represent (The Organization), its management or its policies in any communication you may have on social media sites. You should be clear in your postings that you speak only for yourself and not for (The Organization) if you make any comments that can be linked to the name of (The Organization).
- You may be held legally liable in some circumstances if you illegally harass anyone, including those at work.
- Any postings that are deemed to be bullying in nature may result in disciplinary action by (The Organization).
- Consider that postings you make will remain forever. Even if you try to retract your statements, they will remain on servers and can be later discovered during legal proceedings.

Background Checks

(The Organization) reserves the right to conduct background checks on all job applicants to confirm the information provided in resumes and on application forms or during interviews. Those background checks may include inquiries into convictions for crimes related to the job for which the applicant is being considered. We shall give consideration to the type of conviction and the number of years since it has happened when considering candidates for employment. We reserve the right to not hire any job applicant based on any false information provided by the applicant, including relevant conviction information. Relevant criminal information includes convictions for things such as assault, murder, rape, armed robbery, and other violent behaviors. It also includes any conviction for behavior that could be deemed detrimental to performing the job duties in consideration.

(The Equal Employment Opportunity Commission – EEOC – issued new guidance in April 2012 on the subject of background checks. The Commissioners said they would prefer that employers not conduct criminal background checks at all because of the negative impact such checks have on employment rates for Blacks and Latinos. A greater number of those Race/Ethnicities have criminal conviction records than other Race/Ethnicities. Therefore, considering criminal convictions will impact those groups more than others. Remember, it is almost never a good idea to give consideration to arrest records when making employment decisions. Arrest history does not equate to conviction history. It is perfectly acceptable, however, to expect job applicants to provide honest and truthful information when answering questions about their personal history. If they represent facts that are not true, you can dismiss them from employment as long as your policy clearly lets them know that will be a likely outcome of dishonest behavior or information.)