ABOUT THIS HANDBOOK/DISCLAIMER

We prepared this handbook to help employees find the answers to many questions that they may have regarding their employment with Rowell Family Empowerment. Please take the necessary time to read it.

We do not expect this handbook to answer all questions. Supervisors and Human Resources also serve as a major source of information.

Neither this handbook nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. Rowell Family Empowerment adheres to the policy of employment at will, which permits the Agency or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No Agency representative other than Executive Director may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate Agency documents. These Agency documents are always controlling over any statement made in this handbook or by any member of management.

This handbook states only general Agency guidelines. The Agency may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and Executive Director.

This handbook supersedes all prior handbooks.
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Section 1 - Governing Principles of Employment

1-1. Introduction

For employees who are commencing employment with Rowell Family Empowerment ("Rowell Family Empowerment" or "the Agency"), on behalf of Rowell Family Empowerment, let us extend a warm and sincere welcome.

For employees who have been with us, thanks for your past and continued service.

We extend our personal best wishes for success and happiness here at Rowell Family Empowerment. We understand that it is our employees who provide the services that our customers rely upon, and who will enable us to create new opportunities in the years to come.

1-2. Equal Employment Opportunity

Rowell Family Empowerment is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, religious creed, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, protected medical condition as defined by applicable state or local law (such as cancer), genetic information, or any other characteristic protected by applicable federal, state or local laws and ordinances. Rowell Family Empowerment’s management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs and general treatment during employment.

The Agency will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual's: physical or mental disability; sincerely held religious beliefs and practices; and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon the Agency's business operations. Any applicant or employee who needs an accommodation in order to perform the essential functions of the job should contact the Employee's Supervisor to request such an accommodation. The individual should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. The Agency will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made. The Agency will evaluate requested accommodations, and as appropriate identify other possible accommodations, if any. The individual will be
notified of The Agency's decision within a reasonable period. The Agency treats all medical information submitted as part of the accommodation process in a confidential manner.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Employee's Supervisor. The Agency will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact the Employee's Supervisor. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

1-3. Discrimination, Harassment and Retaliation Prevention

Rowell Family Empowerment does not tolerate and prohibits discrimination, harassment or retaliation of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or third party based on actual or perceived race, color, creed, religion, age, sex or gender (including pregnancy, childbirth and related medical conditions), sexual orientation, gender identity or gender expression (including transgender status), national origin, ancestry, marital status, protected medical condition as defined by state law (including cancer or genetic characteristics), physical or mental disability, military and veteran status, genetic information, or any other characteristic protected by applicable federal, state, or local laws and ordinances. The Agency is committed to a workplace free of discrimination, harassment and retaliation.

Our management team is dedicated to ensuring the fulfillment of this policy as it applies to all terms and conditions of employment, including recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

Discrimination Defined

Discrimination under this policy means treating differently or denying or granting a benefit to an individual because of the individual's protected characteristic.

Harassment Defined

Harassment is defined in this policy as unwelcome verbal, visual or physical conduct creating an intimidating, an offensive or a hostile work environment that interferes with work performance. Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.) that denigrates or shows hostility or aversion
toward an individual because of any protected characteristic. Such conduct violates this policy, even if it is not unlawful. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, and other verbal or physical conduct of a sexual nature. Sexual harassment includes unwelcome or unwanted conduct that is either of a sexual nature or directed at an individual because of that individual's sex when:

- submission to that conduct or to those advances or requests is made explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

1. unwelcome or unwanted sexual advances, flirtations, advances, leering, whistling, touching, pinching, assault and blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters or comments;
4. sexual jokes or comments about a person's body, sexual prowess or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters and drawings;
7. sexually explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;
9. unwelcome or unwanted sexually related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
12. teasing or other conduct directed toward a person because of the person's gender.

Retaliation Defined

Retaliation means adverse conduct taken because an individual reported an actual or a
perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

- shunning and avoiding an individual who reports harassment, discrimination or retaliation;
- express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; and
- denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process described below.

All discrimination, harassment and retaliation is unacceptable in the workplace and in any work-related settings such as business trips and business-related social functions, regardless of whether the conduct is engaged in by a supervisor, a coworker, a client, a customer, a vendor or another third party.

Reporting Procedures

The following steps have been put into place to ensure the work environment is respectful, professional, and free of discrimination, harassment and retaliation. If the employee believes someone has violated this policy or the Equal Employment Opportunity Policy, the employee should promptly bring the matter to the immediate attention of the Employee's Supervisor. (Phone numbers are available through the Agency directory.) If this individual is the person toward whom the complaint is directed, the employee should contact any higher-level manager in the reporting chain. If the employee makes a complaint under this policy and has not received a satisfactory response within five (5) business days, Executive Director should be contacted immediately. (Phone numbers are available through the Agency directory.)

Every supervisor who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, must immediately report the issues raised to Executive Director.

Investigation Procedures

Upon receiving a complaint, the Agency will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy or the Equal Employment Opportunity policy. To the extent possible, the Agency will endeavor to keep the reporting employee's concerns confidential. However, complete confidentiality may not be possible in all circumstances.

During the investigation, the Agency generally will interview the complainant and the accused, conduct further interviews as necessary, and review any relevant documents or other information. Upon completion of the investigation, the Agency shall determine
whether this policy has been violated based on its reasonable evaluation of the information gathered during the investigation. The Agency will inform the complainant and the accused of the results of the investigation.

The Agency will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the Agency determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension or immediate termination. Anyone, regardless of position or title, who the Agency determines has engaged in conduct that violates this policy will be subject to discipline up to and including termination.

Training

All Employees are required to undergo harassment prevention training as required by applicable law. For more information about this training requirement, visit https://www.dfeh.ca.gov/shpt/.

Retaliation Prohibited

In addition to being a violation of this policy, harassment, discrimination or retaliation also can be against the law. Employees who engage in conduct that rises to the level of a violation of law can be held personally liable for such conduct.

Remember, the Agency cannot remedy claimed discrimination, harassment or retaliation unless employees bring these claims to the attention of management. Employees should not hesitate to report any conduct they believe violates this policy.

1-4. Drug-Free and Alcohol-Free Workplace

To help ensure a safe, healthy and productive work environment for our employees and others, to protect Agency property, and to ensure efficient operations, Rowell Family Empowerment has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for the Agency.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances (including medical marijuana), drug paraphernalia or alcohol by an individual anywhere on Agency premises, while on Agency business (whether or not on Agency premises) or while representing the Agency, is strictly prohibited. Employees and other individuals who work for the Agency also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, which may impact the employee’s ability to perform their job or otherwise pose safety concerns, except when the use is pursuant to a licensed medical practitioner’s instructions and the licensed medical practitioner authorized the employee or individual to report to work. However, this exception does not extend any right to report to work under the influence of medical
marijuana or to use medical marijuana as a defense to a positive drug test, to the extent the employee is subject to any drug testing requirement, except as permitted by and in accordance with applicable law.

Violation of this policy will result in disciplinary action, up to and including discharge.

The Agency maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of any Agency employee, including themselves.

Employees must notify the Agency within five (5) calendar days if they are convicted of a criminal drug violation in the workplace. Within ten (10) days of such notification or other actual notice, the Agency will advise the contracting agency of such conviction.

All employees are hereby advised that full compliance with the foregoing policy shall be a condition of employment at the Agency.

Any employee who violates the foregoing drug-free workplace policy described above shall be subject to discipline up to and including immediate discharge.

In the discretion of the Agency, any employee who violates the drug-free workplace policy may be required, in connection with or in lieu of disciplinary sanctions, to participate to the Agency’s satisfaction in an approved drug assistance or rehabilitation program.

1-5. Workplace Violence

Rowell Family Empowerment is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to Agency and personal property.

Rowell Family Empowerment does not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, Rowell Family Empowerment specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, Rowell Family Empowerment does expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad
things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in Agency policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

Prohibited Conduct

Threats, threatening language or any other acts of aggression or violence made toward or by any Agency employee WILL NOT BE TOLERATED. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation.

Procedures for Reporting a Threat

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede Rowell Family Empowerment’s ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If the Agency determines, after an appropriate good faith investigation, that someone has violated this policy, the Agency will take swift and appropriate corrective action.

If the employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for the Agency to be aware of any potential danger in its offices. Indeed, the Agency wants to take effective measures to protect everyone from the threat of a violent act by employees or by anyone else.
Section 2 - Operational Policies

2-1. Employee Classifications

For purposes of this handbook, all Rowell Family Empowerment employees fall within one of the classifications below.

**Full-Time Employees** - Employees who regularly work at least 30 hours per week who were not hired on a short-term basis.

**Part-Time Employees** - Employees who regularly work fewer than 30 hours per week who were not hired on a short-term basis.

**Home Health Care Providers** (Respite Workers) - Employees who are hired solely to provide in-home respite care to families and whose employment is dependent on funding between the Agency and Far Northern Regional Center specifically for this duty. These are employees who are not hired on a short-term basis and whose weekly hours may fluctuate depending on a variety of factors.

**Short-Term Employees** - Employees who were hired for a specific short-term project, or on a short-term freelance, per diem or temporary basis. Short-Term employees generally are not eligible for Agency benefits, but are eligible to receive statutory benefits.

In addition to the above classifications, employees are categorized as either "exempt" or "non-exempt" for purposes of federal and state wage and hour laws. Employees classified as exempt do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

2-2. Your Employment Records

In order to obtain their position, employees have provided personal information, such as address and telephone number. This information is contained in their personnel file. For review of employee file, employee must contact supervisor.

Employees should keep their personnel file up to date by informing the employee's supervisor of any changes. Employees also should inform the employee's supervisor of any specialized training or skills they acquire, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage.
2-3. Working Hours and Schedule

This section excludes Home Health Care Providers

Rowell Family Empowerment normally is open for business from 8:30 am to 4:30 pm, Monday through Friday.

Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the business, at some point Rowell Family Empowerment may need to change individual work schedules on either a short-term or long-term basis.

Rest Breaks

Non-exempt employees who work three-and-one-half (3-1/2) or more hours per day are authorized and permitted one (1) 10-minute rest break for every four (4) hours or major fraction thereof worked. For purposes of this policy, "major fraction" means any time greater than two (2) hours. For example, if employees work more than six (6) hours, but no more than 10 hours in a workday, they are authorized and permitted to take two (2) 10-minute rest breaks: one (1) during the first half of the shift and a second rest break during the second half of the shift. If employees work more than 10 hours but no more than 14 hours in a day, they are authorized and permitted to take three (3) 10-minute rest breaks, and so on.

Rest breaks should be taken as close to the middle of each work period of four (4) hours or major fraction thereof as is practical. Employees do not need to obtain their supervisor's approval or notify their supervisor when taking a rest break. Employees are encouraged to take their rest breaks; they are not expected to and should not work during their rest breaks. Non-exempt employees are paid for all rest break periods and do not need to clock out when taking a rest break.

Rest breaks may not be combined with another rest break or with the meal period. In addition, rest breaks may not be taken at the beginning or end of the work day to arrive late or leave early. Each rest break must be a separate break, meeting the requirements described above. If any work is performed during a rest break, or if the rest break is interrupted for any work-related reason, the employee is entitled to another uninterrupted paid rest break.

Meal Periods

Employees who work more than five (5) hours in a workday are provided an unpaid, off-duty meal period of at least 30 minutes. Employees are responsible for scheduling their own meal periods. Meal periods must begin no later than the end of the fifth hour of work. For example, the employee who begins working at 8:00 a.m. must begin the meal period no later than 12:59 p.m. When scheduling a meal period, employees should try to
anticipate work flow and deadlines.

Employees who work more than 10 hours in a day are entitled to a second unpaid, off-duty 30-minute meal period. Employees entitled to a second meal period should schedule their second meal period so it begins no later than before the end of their tenth hour of work, meaning the meal period should begin after working no more than nine (9) hours, 59 minutes.

During meal periods, employees are relieved of all duty and should not work during this time. When taking a meal period, employees should completely stop working for at least 30 minutes. Employees are prohibited from working "off the clock" during their meal period.

Those employees who use a time clock must clock out for their meal periods. These employees are expected to clock back in and promptly return to work at the end of any meal period. Those employees who record their time manually must accurately record their meal periods by recording the beginning and end of each work period. Unless otherwise directed by a supervisor in writing, employees do not need to obtain a supervisor's approval or notify a supervisor when taking a meal period. Employees are to immediately notify their supervisor if they believe that they are prevented by the nature of their work from taking a timely and/or complete meal period.

**Meal Period Waiver**

If no more than six (6) hours of work will complete the day's work, employees may voluntarily waive the meal period in writing. Employees should see Human Resources to obtain this waiver form. If the employee works no more than twelve (12) hours, the employee can waive the second meal period, but only if the first meal period was received and not waived in any manner. Any waiver of the second meal period must be in writing and submitted before the second meal period. Employees should see Human Resources to obtain this waiver form. Employees who work more than 12 hours may not waive, and should take, their second unpaid, off-duty and uninterrupted 30-minute meal period.

**No Working During Rest Breaks and Meal Periods**

Employees are completely relieved of all work duties and responsibilities during their rest breaks and meal periods. All rest breaks and meal periods must be taken outside the work area, such as in a break room. Employees may leave the premises during rest breaks and meal periods. Employees should not visit or socialize with employees who are working while they are taking a rest break or meal period.

Employees are required to immediately notify their supervisor if they believe they are being pressured or coerced by any manager, supervisor or other employee to not take any portion of a provided rest break or meal period.
2-4. Working Out-Of-Office Policy

This section excludes Home Health Care Providers

Rowell Family Empowerment may permit employees to work outside of office. Your supervisor will make this determination in advance on a case-by-case basis.

2-5. Make-Up Time

This section excludes Home Health Care Providers

Rowell Family Empowerment allows the use of make-up time when non-exempt employees need time off to tend to personal obligations. Non-exempt employees may take time off and then make-up the time later in the same pay period, or may work extra hours earlier in the same pay period to make up for time that will be taken off later in the same pay period. Make-up time requests must be submitted in writing to your supervisor.

If you take time off and are unable to work the scheduled make-up time for any reason PTO will be used, if available, for any missed time. If you work make-up time before your planned time off, you must take that time off even if you no longer need the time off for any reason.

2-6. Timekeeping Procedures

Employees must record their actual time worked daily for payroll and benefit purposes. Non-exempt employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason, on forms as prescribed by management.

Altering, falsifying or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

Exempt employees are required to record their daily work attendance and report full days of absence from work for reasons such as leaves of absence, sick leave or personal business.

Non-exempt employees may not start work until their scheduled starting time.

It is the employee's responsibility to sign time records to certify the accuracy of all time recorded. Any errors in the time record should be reported immediately to a supervisor, who will attempt to correct legitimate errors.

All employees are expected to follow the Agency annual calendar as to when timecards are available.
must be submitted.

2-7. Overtime

As necessary, employees may need to work overtime. A supervisor must previously authorize all overtime work. No overtime is authorized without prior supervisor approval. Effort will be made to provide employees with adequate advance notice if overtime is necessary.

Non-exempt employees generally will be paid overtime at the rate of time and one-half (1.5) times their normal hourly wage for all hours worked in excess of eight (8) hours in one (1) day or 40 hours in one (1) week, or for the first eight (8) hours on the seventh (7th) day in the same workweek.

Non-exempt employees generally will be paid double-time for hours worked in excess of 12 hours in any workday or in excess of eight (8) hours on the seventh (7th) day of the workweek.

Employees may work overtime only with management authorization.

For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Sunday and ends 168 hours later at 12 a.m. on the following Sunday.

Home Health Care Providers will not be paid overtime for hours worked in excess of eight (8) hours in one (1) day but will be paid overtime at the rate of time and one-half (1.5) times their normal hourly wage for all hours worked in excess of 40 hours in one (1) week. This is in accordance with the classification as defined by the Department of Labor. No overtime is authorized without prior supervisor approval.

2-8. Travel Time for Non-Exempt Employees

When regular non-exempt employees are required to travel as part of their job duties, the time will be compensated at regular wage rates. Work time does not include time when you are free to pursue personal activities and such time will not be compensated.

When leaving to attend a work related activity, non-exempt employees will be reimbursed for mileage based on the miles from their start point to the destination, upon approval from supervisor. The time will be documented from when they left their start point to the destination. Overtime will be paid or compensated in accordance with state and federal laws during travel time and training.

All travel expenditures are to be approved by the Supervisor or Executive Director before the travel takes place. Staff must submit a "Staff Training Request" prior to approval to attend training events that have not been approved previously. The request must accompany an agenda and travel expense estimate.
Reimbursable, reasonable expenses may include the following:

- Mileage, paid at current rate per mile, for employees who use privately owned vehicles while on official travel, and must be submitted by the end of every month.
- Parking, bridge crossing tolls, per diem for meals not provided, etc.

Mileage claims require receipts such as an IEP signature page, an agenda, or other similar documentation. All other expenses require original receipts.

- Meals may be reimbursed at the following per diem rate: $50.00 per day; for partial meals the following break down is applied; $25.00 for dinner; $15.00 for lunch; $10.00 for breakfast.
- All meals provided at the meeting, training, or conference must be deducted from the full day per diem rate. An agenda of each day must be submitted before meals will be reimbursed.
- One day trips within our six (6) county catchment area will not include per diem.

Certain expenses may be paid prior to travel, including registration fees, tickets for air travel, hotel costs, or other larger expenses.

**Home Health Care Providers**

Home Health Care Providers may be reimbursed mileage when traveling from your starting location to the consumer's location, round trip or to the next consumer's location. This time will NOT be documented on the timesheet, it is unpaid time. Work time begins once the Home Health Care Provider arrives at the consumer's location. Mileage will be completed daily.

**2-9. Safe Harbor Policy for Exempt Employees**

It is Agency policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure employees are paid properly and no improper deductions are made, employees must review their pay stubs promptly to identify and to report all errors.

If the employee believes a mistake has occurred or if the employee has any questions, the employee should use the reporting procedure outlined below.

Exempt salaried employees receive a salary which is intended to compensate for all hours worked for the Agency. This salary will be established at the time of hire or when the employee becomes classified as an exempt employee. While it may be subject to review and modification from time-to-time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.
Under state law, salary is subject to certain deductions. For example, the employee's salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability, if the available paid sick leave has been exhausted;
- intermittent absences, including partial-day absences, covered by the federal Family and Medical Leave Act, if other available paid leave has been exhausted;
- to offset amounts received as payment for jury and witness fees or military pay;
- during the first or last week of employment in the event the employee works less than a full week; and
- any work week in which the employee performs no work for the Agency.

Salary also may be reduced for certain types of deductions, such as the employee portion of health, dental or life insurance premiums; state, federal or local taxes, social security; or, voluntary contributions to a 401(k), pension plan, or retirement plan.

In any workweek in which the employee performed any work, the employee's salary will not be reduced for any of the following reasons:

- partial-day absences for personal reasons, sickness or disability;
- absence on a holiday when the facility is closed or because the facility is otherwise closed on a scheduled workday;
- absences for jury duty, attendance as a witness or military leave in any week in which the employee has performed any work; and
- any other deductions prohibited by state or federal law.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to their supervisor. If the supervisor is unavailable or if employees believe it would be inappropriate to contact that person (or if they have not received a prompt and fully acceptable reply), they should immediately contact Executive Director or any other supervisor in the Agency with whom the employee feels comfortable. If employees are unsure of whom to contact if they have not received a satisfactory response within five (5) business days after reporting the incident, they should immediately contact the Executive Director, 3330 Churn Creek Rd., Suite A-1 Redding, CA 96002, (530) 226-5129.

Every report will be fully investigated and corrective action will be taken where appropriate, up to and including termination for any employee who violates this policy. In addition, the Agency will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will
result in disciplinary action, up to and including termination.

2-10. Your Paycheck

Employees will be paid bi-weekly for all the time worked during the past pay period.

Payroll stubs itemize deductions made from gross earnings. By law, Rowell Family Empowerment is required to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in any employee's pay, the employee should bring the matter to the attention of Fiscal Assistant immediately so the Agency can resolve the matter quickly and amicably.

Paychecks will be given only to the employee, unless the employee requests that they be mailed or authorizes in writing that another person may accept the check.

2-11. Direct Deposit

Rowell Family Empowerment strongly encourages employees to use direct deposit. Authorization forms are available from the Fiscal Assistant. There may be a delay in receiving your paycheck if you do not elect to use direct deposit.

2-12. Expense Reimbursement

Rowell Family Empowerment reimburses employees for approved business expenses. Employees must provide receipts, mileage claim forms with explanations of activities, and other required forms at least monthly. These forms must be approved and signed by your immediate supervisor. No claim form will be processed without this approval. If you have any questions see your supervisor.

2-13. Salary Advances

Rowell Family Empowerment does not permit advances on paychecks.

2-14. Performance Review

Depending on the employee's position and classification, Rowell Family Empowerment endeavors to review performance annually. However, a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment.
Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

In addition to these formal performance evaluations, the Agency encourages employees and supervisors to discuss job performance on a frequent and ongoing basis.

2-15. Open-Door / Complaint Policy

Internal

Suggestions for improving Rowell Family Empowerment are always welcome. At some time, you may have a complaint, suggestion, or question about your job, your working conditions, or the treatment you are receiving. Your good-faith complaints, questions, and suggestions also are of concern to Rowell Family Empowerment. We ask that you take your concerns first to your supervisor. If your supervisor cannot or does not adequately address your concern, please contact the Human Resource Department, who will provide a solution or explanation. If the problem is further not resolved, please contact the Executive Director. If it remains unresolved at that level, please contact the President of the Rowell Family Empowerment Board of Directors, who will attempt to reach a final resolution.

Outside

If there are complaints from the community, please direct individuals to the Executive Director. If this type of complaint is not resolved with the Executive Director, please contact the President of the Rowell Family Empowerment Board of Directors.
Section 3 - Benefits

3-1. Benefits Overview

In addition to good working conditions and competitive pay, it is Rowell Family Empowerment’s policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, and insurance and other plan benefits.

The next few pages contain a brief outline of the benefits programs Rowell Family Empowerment provides employees and their families. Of course, the information presented here is intended to serve only as guidelines.

Further, Rowell Family Empowerment (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement.

While the Agency intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason.

If employees have any questions regarding benefits, they should contact Human Resources.

3-2. Paid Holidays

This section does not apply to Home Health Care Providers

Full-time, Part-time employees will be paid for the following holidays:

- New Year's Day
- Your birthday
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- 5 days toward the end of December and beginning of January
Thanksgiving Day
Day after Thanksgiving
Christmas Day

Eligibility for holiday pay begins after 90 days of employment. To be eligible for holiday pay, you must be a regular full or part time employee, consistently scheduled to work at least 20 hours per week, and you must be in paid status immediately preceding and immediately following the holiday. Holiday pay will be based on hours employees are normally scheduled to work per week as follows:

- 40 hours per week will be paid 8 hours per holiday.
- 35-39 hours per week will be paid 7 hours per holiday.
- 30-34 hours per week will be paid 6 hours per holiday.
- 25-29 hours per week will be paid 5 hours per holiday.
- 20-24 hours per week will be paid 4 hours per holiday.

Regular employees who work less than 20 hours per week, and are therefore not eligible for holiday pay as outlined above, will receive pay when the offices are closed for an entire week and on their birthday, as long as they are in paid status immediately preceding and immediately following those days and have been employed for a minimum of 90 days. Paid hours are as follows:

- 15-19 hours per week will be paid 3 hours per holiday.
- 10-14 hours per week will be paid 2 hours per holiday.
- 5-9 hours per week will be paid 1 hour per holiday.

3-3. Paid Time Off (PTO)

This section does not apply to Home Health Care Providers

Paid Time Off (PTO) is a vested benefit earned by regular part-time and full-time employees. This benefit can be used during planned vacation and planned absences.

To be eligible for PTO, you must be a regular employee hired to work at least 20 hours per week. New employees begin to accrue PTO on the first day of employment and may use PTO after 90 days of employment. Employees accrue PTO based on actual regular hours worked and years of service. PTO does not accrue on overtime hours. PTO amounts are indicated on your pay stubs.

PTO is only accrued on the number of hours worked. Accrual rates increase based on your years of service.

Your PTO Cap is based on your years of service and the number of hours you are hired
to work each week. The Fiscal Assistant will keep track of this information. Please contact the Fiscal Assistant with any questions.

3-4. California Sick Leave Policies

This section applies to Home Health Care Providers and Employees who work less than 20 hours per week.

Eligibility

Pursuant to the Healthy Workplaces, Healthy Families Act, the Agency provides paid sick leave to employees who, on or after July 1, 2015, work for Rowell Family Empowerment in California for 30 or more days within a year. For employees who work in California who are eligible for sick time under the general Paid Sick Time policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Paid Sick Time policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin accruing paid sick leave on July 1, 2015 or at the start of employment, whichever is later. Paid sick leave will accumulate at the rate of one (1) hour for every 30 hours worked, up to a total maximum accrual of six (6) days or 48 hours. For purposes of this policy, for employees hired on or before July 1, 2015, the year is the consecutive 12-month period beginning July 1st and ending on June 30th. For employees hired after July 1, 2015, the year is the consecutive 12-month period beginning on the employee's date of hire.

Usage

Employees can use accrued paid sick leave beginning on the 90th day of employment. Paid sick leave may be used in minimum increments of two (2) hours. Home Health Care Providers and employees who work less than 20 hours per week, may use up to three (3) days or 24 hours of paid sick leave per year.

Paid sick leave may be used for the following reasons:

- For diagnosis, care or treatment of an existing health condition of or preventive care for, the employee or the employee's family member (meaning a child, including biological, adopted or foster child, stepchild, legal ward or a child to whom the employee stands in loco parentis, all regardless of age or dependency status); spouse; registered domestic partner; parent (including biological, adoptive or foster parent, stepparent or legal guardian of the 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); grandparent; grandchild; or a sibling; or
For the employee who is a victim of domestic violence, sexual assault or stalking:

1. to obtain or attempt to obtain a temporary restraining order, restraining order or other injunctive relief;
2. to help ensure the health, safety or welfare of the victim or the victim's child;
3. to seek medical attention for injuries caused by domestic violence, sexual assault or stalking;
4. to obtain services from a domestic violence shelter, program or rape crisis center as a result of domestic violence, sexual assault or stalking;
5. to obtain psychological counseling related to an experience of domestic violence, sexual assault or stalking; or
6. to participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault or stalking, including temporary or permanent relocation.

Employees will be notified of their available paid sick leave on each itemized wage statement.

**Notice and Documentation**

Notice to the Employee's Supervisor may be given in writing. If the need for paid sick leave is foreseeable, the employee must provide reasonable advance notification. If the need for paid sick leave is unforeseeable, the employee must provide notice of the need for the leave as soon as practicable.

**Payment**

Eligible employees will receive payment for paid sick leave at the same wage as the employee normally earns during regular work hours, unless otherwise required by applicable law, by the next regular payroll period after the leave was taken. Use of paid sick leave is not considered hours worked for purposes of calculating overtime.

**Carryover and Payout**

Accrued paid sick leave carries over from year to year, but is subject to the accrual cap of six (6) days or 48 hours. Once the accrual cap is reached, paid sick leave will stop accruing until some paid sick leave is used.

Accrued but unused paid sick leave under this policy will not be paid at separation.

**Enforcement & Retaliation**

Retaliation or discrimination against the employee, who requests paid sick days or uses paid sick days or both, is prohibited and employees may file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against the employee.
If employees have any questions regarding this policy, they should contact Fiscal Assistant.

3-5. Lactation Breaks

Rowell Family Empowerment supports the legal right and necessity of employees who choose to express milk in the workplace. This policy establishes guidelines for promoting a breastfeeding-friendly work environment and supporting lactating employees for as long as they desire to express breastmilk.

The Agency will provide a reasonable amount of break time for employees who wish to express breast milk for their infant child each time the employee has a need to express milk, in accordance with applicable local, state and federal law. If possible, the break time must run concurrently with rest and meal periods already provided. If break time cannot run concurrently with rest and meal periods, it will be unpaid, to the extent permitted by applicable law.

The Agency will provide breastfeeding employees with space, in close proximity to their work area, that is shielded from view and free from intrusion from co-workers and the public. The room or location may include the place where the employee normally works if it otherwise meets the requirements of the lactation space. Restrooms are prohibited from being used for lactation purposes.

Employees who need a lactation accommodation should submit a request for possible accommodation in person to Human Resource Manager. Upon receiving an accommodation request, the Agency will respond to the employee within five (5) business days. The Agency and the employee shall engage in an interactive process to determine the appropriate accommodations.

California law expressly prohibits discrimination or retaliation against lactating employees for exercising their rights granted by the ordinance. This includes those who request time to express breast milk at work and/or who lodge a complaint related to the right to lactation accommodations.

Employees have the right to file a complaint with the Labor Commissioner for any violation of the rights underlying this policy.

Please consult Human Resources with questions regarding this policy.

3-6. Workers' Compensation

On-the-job injuries are covered by Rowell Family Empowerment's Workers' Compensation Insurance Policy, which is provided at no cost to employees. If injured on the job, no matter how slightly, employees should report the incident immediately to their supervisor. Failure to follow Agency procedures may affect one's ability to receive
Workers' Compensation benefits.

Any leave of absence due to a workplace injury runs concurrently with all other Agency leaves of absence. Reinstatement from leave is guaranteed only if required by law. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

3-7. Jury Duty

Rowell Family Empowerment realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

Employees on jury duty leave will be paid for their jury duty service in accordance with state law; however, exempt employees will be paid their full salary for any week in which time is missed due to jury duty if work is performed for the Agency during such week.

3-8. Insurance Programs

Full-time employees may participate in Rowell Family Empowerment's insurance programs. Under these plans, eligible employees will receive comprehensive health and other insurance coverage for themselves, as well as other benefits. Benefits become effective after 90 days of employment.

Upon becoming eligible to participate in these plans, employees will receive summary plan descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan information. Of course, feel free to contact Fiscal Assistant with any further questions.

3-9. Statutory Short-Term Disability Benefits

Rowell Family Empowerment also provides statutory short-term disability insurance. This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.
3-10. Long-Term Disability Benefits

Full-time employees are eligible to participate in the Long-Term Disability plan, subject to all terms and conditions of the agreement between Rowell Family Empowerment and the insurance carrier.

This is solely a monetary benefit and not a leave of absence. Employees who will be out of work must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

3-11. Retirement Plan

Eligible employees are able to participate in Rowell Family Empowerment's retirement plan. Plan participants may make pre-tax contributions to a retirement account.

Upon becoming eligible to participate in this plan, employees will receive an SPD describing the plan in greater detail. Please refer to the SPD for detailed plan information. Of course, feel free to speak to Fiscal Assistant or HR Manager if there are any further questions.

3-12. Paid Family Leave Benefits

Employees may be eligible to receive benefits through the California Paid Family Leave (PFL) program, which is administered by the Employment Development Department (EDD), when they take leave to:

- care for a child, spouse, parent, grandparent, grandchild, sibling, parent-in-law or registered domestic partner, with a serious health condition;
- bond with a minor child within the first year of the child's birth or placement in connection with foster care or adoption; or
- participate in a qualifying exigency related to the covered active duty or call to covered active duty of the employee's spouse, domestic partner, child or parent in the Armed Forces of the United States.

These benefits are financed solely through employee contributions to the PFL program. That program is solely responsible for determining if the employee is eligible for such benefits.

If employees need to take time off work for any of the reasons set forth above, they must advise Rowell Family Empowerment, and they will be given information about the EDD's PFL program and how to apply for benefits. Employees also may contact their local EDD Office for further information. Employees should maintain regular contact with
the Agency during the time off work so the Agency may monitor the employee's return-to-work status. In addition, the employee should contact the Agency when ready to return to work so the Agency may determine what positions, if any, are open.

When the employee applies for PFL benefits, the Human Resources Department will determine if the employee has any accrued but unused vacation and personal days available. If the employee has accrued but unused time available, then the employee will be required to use up to two (2) weeks of such time before becoming eligible for PFL benefits.

Employees taking time off work for any of the reasons set forth above are not guaranteed job reinstatement unless they qualify for such reinstatement under federal or state family and medical leave laws.

Any time off for Paid Family Leave purposes will run concurrently with other leaves of absence, such as Family and Medical Leave/California Family Rights Act Leave, if applicable. Please see the "Family and Medical Leave/California Family Rights Act" policies in this handbook for eligibility requirements, if applicable.

3-13. Voting Leave

In the event employees do not have sufficient time outside of working hours to vote in a statewide election, employees may take off sufficient working time to vote. This time should be taken at the beginning or end of the regular work schedule, whichever allows the most free time for voting and the least time off from work. Employees will be allowed a maximum of two (2) hours of voting leave on Election Day without loss of pay. Where possible, supervisors should be notified of the need for leave at least three (3) working days prior to the Election Day.
Section 4 - Leaves of Absence

4-1. Personal Leave

If employees are ineligible for any other Agency leave of absence, Rowell Family Empowerment, under certain circumstances, may grant a personal leave of absence without pay. A written request for a personal leave should be presented to management at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and employees are not eligible for FMLA and CFRA, medical certification also must be submitted. The request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as performance and attendance records. Normally, a leave of absence will be granted for a period of up to eight (8) weeks. However a personal leave may be extended if, prior to the end of leave, employees submit a written request for an extension to management and the request is granted. During the leave, employees will not earn vacation, personal days or sick days.

When the employees anticipate returning to work, they should notify management of the expected return date. This notification should be made at least one week before the end of the leave.

Upon completion of the personal leave of absence, the Agency will attempt to return employees to their original job or a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise management of availability to return to work, failure to return to work when notified or a continued absence from work beyond the time approved by the Agency will be considered a voluntary resignation of employment.

4-2. Military Leave

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask management for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can
apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give management as much advance notice of their need for military leave as possible so that Rowell Family Empowerment can maintain proper coverage while employees are away.

4-3. Bone Marrow Donation Leave

The employee who has been employed for at least 90 days may request a leave of absence for up to five (5) business days in any one-year period to undergo a medical procedure to donate bone marrow. Employees must provide a certification from their physician regarding the purpose and length of each leave requested. The employee must use any accrued vacation time, sick leave or paid time off for this leave, but the use of vacation accrual, sick leave or paid time off does not extend the term of this leave. If accrued vacation, sick leave or paid time off is not available, the time off for such procedure shall be paid, but the paid time off shall not exceed five (5) days. Bone marrow donation leave will not be designated as FMLA or CFRA leave time. Employees will receive health benefits for the duration of their Bone Marrow Donation Leave and upon returning from such leave will have a right to return to the same or equivalent positions they held before such leave.

4-4. Organ Donation Leave

Employees who have been employed for at least 90 days may request a paid leave of absence for up to 30 business days in any one-year period to undergo a medical procedure to donate an organ. Employees can request an additional 30 days of unpaid leave in any one-year period for this same purpose. Employees must provide a certification from their physician regarding the purpose and length of each leave requested. The one-year period is measured from the start of the leave.

For an initial request for organ donation leave, the employee must use up to two weeks of accrued vacation, sick leave or paid time off for this leave, but the use of vacation accrual, sick leave or paid time off does not extend the term of the leave. If accrued vacation, sick leave or paid time off is not available, the time off for such procedure shall be paid however the paid time off shall not exceed 30 days. Organ donation leave will not be designated as FMLA or CFRA leave time. Employees will receive health benefits for the duration of their organ donation leave and upon returning from such leave will have a right to return to the same or equivalent positions they held before such leave. Absences due to organ donation leave do not count as a break in service for the purpose of the employee's right to salary adjustments, sick leave, vacation and paid time off or seniority.
4-5. Time Off for Crime Victims

Employees who have been victims of serious or violent felonies, as specified under California law, or felonies relating to theft or embezzlement, may take time off work to attend judicial proceedings related to the crime. Employees also may take time off if an immediate family member has been a victim of such crimes and the employee needs to attend judicial proceedings related to the crime. "Immediate family member" is defined as spouse, registered domestic partner, child, child of registered domestic partner, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father or stepfather.

Employees must give their supervisor a copy of the court notice given to the victim of each scheduled proceeding before taking time off, unless advance notice to Rowell Family Empowerment of the need for time off is not feasible. When advance notice is not feasible, the employee must provide the Agency with documentation evidencing the judicial proceeding, within a reasonable time after the absence. The documentation may be from the court or government agency setting the hearing, the district attorney or prosecuting attorney's office or the victim/witness office that is advocating on behalf of the victim.

Employees may elect to use accrued paid vacation time, paid sick leave time or other paid time off for the absence. If the employee does not elect to use paid time off, the absence will be unpaid. However, exempt employees will be paid their full salary for any workweek interrupted by the need for time off under this policy.

4-6. Time Off For Volunteer Firefighters, Reserve Peace Officers & Emergency Rescue Personnel

Employees who are volunteer firefighters, reserve peace officers or emergency rescue personnel are permitted unpaid time off, not to exceed 14 days per calendar year, for the purpose of engaging in fire, law enforcement or emergency rescue training. If the employees request time off under the policy they must notify their direct supervisor immediately after the need for the leave becomes known.

4-7. Time Off for Military Spouses

If the employee works, on average, at least 20 hours per week and their spouse is a qualified member of the United States Armed Forces, the National Guard or the Reserves, the employee is eligible to take leave for a period of up to 10 days while their spouse is home during a qualified leave period. When the employee is also eligible for military family member exigency leave, leave under this policy shall also count toward
the employee's leave entitlement under the Family and Medical Leave Act (FMLA), where the time off meets the definition of FMLA military exigency leave.

**Required Notice to Employer**

Within two (2) business days of receiving official notice that the employee's spouse will be on leave the employee must provide notice to the Agency of their intent to take military spouse leave.

**Required Documentation**

The employee must submit written documentation to the Agency certifying that during the requested time off, the employee's spouse will be on leave from deployment during a period of military conflict.

**Leave is Unpaid**

Leave granted under this policy is unpaid. However, employees may substitute the following for any period of unpaid military spouse leave: personal time off.

**Definitions**

For the purposes of this policy, the following definitions apply:

"**Qualified Member**" means any of the following:

- a member of the United States Armed Forces who is deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States; or
- a member of the National Guard who is deployed during a period of military conflict; or
- a member of the Reserves who is deployed during a period of military conflict.

"**Period of Military Conflict**" means any of the following:

- a period of war declared by the U.S. Congress; or
- a period of deployment for which members of the Reserves are ordered to active duty.

"**Qualified Leave Period**" means the period during which the qualified member is on leave from deployment during a period of military conflict.
4-8. Family and Medical Leave

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA) and/or the California Family Rights Act (CFRA). Additionally, employees who are CFRA-eligible have certain rights to take both a pregnancy disability leave (PDL) and CFRA leave for the birth of a child.

This policy provides employees with information concerning FMLA/CFRA entitlements and obligations they may have during such leaves and also explains differences between FMLA, CFRA and PDL. Where more than one of the laws applies, leave taken may be counted under more than one law at the same time to the extent permitted by the applicable law(s). For example, where leave for a pregnancy disability is also FMLA-qualifying, the leave will count against both FMLA and PDL entitlements. However, PDL is separate from and does not count against employees' CFRA leave entitlement.

(Please consult the Pregnancy Disability Leave policy for more information on PDL.) This policy will be interpreted to comply with the law(s) that apply to a particular leave.

If employees have any questions concerning FMLA/CFRA leave, they should contact Human Resources Manager.

I. Eligibility

The FMLA and CFRA provide eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration. To be an "eligible employee, " the employee must: 1) have been employed by the Agency for at least 12 months (which need not be consecutive) and 2) have worked for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. All California employees who meet these two criteria are eligible for CFRA leave. California employees also may be eligible to take leave for FMLA reasons if they are eligible for CFRA leave and work at a worksite where 50 or more employees are located within 75 miles.

*Special hours of service eligibility requirements apply to airline flight crew employees.

II. Entitlements for FMLA/CFRA Leave

A. Basic FMLA/CFRA Leave Entitlement

The FMLA/CFRA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined by a rolling 12-month period measured backward from the date the employee uses their FMLA leave. In some instances, leave may be counted under the FMLA but not CFRA or CFRA but not the FMLA. Leave may be taken for any one, or for a combination, of the following reasons:

1. disability due to pregnancy, childbirth or related medical condition (counts only toward
FMLA leave and California Pregnancy Disability Leave (PDL) leave entitlements;

2. bonding and/or caring for a newborn child (counts toward FMLA and CFRA leave entitlements);

3. for placement with the employee of a child for adoption or foster care and to care for the newly placed child (counts toward FMLA and CFRA leave entitlements);

4. to care for the employee's spouse, child or parent (but not in-law) with a serious health condition; (counts toward FMLA and CFRA leave entitlements);

5. to care for the employee's registered domestic partner, grandparent, grandchild or sibling with a serious health condition (counts towards CFRA entitlements only, except when grandparent, grandchild or sibling meets FMLA definition of parent or child);

6. for the employee's own serious health condition (excluding pregnancy) that makes the employee unable to perform one or more of the essential functions of their job (counts toward FMLA and CFRA leave entitlements); and/or

7. because of any qualifying exigency arising out of the fact that the employee's spouse, registered domestic partner, son, daughter or parent is a military member on covered active duty status (or has been notified of an impending call or order to covered active duty status) in the Reserve component of the Armed Forces for deployment to a foreign country in support of a contingency operation or Regular Armed Forces for deployment to a foreign country (counts toward FMLA/CFRA leave entitlements, except that leave taken for a registered domestic partner counts towards CFRA leave entitlement only).

Leave to care for one's child after birth or placement for adoption or foster care must be taken within one (1) year of the child's birth or placement.

Under the FMLA, a serious health condition is an illness, injury, impairment or physical or mental condition that involves a period of incapacity or treatment connected with inpatient care (e.g., an overnight stay) in a medical care facility, hospice or residential health care facility; or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of their job or prevents the qualified family member from participating in school or other daily activities.

Under the CFRA, a serious health condition is an illness, injury, impairment or physical or mental condition that involves either inpatient care in a hospital, hospice or residential health care facility, any subsequent treatment in connection with such inpatient care or any period of incapacity; or continuing treatment by a health care provider. The CFRA defines "inpatient care" broadly and includes a stay in a hospital, hospice or residential health care facility, any subsequent treatment in connection with inpatient care or any period of incapacity. A person will be considered an "inpatient" when they are formally admitted to a health care facility with the expectation that they
will remain at least overnight and occupy a bed, even if the person is ultimately discharged or transferred to another facility and does not actually remain overnight. The CFRA defines "incapacity" as the inability to work, attend school or perform other regular daily activities due to a serious health condition, its treatment or the recovery that it requires.

Under the FMLA and CFRA, subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment or incapacity due to pregnancy (FMLA only) or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

A leave of absence in connection with a workers' compensation injury/illness or for which the employee receives disability or State of California Paid Family Leave benefits shall run concurrently with FMLA/CFRA leave.

B. Additional Military Family Leave Entitlement (FMLA Only)

In addition to the basic FMLA/CFRA leave entitlement described above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered servicemember is entitled to take up 26 weeks of leave during a 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember is available during a single 12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "covered servicemember" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." Covered servicemembers also include a veteran who is discharged or released from military service under conditions other than dishonorable at any time during the five-(5-) year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The FMLA definition of a serious illness or injury for current Armed Forces members and covered Veterans are distinct from the definition of "serious health condition"
applicable to leave to care for a family member or the employee's own illness or injury.

C. Intermittent Leave and Reduced Leave Schedules

FMLA/CFRA leave usually will be taken for a period of consecutive days, weeks or months. However, employees also are entitled to take FMLA/CFRA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember (FMLA only). Intermittent or reduced work schedule leave may be taken for absences where the employee or family member is incapacitated or unable to perform the essential functions of the position because of a chronic serious health condition, even if they do not receive treatment by a health care provider. Intermittent leave can also be taken for any qualifying exigency.

Employees also are eligible for intermittent leave for bonding with a child following birth or placement. Intermittent leave for bonding purposes generally must be taken in two-week increments, but the Agency permits two (2) occasions where the leave may be for less than two (2) weeks.

D. Health Insurance Benefits Schedules

During FMLA/CFRA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued work.

E. No Work While on Leave

The taking of another job while on FMLA/CFRA leave or any other approved leave of absence is prohibited except as authorized by the Agency or permitted by applicable law.

F. Restoration of Employment and Benefits

At the end of FMLA/CFRA leave, employees generally have a right to return to the same or equivalent positions they held before the FMLA/CFRA leave. There is an exception for certain "key employees" under the FMLA that applies to leave for a seriously ill or injured covered servicemember (the CFRA does not have an exception for "key employees"). The Agency will provide notice if employees qualify as "key employees" if it intends to deny reinstatement and any applicable rights in such instances.

Use of FMLA/CFRA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA/CFRA leave.

G. Notice of Eligibility for, and Designation of, FMLA/CFRA Leave

Employees requesting FMLA/CFRA leave are entitled to receive written notice from the Agency telling them whether they are eligible for FMLA/CFRA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA/CFRA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection
with such leave; 2) the Agency's designation of leave as FMLA/CFRA-qualifying or non-qualifying, if not FMLA/CFRA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

The Agency will respond to a leave request within five (5) business days. Once given, approval shall be deemed retroactive to the date of the first day of the leave. The Agency may designate FMLA/CFRA leave retroactively with appropriate notice provided that doing so does not cause harm or injury to employees. In other cases, the Agency and employees can mutually agree that leave is retroactively designated as FMLA/CFRA leave.

H. Employee Obligations for FMLA/CFRA Leaves

a. Provide Notice of the Need for Leave

Employees who take FMLA/CFRA leave must notify, in a timely manner, the Agency of their need for FMLA/CFRA leave. The following describes the content and timing of such notices.

i. Content of Notice

To trigger FMLA/CFRA leave protections, employees must inform Human Resources Manager of the need for FMLA/CFRA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA/CFRA leave specifically or explaining the reasons for leave so as to allow the Agency to determine that the leave is FMLA/CFRA-qualifying. For example, employees might explain that:

1. a medical condition renders them unable to perform the functions of their job;
2. they are pregnant;
3. they or a covered family member have been hospitalized overnight;
4. they or a covered family member are under the continuing care of a health care provider;
5. the leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active duty status; or
6. if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA/CFRA leave under this policy. Employees must respond to the Agency's lawful questions to determine if absences are potentially FMLA/CFRA-qualifying.
If employees fail to explain the reasons for FMLA/CFRA leave, the leave may be denied. When employees seek leave due to FMLA/CFRA-qualifying reasons for which the Agency has previously provided FMLA/CFRA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA/CFRA leave.

ii. Timing of Notice

Employees must provide 30 days' advance notice of the need to take FMLA/CFRA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must notify the Agency of the need for leave as soon as practicable under the circumstances. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA/CFRA notice obligations, may have FMLA/CFRA leave delayed or denied.

b. Cooperating in the Scheduling of Leave

When planning medical treatment for themselves or family members or requesting to take leave on an intermittent or reduced schedule work basis, employees must consult with the Agency and make a reasonable effort to schedule treatment so as not to unduly disrupt Agency operations. Employees must consult with the Agency prior to scheduling treatment in order to work out a treatment schedule that best suits the needs of both the Agency and the employees, subject to the approval of the applicable health care provider. To the extent permitted by applicable law, when employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for employees or family members, including a period of recovery from a serious health condition or to care for a covered servicemember, the Agency may temporarily transfer employees to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

c. Submit Initial Medical Certifications Supporting Need for Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of FMLA/CFRA leave sought, employees may be required to submit medical certifications supporting their need for FMLA/CFRA-qualifying leave. As described below, there generally are three types of FMLA/CFRA medical certifications: an initial certification, a recertification, and a return to work/fitness for duty certification.

It is the responsibility of employees to provide the Agency with timely, complete and sufficient medical certifications. Whenever the Agency requests employees to provide FMLA/CFRA medical certifications, they must provide the requested certifications within 15 calendar days after the request, unless it is not practicable to do so despite diligent, good faith efforts. The Agency will inform employees if submitted medical certifications are incomplete or insufficient and provide them at least seven (7) calendar days to address deficiencies. The Agency will delay or deny FMLA/CFRA leave to employees
who fail to address deficiencies or otherwise fail to submit requested medical certifications in a timely manner.

The Agency (through individuals other than the employee's direct supervisor) may contact the employee's health care provider to authenticate a medical certification.

Whenever the Agency deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA/CFRA medical certifications.

i. Initial Medical Certifications

Employees requesting leave because of their own or a covered family member's serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins.

If the Agency has reason to doubt the validity of an initial medical certification regarding the employee's own serious health condition, it may require the employee to obtain a second opinion at the Agency's expense. If the opinions of the initial and second health care providers differ, the Agency may, at its expense, require the employee to obtain a third, final and binding certification from a health care provider designated or approved jointly by the Agency and the employee. The Agency will reimburse employees for any reasonable "out of pocket" travel expenses incurred to obtain second or third medical opinions.

ii. Medical Recertifications

Depending on the circumstances and duration of FMLA/CFRA leave, the Agency may require employees to provide recertification of medical conditions giving rise to the need for leave. The Agency will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification. In cases of leave that qualifies under CFRA, recertification will be requested only when the original certification has expired and additional leave is requested.

iii. Return to Work Release

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA/CFRA leaves that were taken because of their own serious health conditions must provide the Agency with a release to return to work from their healthcare provider stating they are able to resume work. Employees taking intermittent leave may be required to provide a return to work release for such absences up to once every 30 days if reasonable safety concerns exist regarding their ability to perform their duties. The Agency may delay and/or deny job restoration until employees provide return to work releases.

d. Submit Certifications Supporting Need for Military Family Leave
Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, the Agency may require them to provide: 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to active duty status and the dates of the military member's covered active duty service and, 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness as allowed by the FMLA only, the Agency may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, the Agency may request that the certification submitted set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

e. Reporting Changes to Anticipated Return Date

If the anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide the Agency with reasonable notice (i.e., within two (2) business days) of their changed circumstances and new return to work date. If employees give the Agency unequivocal notice of their intent not to return to work, they will be considered to have voluntarily resigned and the Agency's obligation to maintain health benefits (subject to COBRA requirements) and to restore their positions will cease.

f. Substitute Paid Leave for Unpaid FMLA Leave

Employees are required to substitute accrued paid time while taking an unpaid FMLA/CFRA leave as follows:

- if the employee requests FMLA/PDL leave because of disability due to pregnancy, childbirth or related medical conditions (excluding absences for which they are receiving short-term disability benefits), they must first substitute any accrued paid sick leave for unpaid family/medical leave. Employees may make a written request to substitute accrued, unused vacation or other paid time off benefits for unpaid FMLA/PDL leave once their sick time is exhausted.
- if the employee requests FMLA/CFRA leave because of their own serious health condition (excluding absences for which they are receiving workers' compensation or short-term disability benefits), they must first substitute any accrued paid vacation, sick or other paid time off for unpaid family/medical leave.
- if the employee requests FMLA/CFRA leave to care for a covered family member
with a serious health condition (excluding absences for which they are receiving Paid Family Leave benefits), they must first substitute any accrued paid vacation or other paid time off for unpaid family/medical leave. Once vacation or other paid time off is exhausted, upon their request, they can substitute paid sick leave for unpaid FMLA/CFRA leave to care for a covered family member with a serious health condition.

- if the employee requests FMLA/CFRA leave to bond with a newborn or newly placed child (excluding absences for which they are receiving Paid Family Leave benefits), they must first substitute any accrued paid vacation or other paid time off for unpaid leave.

For purposes of this substitution requirement, leave is not "unpaid" during any time for which the employee is receiving compensation from the State of California under its State Disability Insurance or Paid Family Leave programs or when receiving compensation from worker's compensation. Employees will not be required to use accrued paid leave hours during any time off under this policy for which they are receiving compensation under these programs. However, where applicable and permitted by law, they will be required to use paid leave accruals during any waiting periods applicable to these programs, and upon written request, the Agency will allow them to use accrued paid time off to supplement any paid workers' compensation, disability or Paid Family Leave benefits.

The substitution of paid time off for unpaid family/medical leave time does not extend the length of FMLA/CFRA leaves and the paid time off runs concurrently with the FMLA/CFRA entitlement.

**g. Pay Employee's Share of Health Insurance Premiums**

As noted above, during FMLA/CFRA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. If paid leave is substituted for unpaid family/medical leave, the Agency will deduct employees' shares of the health plan premium as a regular payroll deduction. If FMLA/CFRA leave is unpaid, employees must pay their portion of the premium as a regular payroll deduction. If FMLA/CFRA leave is unpaid, employees must pay their portion of the premium through a method determined by the Agency upon leave. The Agency's obligation to maintain health care coverage ceases if the premium payment is more than 30 days late. If the payment is more than 15 days late, the Agency will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date.

If employees do not return to work for at least 30 calendar days after the end of the leave period (unless they cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse the Agency for the cost of the premiums the Agency paid for maintaining coverage during their unpaid FMLA/CFRA leave.
I. Coordination of FMLA Leave with Other Leave Policies

The FMLA and CFRA do not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law which provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA/CFRA leave is either not available or exhausted, please consult the Agency’s other leave policies in this Handbook or contact Human Resources Manager.

QUESTIONS AND/OR COMPLAINTS ABOUT FMLA/CFRA LEAVE

If employees have questions regarding this policy, they should contact Human Resources Manager. The Agency is committed to complying with the FMLA and CFRA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA and CFRA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact Human Resources Manager immediately. The Agency will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

4-9. Leave for Victims of Crime or Abuse (including Domestic Violence, Sexual Assault or Stalking)

Employees who are victims of a crime or abuse, including domestic violence, sexual assault or stalking, may take unpaid leave for up to 12 weeks for the following reasons:

- to seek medical attention for injuries caused by crime or abuse;
- to obtain services from a domestic violence shelter, program, rape crisis center or victim services organization or agency as a result of the crime or abuse;
- to obtain psychological counseling or mental health services related to an experience of crime or abuse; or
- to participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation.

Employees are covered as victims and entitled to leave under this policy if they are:

- a victim of stalking, domestic violence or sexual assault;
- a victim of a crime that caused physical injury or that caused mental injury and a
threat of physical injury; or
- a person whose immediate family member is deceased as the direct result of a crime.

Rowell Family Empowerment may require proof of the employee's participation in these activities. Whenever possible, employees must provide their supervisor reasonable notice before taking any time off under this policy.

Employees may substitute any accrued vacation, sick or other time off for the leave under this policy. Leave under this policy does not extend the time allowable under the "Family and Medical Leave" policy in this handbook.

No employees will be subject to discrimination or retaliation because of their status as a victim of a crime or abuse, including crime or abuse related to domestic violence, sexual assault or stalking. Victims of a crime or abuse, including crime or abuse related to domestic violence, sexual assault or stalking, may request other accommodations in the workplace such as implementation of safety measures.

4-10. Pregnancy Disability Leave

If employees are disabled by pregnancy, childbirth or related medical conditions, they are eligible to take a pregnancy disability leave (PDL). If affected by pregnancy or a related medical condition, employees also are eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if such a transfer is medically advisable and can be reasonably accommodated. Employees disabled by qualifying conditions may also be entitled to other reasonable accommodations where doing so is medically necessary. In addition, if it is medically advisable for employees to take intermittent leave or work a reduced schedule, the Agency may require them to transfer temporarily to an alternative position with equivalent pay and benefits that can better accommodate recurring periods of leave.

The PDL is for any period(s) of actual disability caused by pregnancy, childbirth or related medical condition up to four (4) months per pregnancy. For purposes of this policy, "four months" means time off for the number of days the employee would normally work within the four (4) calendar months (one-third of a year or 17 1/3 weeks), following the commencement date of taking a pregnancy disability leave. For a full-time employee who works 40 hours per week, "four months" means 693 hours of leave entitlement, based on 40 hours per week times 17 1/3 weeks. Employees working a part-time schedule will have their PDL calculated on a pro-rata basis.

The PDL does not need to be taken in one continuous period of time, but can be taken on an intermittent basis pursuant to the law.

Time off needed for prenatal or postnatal care, severe morning sickness, gestational
diabetes, pregnancy-induced hypertension, preeclampsia, doctor-ordered bed rest, postpartum depression, loss or end of pregnancy, and recovery from childbirth or loss or end of pregnancy are all covered by PDL.

To receive reasonable accommodation, obtain a transfer or take a PDL, employees must provide sufficient notice so the Agency can make appropriate plans. Thirty days' advance notice is required if the need for the reasonable accommodation, transfer or PDL is foreseeable, otherwise as soon as practicable if the need is an emergency or unforeseeable.

Employees are required to obtain a certification from their health care provider of the need for pregnancy disability leave or the medical advisability of an accommodation or for a transfer. The certification is sufficient if it contains: (1) a description of the requested reasonable accommodation or transfer; (2) a statement describing the medical advisability of the reasonable accommodation or transfer because of pregnancy; and (3) the date on which the need for reasonable accommodation or transfer became or will become medically advisable and the estimated duration of the reasonable accommodation or transfer.

A medical certification indicating disability necessitating a leave is sufficient if it contains: (1) a statement that the employee needs to take pregnancy disability leave because of disability due to pregnancy, childbirth or a related medical condition; (2) the date on which the employee became disabled because of pregnancy; and (3) the estimated duration of the leave.

Upon request, the employee will be provided with a medical certification form that the employee can take to the doctor.

As a condition of returning from pregnancy disability leave or transfer, the Agency requires the employee to obtain a release from a health care provider stating ability to resume the original job duties with or without reasonable accommodation.

PDL is unpaid. At the employee's option, the employee can use any accrued vacation time or other accrued paid time off as part of the PDL before taking the remainder of leave on an unpaid basis. Rowell Family Empowerment requires, however, that the employee use any available sick time during the PDL. The substitution of any paid leave will not extend the duration of the PDL. Employees who participate in the Agency's group health insurance plan will continue to participate in the plan while on PDL under the same terms and conditions as if they were working. Benefit continuation under PDL is distinct from benefit continuation for employees who also take birth bonding leave under the California Family Rights Act. Employees should make arrangements for payment of their share of the insurance premiums.

Rowell Family Empowerment encourages employees to contact the California Employment Development Department regarding eligibility for state disability insurance for the unpaid portion of the leave.
If employees do not return to work on the originally scheduled return date, nor request in advance an extension of the agreed upon leave with appropriate medical documentation, they may be deemed to have voluntarily terminated their employment with the Agency. Failure to notify the Agency of their ability to return to work when it occurs or continued absence from work because the leave must extend beyond the maximum time allowed, may be deemed a voluntary termination of employment with the Agency, unless employees are entitled to Family and Medical Leave or entitled to further leave pursuant to applicable law.

Upon return from a covered PDL, the employee, in most instances, will be reinstated to the same position.

Taking a PDL may affect some benefits and the employee's seniority date. The employee may request more information regarding eligibility for PDL and the impact of the leave on seniority and benefits.

Any request for leave after the disability has ended will be treated as a request for family care leave under the California Family Rights Act (CFRA) and the federal Family and Medical Leave Act (FMLA), if the employee is eligible for that type of leave. PDL runs concurrently with FMLA (but not CFRA). Employees should refer to the FMLA policy. Employees who are not eligible for leave under the CFRA or FMLA will have a request for additional leave treated as a request for disability accommodation.

### 4-11. Rehabilitation Leave

Rowell Family Empowerment is committed to providing assistance to our employees to overcome substance abuse problems. The Agency will reasonably accommodate any employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program. This accommodation may include time off without pay or an adjusted work schedule, provided the accommodation does not impose an undue hardship on the Agency. Employees may also use accumulated sick days, if applicable, for this purpose.

Employees should notify Human Resources if they need such accommodation. The Agency will take reasonable steps to safeguard privacy with respect to enrollment in an alcohol or drug rehabilitation program.

### 4-12. Time Off For School Related Activities

Employees that work at a location with 25 or more employees are provided unpaid time off up to 40 hours in one (1) calendar year if they are parents (including individuals acting in the capacity of a parent under the law), guardians, stepparents, foster parents or grandparents with custody of a child attending, or of age to attend, a licensed child care provider or kindergarten through Grade 12. The unpaid leave must be used for the
following child-related activities:

1. to find, enroll or reenroll the child in a school or with a licensed child care provider, or to participate in activities of the school or licensed child care provider of the child.
2. to address a child care provider or school emergency, meaning that the child cannot remain in school or with a child care provider due to one of the following:
   - the school or child care provider has requested that the child be picked up or has an attendance policy, excluding planned holidays, that prohibits the child from attending or requires the child to be picked up from the school or child care provider;
   - behavioral or discipline problems;
   - closure or unexpected unavailability of the school or child care provider, excluding planned holidays; or
   - a natural disaster, including, but not limited to, fire, earthquake or flood.

The amount of time off for reason #1 cannot exceed eight (8) hours in any calendar month of the year. Prior to taking leave for reason #1 above, the employee must provide reasonable notice of the planned absence to their Supervisor. The employee must give notice to their Supervisor when taking leave for reason #2 above.

If more than one parent of a child is employed at the same worksite, leave for the reasons above apply, at any one time, only to the parent who first gives notice, such that another parent may take a planned absence simultaneously as to that same child for the reasons above, but only if the parent obtains approval from their Supervisor for the requested time off.

Employees may be required to provide documentation of their participation in these activities. Parents, guardians or grandparents with custody of schoolchildren who have been suspended also are allowed to take unpaid time off to appear at the school pursuant to the school’s request. Employees may use accrued paid time off for purposes of the leave taken under this policy.
Section 5 - General Standards of Conduct

5-1. Workplace Conduct

Rowell Family Empowerment endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, in the Agency's sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing or defacing Rowell Family Empowerment property or a co-worker's property, and/or disclosure of confidential information.
3. Completing another employee's time records.
4. Violation of safety rules and policies.
5. Violation of Rowell Family Empowerment's Drug and Alcohol-Free Workplace Policy.
6. Fighting, threatening or disrupting the work of others or other violations of Rowell Family Empowerment's Workplace Violence Policy.
7. Failure to follow lawful instructions of a supervisor.
8. Failure to perform assigned job duties.
9. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness or unexcused absences.
11. Willful or careless destruction or damage to Agency assets or to the equipment or possessions of another employee.
12. Wasting work materials.
13. Performing work of a personal nature during working time.
14. Violation of the Solicitation and Distribution Policy.
17. Unsatisfactory job performance.
18. Any other violation of Rowell Family Empowerment policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and Rowell Family Empowerment reserves the right to impose
whatever discipline it chooses, or none at all, in a particular instance. The Agency will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

5-2. Punctuality and Attendance

Employees are hired to perform important functions at Rowell Family Empowerment. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on fellow employees and Supervisors. We expect excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify Supervisors as early as possible, but no later than the start of the work day. Asking another employee, friend or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the illness and its expected duration, for every day of absenteeism.

Unreported absences of three (3) consecutive work days generally will be considered a voluntary resignation of employment with the Agency.

5-3. Use of Communications and Computer Systems

Rowell Family Empowerment's communication and computer systems are intended primarily for business purposes; however limited personal usage is permitted if it does not hinder performance of job duties or violate any other Agency policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of the Rowell Family Empowerment systems.

Rowell Family Empowerment may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when the Agency deems it appropriate to do so. The reasons for which the Agency may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Agency operations continue appropriately during the employee's absence.
Further, Rowell Family Empowerment may review Internet usage to ensure that such use with Agency property, or communications sent via the Internet with Agency property, are appropriate. The reasons for which the Agency may review employees' use of the Internet with Agency property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Agency operations continue appropriately during the employee's absence.

The Agency may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

The Agency's policies prohibiting harassment, in their entirety, apply to the use of Agency's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Further, since the Agency's communication and computer systems are intended for business use, all employees, upon request, must inform management of any private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including discharge.

**5-4. Use of Social Media**

Rowell Family Empowerment respects the right of any employee to maintain a blog or web page or to participate in a social networking, Twitter or similar site, including but not limited to Facebook and LinkedIn. However, to protect Agency interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not post on a blog or web page or participate on a social networking platform, such as Twitter or similar site, during work time or at any time with Agency equipment or property.

All rules regarding confidential and proprietary business information apply in full to blogs, web pages and social networking platforms, such as Twitter, Facebook, LinkedIn or similar sites. Any information that cannot be disclosed through a conversation, a note
or an e-mail also cannot be disclosed in a blog, web page or social networking site.

Whether the employees are posting something on their own blog, web page, social networking, Twitter or similar site or on someone else's, if the employee mentions the Agency and also expresses either a political opinion or an opinion regarding the Agency's actions that could pose an actual or potential conflict of interest with the Agency, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is his/her personal opinion and not the Agency's position. This is necessary to preserve the Agency's good will in the marketplace.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, Twitter or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous or violent is forbidden. Agency policies apply equally to employee social media usage.

Rowell Family Empowerment encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, and/or social networking site is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their manager. Failure to follow these guidelines may result in discipline, up to and including discharge.

5-5. Inspections

Rowell Family Empowerment reserves the right to require employees while on Agency property, or on client property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on Agency or client property, and work areas. This includes lockers, vehicles, desks, cabinets, work stations, packages, handbags, briefcases and other personal possessions or places of concealment, as well as personal mail sent to the Agency or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

5-6. Smoking

Smoking, including the use of e-cigarettes, is prohibited inside the Agency or on any Agency leased property, workplace environment, or outside on any agency premises and grounds. Home Health Care Providers are prohibited from smoking and/or using e-cigarettes when working with consumers.
5-7. Housekeeping

All employees are expected to keep their work area neat, clean, and well organized. Those using them should keep common areas such as workrooms, meeting rooms, and restrooms clean. Employees must clean up after meals and dispose of trash properly. Coffee pots must be maintained by those using them, including emptying left over coffee, washing pots and filters, and making sure the pot is turned off after use. The refrigerator is to be used only to store that day's meal or drink, not for long-term storage of employee's meal items. The refrigerator must be cleaned and emptied each Friday afternoon or on the last workday of the workweek by employees who use it. Any left over items will be disposed of and containers discarded if unclaimed by Friday closing. Employees must empty their trashcans each Friday by closing or on the last work day of their workweek. Employees are expected to clean around and vacuum their work area once per week or as needed. Employees should not use windows as bulletin boards.

5-8. Solicitation and Distribution

To avoid distractions, solicitation by the employee of another employee is prohibited while either employee is on work time. "Work time" is defined as the time the employee is engaged, or should be engaged, in performing his/her work tasks for Rowell Family Empowerment. Solicitation of any kind by non-employees on Agency premises is prohibited at all times.

Distribution of advertising material, handbills, printed or written literature of any kind in working areas of the Agency is prohibited at all times. Distribution of literature by non-employees on Agency premises is prohibited at all times. This includes all political and religious material.

5-9. Confidential Agency Information

Each employee is responsible for safeguarding confidential information obtained during employment. In the course of your work, you may have access to confidential information regarding Rowell Family Empowerment, other employees, and families/clients. It is your responsibility to in no way reveal or divulge any such information unless it is necessary for you to do so in the performance of your duties.

Access to confidential information (outside of families/clients you are directly serving) should be on a "need-to-know" basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated and legal action may be taken by Rowell Family Empowerment. A confidentiality statement is included with this handbook, and must be signed by each employee. A signed copy will be placed in your personnel file.
This policy does not apply to the terms and conditions of employment, including wages.

5-10. Conflict of Interest and Business Ethics

It is Rowell Family Empowerment’s policy that all employees avoid any conflict between their personal interests and those of the Agency. The purpose of this policy is to ensure that the Agency’s honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of the Agency.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

1. holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with the Agency, by any employee who is in a position to directly or indirectly influence either the Agency’s decision to do business, or the terms upon which business would be done with such organization;
2. holding any interest in an organization that competes with the Agency;
3. being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with the Agency or which competes with the Agency; and/or
4. profiting personally, e.g., through commissions, loans, expense reimbursements or other payments, from any organization seeking to do business with the Agency.

A conflict of interest would also exist when a member of the employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

It is the employee's responsibility to report any actual or potential conflict that may exist between the employee (and the employee's immediate family) and the Agency.

5-11. Use of Facilities, Equipment and Property, Including Intellectual Property

Equipment essential in accomplishing job duties is often 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
Employees should notify their supervisor if any equipment, machines, or tools appear to be damaged, defective or in need of repair. Prompt reporting of loss, damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Supervisors can answer any questions about the employees' responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of the Agency's intellectual property, such as audio and video tapes, print materials and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge.

Further, the Agency is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance approval for the employee to bring the personal property to work.

5-12. Health and Safety

The health and safety of employees and others on Agency property are of critical concern to Rowell Family Empowerment. The Agency intends to comply with all health and safety laws applicable to our business. To this end, we must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to management immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on the Agency's premises, or in a product, facility, piece of equipment, process or business practice for which the Agency is responsible should be brought to the attention of management immediately.

Periodically, the Agency may issue rules and guidelines governing workplace safety and health. The Agency may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.
5-13. Natural Disaster

In the event of a natural disaster such as fire, flood, power outages, etc., the office will be closed if the building is damaged or roads leading to the office are damaged and/or closed. If there are hazardous situations which make coming to the office unsafe, employees may make up the time at a later date when possible. Certain employees may be able to work from home with approval from supervisor.

5-14. Hiring Relatives/Employee Relationships

A familial relationship among employees can create an actual or at least a potential conflict of interest in the employment setting, especially where one relative supervises another relative. To avoid this problem, Rowell Family Empowerment may refuse to hire or place a relative in a position where the potential for favoritism or conflict exists.

In other cases, such as personal relationships where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or discharged from employment, at the discretion of the Agency. Accordingly, all parties to any type of intimate personal relationship must inform management.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. The Agency generally will attempt to identify other available positions, but if no alternate position is available, the Agency retains the right to decide which employee will remain with the Agency.

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.

5-15. Employee Dress and Personal Appearance

Employees are expected to report to work well groomed, clean, and dressed according to the requirements of their position. Employees are expected to wear clean clothing free of holes, tears, or other signs of wear. Clothing with controversial designs, stamps, or wording are not allowed. Political affiliated attire is not allowed. Some employees may be required to wear uniforms or safety equipment/clothing. Employees should contact their supervisor for specific information regarding acceptable attire for their position. If employees report to work dressed or groomed inappropriately, they may be prevented from working until they return to work well groomed and wearing the proper
attire.

5-16. Fragrances

To ensure a fragrance friendly workplace, employees are discouraged from wearing artificial scents that could cause an allergic reaction. Fragrances that are perceptible to others should not be worn by employees. Diffusers are permitted in the employee's personal space only. Scents are limited to citrus (such as orange, lemon, or lime), lavender, and/or eucalyptus. In addition, examples of prohibited items are automated fragrance dispensers, scentsy-type warmers, open flame candles, etc. Any employee with a concern about scents or odors should contact their supervisor.

5-17. Publicity/Statements to the Media

All media inquiries regarding the position of the Agency as to any issues must be referred to Executive Director. Only Executive Director is authorized to make or approve public statements on behalf of the Agency. No employees, unless specifically designated by Executive Director, are authorized to make those statements on behalf of Agency. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of the Agency must first obtain approval from Executive Director.

5-18. Operation of Vehicles

All employees authorized to drive personal vehicles in conducting Agency business must possess a current, valid driver's license, insurance, and have an acceptable driving record on file. Any change in license status or driving record must be reported to management immediately.

Employees must have a valid driver's license in their possession while operating a vehicle off or on Agency property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.

Portable Communication Device Use While Driving

Employees who drive on Agency business must abide by all state or local laws prohibiting or limiting portable communication device (PCD) use, including cell phones or personal digital assistants, while driving. Further, even if use is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Under no circumstances should employees feel that they need to place themselves at
risk to fulfill business needs.

Since this policy does not require any employee to use a PCD while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

5-19. References and Verifications

Rowell Family Empowerment will respond to reference and verification requests through the Human Resources Department. The Agency will provide general information concerning the employee such as date of hire, date of discharge, and positions held. Please refer all requests for references and verifications to the Human Resources Department.

Only the Human Resources Department may provide references.

5-20. If You Must Leave Us

Should the employees decide to leave the Agency, we ask that they provide a Supervisor with at least 2 weeks advance notice of departure. Thoughtfulness will be appreciated. All Agency, property including, but not limited to, keys, laptop computers, uniforms, etc., must be returned at separation. Employees also must return all of the Agency’s Confidential Information upon separation. To the extent permitted by law, employees will be required to repay the Agency (through payroll deduction, if lawful) for any lost or damaged Agency property. As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

5-21. A Few Closing Words

This handbook is intended to give employees a broad summary of things they should know about Rowell Family Empowerment. The information in this handbook is general in nature and, should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules and benefits described in this handbook, Rowell Family Empowerment, in its sole discretion, may always amend, add to, delete from or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook. Employees should not hesitate to speak to management if they have any questions about the Agency or its personnel policies and practices.
General Handbook Acknowledgment

This Employee Handbook is an important document intended to help employees become acquainted with Rowell Family Empowerment. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the Agency's operations may change, the contents of this Handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Handbook.

I have received and read a copy of Rowell Family Empowerment's Employees Handbook. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of the Agency at any time.

I further understand that my employment is terminable at will, either by myself or the Agency, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.

I understand that no representative of Rowell Family Empowerment other than Executive Director may alter "at will" status and any such modification must be in a signed writing.

I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of the Agency's Employee Handbook.

Employee's Printed Name: ____________________

Employee's Signature: _______________________

Position: ___________________

Date: ___________________

The signed original copy of this acknowledgment should be given to management - it will be filed in your personnel file.
Acknowledgement and Receipt of California: Discrimination, Harassment and Retaliation Prevention Policy

Rowell Family Empowerment does not tolerate and prohibits discrimination, harassment or retaliation of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or third party based on actual or perceived race, color, creed, religion, age, sex or gender (including pregnancy, childbirth and related medical conditions), sexual orientation, gender identity or gender expression (including transgender status), national origin, ancestry, marital status, protected medical condition as defined by state law (including cancer or genetic characteristics), physical or mental disability, military and veteran status, genetic information, or any other characteristic protected by applicable federal, state, or local laws and ordinances. The Agency is committed to a workplace free of discrimination, harassment and retaliation.

Our management team is dedicated to ensuring the fulfillment of this policy as it applies to all terms and conditions of employment, including recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

Discrimination Defined

Discrimination under this policy means treating differently or denying or granting a benefit to an individual because of the individual's protected characteristic.

Harassment Defined

Harassment is defined in this policy as unwelcome verbal, visual or physical conduct creating an intimidating, an offensive or a hostile work environment that interferes with work performance. Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.) that denigrates or shows hostility or aversion toward an individual because of any protected characteristic. Such conduct violates this policy, even if it is not unlawful. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, and other verbal or physical conduct of a sexual nature. Sexual harassment includes unwelcome or unwanted conduct that is
either of a sexual nature or directed at an individual because of that individual's sex when:

- submission to that conduct or to those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

1. unwelcome or unwanted sexual advances, flirtations, advances, leering, whistling, touching, pinching, assault and blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters or comments;
4. sexual jokes or comments about a person's body, sexual prowess or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters and drawings;
7. sexually explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;
9. unwelcome or unwanted sexually related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
12. teasing or other conduct directed toward a person because of the person's gender.

**Retaliation Defined**

Retaliation means adverse conduct taken because an individual reported an actual or a perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

- shunning and avoiding an individual who reports harassment, discrimination or retaliation;
- express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; and
- denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and
investigation process described below.

All discrimination, harassment and retaliation is unacceptable in the workplace and in any work-related settings such as business trips and business-related social functions, regardless of whether the conduct is engaged in by a supervisor, a coworker, a client, a customer, a vendor or another third party.

**Reporting Procedures**

The following steps have been put into place to ensure the work environment is respectful, professional, and free of discrimination, harassment and retaliation. If the employee believes someone has violated this policy or the Equal Employment Opportunity Policy, the employee should promptly bring the matter to the immediate attention of the Employee's Supervisor. (Phone numbers are available through the Agency directory.) If this individual is the person toward whom the complaint is directed, the employee should contact any higher-level manager in the reporting chain. If the employee makes a complaint under this policy and has not received a satisfactory response within five (5) business days, Executive Director should be contacted immediately. (Phone numbers are available through the Agency directory.)

Every supervisor who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, must immediately report the issues raised to Executive Director.

**Investigation Procedures**

Upon receiving a complaint, the Agency will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy or the Equal Employment Opportunity policy. To the extent possible, the Agency will endeavor to keep the reporting employee's concerns confidential. However, complete confidentiality may not be possible in all circumstances.

During the investigation, the Agency generally will interview the complainant and the accused, conduct further interviews as necessary, and review any relevant documents or other information. Upon completion of the investigation, the Agency shall determine whether this policy has been violated based on its reasonable evaluation of the information gathered during the investigation. The Agency will inform the complainant and the accused of the results of the investigation.

The Agency will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the Agency determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension or immediate termination. Anyone, regardless of position or title, who the Agency determines has engaged in conduct that violates this policy will be subject to discipline up to and including termination.
Training

All Employees are required to undergo harassment prevention training as required by applicable law. For more information about this training requirement, visit https://www.dfeh.ca.gov/shpt/.

Retaliation Prohibited

In addition to being a violation of this policy, harassment, discrimination or retaliation also can be against the law. Employees who engage in conduct that rises to the level of a violation of law can be held personally liable for such conduct.

Remember, the Agency cannot remedy claimed discrimination, harassment or retaliation unless employees bring these claims to the attention of management. Employees should not hesitate to report any conduct they believe violates this policy.

I acknowledge that I have received, read, and understand Rowell Family Empowerment's Discrimination, Harassment, and Retaliation Prevention Policy. I agree to abide by and be bound by the rules, provisions and standards set forth in Rowell Family Empowerment's policy. I further acknowledge that Rowell Family Empowerment reserves the right to revise, delete, and add to the provisions of the Discrimination, Harassment and Retaliation Prevention Policy at any time. I also acknowledge I have received the California Department of Fair Employment & Housing's brochure, Sexual Harassment, The Facts About Sexual Harassment (DFEH-185 brochure).

Employee's Printed Name: ____________________

Employee's Signature: _______________________

Position: ___________________

Date: ___________________

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.