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CONCLUSION

WELCOME

We are pleased to welcome you to our team! As an employee of San Joaquin Valley College, you are an important member of a team effort. We hope you will find your position with the College rewarding, challenging, and productive.

Because our success depends upon the dedication of our employees, we are highly selective in choosing new members of our team. We look to you and the other employees to contribute to the success of the College. We believe that each employee should be treated with respect, dignity and courtesy. We will apply every employment policy in a fair, uniform and consistent manner.

We believe in a two-way system of communication that encourages management at all levels to discuss work related topics with all employees in an open, honest and fair manner and encourages interaction between employees and management about concerns, questions and ideas.

This handbook summarizes the policies and procedures in effect at the time of this publication. This handbook supersedes all previously issued handbooks and any policy or benefit statements or memoranda that are inconsistent with the policies described in this handbook.

There are many resources and departments to assist you to become more aware of the College's policies and procedures. Please take advantage of these resources. All of us are happy to assist you at any time as you adjust to your new job and surroundings.

Again, welcome!



Mark A. Perry, Chairman,
Board of Directors



Michael D. Perry, Chief
Executive Officer / President

SECTION 1: OBJECTIVES AND PURPOSE

1. INTRODUCTION

San Joaquin Valley College (“*SJVC*” or “*College*”) is a private, coeducational junior college offering programs in health, business, technical and general education.

The *SJVC* success story began with its founding in 1977 by Robert and Shirley Perry. Pioneers in vocational education, the Perrys have set examples of quality education and professional standards that have earned the College its fine reputation. Unyielding dedication to quality education is a tradition at the College.

The accreditations and approvals of the College and its programs demonstrate that *San Joaquin Valley College* is a leader in education. We adapt to the rapidly changing needs of the community and continue to improve timely curricula to meet the needs of the industry and the career and educational interests of our students.

San Joaquin Valley College has assisted thousands of students to achieve personal growth and meet their goals. These graduates now enjoy better, more productive ways of life. Our success story is their success story, and we continue to follow our dream in building brighter futures for a stronger America.

2. MISSION STATEMENT

San Joaquin Valley College prepares graduates for professional success by offering Associate of Science Degrees and Certificates of Completion in business, medical, and technical career fields. The College serves a diverse student population with a common interest in professional development through career-focused higher education. The College is committed to student development through the achievement of measurable learning outcomes, emphasizing a balance of hands-on training and academic instruction. The College identifies and responds to the educational and employment needs of the communities it serves. *The College is committed to the success of every student.*

3. CODE OF ETHICS

San Joaquin Valley College is responsible for providing a high quality education to its students and for assuring that the highest standards of ethical conduct and integrity are practiced in meeting our responsibilities. The professional conduct of each management, staff and faculty of the College is expected to be consistent with and fully comply with these principles. All management, staff and faculty are expected to engage in the following:

Trustworthy conduct – being truthful in our communications and actions; also includes dependability, and loyalty; truthfulness measures our integrity

Respectful behavior – treating everyone with civility, courtesy, tolerance and acceptance, and recognizing the worth, dignity and unique characteristics of each individual

Accountability – taking personal responsibility for one’s actions and decisions

Fair and just actions – being just or impartial in decision making; fairness measures our sincerity

Compassion – caring for others, both within and apart from the College, and providing the highest quality service to students and employees; promoting goodwill and better relationships

Good citizenship – assuring that the communities served by the College experience long-term benefit; our employees and students should benefit from our actions

Responsible management – including prudent use of College resources in a fiscally responsible manner

Standards of Conduct

All management, staff and faculty members of the College shall:

- Adhere to all applicable standards of professional practice and professional codes of ethics in carrying out the business of the College.
- Employ good judgment and display ethical behavior in decision making, never inducing or compelling others to take part in unethical, improper or illegal conduct.
- Follow the rules, adhering to College policies and procedures, regulatory agency requirements, federal and state laws and professional standards.

Management Responsibilities

Senior Management, Corporate Directors, Campus Directors, Deans, Managers and Supervisors are all charged with implementing established policies and procedures so that the College is well managed, are in compliance with applicable laws and regulations, are consistent in its administration of policies, are administered fairly and rationally, and reflect appropriately the diversity of the workforce.

4. EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

San Joaquin Valley College is an equal opportunity employer and makes employment decisions on the basis of merit. The College wants the best available person in each position. Company policies prohibits any form of unlawful discrimination based on race, color, creed, gender (including gender identity and gender expression), religion (all aspects of religious beliefs, observance or practice, including religious dress or grooming practices), marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition (including cancer or a record or history of cancer, and genetic characteristics), sex (including pregnancy, childbirth, breastfeeding or related medical condition), genetic information, sexual orientation, military/veteran status or any other consideration made unlawful by federal, state, or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics as applicable.

The College is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in the operations of the College and prohibits unlawful discrimination by any employee of the company, including supervisors and co-workers.

SJVC encourages its employees to support and be a part of identifying, recruiting, and retaining talented individuals who strive for excellence and who want to be a part of our

team, contribute to student success, and embrace our expectation of diversity and inclusion.

Accommodating Disabilities

To comply with applicable laws ensuring equal opportunity employment opportunities to qualified individuals with a disability, the College will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee, unless undue hardship would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the Academic Dean [for faculty members], the Campus Director [for staff members] or the Human Resources Department and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. The College will then conduct an interactive dialogue with the applicant or employee to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform his or her job. The College will consider possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose undue hardship, the College will make the accommodation. Sufficient documentation from the applicant's or employee's health care provider may be required before the determination for accommodation can be made.

Complaint Procedure

If an employee believes he or she has been subjected to any form of unlawful discrimination, he or she is to provide a written complaint to his or her immediate supervisor, the Campus Director or the Director of Human Resources. The employee's complaint should be specific and should include the names of individuals involved and the names of any witnesses.

Investigation and Corrective Action

The College will undertake a timely, effective, thorough and objective investigation and attempt to resolve the situation. If the College determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future discrimination.

Retaliation is Prohibited

The College will not retaliate against an employee for filing a good-faith complaint and will not knowingly permit retaliation by management employees or co-workers. If

5. EMPLOYMENT RELATIONSHIP

The contents of this handbook are presented as a matter of information. The plans, policies and procedures described are not conditions of employment. The language which appears in this handbook is not intended to create, nor is it to be construed to constitute, a contract between *San Joaquin Valley College* and any one or all of its employees.

The above notwithstanding, the “at-will” relationship described below can only be changed by a written agreement signed by the President of the College.

6. RIGHT TO REVISE

This employee handbook contains the employment policies and practices of *San Joaquin Valley College* in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded. The most up-to-date version is located on InfoZone. If you wish to receive a CD copy or hard-copy you may request one from the Campus Administrative Assistant or Human Resources Department.

San Joaquin Valley College reserves the right to revise, modify, delete, or add to any or all policies, procedures, work rules, or benefits stated in this handbook or any other document, except for the policy of at-will employment unless changed by written agreement signed by the President of the College.

Any written changes to this handbook will be made available to all employees so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way alter the provisions of this handbook.

Nothing in this employee handbook or in any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment for any employee.

7. AT WILL EMPLOYMENT

Your employment with *San Joaquin Valley College* is voluntarily entered into and we recognize that you are free to resign at any time. Similarly, it should be recognized that we are free to conclude an employment relationship at any time we feel is appropriate. Nothing in this handbook or any other document shall limit the right to terminate at-will employment.

While we hope our relationship will be mutually beneficial, it needs to be emphasized that our relationship is “at-will”; that is, you or *San Joaquin Valley College* can end the relationship for any reason at any time, with or without cause and with or without advance notice. No director, manager, supervisor, or employee of the College has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment other than at-will terms. Only the President of the College has the authority to make any such agreement, which is binding only if it is in writing.

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

8. ACCREDITATIONS AND APPROVALS

Accreditation assures students that a school is nationally recognized as a qualified institution of higher learning, that it offers approved programs of study meeting recognized academic standards, that it employs professional faculty; that it has adequate facilities and equipment and that the financial and organizational structure of the College has stability

and permanence in the educational community.

Employees should refer to the current college catalog for a complete list of accreditations and approvals.

9. EMPLOYEE PARTICIPATION IN THE COLLEGE GOVERNANCE SYSTEM

It is the policy of SJVC to involve its employees in college governance. Participation in college governance is achieved through the following mechanisms:

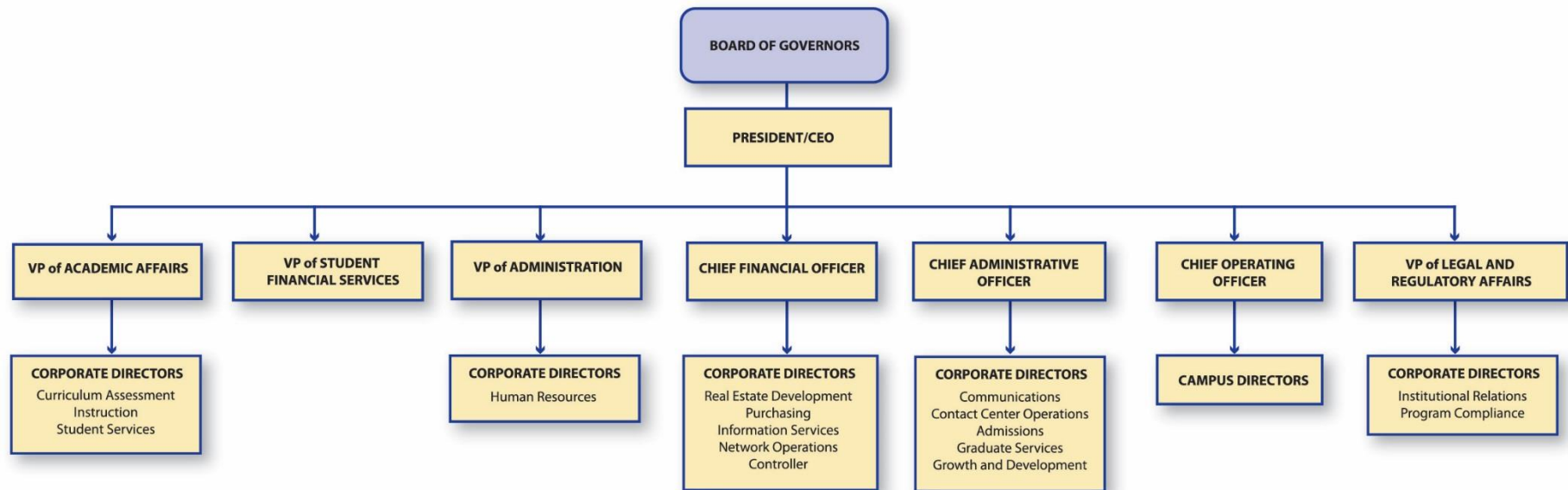
- Attending department and/or campus management meetings
- Participation in the Instructional and Non-Instructional Program Review processes
- Participation in campus and/or institutional focus groups
- Participation in various campus and/or institutional surveys
- Attending designated campus-wide meetings with Campus Management and/or Executive Council member(s)
- Submitting ideas or recommendations for improvement directly to Campus Management and/or Executive Council Member(s)
- Participation in the Institutional Self-Study process

These mechanisms are available to assure that your interests are submitted to the appropriate college authorities. Any input you provide through these mechanisms will be given reasonable consideration in the formulation of the College's decisions and plans.

As a valued member of the college community, please avail yourselves of every opportunity for participation in the governance process and partner with us to effect positive change and fulfill the College mission.

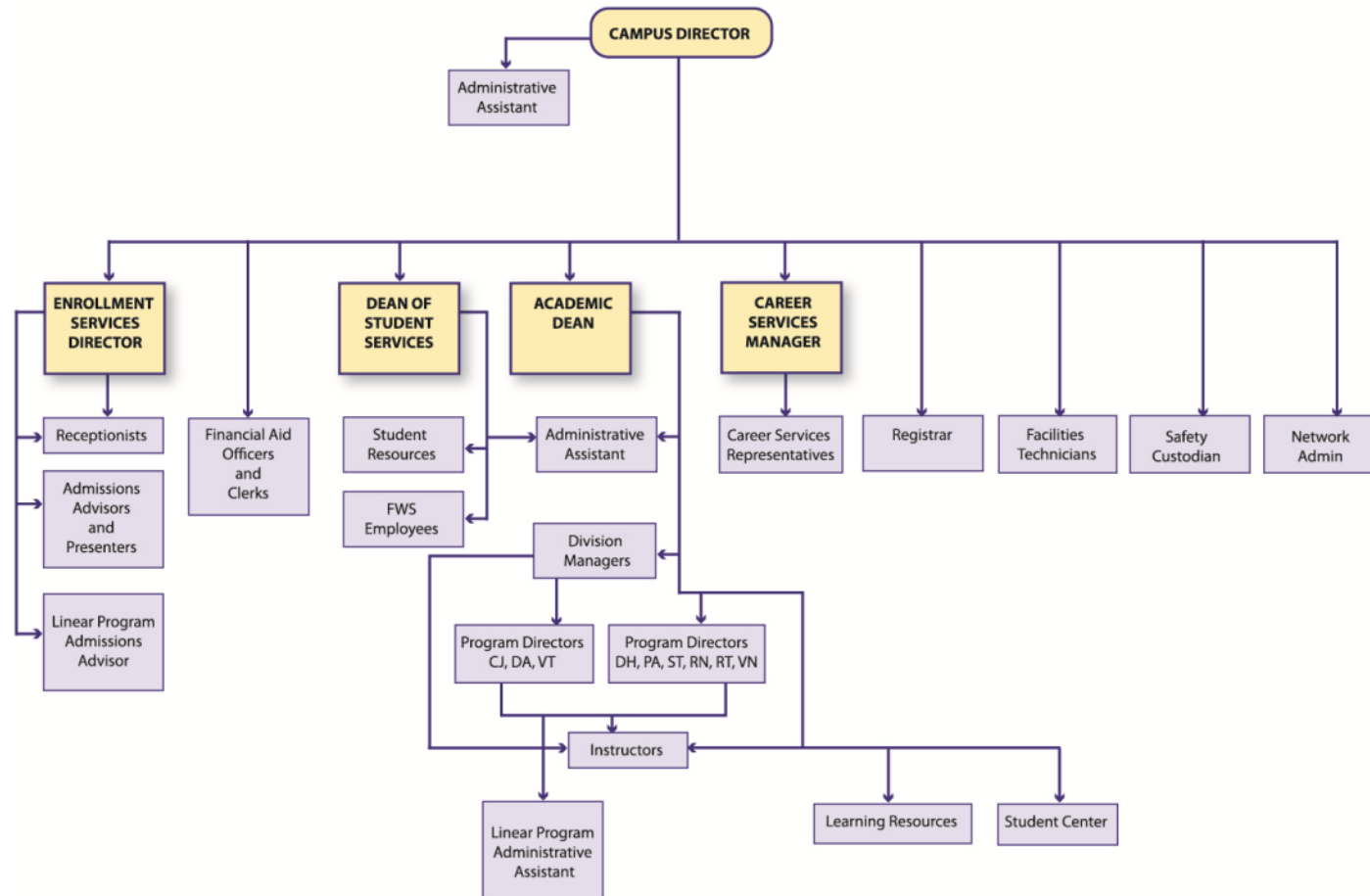
SECTION 2: ORGANIZATION AND STRUCTURE

COLLEGE ADMINISTRATION



SECTION 2: ORGANIZATION AND STRUCTURE, continued

CAMPUS OPERATIONS (NOTE: Positions are filled as business necessity dictates, not all positions are required for each location)



SECTION 3: EMPLOYEE RESPONSIBILITIES

A. GENERAL

1. ATTENDANCE

As an employee of the College you are expected to be punctual and regular in attendance. It is assumed that you are available for work on a consistent basis. Employees are expected to report to work as scheduled, on time, and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for meal periods or when required to leave on authorized College business. Late arrival, early departure, extended breaks and or other unanticipated and or unapproved absences from scheduled work hours are disruptive and must be avoided.

Excessive absenteeism may result in disciplinary action up to and including termination. Absences protected by federal, state and or local law will not count as a violation of the College's attendance policy.

While we will make every effort to accommodate individual preferences, business necessity may make the following conditions necessary: overtime, shift work, rotation schedules, or schedules other than the normally scheduled workweek.

Reporting an Absence or Requesting Time-off

Absences from work must be approved in advance by your supervisor. If you are unable to report for work on any particular day, you must under all but the most extenuating circumstances contact your supervisor at least one hour before the time you are scheduled to begin working for that day [if your immediate supervisor is unavailable you are required to leave a message for him/her and notify your Campus Administrative Assistant of your absence]. In all cases of absence, tardiness or need to leave early, employees must provide their supervisor with a reason or explanation. Employees also must inform their supervisor of the expected duration of any absence. The employee is required to call in each day of absence unless he or she has provided the required medical certification and has been approved by the College for a leave of absence.

Refer to the guides for ADI Time for reporting and requesting time off through the time and attendance program. The guides are located on InfoZone as follows:

Training & Help > ADI Time Training Library

Failure to submit absences through time and attendance may result in disciplinary action up to and including discharge.

Supervisors are required to report employee absence, due to medical reasons [for employee or employee's qualified dependent/family member], of more than three [3] consecutive days upon knowledge of absence to the Campus Administrative Assistant to initiate a leave designation and notification process through the Human Resources Department. See Section 6: Leave of Absence.

Time-off for vacation, personal, sick, leaves of absence, etc. must be requested in

advance. Requests for vacation and/or personal time should be requested two-weeks in advance. Requests for leaves of absence should be requested thirty-days in advance [see leaves of absence for more information].

Time-off for vacation, personal, sick and leaves of absence, etc. are requested through the time and attendance program. Time-off may not be taken unless approved through the time and attendance program. If your supervisor has not approved or denied the time-off, you must follow up with your supervisor prior to taking the time off. Violations of this policy may result in disciplinary action up to and including discharge.

Employees are not allowed to request time off in excess of their accruals. An employee should not plan vacation, book flights and or make reservations unless he or she will have accrued and will maintain enough personal and or vacation to cover the entire time and it has been approved by his or her supervisor in ADI Time.

All employees have access to Time and Attendance on InfoZone as follows:

InfoZone > ADI Time

Extended Time-Off

In most cases requested time off for personal or vacation should not exceed one week due to business necessity; however, the College understands that on occasion (not on a regular, re-occurring basis) there is a need for extended time off for personal reasons or vacations. The employee is required to have vacation and/or personal time accrued to cover the extended time-off that also allows for required time off at the Christmas break to be paid time off. Should the time exceed ten (10) consecutive workdays (including observed holidays that fall within the requested time-off) an approved Personal Leave is required. Refer to Personal Leave policies and procedures found in Section 6: Leaves of Absence to determine if you are eligible for a Personal Leave.

When a Voluntary Resignation is Processed

The College will assume that an employee has voluntarily abandoned and or resigned his/her employment on the second consecutive day of absence without contact with his or her supervisor. For reported absence time beyond three consecutive workdays, see Section 6: Leave of Absence for your rights, eligibility and responsibilities along with when a voluntary resignation may be processed during a leave of absence.

Recording Time Worked

All onsite, non-exempt employees as defined in Section 5.1 are responsible for accurately recording time of arrivals to and departures from work throughout the workday in Time and Attendance [ADI Time]. It is the responsibility of the employee not to work overtime and or double-time unless pre-approved by his or her supervisor or Campus / Corporate Director. It is also the responsibility of the employee to take his/her rest and meal periods as required by law and SJVC policy. An employee that works overtime and or double-time must record it on his or her timecard and be paid the overtime and or double-time. If the employee was not approved to work overtime and or double-time he or she will be subject to disciplinary action up to and including termination. An employee that violates law and

or SJVC policy regarding rest breaks and meal periods is subject to disciplinary action up to and including termination (see the next section for policy and procedure regarding rest breaks and meal periods). All offsite, non-exempt employees are responsible for accurately recording time spent working throughout the workday.

2. REST BREAKS AND MEAL PERIODS

Every non-exempt employee is provided with mandatory paid rest breaks at the rate of ten (10) “net” minutes every four (4) hours, or major fraction thereof. Anything more than two (2) hours is considered to be a “major fraction” of four (4) hours. The following table provides the number of rest breaks to the number of hours worked:

Hours Worked	Number of Rest Breaks
0.0 – <3.5	0
3.5 – 6.0	1
>6.0 – 10	2
>10 – 14	3
>14 – 18	4

When necessary the supervisor will determine when the break will be taken so that adequate coverage can be maintained; however, it is the responsibility of the employee to ensure that he/she takes his/her breaks within the requirements of this policy. Failure to take rest breaks, extensions or abuse of rest breaks may be cause for disciplinary action up to and including termination.

Every non-exempt employee who works more than a five-hour shift is also provided with a mandatory thirty (30) minute unpaid meal period each workday (NOTE: Most employees are scheduled for one-hour meal periods). The first meal period must be taken no later than the end of the employee’s fifth (5th) hour of work. If applicable, a second meal period must be taken no later than the end of the employee’s tenth (10th) hour of work. Employees will be relieved of all duties during the thirty (30) minute meal period (and may leave the premises during this time). **Taking a full thirty (30) minute duty-free meal period is mandatory**, except for employees who work six hours or less in a day may voluntarily agree to waive their meal period for that day if their supervisor agrees to permit such a waiver (see the policy and procedure for waiving a meal period below). It is the responsibility of the employee to ensure that he/she takes his/her meal periods within the requirements of this policy. Non-exempt employees must accurately record the time they leave for and return from the meal period in the College’s time recording system.

It is the responsibility of a non-exempt employee to manage his/her work schedule to include mandatory meal periods within these requirements. Employees who fail to comply with this policy will be subject to disciplinary action up to and including termination.

The following chart helps demonstrate how to calculate meal period timing:

Time	Hour of Work
8:00 am to 9:00 am	1 st hour
9:00 am to 10:00 am	2 nd hour
10:00 am to 11:00 am	3 rd hour
11:00 am to 12:00 pm	4 th hour
12:00 pm to 1:00 pm	5 th hour
NOTE: Meal period taken no later than the end of the fifth (5 th) hour or 12:59 pm.	

A second meal period, if applicable, must be taken no later than the end of the tenth (10th) hour.

Non-exempt employees are **not** permitted to “work through” meal periods or breaks, nor does the College allow “on-duty” meal periods for non-exempt employees.

Waiving the Meal Period

An employee scheduled to work only six [6] hours per day may waive the meal period. However, an employee scheduled to work more than six [6] hours per day must take a meal period within the fifth continuous hour of work. An employee who has previously waived his/her meal period for days scheduled for no more than six [6] hours of continuous work may revoke the waiver [in writing] at any time and begin taking a meal period within the fifth [5th] continuous hour of work. An employee scheduled to work more than ten [10] hours per day may waive the second meal period, but must take the first meal period by the end of the fifth [5th] hour of work. An employee who works twelve [12] or more hours cannot waive the first or second meal period, and must take both the first and second meal periods within the fifth [5th] and tenth [10th] hours of work. The employee must complete and sign the required meal period waiver with supervisor approval to waive an eligible meal period. The waiver can be obtained from the Administrative Assistant or Human Resources.

The following chart demonstrates the number of meal periods for the number of hours worked and when meal period waivers are permitted:

Duration of Shift in Hours	0 Meal Periods	1 Meal Period	2 Meal Periods
0.0 – 5.0 hours	√		
5.0 – 6.0 hours		√ (Unless valid waiver)	
6.0 – 10.0 hours		√	
10.0 – 12.0 hours			√ (Unless valid waiver of second meal period) NOTE: First meal period must have been taken by the end of the fifth hour)

12.0 – 18.0 hours			✓ (No waiver of either meal period permitted)
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Non-Compliant Rest or Meal Periods

The College expects all non-exempt employees to take their rest and meal periods within these requirements. Non-exempt employees are required to notify his or her supervisor, or any other member of management, of any incident when he or she was denied the opportunity to take a rest period or meal period within the requirements above. If an employee records a non-compliant meal period on his or her timecard and does not report a business-related reason, the College will assume the employee was provided the opportunity to take his or her meal period as required by law and voluntarily missed or took his or her meal period late. Late and or missed meal periods are violations of policy and procedure and are subject to disciplinary action up to and including termination.

Electronic Authorization of Timecards

An electronic authorization (signature) on an employee’s electronic timecard by clicking the employee approval box acknowledges the employee understands that the electronic timecard is a legal document and by electronically approving the entries constitutes authorization to process the employee’s timecard as completed. It also acknowledges the employee understands that he/she is certifying that: 1) the employee has taken all the rest periods, meal periods and recovery periods to which he/she was legally entitled under law and College policy on each workday within the pay period covered by the time record. The employee understands that if he/she records a non-compliant meal period on his/her timecard and does not report the reason, he/she certifies that he/she was provided the opportunity to take his/her meal period(s) as required and voluntarily missed or took his/her meal period(s) late; 2) the employee has advised his/her supervisor or any other manager of any incident when he/she was unable to take a rest period, meal period or recovery period; 3) the employee’s entries made on his/her timecard fully and accurately report all the time that the employee has worked during the covered pay period; and 4) the employee is making this declaration freely and voluntarily. NOTE: Numbers 1 and 2 apply to non-exempt employees only.

The supervisor’s electronic authorization (signature) on an employee’s electronic timecard by clicking the supervisor approval box acknowledges that he/she has approved or denied all employee leave requests, reviewed the employee’s timecard and certifies the entries made by the employee are true and correct for the pay period indicated.

3. RECOVERY PERIODS

Employees who are required to conduct work outside in temperatures 85 degrees or more are allowed and encouraged to take a cool down rest (recovery period) in the shade or indoors and take other cooling measures (i.e. drinking sufficient amounts of water, making adjustments to work severity and duration, wearing appropriate work clothing and personal protective equipment, taking extra measures during heat waves, etc.). The recovery period should be no less than five (5) minutes at a time when the employee feels the need to do so to be protected from overheating. There is no limit to the number of recovery periods available. Employees are paid for the time taken for recovery periods.

4. OFF-THE-CLOCK WORK

Accurately recording time worked is the responsibility of the employee. Federal and state laws require the College to keep an accurate record of time worked in order to calculate employee pay and benefits.

Non-exempt employees are required to record their work hours daily at the time they begin and end their work, and begin and end their duty-free meal period(s). Employees must not perform work without compensation and should not perform work unless they have authorization to work and have entered their start and end times on their timecard.

It is against College policy for non-exempt employees to perform work off the clock. Violation of this policy may result in disciplinary action up to and including termination.

5. JOB DUTIES

During the introductory period, your supervisor will explain your job responsibilities and the performance standards expected of you. The College wants to form a partnership with you and assure that you clearly understand the requirements of your position with the College. It is important that you take ownership of your job duties and responsibilities. Be aware that your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects, or to assist with other work necessary or important to the operation of your department or SJVC. Your cooperation and assistance in performing such additional work is expected and appreciated.

San Joaquin Valley College reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign, or transfer job positions, or assign additional job responsibilities.

6. OFF-DUTY CONDUCT

While *San Joaquin Valley College* does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the College's legitimate business interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect the College's or their own integrity, reputation or credibility. Illegal or immoral off-duty conduct by an employee that adversely affects the College's legitimate business interests or the employee's ability to perform his or her job will not be tolerated.

7. OTHER EMPLOYMENT

While employed by *San Joaquin Valley College* employees are expected to devote their energies to their jobs with the College. The following types of employment elsewhere are strictly prohibited:

- Additional employment that conflicts with an employee's work schedule, duties and responsibilities at the College;
- Additional employment that creates a conflict of interest or is incompatible with the

- employee's position with the College;
- Additional employment that impairs or has a detrimental effect on the employee's work performance with the College;
- Additional employment that requires the employee to conduct work or related activities on College property during the employee's work hours or using College facilities and/or equipment; and
- Additional employment that directly or indirectly competes with the business or the interests of the College.

Employees who wish to engage in additional employment that may create a real or apparent conflict of interest must submit a written request to *San Joaquin Valley College* explaining the details of the additional employment. If the additional employment is authorized, *San Joaquin Valley College* assumes no responsibility for it. *San Joaquin Valley College* shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of additional employment. Authorization to engage in additional employment can be revoked at any time.

8. ACCOMMODATING NURSING MOTHERS

The College provides a reasonable amount of break time for nursing mothers in its employ to express breast milk. The break time used for this purpose includes the normal 10-minute break period entitlement to all non-exempt employees. Any additional time beyond the normal paid rest break needed for expressing milk will be unpaid. Exempt employees need to ensure that break time used to express breast milk is kept at a reasonable amount of time. Break time used for this purpose should not interfere with teaching schedules and/or job duties. Employees may choose to use lunch break time to express breast milk as well.

The College will make reasonable efforts to provide employees who need a lactation accommodation with the use of a room or other private location that is located close to the employee's work area (for those employees who physically work on campus). If the employee's normal work area is a private office/area, it may be used to express breast milk.

The storage of the breast milk is the employee's responsibility.

Discrimination on the basis of sex includes discrimination based on breastfeeding and related medical conditions, and is unlawful.

9. ATTIRE AND CONDUCT

Each employee of *San Joaquin Valley College* serves as a role model for the students and is a representative of the College in the eyes of the public, therefore it is expected that employees will report to work properly groomed and in appropriate dress.

The College has discretion on tattoos, gauges, and face/body piercing [excluding single or double pierced earlobes]. Tongue piercing is also prohibited if the stud is clearly noticeable and/or causes slurred or impaired speech.

Employees are expected to dress neatly and in a manner consistent with the work to be performed, as well as comply with the guidelines in applicable campus dress-code policy

and or department handbooks. Keeping the above stated guidelines in mind, employees may dress consistent to their gender identity and gender expression (i.e. a person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth).

The College respects the religious beliefs and practices of all employees and will make, upon written request, an accommodation for a sincerely held religious belief or practice when a reasonable accommodation is available that does not create an undue hardship on the College's business and or create an unsafe environment. The written request for accommodation should be addressed to the Campus Director who may confer with the Director of Human Resources. The written request will include the type of religious conflict that exists and the employee's suggested accommodation. An accommodation may be a change in job, unpaid leave of absence, or allowing an exception to the dress and appearance requirements which does not impact safety or uniform requirements.

Employees who report to work inappropriately dressed may be asked to leave work and return in acceptable attire. The employee will not be paid for this time. All employees are to conduct themselves with positive business attitudes, behaviors and appearance, with common sense and courtesy as general guidelines.

10. FAMILY MEMBERS AND FRIENDS VISITING THE WORKPLACE

Visits from family members and friends should be kept at a minimum to ensure that employees are not distracted or detained from their work. Children should never be left unattended while on College premise.

11. CONFIDENTIALITY

The College has made a commitment to maintaining integrity and confidentiality in all aspects of our business. We expect cooperation in the following examples which are some but not all the ways in which confidentiality is maintained. Violations of these standards will lead to disciplinary action, based on the circumstances of the individual case, up to and including discharge and prosecution.

1. When leaving an office during the day, ensure that it is locked. At no times is a student to be left unattended in an office or classroom
2. Protect passwords and access to computer programs, email and voicemail
3. Allow no student to have access to curriculum, files, supply rooms or other areas that would be inappropriate.
4. Protect the confidentiality of the information and materials in student and employee files.
5. Protect the confidentiality of the information generated by student leads, applications and enrollments.
6. Protect the confidentiality of College information and/or curriculum.

Employees have access to trade secrets and confidential information. Disclosure to any person or entity outside of the College is unacceptable under any circumstances. Such trade secrets and confidential information include, but are not limited to, leads, applications, student records, personnel records, financial records, curriculum and software.

All books, files, records, documents, appointment books and any other items relating to the College's business which have been or shall be prepared, possessed or controlled by employees during their employment and which either relate to the College's business or result from any work performed by the employee for the College are and shall forever remain the sole and exclusive property of the College. Accordingly, all employees shall surrender any and all such material to the College immediately upon request, or upon termination of their employment.

Upon employment, all employees are required to sign an agreement pertaining to non-disclosure of confidential information.

12. FERPA REQUIREMENTS

Family Educational Rights and Privacy Act (FERPA) is federal law designed to protect the privacy of education records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate and misleading data through informal and formal hearings.

It is the responsibility of every employee of the College to abide by these requirements and protect the privacy of education records. Violations of FERPA will result in disciplinary action up to and including discharge.

Employees are required to view the audio and visual PowerPoint presentation outlining FERPA requirements. To access this training go to:

InfoZone > Training & Help > Academic Info/CampusVue Library > FERPA Update

13. ELECTRONIC MEDIA USE

Purpose

This policy governs the use of electronic media by all *San Joaquin Valley College* employees, and applies to electronic media and all documents, recordings and other data contained in or recoverable from such media used by the College. This policy applies to all electronic media provided by the College as well as that used on College property for business purposes.

Online instructors working out of their homes and/or offices using their own electronic media must follow College policies and procedures that apply to conduct, behavior, responses, and teaching methods which represents the College and/or connects the online instructor to the College in any manner.

Scope

Electronic media include all types of electronic equipment, such as FAX machines, cell phones, voicemail systems, computers, computer peripherals, computer software, laptops, loose or removable media, electronic mail (e-mail), Internet access, World Wide Web access, social media access, online information services, Course Management System, televisions, VCRs/DVDs and any other equipment that the College deems as

electronic media.

Allowable Uses

Electronic media are provided to College employees to be used primarily for business related purposes. Allowable uses of College owned electronic media for College business purposes include:

- To facilitate performance of job functions
- To facilitate communication of information within the College
- To coordinate meetings of individuals, locations and resources of the College
- To communicate with outside organizations as required to perform an employee's job function.

Prohibited Uses

Electronic media provided by the College may not be used for personal purposes or any other purposes unrelated to College business. This prohibition applies at all times, whether the employee is on working time or not.

Prohibited uses of electronic media include, but are not limited to the following:

- Violating local, state and/or federal law
- Use in a way that may be disruptive, offensive to others, or harmful to morale
- Harassing or disparaging others in violation of applicable federal, state, or local law, which may include harassment or disparagement based on race/color, national origin/ancestry, sex, sexual orientation, gender identification, domestic partner status, age, disability, or religious or political beliefs. For example, the College prohibits the display or transmission of sexually explicit images, messages or cartoons, or any transmission or use of electronic communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others.
- Threatening others
- Soliciting or proselytizing others for commercial ventures, religious or political causes, outside organizations, or other non-job related matters
- Intentionally disrupting network traffic or crashing the network and connected systems (for example, sabotaging and/or intentionally introducing a computer virus)
- Accessing others' files without authorization and with no substantial business purpose
- Vandalizing the data of another user
- Forging electronic and/or voicemail messages
- Wasting system resources
- Misrepresentation of the College
- Inappropriate and/or unauthorized website logging [blogging] or threaded discussions
- Personal social networking
- Sending personal messages such as chain letters
- Downloading music or video

- Internet gambling
- Online personals, dating or chat rooms
- Online pornography
- Using electronic media inappropriately, in a way deemed by the College to violate the intended purpose of any electronic media

Privacy

Employees shall have no expectation that the information they convey, create, receive, view, file, store or delete in such media will be confidential or private.

The College reserves the right to unrestricted access to electronically stored information stored electronically. This may include, but is not limited to retrieving business information, troubleshooting hardware and software problems, preventing system misuse, assuring compliance with software distribution policies and complying with legal and regulatory requests for information.

Supervisors, department managers, as well as the Information Systems staff of the College reserve the right to enter, search, monitor, copy and/or retrieve the computer files, voicemail, e-mail or any other type of electronic file of any employee, without notice, for business purposes including, but not limited to, investigating theft, disclosure of confidential business or proprietary information, use of the system for personal reasons or for any other purpose unrelated to College business, or for monitoring work flow or productivity.

Given these business requirements, the College cannot guarantee the privacy of documents and messages stored in company-owned files, desks, storage areas, and electronic media or produced by FAX machines. Information or files deleted from electronic media may not have been permanently deleted from the system. It is possible to recover deleted computer files, deleted e-mail and deleted voicemail messages at any time.

Although the College reserves the right to access such information, employees are strictly prohibited from accessing another employee's computer diskettes or files, voicemail or e-mail messages. In addition to the foregoing provisions, employees should note that data, files, messages and information on the College's computers, servers, and voicemail system might be subject to disclosure pursuant to discovery in litigation.

Computers, Computer Software, Laptops, PDA's, Phones and Computer Files

The College's computers, software and files stored on the computer or network are College property and are used primarily for its business purposes. Although employees have passwords that restrict access to their computers, the College may access any files stored on or deleted from the computer system. For security purposes, when leaving an office, employees should either lock or log off the computer even when locking their office.

All software that resides on any of the College's computers must be licensed; therefore, employees are prohibited from installing or removing software on College-owned equipment. Employees are prohibited from removing or down loading information to diskette, CD or thumb drive, etc., unless directly related to specific job assignments

approved by an immediate supervisor.

Use of Personal Electronic Media Equipment

An employee may choose to use his/her personal electronic media that includes, but is not limited to; computers, computer software, laptops, PDA's, and computer files for *business use only* on College property in lieu of equipment provided by the College. Use of personal electronic media is not required or requested by SJVC. However, if you choose to use personal electronic media on College property, you must comply with and agree to the following College policies, requirements and guidelines:

- Any electronic media shall be used for SJVC business purposes only.
- There should be no expectation of privacy when using personal electronic media on College property. SJVC reserves the right to monitor, review, and access or record any information, files or programs displayed, stored or transmitted through the use of any electronic media you choose to use on any College property. Although employees may have passwords that restrict access to their electronic media, be advised that if you choose to use your personal electronic media on College property, SJVC may access the electronic media and any files, information, programs or e-mail messages stored on or deleted from any electronic media irrespective of such passwords. Any electronic media used on College property shall be made immediately available for inspection upon request by SJVC.
- The employee is responsible for ensuring that all software on the electronic media was legally purchased, and is responsible for maintaining all license agreements for all such software. All such license agreements must be made available to SJVC for inspection and verification upon request.
- The employee is responsible for maintaining current antivirus software on his/her personal equipment. The employee is also responsible for ensuring that access to any student, course or any College or business-related information on his/her personal equipment (electronic media) is restricted and limited to their own use and that of SJVC.
- The employee is responsible for ensuring that any student, course or any College or business-related information on personal equipment (electronic media) is backed up on an appropriate medium to ensure that no information is lost or destroyed.
- SJVC is not responsible for lost, stolen or damaged personal equipment.
- Because of the nature of the Internet and wireless communications, no privacy or safeguards can be assumed. Therefore, employees shall not use their electronic media to send confidential information, including any student information, through the Internet or through any wireless transmission. Any Email accounts used on electronic media on College property are to be used strictly for business purposes.
- The following use of the laptops are expressly prohibited on College property:
 - The use of electronic media on College property for any non-business use;
 - Visitation to any WEB sites that are not business related;
 - Visitation to any and all sexually explicit internet sites;
 - Displaying, posting, transmitting, storing or downloading inappropriate material, such as sexually explicit images, messages, or cartoons, materials or information containing ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based

on any protected category including, but not limited to, race, national origin, sex, sexual orientation, gender identity, age, disability, religion or political beliefs.

Online Information Service Use

Use of online information services, such as the Internet, Social Media and the World Wide Web and Course Management System, is restricted to approved plans and services provided by the College. Online information services may be used for College business related purposes and may not be used for personal reasons or any other purpose unrelated to College business. Access to online information services should be limited to a reasonable amount of time. The standard for a reasonable amount of time will be established at the discretion of the College.

Passwords

Passwords are an important aspect of computer security and they are the front line for network user accounts. A poorly chosen password may result in the compromise of SJVC's entire corporate network. As such, all SJVC employees and contractors or vendors with access to SJVC systems are responsible for taking the appropriate steps, as outlined below, to select and secure their passwords.

- All network passwords (e.g., user account, CampusVue, Evolution, etc.) must be changed at least every six months.
- When away from a computer it should be locked or logged off even if your office is secured.
- All passwords must conform to the guidelines described below.

Passwords must meet the following guidelines:

- Must be a minimum of eight characters long
- Contains at least one number
- May not be based on personal information, names of family, etc.

Do not share SJVC passwords with anyone; all passwords are to be treated as sensitive, confidential SJVC information.

If an account or password is suspected to have been compromised, report the incident to the SJVC Information Services Department and change all passwords.

Password cracking or guessing may be performed on a periodic or random basis by SJVC or its delegates. If a password is guessed or cracked during one of these audits, the user will be required to change it immediately.

Any employee found to have violated this policy may be subject to disciplinary action, up to and including discharge.

Voicemail

Although employees have password that restrict access to voicemail messages left for

them on the system, employees should be aware that the College can access any messages stored in the voicemail system and may do so for any reason at any time. Therefore, employees may not assume that such messages are confidential.

E-mail / Threaded Discussions / Instant Messaging

Electronic mail, threaded discussions and instant messaging addressed to, generated by, or received by employees on the College's computers, servers, cell phones, etc. is the property of the College and should be used primarily for business related purposes. As with voicemail, although employees have passwords that restrict access to their computers, the College may access any files, e-mail messages, threaded discussion and/or instant messaging stored on or deleted from the computer system. The College reserves the right to access such information for any purpose at any time. Therefore, employees may not assume that such email, discussions and messaging are confidential.

Employees are to use only their SJVC address/email when corresponding and/or conducting business with College contacts, accrediting entities, agencies, etc.

When an employee separates from the College their email access is disabled and emails are forwarded to the supervisor for thirty days after employment ends. At the end of that period, the account is deleted.

Checking Email on a Regular Basis

The College uses email to communicate and distribute important and/or required information, including electronic Employee Status Updates (ESUs), acknowledgements of receipt, etc., to its employees. To assure that everyone is well informed of important matters and or respond in a timely manner employees are required to check their email on a regular basis. At a minimum an employee should check his/her email once daily [on scheduled work days].

Social Media

Business Use

The College uses social media in limited circumstances for defined business purposes. Social media is a set of Internet tools that aid in the facilitation of interaction between people online. Use of Internet based programs such as Facebook, LinkedIn, Instagram and Twitter (this is not meant to be an exhaustive list – if you are unsure or have specific questions about which programs the College deems to be social media, consult with your supervisor or Human Resources) may be used in furtherance of College goals. The College's public relations department will develop approved sites for authorized employees to use. Your Campus Director will authorize you in writing if you can use these tools to perform your job duties. Your authorization is limited to business purposes and personal use of these tools during work hours is prohibited and can result in discipline up to and including discharge.

Personal Use

San Joaquin Valley College understands that its employees and students participate in

social networks on a personal level on their own time outside of SJVC, and in acknowledging this the college expects that employees will do so in a responsible manner. The absence of explicit reference to specific sites does not limit the extent of the application of this policy. Where no policy or guidelines exist, employees should use their professional judgment and take the most prudent action possible. Employees should consult with his or her Campus or Corporate Director when uncertain.

- Employee published comments, information, videos and/or images should comply with the college's confidentiality and disclosure of proprietary information policies. This would apply to employee comments posted on other blogs, forums, v-logs and/or social networking sites.
- Employee personal blogs, v-logs, and/or postings on social networking sites shall not violate College policies against inappropriate usage, including the College's no tolerance for discrimination, harassment or retaliation in the workplace.
- Employee personal blogs or v-logs should include disclaimers that clearly establish that the views the employee as expressed are solely his or her views and do not represent the views of the college. Personal blogs or v-logs should be written / stated in a first person format so that it is clear that the employee is speaking for him/herself and not on behalf of the college.
- Employee participation in social media activities should not interfere with work commitments.
- Employee actions captured by images/videos, posts and/or comments should not be negatively and/or unprofessionally associated to the college.
- Employee references and/or citations may not be of a college employee, student, and/or associate.
- Employee should respect copyright laws, and reference or cite sources within these laws.
- Employee may not use the college logo and/or program emblems.

San Joaquin Valley College will not request or required employees or applicants to:

- Disclose their user name or password to gain access to personal social media content;
- Access their personal social media in the presence of a College representative; or
- Divulge any personal social media content.

Unless there is reasonable belief that the employee's personal social media content is related to an investigation of misconduct or a violation of the law, or the College is requesting or requiring an employee to disclose his or her user name, password, or other method for the purpose of accessing an employer-issued electronic device.

Violations of Policy

Violations within the college's media electronic use policy will be reviewed on a case-by-case basis and may result in disciplinary action, up to and including discharge.

14. PROHIBITING USE OF A CELL PHONE WHILE DRIVING

The College is concerned about the safety of its employees and emphasize that

employees should not feel obligated to conduct work related calls or text messages while driving; therefore, San Joaquin Valley College employees are prohibited from using cell phones while driving on College business and/or College time. Personal and/or company provided cell phones are to be turned off any time you are driving on College business or College time.

If your job requires that you keep your cell phone turned on while you are driving, you must use a hands-free device and safely pull off the road before conducting College business. Under no circumstances should employees place phone calls or text messages while operating a motor vehicle while driving on College business and/or College time.

Persons under the age of 18 years are prohibited from driving a motor vehicle while using a wireless telephone, even if equipped with a hands-free device, or while using a mobile service device. The prohibition would not apply to such a person using a wireless telephone or a mobile service device for emergency purposes. Violating this policy is a violation of law and a violation of College policy that may result in disciplinary action up to and including discharge.

15. USING CAMERA PHONES OR OTHER RECORDING/PICTURE-TAKING DEVICES

Employees are not permitted to use any camera or any other recording / picture-taking device in any area without expressed permission and never in areas that the College has designated as secure.

Employees must also respect the privacy of fellow employees. Camera phones and/or any other recording/picture-taking devices are prohibited in restrooms, changing rooms, break rooms, lunchrooms and areas designated to provide and/or solely used by women to express breast milk.

Violations of this policy will be reviewed on a case-by-case basis and may result in disciplinary action, up to and including discharge.

16. PUBLIC REQUESTS FOR INFORMATION

The integrity of any business is dependent upon its presentation in the community. It is important that we give out only accurate and factual information that can be substantiated by the College.

The College has disclosure statements regarding the completion, placement, graduate salary and licensure exam pass rates as well as catalogs and handbooks available upon request.

The provisions of the Family Education Rights and Privacy Act of 1974 limits disclosure of certain types of information pertaining to students, including student records. Before releasing student information to anyone other than the student himself or herself, we ask that you consult with the Vice President of Administration.

All requests for verification of employment should be forwarded to the Human Resources Department.

17. NEWS MEDIA CONTACTS

Employees may be approached for interviews or comments by the news media. Only contact people designated by the CEO or President may comment to news reporters on *San Joaquin Valley College* policy or events relevant to *San Joaquin Valley College*.

18. AUTHORIZATION TO ENTER INTO CONTRACTS

Employees shall not enter into any agreements or contractual arrangements on behalf of *San Joaquin Valley College* except with written authorization from the Board of Directors.

19. EMPLOYEE INFORMATION

Employees are requested to immediately notify their Administrative Assistant and/or the Human Resources Department if there is a change of name, address, telephone, dependents, marital status, withholding, who to contact in case of an emergency or certification/ licensure renewals, and educational degree completion. Supporting documentation may be required.

Additionally, employees are requested to provide notification when a former dependent reaches age 19 and/or ceases to be a dependent child under the terms of health, dental or life insurance plans. Failure to do so may result in loss of premium and/or denial of payment of pending claims.

Although a post office box may be used at an employee's request, each employee must provide a physical address for personnel records.

20. COLLEGE NAME, LOGO AND SEAL

Employees shall not use the College name, logo or seal for any purpose except with written authorization from the Board of Directors.

21. ACADEMIC PROCESS

Employees must never put their interests ahead of academic assurance. Actions taken that disrupt the academic environment or process will be deemed contrary to College policy and may result in disciplinary action, up to and including discharge.

22. CIVILITY IN THE WORKPLACE

Employees are expected to treat everyone in the workplace (colleagues, students and guests on campus) and online, with respect and courtesy. In turn, they have a right to be treated with respect and courtesy. The College expressly prohibits behavior that is disruptive or interferes with the orderly operation of the workplace, including:

- Shouting, rude and or offensive language;
- Threatening behavior; and
- Damaging or destroying property

Depending on the severity of the offense and/or previous warnings, violation of this policy

may result in disciplinary action up to and including discharge.

The College maintains an active Diversity Committee whose goals support civility in the workplace. The mission and purpose of the Diversity Committee is to create a diverse culture, community and environment within the *SJVC* institution.

The committee supports the following goals and action plan:

- Educate staff, students and members of the community on the benefits and value of understanding the concepts and practice of diversity.
- Foster an environment which values and recognizes each individual for his or her unique differences and similarities.
- Create a vehicle through which a variety of internal and external activities related to diversity take place.
- Provide an institutional environment which will attract and retain individuals of diverse cultural, ethnic and racial backgrounds.

23. CAMPUS DISRUPTIONS

Campus disruptions apply to students, faculty, administrators and staff for the maintenance of public order on SJVC-owned or SJVC-controlled property and its sponsored events.

SJVC firmly supports the rights of all members of the SJVC community to express their views or to protest against actions and opinions with which they disagree. However, all members of our community also share a concurrent obligation not to disrupt normal SJVC operations or deny access to any part of the campus, as well as follow local, state and federal law.

To reconcile these objectives, the following conduct is prohibited:

- Obstruction or disruption of teaching, research, administration, disciplinary proceedings, pedestrian or vehicular traffic, or other SJVC activities, including public-service functions and other authorized activities on SJVC-owned or SJVC-controlled premises. SJVC may require any speech activity to be conducted fifteen (15) feet or more from any exit, entrance, staircase, parking lot, or roadway if necessary to allow access.
- Detention or physical abuse of any person on SJVC-owned or SJVC-controlled premises or conduct which threatens or endangers the health or safety of any such person.
- Destruction of or damage to SJVC premises or the property of any person where such property is located on SJVC-owned or SJVC-controlled property.
- Illegal or unauthorized possession or use of firearms, explosives, dangerous chemicals, or other dangerous weapons or instruments on SJVC-owned or SJVC-controlled premises.
- Entry on or use of SJVC facilities or property without authorization or violation of regulations governing the use of SJVC facilities or property.
- Failure to comply with directives of SJVC officials or law enforcement officers acting in performance of their duties.

- Aiding any other person to engage in any act or conduct herein proscribed.

Violations of this policy will be reviewed on a case-by-case basis and may result in disciplinary action, up to and including discharge.

24. SOLICITATION AND DISTRIBUTION OF LITERATURE

In order to ensure efficient operation of the College's business and to prevent disruption to employees, we have established control of solicitations and distribution of literature on College property. *San Joaquin Valley College* has enacted rules applicable to all employees governing solicitation, distribution of written material, and entry onto the premises and work areas. All employees are expected to comply strictly with these rules. Any employee who is in doubt concerning the application of these rules should consult with his or her supervisor.

No employee shall solicit or promote support for any cause or organization during his or her working time or during the working time of the employee or employees at whom such activity is directed without prior approval from the Campus Director or Board of Directors.

No employee shall distribute or circulate any written or printed material in work areas at any time, or during his or her working time or during the working time of the employee or employees at whom such activity is directed without prior approval from a Campus or Corporate Director or Senior Management.

Non-employees will not be permitted to solicit or to distribute written materials for any purpose on College property without prior approval from a Campus or Corporate Director or Senior Management.

25. LANGUAGE USED IN THE WORKPLACE

College business is conducted in English; however, conversations in other languages are appropriate and welcome when:

- The time, place and topic of conversation are of a social nature (e.g., break time) and every participant is fluent in the language; or
- The conversation is being held with the family or friends of an applicant or student, when the primary language of the guest is not English.

Classroom and online instruction, the business of the College, and social conversations with monolingual English speaking employees, applicants and/or students are all conducted in English.

26. VOLUNTARY PARTICIPATION IN OFF-DUTY SOCIAL, RECREATIONAL AND/OR ATHLETIC ACTIVITY

Neither *San Joaquin Valley College* nor its insurers will be liable for payment of compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties (even if such activity is sponsored by or associated with the College).

Whether an employee chooses to participate or not in any voluntary off-duty social, recreational, athletic or other activity sponsored by or associated with the College, is entirely the employee's choice and will not affect any aspect of his or her employment or any employment benefits. SJVC neither requires nor expects employee participation in such activities – it is not a condition of employment, and the employee may stop his or her participation at any time. As a result, SJVC takes the position that if an employee is injured or suffers a loss directly or indirectly in the course of participating in such voluntary activities, the injury or loss are not compensable under SJVC's Workers' Compensation policies or based on any other theory of liability.

Employees who participate in such activities will be required to sign a release of liability agreement prior to participating in such activities sponsored by or associated with the College. It is the employee's responsibility to see the Administrative Assistant to sign the agreement prior to participation in any off-duty social, recreational and/or athletic activity.

B. DISCRIMINATION AND HARASSMENT PREVENTION

1. POLICY

San Joaquin Valley College is committed to providing a work environment that is healthy, safe and free from all forms of discrimination and unlawful harassment. The College is in compliance with all the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, the Rehabilitation Act of 1973, the California Fair Employment and Housing Act, Genetic Information Nondiscrimination Act (GINA), and all other applicable federal, state and local laws. It is our objective that all employees work together comfortably and productively.

Harassment is against the law and whether committed by employees, management personnel, vendors, students or other non-employees it will not be tolerated. Harassment is prohibited on the College property as well as *SJVC* sponsored events and trips.

Every employee should be aware of what unlawful harassment including sexual harassment is, what steps to take if harassment occurs, and the law prohibiting retaliation for reporting sexual harassment.

2. DEFINITIONS

Sexual Harassment

The Equal Employment Opportunity Commission, which enforces federal prohibitions against sexual harassment, defines sexual harassment as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature." Such requests, advances, or sexual conduct constitute sexual harassment when:

- It is an employment condition – submission to such conduct is made a term or condition of employment;
- It is an employment consequence – submission to or rejection of such conduct is used as a basis for employment decisions affecting individuals; or

- It is offensive job interference – such conduct has a purpose or effect of unreasonably interfering with an employee’s work performance or creating an intimidating, hostile, or offensive work environment.
- Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities at or through the community at *San Joaquin Valley College*.

This definition encompasses two kinds of sexual harassment:

- “Quid pro quo” sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual’s willingness to engage in or tolerate unwanted sexual conduct.
- “Hostile environment” sexual harassment occurs when unwelcome conduct based on a person’s gender is sufficiently severe or pervasive so as to alter the conditions of an individual’s learning or work environment, unreasonably interfere with an individual’s academic or work performance, or create an intimidating, hostile, or abusive learning or work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile.

In assessing behavior that might be considered harassment, the motivation of the person doing the behavior is not a consideration. What is at issue is whether the behavior is welcomed, the effect of the behavior and whether it is in accord with College policy. “I was just kidding” is not an acceptable response against a claim of harassment. Conversely, an employee who at one time engages in the telling of sexual jokes or innuendoes can legitimately make a future claim of sexual harassment.

Sexual harassment applies to both sexes, and may include sexually explicit statements or creation of a hostile environment by women toward men or by men towards women. The U.S. Supreme Court has held that sexual harassment of a member of the same sex violates the law as well.

Discrimination and General Harassment

In addition to sexual harassment, *San Joaquin Valley College* also prohibits discrimination and harassment based on sex (including pregnancy, childbirth, breastfeeding or related medical conditions), race, religion (including religious dress and grooming practices), color, gender (including gender identity and gender expression), national origin or ancestry, physical or mental disability, medical condition, genetic information, marital status, registered domestic partner status, age, sexual orientation, military/veteran status, or any other basis protected by federal, state or local law or ordinance or regulation. All such discrimination and or harassment is unlawful.

Because it is impossible to know all coworkers well, because each person has different life experiences and cultural influences, using one’s own personal standard of what is offensive or welcome is not an effective way to determine if a behavior is considered discrimination or harassment.

Harassment can exist in same-sex, same-race, same-religion, etc., relationships. If the behavior is unwelcome, offensive or prohibited by *SJVC*, “same” is no excuse for behavior that is prohibited by the College.

It is important to reiterate that *San Joaquin Valley College* prohibits these actions regardless of the mindset of an employee group or the culture of a work area. For example, the posting of sexual materials is unacceptable even if all employees laugh and no one complains.

Refer to the Sexual Harassment and Assault Prevention Handbook for Title IX sexual misconduct and harassment policies and procedures.

3. DESIGNATED DISCRIMINATION & HARASSMENT OFFICER

Under the general supervision of the CEO/President, *San Joaquin Valley College* designates the Director of Human Resources as the Discrimination & Harassment Officer who shall be responsible for receiving all prohibited discrimination and harassment complaints, coordinating their investigation, and ensuring the promotion of equal opportunities practices within *SJVC*. Necessary support will be given to carry out the equal opportunity mission of *SJVC*.

Administrators, faculty members, and staff members, shall direct all complaints of prohibited discrimination and harassment to the Discrimination & Harassment Officer. Students shall direct all complaints of prohibited discrimination and harassment to the Vice President of Administration / Title IX Coordinator per the *SJVC* Catalog and Student Handbook. The actual investigation of complaints may be assigned to other staff or to outside persons or organizations under contract with *SJVC*. Such delegation procedures will be used whenever the Discrimination & Harassment Officer or Title IX Coordinator is named in the complaint, is implicated by the allegations in the complaint or has an actual or perceived conflict of interest as determined by the President, or at any other appropriate time, in *SJVC*'s business discretion.

The Discrimination & Harassment Officer is responsible for ensuring that *SJVC* is complying with this policy and shall be responsible for notifying the CEO/President or his designee when discrimination and or general harassment complaints are filed, monitoring the timelines provided for in the complaint procedure, assisting in counseling the complainant(s) and in facilitating resolution of this issue, and other related duties necessary to ensure the fulfillment of this policy.

The Director of Human Resources also serves as the Employee Disability Coordinator. The interactive dialogue and documentation for employees is handled by the Campus Director (for staff members) and the Academic Dean (for faculty members).

Discrimination & Harassment Officer/Disability Coordinator contact information is as follows:

Tammie Zaczek

Director of Human Resources,
Discrimination & Harassment Officer and Disability Coordinator
3828 W. Caldwell Avenue
Visalia, CA 93277
(559) 734-9000, extension 21804
Tammiez@sjvc.edu

For student disabilities, refer to the Student Disability Policy located on InfoZone as follows:

Information Center > SJVC Publications

4. RESOLUTION AT THE CAMPUS LEVEL

If you feel you or other employees have been subjected to discrimination and or unlawful harassment, you are encouraged to immediately identify the offensive behavior to the harasser the person(s) demonstrating discriminatory and or harassing behavior and request that it stop. If you are uncomfortable in addressing the matter directly with the harasser person(s) or if you do so and the behavior does not stop, then discuss the matter immediately with your supervisor, another supervisor, or Campus Director so that he or she can informally investigate and address it directly with the person(s) demonstrating the behavior. Campus Directors and/or supervisors who receive a harassment complaint will notify the Director of Human Resources.

Employees, contractors, or third parties are not required, nor are they encouraged, to attempt informal resolution of situations concerning allegations of sexual assault (refer to the Sexual Harassment and Assault Prevention Handbook). Informal resolution of other situations involving allegations of sex-based discrimination or harassment is always voluntary and may be ended at any time, by any party.

5. COMPLAINT PROCEDURE

Because time is of the essence in the College's ability to effectively investigate and resolve complaints of discrimination and or harassment, the maximum time frame for reporting is one year from the date of such events. However, late reporting, in and of itself, will not foreclose the College from investigating legitimate complaints of discrimination and or harassment.

If you believe that you have been discriminated against and or unlawfully harassed, submit a written complaint to your own or any other College supervisor, and or Campus Director. If these management team members do not appropriately address your concerns, or if you are not comfortable in making the report at this level, submit a written complaint directly to the Director of Human Resources or Vice President of Administration. The College encourages all employees to report any incident of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

All employee, contractor or third party complaints will be investigated promptly, impartially and discreetly. Upon completion of the investigation, the appropriate parties will be notified of the findings. Any supervisor, agent, or other employee who has been found to have discriminated against or harassed an employee will be subject to appropriate

corrective action, ranging from disciplinary warning to discharge.

6. INVESTIGATIONS

Effectively addressing a complaint of discrimination and or harassment will include a timely, fair and thorough investigation by the Campus Director or assigned Campus Management Member, Director of Human Resources, Vice President of Administration, and or by outside persons or organizations under contract with SJVC, as discussed in Section 4, above. There are different levels of investigations. The allegations along with facts and evidence provided will determine whether the issue can be addressed informally or whether a formal internal investigation will be necessary. The investigator shall not have a conflict of interest (a conflict of interest occurs where an individual's personal objectives or interests are at odds with his or her professional responsibilities). An employee accused of discrimination and or harassment may or may not, depending on the severity of the complaint, be placed on an administrative leave during this period. The severity of the complaint will determine whether the leave is paid or unpaid. The accused employee will be notified of the status of the leave.

The purpose of an investigation is to identify the issues and gather all material facts and evidence concerning the allegation(s). The complaining and accused employees will be notified of the outcome of the investigation in writing, normally within thirty (30) days of receipt of the initial complaint by the College. More complex investigations or severe circumstances, however, may require additional investigation time. Witnesses are not informed of the outcome.

Either employee (complainant and or respondent) may appeal the outcome of an investigation by submitting a written statement to the College CEO/President. Time is of the essence for appeals concerning the outcome of an investigation because the passage of time can compromise the ability of SJVC to review events and obtain accurate and relevant information. Accordingly, employees must submit their written statement of appeal within 30 days of receiving notification of the outcome of the investigation. Timely appeals are considered only if there is a concern regarding impartiality of the investigator or if there is new information available. The employee will receive written notification of the results of a timely appeal.

7. CONFIDENTIALITY OF INVESTIGATIONS

In order to protect the integrity of an investigation SJVC will identify for each investigation conducted whether or not confidentiality must be maintained in order to protect witnesses, avoid spoliation of evidence or fabrication of testimony.

8. DISCIPLINE

A discrimination and or harassment investigation is a serious matter and requires the cooperation and honesty of employees. Employees who file a false claim of discrimination and or harassment, obstruct an investigation, or are not truthful in an investigation are subject to disciplinary action, up to and including discharge.

An employee found to have engaged in discrimination and or harassment may be personally liable for monetary damages. Depending on the circumstances, the harassing

employee may or may not be eligible for indemnification from the College.

Depending on the circumstances of each case and the seriousness of the offense, the College will take appropriate corrective action, up to and including discharge, against any employee who engages in discrimination and or harassment or who retaliates, or threatens to retaliate against any person who files a complaint, or assists in the investigation of a complaint.

9. RESPONSIBILITIES OF MANAGEMENT

It is the responsibility of management personnel to ensure that the work environment is free of discrimination and or harassment and to take appropriate action to stop possible harassment once aware of it. Employees can expect management personnel to act on a situation once there is knowledge, regardless of whether a complaint has been filed or received.

“Knowledge” includes first party reports, third party reports, observation or anonymous reports. Management personnel will notify either the Campus Director, Director of Human Resources, or Vice President of Administration once a situation is known.

Employees can also expect that management will responsibly inform them of their right to raise, and how to raise, the issue with the organization in accordance with this policy statement.

10. RESPONSIBILITIES OF EMPLOYEES

It is the responsibility of employees to adhere to the spirit and intent of this policy. Any employee who is aware of potential discrimination and or harassment should inform his or her supervisor, the Campus Director, Director of Human Resources, or Vice President of Administration.

11. POLICY IMPLEMENTATION

In keeping with the College’s commitment to a discrimination/harassment-free work environment, we require everyone to abide by this policy. Any questions about this policy should be addressed to the Human Resources Department or the Title IX Coordinator.

12. RETALIATION

Retaliation against any member of *SJVC’s* community who makes a complaint under this policy or raises any other concern under this policy to an administrator, or who refers a matter for complaint or investigation, or who participates in the complaint, or investigation under this policy, is prohibited.

The term “retaliation” includes discriminating against, mistreating or taking adverse employment action against someone who in good faith has made a complaint under this policy or raised any other concern under this policy to an administrator, or who referred a matter for complaint or investigation, or who participated in the complaint, or investigation under this policy.

For purposes of this policy, an "adverse employment action" shall be defined as actions including: discharge, demotion, suspension, being threatened or harassed, or in any other manner discriminated against with respect to compensation, terms, conditions or privileges of employment. This policy does not prohibit an employment action or any other action that would have been taken regardless of the disclosure of information under this policy.

If an employee believes that he or she has been retaliated against in the form of an adverse employment or other action for disclosing information regarding misconduct under this policy, he or she may file a written complaint requesting an appropriate remedy.

An employee who engages in retaliation will be subject to disciplinary action, up to and including termination or expulsion.

13. CONTACTS

To file a complaint of harassment of any kind, contact the appropriate Campus Director and/or Human Resources Department.

Campus Director
San Joaquin Valley College
8344 W. Mineral King Avenue
Visalia, CA 93291
(559)651-2500

Campus Director
San Joaquin Valley College
201 New Stine Road
Bakersfield, CA 93309
(661)834-0126

Campus Director
San Joaquin Valley College
295 E. Sierra Avenue
Fresno, CA 93710
(559)448-8282

Campus Director
San Joaquin Valley College
4985 E. Anderson Avenue
Fresno, CA 93727
(559)453-0123

Campus Director
SJVC
4580 Ontario Mills Parkway
Ontario, CA 91764
(909)948-7582
(888)755-5701 Toll Free

Campus Director
SJVC - Online
4160 Temescal Canyon Rd.
Suite 105
Corona, CA 92883
(877)367-7582 Toll Free
SJVOnline.edu

Campus Director
San Joaquin Valley College
5380 Pirrone Road
Salida, CA 95368
(209) 543-8800

Campus Director
San Joaquin Valley College
11050 Olson Drive, Suite 210
Rancho Cordova, CA 93570
(916) 638-7582

Campus Director
San Joaquin Valley College
215 West 7th Street
Hanford, CA 93230
(559) 584-8840

Campus Director
SJVC
9331 Mariposa Road
Hesperia, CA 92344
(760) 948-1947

Campus Director
SJVC
27270 Madison Ave., 3rd
Floor
Suite 305
Temecula, CA 92590
(951) 296-6015

Director of Contact Center
Operations
San Joaquin Valley College
4160 Temescal Canyon Rd.
Suite 105
Corona, CA 92883
(855) 667-9557 Toll Free



EMPLOYEE HANDBOOK

Campus Director
SJVC
42135 10th Street West
Lancaster, CA 93534
(661) 974-8282

Campus Director
SJVC
333 H Street Suite 1065
Chula Vista, CA 91910
(619) 426-7582

Campus Director
SJVC
2185-J Cleveland
Madera, CA 93637
(559) 302-2155

Campus Director
SJVC
1920 Cecil Avenue
Delano, CA 93215
(661) 778-1145

To file a written complaint following campus notification:

Director of Human Resources
or
Vice President of
Administration
San Joaquin Valley College
3828 W. Caldwell Avenue
Visalia, CA 93277
(559)734-9000

To file a written appeal following an investigation:

Michael Perry, CEO/President
San Joaquin Valley College
3828 W. Caldwell Avenue
Visalia, CA 93277

SECTION 4: BENEFITS

The benefits listed in this section are provided to full-time employees who have completed their introductory period or other designated period. The exception to the full-time status requirement is health insurance that is offered under the Affordable Care Act requirements.

Full-time employees in their introductory period are eligible only for paid holidays, sick leave, accrual of vacation and/or personal time, and applicable worker's compensation, state disability and unemployment.

Part-time employees are not eligible for benefits, with the exception of applicable worker's compensation, state disability, unemployment insurance, and sick leave and, if eligibility requirements under the ACA are met, health insurance. A part-time employee who changes status to become a full-time employee is not eligible for benefits until he or she completes sixty days of full-time employment. Until then, these full-time employees are eligible only for paid holidays, sick leave and the accrual of vacation and/or personal time, as well as applicable worker's compensation, state disability and unemployment.

A temporary full-time employee is not eligible for any benefits except for paid holidays, applicable worker's compensation, state disability, unemployment, sick leave and, if eligibility requirements under the ACA are met, health insurance.

Any questions regarding your benefits should be addressed to the Campus Administrative Assistant or to the Human Resources Department. You may also access information and forms through InfoZone as follows:

Information Center → Employee Benefits

Login: sjvc
Password: benefits

1. EDUCATIONAL ASSISTANCE

The College provides in-house training and seminars to employees at no cost, or reduced cost. It is the responsibility of each instructor to maintain licenses related to the profession being taught and all other employment eligibility requirements. The College will pay the tuition and reasonable costs associated with courses which, while not related to the licensure, are otherwise required in order to be qualified to teach a course.

For example, a Dental Assistant instructor is required to have an Associate degree as an employment eligibility requirement, and a current RDA license as a requirement of the profession being taught. The employee assumes responsibility for maintenance of licenses and credentials. The College would pay the tuition and reasonable costs associated with the instructor becoming certified as a CPR instructor; although not related to licensure, it is required in order to teach CPR to Dental Assistant students.

2. TUITION ASSISTANCE AND SCHOLARSHIPS

The College offers tuition assistance for employees, spouses and qualified dependents to attend SJVC, and may offer scholarships for employees who attend other colleges or universities to advance their career with SJVC. These benefits are available to full time employees only, are based on length of service, and are subject to the following terms and conditions.

Family Tuition Assistance

Full time employees with more than two years of service are eligible for a one-time tuition assistance benefit for a spouse or qualified dependent to attend an SJVC program. The employee must be the parent or legal guardian of the dependent.

The amount of tuition assistance is based on length of service. Employees with two years of full time status are eligible for a Family Tuition Assistance benefit of 20% of the total program cost. This amount increases by 10% for each subsequent year, up to a maximum 100% discount at 10 or more years of service.

Recipients must meet applicable College and program entrance requirements.

Employee Tuition Assistance

Full time employees with more than two years of service are eligible for a one-time tuition assistance benefit to attend an SJVC program, providing that the commitment to classes and study does not interfere with the employee's ability to perform their regularly scheduled job duties.

The amount of tuition assistance is based on length of service. Employees with two years of full time status are eligible for an Employee Tuition Assistance benefit of 20% of the total program cost. This amount increases by 10% for each subsequent year, up to a maximum 50% discount at five or more years of service.

Recipients must meet applicable College and program entrance requirements.

Employee Scholarship

Full time employees with more than two years of service may be eligible for scholarship support to pursue higher education at other colleges or universities. Employee Scholarship applications are considered individually. Award decisions are based on the employee's role in the institution, and the direct relationship between the academic program and the employee's increased value and productivity in their assigned duties.

Application and Approval Process

Family and Employee Tuition Assistance applications are reviewed by the Campus or Corporate Director responsible for the employee and sent to Senior Management for final approval. Special requests for tuition assistance, in exception to the established standards, may be submitted for consideration by the Board of Directors.

Employee Scholarship applications are reviewed by the Campus or Corporate Director, Senior Management, and sent to the Board of Directors for final approval.

The applications for Family Tuition Assistance, Employee Tuition Assistance, and Employee Scholarship are available on InfoZone → Document Center → Forms.

3. CREDIT UNION

After 90 days of employment, eligible employees may join the credit union(s) in the selected areas the College has membership. This is an important benefit, since the credit unions offer a full range of financial services. You may obtain information and application from your Campus Administrative Assistant.

4. HEALTH AND DENTAL INSURANCE

San Joaquin Valley College provides health insurance on a participating basis. Eligible employees who elect to cover themselves under the group health plan pay a portion of the premium. The amount is determined by the employee's voluntary participation in the wellness program. The premium for dependent coverage is paid solely by the employee.

Group dental insurance is also available, with the entire premium paid by the employee who elects coverage.

. Certain events, such as reduction in the number of hours worked, termination, exceeding maximum time-off allowed under FMLA/CFRA and or PDL (refer to SECTION 6: Leaves of Absence), a change in marital status, or a dependent reaching age 19, may affect the employee's or dependent's eligibility for benefits. When such events occur, the employee and dependents may be entitled to continued health and dental insurance under the College's COBRA plan for a certain period of time. Notice of such right will be provided to the employee when there has been a change of status affecting an employee's or dependent's eligibility.

5. EMPLOYEE ASSISTANCE PROGRAM

The College provides an Employee Assistance Program to employees who reside in the counties within the state of California that College campuses and or CAO offices are located (this does not include home offices for telework). The College encourages its employees to utilize this beneficial service provided to them. An EAP is designed to help employees and their families identify, assess and resolve issues that may be affecting the employee's job performance. The EAP is available to the employee and/or anyone in the employee's immediate family who is living in the employee's home. The College encourages all employees to utilize this benefit as needed.

The program allows for three individual counseling sessions per each employee family unit per six months at no cost to the employee. The full cost of the services is paid by the College.

The services are confidential and can help you and your family members resolve personal issues. You can obtain additional information from your Campus Administrative Assistant or the Human Resources Department. In addition, you can obtain information from the

Benefit Website located on InfoZone:

Information Center → Employee Benefits

Login: sjvc
 Password: benefits

EAP tab

6. HOLIDAYS

All eligible employees in full-time positions (including temporary full time positions) will be entitled to receive holiday pay from date of hire for:

*New Year’s Eve afternoon	*Good Friday afternoon	Veteran’s Day
New Year’s Day	Memorial Day	Thanksgiving Break (2 days)
Martin Luther King Day	Independence Day	*Christmas Eve afternoon
President’s Day	Labor Day	Christmas Day

NOTE: New Year’s Eve afternoon and Christmas Eve afternoon is only paid if they fall on a weekday, Monday through Friday.

If one of these holidays (with the exception of New Year’s Eve afternoon and Christmas Eve afternoon) occurs on a weekend, the holiday will be observed either the Friday before or the Monday after.

Non-exempt employees scheduled to work less than eight hours on any of these holidays will be paid only for the hours normally scheduled. Employees working an alternative workweek schedule will be paid for the hours normally scheduled.

If an employee is required to work on a designated paid holiday the employee will receive his/her regular wages for time actually worked and holiday pay, if eligible, as indicated above.

If an employee is not scheduled to work on a designated paid holiday the employee is not eligible for a paid day off or holiday pay for the designated holiday.

An employee is not eligible for holiday pay while on a leave of absence if the holiday falls within a full week of absence.

*On New Year’s Eve, Good Friday and Christmas Eve non-exempt employees will begin work at their normally scheduled start time and work until the campus is closed at noon to assure adequate coverage for each department (NOTE: Schedules should not be modified). Only hours normally scheduled after 12:00 pm are paid minus the regularly scheduled meal period.

7. VACATION TIME

Full-time employees accrue vacation with pay from date of hire. Vacation does not accrue during unpaid leave of absence. Temporary and part-time employees do not accrue paid vacation.

Full-time employees who have exhausted accrued personal time (applies to full-time, non-exempt employees only) or sick days (applies to exempt employees only), may use available vacation time for sick leave. Employees applying available vacation due to his/her own or qualified dependent's illness or due to a qualified leave (including family school partnership act leave and domestic violence leave), must apply pay type to timecard as follows:

Non-exempt employees use VAC/SICK (Vacation/Sick Non Exempt); and
 Exempt employees use VACDAY/SIC (Vacation Day/Sick)

NOTE: Exempt employees must use available sick days prior to using vacation days for qualified sick time

Employees applying available vacation to an absence for any other reason continues to apply pay type to timecard as follows:

Non-exempt employees use VAC (Vacation Non Exempt); and
 Exempt employees use VACDAY (Vacation Day)

Full-time employees accrue or earn vacation depending on the length of time they have been employed with the College. The accrual schedule shows rates for full-time employees regularly scheduled to work forty hours per week. Vacation accrual for full-time non-exempt employees regularly scheduled to work less than forty hours per week is prorated based on the number of hours they are regularly scheduled to work.

Length of Employment	NON EXEMPT EMPLOYEES	EXEMPT EMPLOYEES
	Vacation Hours Earned on Annual Basis	Vacation Days Earned on Annual Basis
Start Date through 5 years	80 hours	10 days
6 through 12 years	120 hours	15 days
13 through 19 years	160 hours	20 days
20+ years	200 hours	25 days

The supervisor must approve vacation time in advance. Vacation will be granted on the basis of the needs of the business. Vacation periods generally may not extend beyond one regular workweek. Supervisor approval must be obtained prior taking an extended vacation. Any absence more than ten (10) days (including observed holidays that fall within a full week of absence) not related to a medical condition will require an approved Personal Leave. Refer to SECTION 6: Leaves of Absence, Personal Leave to determine if you are eligible for a Personal Leave.

Approved vacations may be suspended if the needs of the business require full or expanded coverage.

Employees are not permitted to take time off for vacation in excess of their accrued vacation time. The exception is the period of time between Christmas and New Year's Day within the first year of employment a non-exempt employee is allowed to take this time unpaid only if unable to accrue enough vacation or personal time within the first year of employment. An exempt employee is not allowed to be docked pay that reduces his/her

salary below the minimum requirement due to the break. Therefore, exempt employees who would not accrue enough vacation time, based on length of time to accrue within the first year of employment, will be provided work assignments during the break. Employees should not plan vacations, book flights and or make reservations without ensuring he or she will have enough vacation accrued to cover the entire time.

An employee should not plan vacation, book flights and or make reservations unless he or she will have accrued and maintained enough personal and or vacation to cover the entire time and it has been approved by his or her supervisor.

The following chart is a tool to assist employees [within their first year of employment] with managing their accrued vacation for the Christmas break.

Month / Day Employment Begins	Accrual Rate (Per Pay Period) 1 st Year of Employment		Approx. Number of Pay Periods	Will Accrue Number of Required Vacation Days	
	Non- Exempt (NE)	Exempt (E)		NE = 32 hrs.	NE = 40 hrs.
				E = 4 days	E = 5 days
Jan 1 – Jun 1	3.08 hrs.	.385 day	26 - 15	Yes	Yes
Jul 1			13	Yes	Yes
Aug 1			11	Yes	No*
Sep 1 – Dec 30			9 - 0	No*	No*

***NOTE: Although the employee may not accrue enough time to cover the entire break, he/she will be expected to maintain what is accrued to cover as much of the break as possible.**

Please refer to Chart A [non-exempt] and Chart B [exempt] below for required days off.

Required Use of Accrued Vacation during Christmas Break

In recognition of the holiday season the College does not schedule classes Christmas Eve through New Year's Day. Although the business office is open, most employees are required to take vacation during this time and use their accrued vacation.

Non-Exempt Employees

Designated non-exempt employees will be required to work during the break, while all other non-exempt employees will be required to take vacation using accrued vacation and/or personal time.

The following chart provides the dates and number of vacation days affected non-exempt employees are required to take during the break.

Chart A

YEAR	CHRISTMAS BREAK		REQUIRED VACATION DAYS
	Begins on	Ends on	
2016	12/24/16	01/02/17	4 full days
2017	12/24/17	01/01/18	4 full days
2018	12/24/18	01/01/19	3 full days + 2 half days 4 days total
2019	12/24/19	01/01/20	3 full days + 2 half days 4 days total

NOTE: The total number of hours depends on the employee's regular schedule.

Exempt Employees

Designated exempt employees will be required to work during the break. All other exempt employees will be required to take vacation using accrued vacation when there is a full workweek of no scheduled classes (including observed holidays). When classes are scheduled for part of the workweek vacation for that workweek is on a voluntary basis. The College will determine the work assignment for exempt employees who opt to work during a partial workweek.

The following chart provides dates and number of required and optional vacation days for exempt employees

Chart B

YEAR	CHRISTMAS BREAK		REQUIRED VACATION DAYS	OPTIONAL VACATION DAYS
	Begins on	Ends on		
2016	Saturday, 12/24/16	Monday, 01/02/17	*4 full days *12/27, *12/28, *12/29, *12/30	0
2017	Sunday 12/24/17	Monday 01/01/18	*4 full days *12/26, *12/27, *12/28 *12/29	0
2018	Monday 12/24/18	Tuesday 01/01/19	*3 full day + **1 half day 3.5 days total **12/24,*12/26, *12/27, *12/28	** 1 half day .5 day total **12/31/18
2019	Tuesday 12/24/19	Wednesday 01/01/20	0	*3 full days *12/26, *12/27, *12/30 **2 half day **12/24, **12/31

Employee Designation to Work

Employee designation to work is determined by the Campus Director based on business and student service needs. Corporate office designation to work is determined by Senior Management and/or Corporate Directors.

Employee Responsibility

It is the responsibility of the employee to manage his/her vacation time throughout the year, so required time off during the break is paid time off by use of vacation time.

Exempt employees may not apply sick days to this time off from work, as sick days are for bona fide illness only.

Violation of policy may result in disciplinary action up to and including termination.

Required Use of Vacation before Unpaid Time Off Due to Illness

Employees are required to take accrued and unused vacation before taking unpaid leave, or having unpaid absences. Family and Medical Leave (under both state and federal law) is included in this requirement, unless the absence is pregnancy related.

If an employee is absent for a reason that qualifies for Paid Family Leave (PFL) payments, the employee is required to first use any accrued and unused vacation, up to a maximum of two weeks in a 12-month period. If the employee does not have accrued vacation, the employee will be required to use accrued sick days (for exempt employees) or personal time (for non-exempt employees) for the first 7 days before PFL payments begin.

PFL benefits do not replace all of the employee's usual wages. The employee's PFL benefits will be supplemented with any accrued and unused sick days or personal time.

If the employee has no sick days or personal time, or once the employee has exhausted his/her sick days or personal time, accrued and unused vacation will be used to supplement the employee's PFL benefits.

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments do not begin until after the employee has been absent from work for seven (7) calendar days. If the employee has accrued sick days or personal time, it will be used for the first 7 days before SDI payments begin. If the employee does not have accrued sick days or personal time, but does have accrued vacation, vacation will be substituted for the unpaid absence.

SDI benefits do not replace all of the employee's usual wages. The employee's SDI benefits will be supplemented with any accrued and unused sick days or personal time. If the employee has no sick days or personal time, or once he/she has exhausted his/her sick days or personal time, accrued and unused vacation will be used to supplement the employee's SDI benefits.

It is the employee's responsibility to apply for PFL or SDI benefits through the local Employment Development Department (EDD).

Employees are Encouraged to Take Vacation

Employees are encouraged to take their vacation during the service year in which it accrues. An employee may continue to accrue vacation until the employee reaches the maximum number of days accruable in two years. An employee with 175% vacation time

accrued will accrue no more time until the balance has been reduced through the use of a portion of the accrued time.

Increments of Vacation

Exempt employees take vacation in full day increments, with the exception of Good Friday morning, which has the value of one-half vacation day.

Non-exempt employees take vacation time in increments as small as a quarter of an hour.

Donating Vacation

In certain situations, employees may be permitted to “donate” accrued but unused vacation time to another College employee. Contact your Campus Administrative Assistant or the Human Resources Department for more information and requirements concerning this practice.

8. PERSONAL TIME

From date of hire, eligible non-exempt, full-time employees earn the same number of hours of personal time per year that they are regularly scheduled to work per week. For example, a 30-hour per week employee would earn 30 hours per year; a 40-hour per week employee would earn 40 hours per year.

Personal time may be used for sick leave. Personal time does not accrue during unpaid leave. Employees applying available personal time due to his/her own or qualified dependent’s illness or due to a qualified leave (including family school partnership act leave and domestic violence leave), must apply pay type to timecard as follows:

Non-exempt employees use PER/SICK (Personal/Sick Time Off)

Employees applying available personal time to an absence for any other reason continues to apply pay type to timecard as follows:

Non-exempt employees use PSL (Personal Time Off)

Personal time is taken in increments as small as a quarter of an hour, and should be requested in advance, if possible.

Unused personal time will be paid to the employee on the anniversary of each year that the employee remains with the College, or at the time the employee’s employment with the College is terminated.

9. SICK LEAVE

Full-time, Exempt Employees

The College provides five paid sick days per year as a benefit to full-time exempt employees. Vacation days may also be used under sick leave if sick days are exhausted. Refer to vacation time above for pay type to use when reporting or requesting to use vacation days under sick leave.

Unused sick leave benefits do not carry over from one anniversary year to the next. On the anniversary of employment date, the sick leave balance will be adjusted to five days. For example, if on the anniversary date the employee has three sick days remaining, a credit of two sick days will be made to bring the balance back to five sick days.

Full-time, Non-Exempt Employees

Full-time, Non-Exempt Employees are provided personal and vacation time to be used for absences due to illness. Please refer to personal and vacation time above for pay types to use when reporting or requesting to use personal and or vacation under sick leave.

Part-time and or Temporary Full-time Non-Exempt Employees

The College provides accrued sick time at one (1) hour for every thirty (30) hours worked for *SJVC* (including overtime hours) , as a benefit to part-time or temporary full-time, non-exempt employees.¹

A part-time and or temporary, full-time, non-exempt employee must complete 90-days of employment before using accrued sick time² and is limited to using 24 hours of sick time per year.

Unused accrued sick leave benefits carry over from one year to the next with a cap of forty-eight (48) hours.

Part-time and or Temporary Full-time non-exempt employees use SICK PT pay type when reporting or requesting sick leave.

Sick Leave Usage

An eligible employee may use available sick or personal and then vacation time for an existing health condition or preventative care for themselves or up to one-half of his or her vacation or additional personal for a family member (under California's Kin Care law), or for a family school partnership act leave, or a domestic violence leave. For the purpose of the use of sick time, a "family member" is a child, parent, spouse or registered domestic partner, grandparent, grandchild and sibling. NOTE: Grandparent, grandchild and sibling is outside FMLA/CFRA laws).

Available sick leave may also be used for an employee who is a victim of domestic violence, sexual assault or stalking.

Absences that are not covered by sick leave, personal and/or vacation accruals may be subjected to disciplinary action up to and including termination. The exception would be absence during an approved FMLA/CFRA leave or any other protected medical leave the employee is eligible to take.

Available sick time is applied to medical leaves of absence for an employee's own

¹ Effective July 1, 2015

² An employee must be employed for at least 90-days on or after January 1, 2015.

illness/injury and/or their qualified dependent's illness/injury. If an employee has exhausted his/her current balance of sick time while on leave and his/her anniversary of employment occurs, sick time will not be added or made available to use until the employee returns from leave.

Full-time, exempt employees use sick days in full day increments, with the exception of Good Friday, Christmas Eve and or New Year's Eve mornings, when applicable. In the event of absence due to illness on one of these mornings, one-half sick day is applied.

Part-time and or temporary, full-time employees may use sick time in increments as small as a quarter of an hour.

An employee is not required to search for or find a replacement worker for days off under sick leave. The supervisor and or any other management member will be responsible to assign coverage.

Because sick time is intended to provide income protection in the event of existing health condition, preventative care, domestic violence, sexual assault or stalking, sick leave benefits have no cash value and therefore will not be cashed out when an employee leaves the College.

10. WORKER'S COMPENSATION, STATE DISABILITY, AND UNEMPLOYMENT

The College participates in providing the necessary administrative and financial contributions for mandated programs, as applicable.

11. 401(k) PROFIT SHARING PLAN

San Joaquin Valley College's 401(k) plan is an automatic enrollment plan. An employee will automatically be enrolled the first day of the month after completion of two (2) months of service. Upon meeting eligibility and being automatically enrolled in the plan the employee will begin participating by contributing 3% of his or her salary to the retirement plan. An employee can opt out of the retirement plan any time before his or her automatic enrollment date. Additionally, an employee has 90-days after his or her automatic enrollment date to opt out of the plan and request a refund of the automatic contributions. An employee can change the contribution percentage, change to a flat amount, or opt out of the plan any time after being automatically enrolled; however, refunds will only be processed within the first 90-days after automatic enrollment. An employee can change his or her contribution percentage by logging into his or her account online.

An employee's automatic enrollment contributions will be invested in the retirement plan. An employee can choose any combination of investments offered in the plan. If the employee fails to provide investment instructions before being automatically enrolled, his or her contributions will be invested in the plan's default investment option which is the Mainspring Managed Service. More information regarding the Mainspring Managed Service can be found on the Employee Benefit Website. An employee can change his or her investment elections anytime online or over the phone.

To help employees reach their retirement goals, the College may match employee contributions to the plan. The amount of the match may be adjusted each year. To receive

a contribution for a plan year, an employee must be employed on the last day of the plan year and have completed 1,000 hours of service during the plan year. Entry dates into the plan are quarterly. Matching contributions are 100 percent vested at all times.

The College may also make a profit sharing contribution. When a contribution is made, it will be allocated to the accounts of all eligible employees as a uniform percentage of their pay plus the amount of their pay in excess of the Social Security taxable wage base. To receive a contribution for a plan year, you must be employed on the last day of the plan year and have completed 1,000 hours of service during the plan year. Entry dates into the plan are quarterly. Profit sharing contributions are 100 percent vested at all times.

For additional information about matching contributions and profit sharing contributions, please see your Summary Plan Description.

Employees residing outside of the United States may fall under restrictions governed by applicable laws.

12. ROTH CONTRIBUTIONS

Roth contributions allow an employee to contribute to his or her retirement account on an after-tax basis. Earnings on Roth contributions will be tax free upon withdrawal if certain conditions are satisfied. To be tax free, the withdrawal cannot occur for at least five years after the first Roth contribution is made to your account and you must be at least age 59½ or disabled. If an employee passes away, his or her beneficiary can take a tax-free withdrawal after the account has been in place for five years. The five-year period is measured from the first day of the tax year in which the first Roth contribution is made.

An employee must declare how your contributions are to be invested - traditional or Roth - before they are made. After money is in a Roth account, it cannot be transferred into a traditional pre-tax 401(k) account. You may stop contributing to the Roth account and start contributing to the traditional 401(k), but the Roth and pre-tax accounts will remain separate.

Regardless of whether an employee chooses a traditional 401(k) deferral or a Roth 401(k) contribution, you may change your contribution percentage or re-enter the plan on the first day of any future payroll period. An employee's participant contributions to either plan are 100 percent vested at all times.

13. LIFE INSURANCE

A life insurance policy is provided for all eligible employees. This policy also includes an accidental death and dismemberment benefit. If death is a result of an accident, the beneficiary will receive an additional amount equal to the life insurance in force at time of death. If employee is dismembered, benefits will be paid to the employee as a percentage of the basic life amount.

Supplemental life insurance is available to purchase for employees and their spouse. Dependent child(ren) coverage between the ages of 1 day and 21 years (25 years if full time student) is also available. The premium for supplemental life insurance is paid by the employee.

All questions regarding this benefit, and notification of change in beneficiary should be forwarded to the Human Resources Department.

SECTION 5: SJVC POLICIES

1. EMPLOYEE CATEGORIES

For purposes of determining the level of benefits and entitlement or exemption from overtime pay, all employees of the College are assigned position categories:

INTRODUCTORY: Employees are introductory employees for their first 90 days of employment. Introductory employees are not eligible for employee benefits listed in Section 4 of this handbook, with the exception of paid holidays, accrual of vacation and/or personal time for full-time employees, and applicable worker's compensation, state disability and unemployment for all eligible employees. An introductory period is a training and get-acquainted period, completion of which does not guarantee continued employment. Following completion of the introductory period, you still may resign and the College still has the right to terminate your employment at any time, with or without cause. Appropriate state or local laws will be applied to states and/or countries that do not recognize at-will employment.

TEMPORARY: A temporary employee is one who is employed by the College for a specific, limited period of time. The fact that the temporary employee is to work for the College for a limited period of time in no way alters his or her at-will status when it applies. Temporary employees are not eligible for the employee benefits listed in Section 4 of this handbook, with the exception of applicable worker's compensation, state disability, and unemployment benefits. Full time temporary employees are eligible for paid holidays as well. Temporary employees are non-exempt and paid on an hourly basis.

FULL or PART-TIME: Full-time non-exempt employees are scheduled to work 30 hours or more per week. Part-time non-exempt employees are scheduled to work 29 hours or less per week. Part-time faculty are scheduled to teach one or two classes (onsite instructors teach 11 – 22 hours per week, online instructors teach no more than 29 hours per week). Full-time faculty is exempt and will teach an average of 2.5 classes each term.

EXEMPT or NON-EXEMPT: Exempt employees do not receive overtime compensation. A non-exempt employee will be paid overtime in compliance with all applicable wage and hour laws.

2. PERFORMANCE EVALUATIONS

Each employee will receive periodic performance evaluations conducted by his or supervisor. Your first performance evaluation will take place after completion of your introductory period (usually on or around 90 days from hire date). Subsequent performance evaluations will be conducted annually on or around the date of your last increase or evaluation. However, the frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

Your performance evaluations may review factors such as the quality and quantity of the work you perform, your knowledge of your duties and responsibilities, your initiative, your work attitude, your attitude toward others and other competencies. The performance evaluations are intended to make you aware of your progress, areas for improvement, and

objectives and goals for future work performance. Favorable performance evaluations do not guarantee increases in salary. Salary increases are solely within the discretion of *San Joaquin Valley College* and depend upon many factors in addition to performance. The rate of pay increase for admissions staff is not related in any part, directly or indirectly, to enrolling students or the award of financial aid.

Performance evaluations are electronically processed. Please refer to the eAppraisal Reference Guide for process steps. The guide is located on InfoZone as follows:

Training & Help → eAppraisal Training Library → eAppraisal Reference Guide

3. BRIDGING OF TIME

San Joaquin Valley College will give credit to employees previously employed with the College, provided the break in service does not exceed five (5) years. The break in service will be deducted from the employee's original service date for purposes of the following:

- Seniority date
- Vacation accrual
- Personal time accrual [applies to non-exempt employees only]
- Sick leave time [applies to exempt employees only]

Employees whose break in service is less than the 90-day waiting period for health benefits will be reinstated into the health benefit plan in which they were enrolled prior to their separation from the College.

4. EMPLOYMENT OF RELATIVES

Relatives of employees may be eligible for employment with *San Joaquin Valley College* only if individuals involved do not work in a direct supervisory relationship, or in job positions in which a conflict of interest could arise. The College may refuse to hire relatives of current employees if doing so could result in actual or potential problems in supervision, security, safety, or morale. The College defines "relatives" as spouses, registered domestic partners, children, siblings, parents, in-laws, and step-relatives. Present employees who marry or become registered domestic partners will be permitted to continue working in the job held only if they do not work in a direct supervisory relationship with one another or in job positions involving conflict of interest.

5. ONSITE INSTRUCTORS TEACHING ONLINE

Policy and Procedure

1. Current SJVC instructors interested in teaching online courses will need to go through the application/interview process. These instructors must meet all minimum requirements to teach online. Instructors will need to log onto <http://de.sjvc.edu/faculty/employment.php> for application directions. As part of the application process instructors will be required to obtain approval from their current Campus Director and Academic Dean to qualify for online teaching assignments.
2. Instructors selected to go through the process will be required to participate in an

orientation that includes completion of a 4-week training course. Instructors will not be paid for this orientation and/or training course. There is no guarantee that the instructor will be chosen to teach online even after completing this orientation/training.

3. Current full-time instructors may substitute an online course for one of their 10:4 ratio of courses, and will be paid their regular salary with no additional compensation.

NOTE: Core instructors will not be allowed to teach online courses due to their responsibilities as a ground core instructor.

4. Part-time instructors may teach both ground and online courses simultaneously as long as the online course does not cause the instructor to work over 8 hours in a day or 40 hours in a week for both ground and online courses. Part-time instructors will be given a set number of hours for their online course and must stay within those hours. Part-time instructors will be required to sign an agreement regarding total hours worked. Part-time instructors will be paid hourly for their time teaching both ground and online.

NOTE: If teaching online courses causes a part-time instructor to work over 29 hours in a week, the instructor will be considered full-time temporary and will not be eligible for benefits. However, if the instructor remains full-time for 90 days and his/her schedule appears to keep him or her full-time he/she will need to be converted to exempt full-time regular. The instructor will then be paid a salary with no additional compensation for online courses.

5. Should an exempt full-time instructor decide to teach only online courses full-time, he/she will be paid a set fee for each course taught on a set pay schedule in line with online instruction. Should a non-exempt part-time instructor decide to teach only online courses part-time, he/she will be paid an hourly rate for the set hours scheduled for the online courses. The same policies in number 4 apply regarding scheduled hours.
6. Instructors will work from home for online courses and will set their own work hours within the guidelines. Instructors will need to provide their own computer equipment and supplies to teach the online course.
7. All instructors (including online instructors) are prohibited from interacting with students in person, unless on an SJVC campus for tutoring or addressing student questions and/or concerns. All other interactions and communications with students must be conducted over the telephone or online.
8. Questions regarding instruction of online courses may be directed to:

Director of E-Learning Curriculum and Instruction
(877)367-7582 Toll Free
SJVOnline.edu

6. BACKGROUND INVESTIGATIONS

The College conducts background investigations on its employees to assure it maintains a safe working environment and meets the requirements of its insurance providers and accrediting bodies.

Background investigations are conducted on designated positions. Those positions that require DMV background investigations will be subjected to a DMV check periodically

throughout their employment with SJVC.

7. DRUG SCREENS, PHYSICAL EXAMS, AND TB TESTS

The College conducts drug screens, physical exams, TB tests and any other required exam at post-offer and pre-employment for designated positions.

8. GENERAL RULES OF CONDUCT

All companies, no matter what their business, have certain rules of behavior which must be observed, and the College is no exception. Generally, no conduct which is immoral, unethical or illegal will be tolerated.

The following are examples of some, but not all, of the rules we must all follow. Violation of these rules will lead to disciplinary action based on the circumstances of the individual case, up to and including discharge.

The list of prohibited conduct is not meant to be exhaustive and does not in any way affect the College's at-will relationship with its employees.

1. Falsification of employment records, employment information or other company records, including student records.
2. Recording the work time of another employee or allowing any other employee to record your work time, or allowing falsification of any timesheet or input of information into the payroll systems, either your own or another employee's.
3. Theft or attempted theft of any College property, or the property of any employee or student.
4. Removing or borrowing College property without prior authorization.
5. Unauthorized use of the College's equipment, time, materials, or facilities.
6. Possession, use or being under the influence of alcohol or illegal drugs on College premises at any time.
7. Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management.
8. Use of loud or abusive, offensive, foul or threatening language toward anyone during work hours and/or on College premise.
9. Failure to notify a supervisor when unable to report to work.
10. Unauthorized absence from work area during scheduled work hours.
11. Habitual tardiness, early departures or absenteeism.
12. Failure to observe work schedules, including rest and meal periods.
13. Failure to provide a physician's certificate when requested or required to do so.
14. Careless waste of materials, or abuse of College tools, or equipment.
15. Deliberate or careless destruction of or damage to College property.
16. Making or accepting personal telephone calls / text messages, including cell phone calls / text messages that impact work performance or those around you.
17. Violating any safety, health, security or College policy, rule or procedure
18. Instigating and/or participating in rumors, gossip and/or innuendos.
19. Provoking a fight and/or fighting during working hours or on College property.
20. Participating in horseplay or practical jokes on College time and/or on College premises.

21. Carrying firearms or any other dangerous weapons on College premises at any time.
22. Engaging in criminal conduct whether or not related to job performance.
23. Causing, creating or participating in a disruption of any kind during working hours on College property.
24. Sleeping or malingering on the job.
25. Working overtime without authorization or refusing to work assigned overtime.
26. Working make-up time without authorization or in violation of policy.
27. Committing a fraudulent act or a breach of trust under any circumstances.
28. Committing of or involvement in any act of unlawful harassment of another individual
29. Dating and/or other inappropriate conduct between an employee and a student and/or prospective student (applicant) that could give rise to a conflict of interest or give the perception of favoritism or bias.
30. Bringing personal conflicts onto College premises.
31. Solicitation during work time. Distribution of literature, handbills or similar materials is not allowed at any time on campus.

Discipline may be administered if behavior, actions or performance are considered to be unacceptable to the supervisor. While the College supports corrective counseling, certain offenses may make it necessary to dispense with any counseling prior to termination. The College will institute corrective counseling at its discretion. Use or non-use of corrective counseling in no way alters an employee's at-will employment status. Either you or San Joaquin Valley College remains free to terminate the employment relationship at any time, with or without reason or advance notice.

9. FRATERNIZATION

San Joaquin Valley College is committed to supporting a professional work environment, and recognizes that intimate personal relationships between supervisors and subordinates may detract from such an environment by perceived or actual lack of objectivity in supervising or evaluating employees, perception of favoritism and the potential for sexual harassment claims should the relationship end.

Dating between supervisors and the employees they directly supervise is expressly prohibited. The College reserves the right to review, on a case-by-case basis, dating or personal / social relationships between supervisors and any employee that have the potential for conflict of interest, perception of favoritism or undue influence.

Applicability to Students

SJVC has zero tolerance for employees dating or engaging in other inappropriate conduct with a student and/or a prospective student (applicant) that could give rise to a conflict of interest, give the perception of favoritism or bias, or place the College in any type of liability.

10. INTRODUCTORY PERIOD OF EMPLOYMENT

The first 90 days of your active employment are an introductory period. During this period, your supervisor will orient you to your job and the College. You will be given the necessary

training and explanation of College policies, benefits and regulations. Your potential and performance are carefully evaluated during this period to determine whether your qualifications are best suited to the essential duties and responsibilities of the position you are assigned. In some instances, the introductory period may be extended.

During your introductory period you will not be eligible for benefits excluding paid holidays, sick leave, vacation and personal time accrual and applicable worker's compensation, state disability and unemployment. After the first 60 days of your introductory period you may be eligible for health insurance if full-time and or meet the eligibility requirements under the Affordable Care Act (ACA).

After successful completion of your introductory period, you may be eligible for various employee benefits. Your "length of service" dates to the initial date of your employment. Completion of the introductory period in no way alters your at-will employment status.

11. FAIR TREATMENT AND DISPUTE RESOLUTION

Policies are developed to encourage open communication; however, in any group of people there are differences of opinion regarding working conditions or other matters.

Any time you have a suggestion, problem or complaint, discuss it with your supervisor. You can expect to receive fair and courteous consideration and a prompt reply. We believe that anyone having a complaint must have the opportunity to be heard and to have any discrepancy resolved without fear of recrimination or penalty. There will be no discrimination against any employee for presentation of a complaint, problem or concern.

The procedure for resolving a concern is:

STEP 1: Within a week of the occurrence, discuss the matter with your direct supervisor, who will investigate and provide a solution or explanation. If it is necessary to seek the advice of others, your supervisor will try to respond within five working days. If the situation is not appropriate to take to your supervisor, you may proceed immediately to the second step. These cases should be rare since your supervisor is usually best qualified to properly handle your questions on work-related problems.

STEP 2: If the discussion with your supervisor does not resolve the situation, you may describe it in writing and present it to your Campus Director (corporate staff should notify the appropriate Corporate Director) within a week of receiving a solution or explanation from your supervisor. The Campus Director (or Corporate Director) will investigate and, if possible, respond to you within five working days with a solution or explanation.

STEP 3: If you are unsatisfied at this point, you may bring your written concern to a member of Senior Management. The Director of Human Resources will further investigate and provide facts and evidence to Senior Management. Senior Management's response will be provided within 30 working days and constitutes the final answer.

12. COMPLIANCE LINE

San Joaquin Valley College encourages employees to report concerns regarding compliance with College policies and procedures and/or regulatory requirements through

the link located on InfoZone. These concerns are received by the Director of Human Resources to process and assure appropriate actions are taken and resolutions are achieved contingent on the validity of the concern. You can access the Compliance Line on InfoZone as follows:

Links > Service Desk.

13. PROMOTION FROM WITHIN

The College is committed to encouraging upward mobility and whenever feasible will promote from within. Generally, employees must complete a minimum of one year of service in a position for which they were hired or promoted in order to be considered for a higher level position. *San Joaquin Valley College* believes it is important for an employee to have made a significant contribution in one position before taking on the responsibilities of another. This is an eligibility requirement and does not imply a contract for a term of employment or in any way supersede the College's at-will employment policy. Additionally, the College requires that the employee who wishes to move to a higher level position provide a letter of recommendation from his or her current supervisor. As professional courtesy an employee should notify his/her supervisor prior to applying for another position within the College, including those that would not be considered a higher level position.

Promotion to non-exempt positions may be approved at the campus level; however, promotions to any exempt position or corporate position must be approved by the Board of Directors.

Employees must formally apply for promotional positions, following the guidelines in the posted announcement. The College may simultaneously recruit externally for any or all promotional positions in order to ensure finding the person who best meets the needs of the organization.

14. PERSONNEL AND PAYROLL RECORDS

The College believes the rights of its employees as individuals are very important and will try to minimize requests for and retention of personal information about employees. Information contained in the personnel file will be limited to that required for business reasons or legal requirements. The employee personnel file will be maintained in a safe, secure location.

Personnel File

Employees have a right to inspect or receive a copy of their personnel records that *San Joaquin Valley College* maintains. Certain documents may be excluded or redacted from the personnel file by law, and there are legal limitations on the number of requests that can be made.

Any request to inspect or receive a copy of personnel records must be made in writing to the Director of Human Resources. The Request for Personnel Records form is located on InfoZone as follows:

Document Center > Forms > Request for Personnel Records

An employee may also obtain a copy of the request form from the Campus Administrative Assistant or Human Resources.

An employee may designate a representative to conduct the inspection of the records or receive a copy of the records. However, any designated representative must be authorized by the employee in writing to inspect or receive a copy of the records. *San Joaquin Valley College* may take reasonable steps to verify the identity of any representative you have designated in writing to inspect or receive a copy of your personnel records.

The personnel records may be made available to the employee either at the SJVC location he/she works, at a mutually agreeable location (with no loss of compensation for going to that location to inspect the records), or a copy may be mailed to the employee. The records will be made available no later than 30 calendar days from the date *San Joaquin Valley College* receives the written request to inspect or receive a copy of personnel records (unless the employee or employee representative and *San Joaquin Valley College* mutually agree in writing to a date beyond 30 calendar days but no later than 35 calendar days from receipt of the written request).

Disclosure of personnel information to outside sources, other than the employee's designated representative, will be limited. However, *San Joaquin Valley College* will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

Payroll Records

Employees have the right to receive a duplicate copy of the itemized wage statement (pay stub).

Any request for a duplicate copy of the itemized wage statement must be made in writing to the Director of Human Resources. The records will be made available no later than 21 calendar days from the date *San Joaquin Valley College* receives the written request. The Request for Duplicate Wage Statement form is located on InfoZone as follows:

Document Center > Forms > Request for Duplicate Wage Statement

You may also obtain a copy of the request form from the Campus Administrative Assistant or Human Resources. If an employee voluntarily chooses, he or she may access his/her wage statement (pay stub) on Payroll Self Service located on InfoZone as follows:

Community > Payroll Self Service

The Payroll Self Service Guide is available in the same location to guide employees through the steps to access their payroll information / documents.

15. OUTSIDE INQUIRIES/EMPLOYMENT VERIFICATIONS

The College will release only your job title and dates of employment to third parties unless you sign a written authorization to disclose further information about your employment.

Upon request, the College will provide you with an authorization form. All employment inquiries and or verifications are referred to Human Resources.

16. LETTER OF REFERENCE

A letter of reference requires Senior Management approval prior to a manager providing the letter to the employee requesting a reference.

17. JURY AND WITNESS DUTY

When required to serve on jury or witness duty, a non-exempt employee is entitled to receive full salary or wages minus the amount received in compensation. For jury duty the maximum is ten working days each calendar year, and for witness duty the maximum is one working day each calendar year. You are responsible for keeping your supervisor informed regarding your duty status. On those days when you serve less than a full day of jury or witness duty, contact your supervisor to determine whether you should report back to work.

Employees who work evening hours or online are required to report to work and work their normally scheduled hours once they have been dismissed from jury or witness duty for the day or altogether. Serving jury or witness duty does not constitute a day off from work when there is no conflict with an employee's scheduled hours to work.

Exempt employees will receive full salary up to a maximum of ten working days each calendar year minus the amount received in compensation for jury duty and a maximum of one day each calendar year for witness duty.

If you are called as a juror during a particularly busy time at the College or if your jury duty conflicts with your job duties and responsibilities, we may ask you to request the court to postpone your jury duty to a more convenient time.

Employees in California, who are victims of crime, will be allowed to take unpaid time off to appear in court regarding the crime, or, in situation of domestic violence or sexual assault, to ensure their safety and welfare or that of their children.

All employees are required to furnish documentation from the court regarding your jury or witness duty service or need to appear in court.

18. TIME OFF FOR VOTING

If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may take enough time off from work to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time, and the time taken off shall be combined with the voting time available outside of working hours to a maximum of two hours combined. Under these circumstances, the employee will be allowed a maximum of two hours of time off during an election day without loss of pay. When possible, an employee requesting time off to vote shall give his or her supervisor at least a two-day notice.

19. POWER OUTAGES

When it is confirmed that the power to the campus or corporate office will be off for a prolonged or an indefinite period of time the Campus Director or Senior Management will make the decision to send employees home. If the power comes back on during business hours, employees may be expected to return to work. It is the responsibility of the employee to call in each hour to see if he or she should return to work.

The law states that non-exempt employees are to be paid for the time actually worked and exempt employees a full day's pay for working any part of the day of a power outage.

20. SEVERE WEATHER

When it is determined by the Campus Director or Senior Management that it is unsafe to travel and classes have been cancelled due to inclement weather employees will be sent home or notified not to come into work (if notification is possible) for the day.

If a non-exempt employee reports to work as scheduled (or pursuant to his or her employer's directions), but is not put to work or is given less than half of the hours he or she was scheduled to work or usually works he or she is owed reporting time pay. In this case, the non-exempt employee is paid for at least half of the hours he or she was scheduled to work or usually works, but not less than two hours pay and no more than four hours pay. If a non-exempt employee does not report to work on any given day due to unsafe conditions to travel or is notified by SJVC not to come in due to unsafe conditions, the non-exempt employee will not receive any pay for the day. The non-exempt employee may apply available personal and/or vacation time to the absence from work.

Exempt employees are paid their normal salary unless the campus is closed for an entire week. In the case that the campus is closed an entire week, the exempt employee will not receive their normal salary. The exempt employee may apply available vacation time to a full week absence.

21. OTHER TIME OFF

Depending on where you live, your state may provide other legally-mandated time off from work. Please speak with the Human Resources Department for more information or refer to the Leaves of Absence section of this handbook.

22. EMPLOYEE REFERRAL PROGRAM FOR IDENTIFIED OPEN POSITIONS

The College encourages employees to take advantage of the College's Referral Program. Employees can obtain information on designated positions eligible for the program from the Director of Human Resources. The required form and documents must be signed by both the designating employee and the referred candidate and turned in to the Director of Human Resources prior to the interview process for the employee to be considered eligible for a referral bonus. Current employees cannot be referred for designated positions and/or referral bonuses.

23. CODE OF SAFE PRACTICES

We are committed to maintaining a safe environment for the students, employees and visitors in our facilities. Your cooperation with the Campus Safety Program is an essential part of your employment with the College. Failure to comply with the standards of the program will result in disciplinary action including reprimand, suspension and/or termination. You can review a hard copy of the IIPP located in the Campus Director's office or an electronic copy on InfoZone.

24. FACILITY SECURITY

Facility security is a serious matter and requires the cooperation and honesty of all employees and students. It is the policy of the College to report all crimes to the law enforcement agency with jurisdiction at the campus. The College cannot assume responsibility or liability for personal items that are lost, stolen or damaged. In the event that an employee is the victim of a crime on a SJVC facility, it should be reported immediately to the security officer and Campus Director, who will complete the report and refer the employee to the appropriate support resources in the community.

In the event that an employee is accused or suspected of committing a crime on a SJVC facility, the College will fully cooperate with the appropriate law enforcement agency and will impose the appropriate sanction, up to and including discharge, in the event the employee is found guilty.

All guests and visitors of employees are required to check in and out at the reception desk upon arrival on campus. Guests and visitors are not allowed in the classroom without the prior approval of the Campus Director.

25. PARKING

Employees may park their vehicles in designated areas, if space permits. If space is unavailable, employees must park in permissible public areas in the vicinity of College property. Employees may not use parking areas specifically designated for customers, vendors, College vehicles, or otherwise reserved. San Joaquin Valley College is not responsible for any loss or damage to employee vehicles or contents while parked on College property. Employees should secure their belongings and keep them out of sight.

Some SJVC locations require parking permits. Employees must display permits so they are easily identified. Some locations also share parking areas with other businesses. Employees must follow required guidelines and remain courteous to fellow business persons at all times.

Parking areas may be monitored with video or other surveillance for purposes of protecting College property only. This surveillance system is in no way to provide employees with personal security.

26. HOUSEKEEPING

Housekeeping in each department is a responsibility that is shared by everyone. Each person is expected to help keep his or her work area clean and in order. This extends to

the restrooms, lunch and break areas and the parking lot.

27. WORKPLACE VIOLENCE PREVENTION

San Joaquin Valley College is committed to workplace safety. As a part of this commitment, *SJVC* is specifically committed to providing a workplace that is free of threats or acts of violence and to protecting its employees and students from such conduct on College premises. In keeping with this commitment and in conjunction with other policies, we have established a strict policy that prohibits any employee from behavior that is violent, threatening or intimidating while conducting College business.

This policy applies to all employees. *SJVC* has zero tolerance for employees who make threats, engage in threatening behavior, or commit acts of violence against others. In addition, the College is committed to preventing violent or threatening behavior on its premises by students, visitors, guests or family members of student and employees.

This policy prohibits not only physically violent behavior but also behavior that is threatening, harassing or intimidating. Prohibited behavior includes, but is not limited to:

- Possession or use of firearms, explosives, weapons such as knives, or any other hazardous or dangerous devices on College property or at any College function, whether on or off campus.
- Disorderly conduct on College property, including fighting, inciting or provoking another to fight, battery, attempted bodily injury or physically abusing an employee, student or visitor.
- Directly or indirectly using abusive or threatening language, coercing, threatening, or otherwise harassing any employee, student or visitor.
- Actual or direct or indirect threatened physical violence towards another employee, student or visitor.

Keeping the workplace free of violence can only be accomplished if every employee takes personal responsibility for being aware of and reporting potentially violent behavior. Therefore, all employees are responsible for immediately reporting to their supervisor any incident involving threats or acts of violence. Violation of this policy will lead to disciplinary action, up to and including immediate discharge. Employees making such reports will not be retaliated against, nor will the College tolerate any such retaliation.

In addition, in order to assist the College in its efforts to maintain a violence-free workplace, employees are strongly urged to notify the Campus Director about any restraining order in effect for themselves or students, or any potentially violent situation outside work that could result in violence in the workplace.

28. PAY PERIOD, PAYDAY AND WORKWEEK

There is a fourteen day pay period ending every other Saturday at midnight. For purposes of overtime, the workweek begins at midnight Saturday of each week. Paydays are the Thursday following the end of the pay period. Online instructors are paid according to their offer letters.

Automatic deposit of payroll checks is available at the individual employee's request for

employees who work onsite; however, all online instructors are encouraged to utilize the automatic deposit of payroll checks to ensure they receive their pay in a timely manner. Online instructors who choose not to utilize direct deposit will have their paychecks mailed to them via the U.S. Postal Service post marked the date of the payday.

The workweek for full-time faculty is five days; for part-time faculty the workweek is four days, or as assigned.

The College takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. It is the responsibility of the employee to turn in accurate time records in a timely manner for payroll processing. In the unlikely event that there is an error of any kind in the amount of pay, accrual or use of vacation time, personal time or sick days, the employee should promptly bring the discrepancy to the attention of the Administrative Assistant, so that corrections can be made as quickly as possible. The College will make payment of any error in the employee's favor no later than the following pay period it is brought to its attention. Employees are responsible to repay any overpayment of wages, vacation or personal time; preferably by the following pay period. A payroll authorization form will be generated by the Campus Administrative Assistant or Human Resources Department.

29. PAY ADVANCES AND VACATION ADVANCES

San Joaquin Valley College does not permit advances against paychecks or against unaccrued vacation.

30. PERSONAL CELL PHONE USE REIMBURSEMENT

Typically, the College does not require employees to use their personal cell phones for business use, and provides company cell phones to those required to regularly conduct College business remotely. Employees that use their personal cell phone for College business should notify their manager and discuss the actual need and determine if a College issued cell phone or reimbursement for personal cell phone use is required.

If reimbursement for personal cell phone use is determined to be required, the employee will be reimbursed a lump sum in the amount of \$13.85 per pay period to cover any business related expenses incurred by the use of a personal cell phone ($\$30 \text{ per month} \times 12 \text{ months} / 26 \text{ pay periods} = \$13.85 \text{ per pay period}$). The employee will be required to sign the Acknowledgement of Receipt: Cell Phone Reimbursement form. The reimbursement will be made through payroll on a bi-weekly basis and reported as income. It is the employee's responsibility to keep track of the actual business related expenses incurred by using his/her personal cell phone and immediately report any business related expenses that exceed \$30 per month less any and all applicable taxes. The employee will provide copies of supporting receipts and or invoices.

31. MILEAGE REIMBURSEMENT

Employees will be reimbursed at the SJVC rate for mileage expended on business-related use of their personal vehicles. For the purposes of this policy, business-related use includes:

- Trips between the College's offices and other locations for work purposes.
- Work-related trips between an employee's home and a work location other than the employee's regular work location to the extent that the distance exceeds the employee's ordinary commute to his/her regular work location.

Employees will not be reimbursed for their ordinary commute to and from their regular work location.

For the purpose of this policy, the employee's "regular work location" is the College location to which the employee is assigned. Each employee will be notified of his/her regular work location at the time of hire. Employees with questions regarding their regular work location or the College's mileage reimbursement policy, in general, should contact the Human Resources Department.

A record of mileage must be submitted the first week of each month for the previous month's mileage. It is the employee's responsibility to turn in mileage reimbursement forms on a monthly basis for reimbursement on business-related use of their personal vehicle. SJVC Mileage Reimbursement Form is located on InfoZone in the Information Center under Employee Forms > Accounting Forms.

Reimbursement checks are generated through the Accounts Payable Department and disbursed on a monthly basis.

32. TRAVEL TIME

Non-exempt employees will be considered as working during periods of travel time when:

- Traveling to a client during the workday;
- Traveling to a meeting place to receive instructions or collect materials; and
- Travel time on an out-of-town trip

NOTE: Travel time is paid to non-exempt employee minus required meal period(s) and usual commute time if the employee does not report to their typical work place (campus / office) first. If air travel is required, travel time is paid (subtracting their usual commute time between home and typical work place) from the time an employee leaves his/her house until they reach their destination, or until they no longer perform work (i.e. they have checked into the hotel and/or are free to do what they choose). The subtraction of usual commute time applies in the reverse; traveling from the site or transportation arrival location to the employee's house.

33. PAY FOR MANDATORY MEETINGS / TRAINING / EVENTS

San Joaquin Valley College will pay non-exempt employees for their attendance at meetings, lectures, training programs and events under the following conditions:

- Attendance is mandatory; and
- The meeting, lecture, training or event is directly related to the employee's job; and
- The employee who is required to attend such meetings, lectures, training programs, or events will be notified of the necessity for such attendance by his or her supervisor.

The College has graduation ceremonies for its students on a regular basis. Non-exempt employees required to participate in the ceremony will be compensated at their regular rate of pay (and overtime if applicable). Those who attend to show support of our graduates and the goals of the College attend voluntarily and are not compensated for their time.

NOTE: If possible, the workday start and end times should be adjusted to keep non-exempt employees required to attend the graduation ceremony at their regular number of hours.

34. REPORTING TIME PAY

A non-exempt employee who reports to work as scheduled or at the request of the College or his/her supervisor and is not put to work or is given less than half of the hours he/she was scheduled for or usually works, will be paid reporting time pay at their regular rate (with the exception of power outages and severe weather – refer to the policies regarding these situations). The employee would be paid for at least half of the hours he/she was scheduled for or usually worked, but never less than two (2) hours pay and never more than four (4) hours pay.

A non-exempt employee who is required to attend a meeting on a day he/she is not scheduled to work, will be paid reporting time pay at his/her regular rate and overtime, if applicable, for a minimum of two (2) hours if the meeting lasts less than two (2) hours. If the meeting is two (2) hours or more, the employee will be paid their regular rate and overtime, if applicable, for the actual hours of the meeting.

A non-exempt employee who is required to attend a meeting that takes place on his/her regularly schedule work day but requires the employee to return sometime after the end of his/her shift to attend the meeting, will be paid a minimum of two hours of reporting time pay at his/her regular rate in addition to overtime, if applicable.

35. OVERTIME

When the needs of the business are such that overtime is required, the employee should receive the prior approval of his/her supervisor, unless an emergency exists. All non-exempt employees will be paid overtime in compliance with all wage and hour laws:

OVERTIME	RATE
Hours over 8 in a workday*	1.5 times regular rate of pay
Hours over 12 in a workday	2.0 times regular rate of pay
Hours over 40 in a workweek	1.5 times regular rate of pay
First 8 hours on 7 th day of work in workweek	1.5 times regular rate of pay
Hours over 8 on 7 th day of work in workweek	2.0 times regular rate of pay
Hours over scheduled hours in a workday for an alternative workweek schedule less than 12	1.5 time regular rate of pay
Hours over scheduled hours in a workday for an alternative workweek schedule more than 12	2.0 times regular rate of pay

***NOTE: Does not apply to alternative workweek schedules.**

Overtime calculations are based on actual time worked. For example, if Monday is a holiday and an employee regularly scheduled to work Monday through Friday eight hours a day works eight hours on Saturday, those eight hours are paid at the regular rate of pay and not at time and a half.

It is important to reiterate that all non-exempt employees (both on-site and off-site) must receive prior approval from his/her supervisor prior to working overtime hours. An employee who continues to work overtime hours without prior approval will be subject to disciplinary action up to and including discharge.

34. MAKE UP TIME

A non-exempt employee has the opportunity to make up absence time, without earning overtime pay, under the following conditions:

- The employee submits a signed, written request to make up lost work time for each occasion (this form can be obtained from the Administrative Assistant);
- The employee makes up the lost work time after the absence has occurred and within the same workweek;
- The employee does not have vacation and/or personal time available;
- The supervisor and the Campus Director approves the requests; and
- The make-up time does not cause the employee to work more than eleven hours in a workday, or forty hours in a workweek.

35. AIDS

The College recognizes that Human Immunodeficiency Virus (HIV) disease and its related conditions, including the Acquired Immune Deficiency Syndrome (AIDS) or HIV-seropositive test results, pose potentially important issues for its employees. We have established the following guidelines for handling workplace issues that may arise should an employee become affected by this disease or other life threatening illnesses.

1. The College is committed to maintaining a safe and healthy work environment for all employees.
2. Consistent with this commitment, the College will treat HIV disease the same as other illnesses in terms of our employee policies and benefits, such as group health and life insurance, disability leaves of absence, and other disability benefits.

The overwhelming preponderance of available medical and scientific opinion, including statements from the U.S. Public Health Service and Centers for Disease Control, shows that HIV is not casually transmitted in ordinary social or occupational settings. Therefore, subject to changes in available medical information, an employee with AIDS or any other HIV-related condition may continue to work, and the College will provide the individual with reasonable accommodation, as long as the employee is able to perform the duties of his or her position.

Harassment or other forms of discrimination against an HIV-infected employee will not be tolerated and should be reported immediately.

Health Studies Division instructors or other employees involved in the collection or handling of blood or other bodily fluids of students or others are required to use the universal precautions recommended by the Centers for Disease Control.

36. COMMUNICABLE DISEASES

The College recognizes that employees may be exposed to communicable diseases in the workplace or while traveling. Such illnesses include but are not limited to influenza, tuberculosis, and severe acute respiratory syndrome (SARS). Obviously, exposure to and the risks of these communicable diseases vary widely. In general, the College abides by the recommendations of the Centers for Disease Control and Prevention (CDC).

Travel Alerts and Advisories

Before traveling, employees should check the CDC website for travel alerts or advisories regarding the potential for exposure to various diseases. If the CDC issues a travel advisory for an area to which an employee is scheduled for business travel, the employee is to discuss with his or her supervisor whether to postpone or cancel the trip and use an alternative method of communication, such as teleconference or videoconference. Employees are expected to identify medical care resources when traveling to areas subject to travel alert or advisory.

Workplace Health and Safety Standards

Employees are expected to comply with all health and safety standards, especially when there is an outbreak of a communicable illness in the workplace or when they have one. For example, employees sick with the flu should remain at home to reduce exposing others at work. Employees are to wash their hands regularly and cover their mouths when sneezing or coughing. Employees are to report any areas of the workplace that need to be cleaned.

Reporting Communicable Illness

Employees diagnosed with a communicable sickness are expected to follow the instructions of healthcare providers and inform the company about their infection when directed to do so by their physician or public health officials.

The College will issue reports of communicable diseases as required by law to local health officials, workers' compensation carriers, and the like. Employees and managers should contact the Human Resources department if they believe that they or any other employee needs information about an illness or concern arises about the possible contagious nature of an employee's illness. Employees are expected to report information only as applicable law requires.

Confidentiality

An employee's medical condition is confidential, and information about an employee's health is to be provided only to those persons with a need to know.

Reports from Health Providers

The Campus Director, Director of Human Resources, and if appropriate, a consulting physician will determine if a statement should be obtained from the employee's treating healthcare provider that the employee's continued presence at work will pose no significant risk of substantial harm to the employee, co-workers or students.

Fitness for Duty

The College has the right to require an employee to undergo a medical examination to determine fitness for duty. When the company has reason to believe an employee has a communicable disease, the employee will be encouraged to take paid time off for a physical exam by a healthcare provider of his or her choice.

Accommodations

The College will accommodate employees with communicable illnesses consistent with the business needs of the company and applicable law. If the American with Disabilities Act or California Fair Employment and Housing act applies to a particular disease, the College will make reasonable accommodations for the employee.

Leaves of Absence

Employees with communicable diseases may have rights for leave under the College's medical leave policy or Family and Medical Leave Act or California Family Rights Act.

Workers' Compensation

If a communicable illness is work related, the employee must report it by completing a workers' compensation claim form in accordance with College policy.

37. ARBITRATION

For many years, the College has used arbitration to resolve disputes between the College and employees. Through this process, both the employee and the College agree that they will arbitrate any claim or dispute that arises out of the employment relationship with the College or the termination of that employment. This agreement includes claims against current or former owners, officers, directors, or employees. It is intended to avoid the costs and delays of litigation in state or federal court and get a more prompt resolution through a skilled neutral arbitrator.

Claims covered by the Arbitration Agreement include, among others, claims of employment discrimination and harassment under Title VII of the Civil Rights Act, the California Fair Employment & Housing Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Rehabilitation Act, the California Labor Code, and other similar federal, state, or local statutes. The Arbitration Agreement also covers claims of breach of employment contract, wrongful discharge, or conduct (whether intentional or negligent) including defamation, misrepresentation, fraud, infliction of emotional distress. Claims for workers' compensation benefits to remedy work-related injury or illness are specifically excluded. By entering into the Arbitration Agreement, both the College and its employees understand and agree that they are waiving their rights to bring such claims to court, including the right to a jury trial.

Employees are to refer to the San Joaquin Valley College Arbitration Agreement signed at time of adoption or hire for complete details on their rights and obligation under this agreement.

SECTION 6: LEAVE OF ABSENCE

College policy regarding employee leaves of absence combines the standards of the Federal Family and Medical Leave Act (FMLA), Americans with Disabilities Act (ADA), and for employees residing in California the California Family Rights Act (CFRA), the Worker's Compensation Act (WC), the Pregnancy Disability Leave (PDL), and Bone Marrow and Organ Donor Leave.

1. FAMILY AND MEDICAL LEAVE

State (CFRA) and federal (FMLA) family and medical leave laws provide up to twelve [12] workweeks of unpaid family and medical leave within a 12-month period under the following conditions:

- The employee has more than twelve [12] months of service (need not be consecutive, but within the last 5 years);
- The employee has worked at least 1,250 hours during the previous 12-month period before the need for leave; and
- The employee is employed at a work site where there are 50 or more employees within a 75-mile radius.

Those employees who do not meet this eligibility requirement will be notified of their options and responsibilities at the time leave is requested.

An employee may take family leave for one or more of the following reasons:

Baby bonding: This includes birth of a child to an employee, or placement of a child with an employee in connection with the adoption or foster care of the child (FMLA/CFRA for baby-bonding is taken in increments of two-weeks at a time with a one-time exception for a leave less than two weeks but a minimum of 5 business days;

Family care: This includes care of a child, parent, spouse, or *registered domestic partner who has a serious health condition (*NOTE: An employee may use CFRA-only leave to care for a register domestic partner; therefore, this applies only to employees who reside in California)³:

- **Child:** A biological, adopted, foster son or daughter; a stepson or stepdaughter; a legal ward; or a child of an employee who stand in loco parentis⁴ to that child. A child must be either under 18 years of age or an adult dependent child.

³ FMLA does not provide domestic partners with leave. In California registered domestic partners have the same legal rights as a spouse. Therefore, an eligible employee would be entitled up to 12 weeks of leave that is CFRA only to care for his/her registered domestic partner.

⁴ Day-to-day care or financial support may establish an in loco parentis relationship. An employee does not need a legal or biological relationship to the child he/she provides day-to-day care or financial support. Examples include: 1) An aunt who cares for a young niece and nephew when their single parent has been called to active military duty, 2) A grandfather who assumes responsibility for his sick grandchild when his own child is debilitated, 3) An employee who intends to share parenting responsibilities with his or her same sex partner who wants leave to bond with their child, 4) etc. Contact Human Resources for further guidance.

- **Parent:** A biological, foster, or adoptive parent; a stepparent; a legal guardian; or other person who stood in loco parentis to the employee when the employee was a child. The legal term “*in loco parentis*” means in place of a parent, and a person standing *in loco parentis* is charged with a parents’ rights, duties and responsibilities. It does not require a biological or legal relationship. Parent does not include a parent-in-law; and
- **Spouse:** A partner in a legal marriage including same-sex marriage (does include persons who are legally married and do not live together; does not include unmarried people living together)
- **Registered Domestic Partner:** A domestic partnership shall be established in California when both persons file a Declaration of Domestic Partnership with the Secretary of State and meet all requirements (Family Code, Section 297-297.5).

Medical leave: This means an employee’s own serious health condition that makes the employee either unable to work at all, or unable to perform one or more essential functions of his/her job.

Employees who are absent because of illness for more than three consecutive workdays are required to provide medical documentation certifying their illness. Those eligible for FMLA/CFRA leave must provide the *Certification of Health Care Provider for a Serious Health Condition Form* located on InfoZone > Information Center > Employee Forms > Employee Leaves of Absence. These absences may be counted automatically against the employees’ FMLA and/or CFRA and/or PDL entitlement, as provided under law.

Definition of a Serious Health Condition

A serious health condition is defined as an illness, injury, impairment or physical or mental condition that involves either:

- Inpatient care (for example, an overnight stay) in a hospital, hospice, or residential medical care facility; or
- Continuing treatment by, or under the supervision of, a health care provider.

A serious health condition involving continuing treatment by a health care provider includes any one or more the following:

- A period of incapacity (inability to work, attend school or perform other regular daily activities) of more than three consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also involves:

Treatment two or more times by a health care provider, nurse/physician’s assistance under orders of, or on referral by, a health care provider (NOTE: The two visits must occur within 30 days of the beginning of the period of incapacity and the first visit to the health care provider must take place within seven days of the first day of incapacity); or

Treatment by a health care provider on at least one occasion, which results in a regimen of continuing treatment under the supervision of the health care provider (NOTE: The first visit to the health care provider must take place within seven days of the first day of incapacity).

- Any period of incapacity due to pregnancy, or prenatal care;
- Any period of incapacity or treatment for such incapacity due to chronic serious health conditions requiring periodic visits (NOTE: The required “periodic visits” are defined as at least two to the health care provider per year) for treatment by a health care provider or nurse/physician’s assistant under direct supervision of a health care provider, which continues over an extended period of time (including re-occurring episodes of a single underlying condition); and may cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes or epilepsy);
- Any period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (for example, Alzheimer’s, a severe stroke or the terminal stages of a disease); or
- Any period of absence to receive multiple treatments (and any recovery from the treatments) by a health care provider or under the direction of a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment (for example, chemotherapy or radiation for a cancer patient).

NOTE: FMLA regulations specify that “treatment” does not include routine physical examinations, eye examinations, or dental examinations. For purposes of the FMLA, taking over-the-counter medications such as aspirin and antihistamines or using salves, bed rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider do not establish a regimen of “continuing treatment.”

FMLA regulations specify that “serious health conditions” do not include cosmetic surgery, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches (other than migraine), routine dental or orthodontia problems, and periodontal disease, unless hospital care or complications develop.

Military Qualifying Exigency: An employee who is the spouse, son, daughter, or parent of an individual on active military duty (or has been notified of an impending call or order to active duty) qualifies for twelve (12) weeks of FMLA (when FMLA requirements are met) to manage their affairs while the member serving in the National Guard or Reserves is on active duty or called to active duty status in support of a contingency operation.

Qualifying Exigency includes:

1. Attending certain military events,
2. Arranging alternative childcare,
3. Addressing certain financial and legal arrangements,
4. Attending certain counseling sessions, and
5. Attending post-deployment reintegration briefings.

Situations arising out of a family member’s military service not listed above may also constitute a qualifying exigency. Please contact Human Resources. Those eligible for Military Qualifying Exigency under FMLA must provide written notice of the need for a leave of absence under Military Qualifying Exigency/FMLA.

Military Caregiver: An employee who has a family member or next of kin serving in the military will be able to take up to twenty-six (26) workweeks of leave in a “single 12-month period” to care for a covered service member with a serious illness or injury incurred in the line of duty on active duty. The twenty-six (26) workweek entitlement is a one-time entitlement with its own 12-month period. Additional leave for this purpose may be available for subsequent injuries or additional service members in the family. Those eligible for Military Caregiver leave must provide the [Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave Form](#) located on InfoZone > Information Center > Employee Forms > Employee Leaves of Absence.

Leave Request Procedure

Providing Notice: Employees should provide the College with at least thirty (30) days advance written notice before the leave is to begin. If the need is not foreseeable, notice must be given as soon as practicable. Leave requests should be made in writing and include the reason(s) for the requested leave, the start date and anticipated duration of the leave. If the employee is eligible for leave under FMLA/CFRA and or PDL, the [Request for Leave of Absence: FMLA/CFRA/PDL](#) form must be completed and turned in to the Campus Administrative Assistant who will forward it to Human Resources.

If possible, the required certification of health care provider should be attached to the written leave request. Otherwise, it is due within 15 calendar days from the leave request. The form depends on the employee’s leave eligibility. The campus Administrative Assistant and or Human Resources can assist you with which form needs to be completed.

The request for leave and certification forms are located on InfoZone as follows:

Information Center > Employee Forms > Employee Leaves of Absence

Leave designation may be made for absences that are more than three (3) consecutive days of absence for a serious health condition of the employee or the employee’s eligible dependent. The type of leave designation depends on the employee’s eligibility.

The College will begin tracking the employee’s leave for purposes of state and federal family and medical leave laws, if the employee is eligible, after the employee has missed work due to any of the conditions listed above. If the College has not received required medical certification that would enable the College to make appropriate determination on whether or not the condition qualifies for Family and Medical leave, the employee will be placed on a “conditionally granted” FMLA/CFRA leave if he/she meets all other eligibility requirements. Furthermore, if the employee continues to fail to provide the required medical certification by the due date, or it is determined the medical condition does not qualify for FMLA/CFRA the leave will be denied and a voluntary resignation may be processed due to absence beyond time approved by the College.

It is the responsibility of the employee to keep continuous open communication with his/her supervisor and Campus Administrative Assistant and/or Human Resources Department to ensure the College is fully aware of the employee’s needs regarding the leave of absence. It is the supervisor’s responsibility to assure that notice of an employee’s

absence of more than three (3) consecutive days is reported immediately to the Campus Administrative Assistant and or Human Resources.

Medical Certification: Employees who request a family and medical leave of absence because of their own or a family member's serious health condition must submit written medical certification from a health care provider to support the leave request.

Employees may locate the *Certification of Health Care Provider for a Serious Health Condition Form* on InfoZone > Information Center > Employee Forms > Employee Leaves of Absence for the employee's or dependent's treating health care provider to complete. The College will only accept this form to grant a FMLA/CFRA eligible leave of absence. It is the employee's responsibility to ensure the College receives the certification form after the treating health care provider has fully completed the form and within fifteen (15) days from the request for medical certification is made by the College. Without this certification form the employee will not have the right to the protections under FMLA/CFRA leave.

If the employee is not eligible for leave under FMLA/CFRA and he/she and his/her health care provider believe his/her medical condition qualifies as a disability under Americans with Disabilities Act (ADA), the employee needs to have his/her health care provider complete and return the *Certification of Health Care Provider – Sufficient Documentation Request for Accommodation Form* also located on InfoZone. The above responsibilities and timeframe also apply. Without this certification form the employee will not have the right to the protections under ADA leave.

If the College deems the medical certification to be incomplete or insufficient, the College will specify in writing what information is lacking, and give the employee seven calendar days to provide complete and sufficient medical certification. Failure to provide complete and sufficient medical certification may result in denial of leave and a voluntary resignation processed due to absence beyond the time approved by the College.

Any fees charged by the employee's health care provider for medical documentation will be the responsibility of the employee. Employees may consider providing their health care providers with both the certification form for leave of absence and for the employee's return to work at the same time to possibly avoid additional fees.

Clarify or Authenticate Medical Certification: The employee's permission is not required for the employer's representative to contact the employee's health care provider in order to clarify or authenticate medical certification. The representative may be the employer's health care provider, human resources professional, leave administrator, or management official. It may not be the employee's direct supervisor.

Return to Work / Doctor's Release: All employees returning from a medical leave must provide a medical release of their fitness to return to work with or without restriction(s) or accommodation(s) **prior to reporting for work, and preferably five (5) days prior to the employee's scheduled return to work date.** This medical release must indicate the exact date the employee may return and address the employee's ability to perform the essential functions of the employee's job. If the employee is unable to conduct all the essential function of his/her job the health care provider must provide sufficient medical documentation and the College will need to access its ability to reasonably accommodate the employee prior to the employee's return to work. Employees are required to have their

health care provider complete and return the *Certification of Health Care Provider for Employee Return to Work Form* located on InfoZone > Information Center > Employee Forms > Employee Leaves of Absence. If the employee requires modified duty or there are restrictions, the College will need a minimum of one week prior to the employee's return to work date to assess its ability to accommodate the request for modified duty and or restrictions.

Where reasonable job safety concerns exist, the College may require a fitness-for-duty certification before the employee may return to work when the employee takes intermittent leave.

The required *Certification of Health Care Provider for Employee Return to Work Form* and job description will be enclosed in the notification letter to the employee. It is the responsibility of the employee to provide copies of this form and his/her job description to his/her treating health care provider to complete and assure that the College receives the completed form **prior** to his/her return to work. The form is also available on InfoZone as indicated above.

Employees may be eligible to transfer to a less strenuous or hazardous position or job duties, if available, and such a transfer is medically advisable and may be reasonably accommodated.

Leave Extensions: All employees requesting a leave extension should do so in writing, if possible, two weeks prior to the end of the scheduled leave, but no later than the end date of the scheduled leave. A new Certification of Health Care Provider Form completed by the employee's treating health care provider with exact or approximate dates must accompany any request for leave extensions. Leaves requiring an extension beyond the employee's FMLA/CFRA eligibility will be assessed for approval based on business necessity and/or eligibility under Americans with Disabilities Act (ADA), Pregnancy Disabilities Leave (PDL), or workers' compensation (WC). So the College may appropriately assess its ability to extend a leave beyond twelve [12] weeks, the employee is required to provide updated medical certification from his/her treating health care provider. The College cannot guarantee employment beyond FMLA/CFRA eligibility. The College cannot approve an indefinite length of time for a leave; therefore, the inability of the employee's treating health care provider to provide a length of time required for a leave of absence may result in a voluntary resignation due to absence beyond time approved by the College.

Failure to Comply with Leave Procedure: Failure to provide the required medical certification of the need for leave or extension of leave will result in denial of the leave or continued leave and may result in a voluntary resignation due to absence beyond the time approve by the College. Failure to provide an adequate doctor's release will result in an unpaid administrative leave of absence. Continued failure to provide required release will result in disciplinary action up to and including discharge for excessive absences and failure to abide by College policy.

Duration of Family and Medical Leave: Eligible employee will be entitled to a cumulative maximum of twelve weeks or sixty (60) days of family/medical leave within a rolling twelve-month period. Each time an employee takes family leave, the remaining leave entitlement in any balance of the 12 workweeks which has not been used during the immediately

preceding 12 months will be applied. The exception to the rolling twelve-month period is when FMLA is used for Military Qualifying Exigency [MQE] or Military Caregiver [MC] leaves. For MQE or MC leaves the 12-month period begins on the first day of leave.

2. PREGNANCY DISABILITY LEAVE

Pregnancy Disability Leave (PDL) law provides up to seventeen and one-third (17-1/3) weeks of unpaid leave that runs concurrently with twelve (12) weeks of FMLA, if applicable. There is no length of service requirement to be eligible for PDL.

Duration of Pregnancy Disability Leave: The duration is determined by the advice of the employee's physician, but employees disabled by pregnancy may take up to four months under California's Pregnancy Disability Leave Act and additional leave as a reasonable accommodation as described below. Part-time employees are entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for prenatal care, severe morning sickness and doctor-ordered bed rest.

Reasonable Accommodation: The College will also reasonably accommodate medical needs related to pregnancy, childbirth, or related conditions by providing unpaid leave or temporarily transferring the employee to a less strenuous or hazardous position (where one is available) or duties if medically needed because of pregnancy.

Required Notification: Employees who need to take pregnancy disability leave must inform their supervisor and campus administrative assistant and or Human Resources when a leave is expected to begin and how long it will likely last. If the need for leave, reasonable accommodation, or transfer is foreseeable, employees must provide reasonable advance notice at least thirty (30) days before the pregnancy disability leave or transfer is to begin. Employees must consult with their supervisors and Human Resources regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the College. Any such scheduling is subject to the approval of the employee's health care provider.

If thirty (30) days' advance notice is not possible, notice must be given as soon as practical. Failure to give reasonable advance notice may result in delay of leave, reasonable accommodation, or transfer.

Medical Certification: Pregnancy disability leave usually begins when ordered by the employee's health care provider. The employee must provide the College with a written certification from a health care provider for need of pregnancy disability leave, reasonable accommodation, or transfer. You can obtain the *Certification of Health Care Provider PDL Transfer Reasonable Accommodations Form* on InfoZone > Information Center > Employee Forms > Employee Leaves of Absence. The certification must be returned within fifteen (15) calendar days. Failure to do so may, in some circumstances, delay pregnancy disability leave, reasonable accommodation, or transfer. The certification indicating the need for pregnancy disability should contain:

- A statement that the employee needs to take pregnancy disability leave because she is disabled by pregnancy, childbirth or related medical condition; and

- The date on which the employee became disabled due to pregnancy; and
- The probable duration of the period or periods of disability; and
- If the employee needs a reasonable accommodation or transfer

NOTE: Medical certification is sufficient if it contains all of the following: 1) a description of the requested reasonable accommodation or transfer, 2) a statement that describes the medical advisability of the reasonable accommodation or transfer because of pregnancy, 3) the date on which the need for reasonable accommodation or transfer became/will become medically advisable and 4) the estimated duration of the reasonable accommodation or transfer.

Return to Work / Doctor's Release: Leave returns will be allowed only when the employee's health care provider sends a release with the date the employee may return to work. The Certification of Health Provider for Employee Return to Work Form is located on InfoZone > Information Center > Employee Forms > Employee Leaves of Absence.

Use of Sick, Personal and/or Vacation Time: An employee will be required to use available sick time during a pregnancy disability leave. An employee will be allowed to use accrued vacation or personal time during a pregnancy disability leave with written authorization from the employee.

Intermittent PDL: Pregnancy disability leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed. If intermittent leave or leave on a reduced work schedule is medically advisable the employee may, in some instances, be required to transfer temporarily to an available alternative position that meets the employee's needs. The alternative position need not consist of equivalent duties, but must have the equivalent rate of pay and benefits. The employee must be qualified for the position. The position must better accommodate the employee's leave requirements than her regular job. Transfer to an alternative position can include altering an existing job to better accommodate the employee's need for intermittent leave or a reduce work schedule.

3. SUMMARY OF LEAVES OF ABSENCE

The following charts summarize the leave policies applicable for each leave reason:

Serious Health Condition of Employee

MAXIMUM LEAVE	APPLICABLE LEAVE
Weeks 1 – 12	FMLA ,CFRA and ADA/FEHA
Weeks 13+	ADA/FEHA , if applicable
NOTE: If the employee is ineligible for FMLA/CFRA, non-FMLA/non-CFRA under ADA/FEHA, if applicable, will begin week 1 (if identified as a reasonable accommodation)	

Serious Health Condition of Employee’s Spouse, Child or Parent

MAXIMUM LEAVE	APPLICABLE LEAVE
Weeks 1 – 12	FMLA and CFRA ¹

Disability Due to Pregnancy or Childbirth

MAXIMUM LEAVE	APPLICABLE LEAVE
Weeks 1 – 12	FMLA and PDL/ADA/FEHA
Weeks 13 – ²	PDL/ADA/FEHA
Weeks following the end of PDL for continued pregnancy disability	CFRA/ADA/FEHA

Baby-Bonding or Registered Domestic Partner

MAXIMUM LEAVE	APPLICABLE LEAVE
Weeks 1 – 12	FMLA/CFRA
Weeks 1 – 12	CFRA ³

Work-Related Injury

MAXIMUM LEAVE	APPLICABLE LEAVE
Weeks 1 – 12	FMLA, CFRA, ADA/FEHA and/or WC ⁴ , if applicable
Weeks 13+	ADA and/or WC, if applicable

¹ Parents who both work for the College are entitled to each take up to 12 weeks of leave in a twelve-month period to care for a child with a serious health condition.

² PDL is a total of four months; this means the number of days the employee would normally work within four months. For a full-time employee who works five eight-hour days per week, “four months” means 693 hours of leave entitlement, based on 40 hours per week times 17-1/3 weeks. For employees who work more or less than five days a week, or who work alternative work schedules, the number of working days which constitutes “four months” is calculated on a pro rata or proportional basis. The employee’s doctor will determine the actual length of Pregnancy Disability Leaves.

³ CFRA for child bonding is a maximum of 12 weeks of leave following the end of PDL and may be applied alone if FMLA has been exhausted during PDL. Parents who both work the College are entitled to a combined total of 12 weeks leave in a twelve-month period for the birth, adoption or foster care placement of their child.

⁴ Employees on workers’ compensation leave of absence will be granted leave consistent with the College’s obligations under law. If the work-related injury or illness also meets the criteria of a serious health condition for medical leave purposes, the leave will be counted against family/medical leave entitlement. Although benefits provided under this policy will only be extended for a cumulative maximum of twelve weeks of leave, additional benefits may be available under state worker’s compensation law.

Military Exigency

MAXIMUM LEAVE	APPLICABLE LEAVE
Weeks 1 – 12	FMLA only

Military Caregiver

MAXIMUM LEAVE	APPLICABLE LEAVE
Weeks 1 – 12	FMLA / CFRA
Weeks 13 – 26 ⁵	FMLA only

Bone Marrow and Organ Donor

MAXIMUM LEAVE	APPLICABLE LEAVE
5 workdays	FMLA / Bone Marrow
30 workdays	FMLA / Organ Donor

Compensation During Leave/Coordination with Benefits

Generally, family and medical leave is unpaid. Refer to Bone Marrow and Organ Donor Leave for information on pay requirements for these specific leaves. Length of service credit will continue to accrue only during the paid portion of a family/medical leave. However, family/medical leave shall not constitute a break in service for purposes of longevity, seniority or any employee benefit plan. The following chart summarizes College policy regarding benefits continuation and use of vacation, personal/sick time during family/medical leaves of absence

LEAVE	ARE BENEFITS CONTINUED? ⁶	IS EMPLOYEE REQUIRED ⁷ TO USE:			
		VT Exempt and Non- Exempt	PT Non- Exempt	SICK DAYS Exempt	SICK LEAVE Part-Time
FMLA/CFRA [Employee]	Yes	Yes	Yes	Yes	Yes

⁵ Spouses who both work for the College are entitled to a combined total of 26 weeks in a twelve-month period for Military Caregiver Leave.

⁶ Does not include paid holidays unless the holiday falls within a workweek that the employee was not on leave the entire workweek or the holiday(s) occurred when the employee was not generally expected to report for work (i.e. Christmas break); does include that portion of medical benefits usually paid by the College for up to 12-weeks in combination of all leave types with the exception of PDL. The coverage will extend for the length of PDL, up to four months (17.3 weeks) during a 12-month period commencing on the date the leave begins. The extension of health insurance coverage for PDL will apply even if there is no FMLA entitlement.

⁷ When on FMLA and/or CFRA leave, use of vacation, personal and or sick time is optional during periods the employee is receiving any kind of income replacement benefits, such as workers' compensation, state disability or paid family leave benefits. It is the employee's responsibility to notify the Administrative Assistant and /or Human Resources whether or not he/she is receiving income replacement benefits.

LEAVE	ARE BENEFITS CONTINUED? ⁸	IS EMPLOYEE REQUIRED ⁹ TO USE:			
		VT Exempt and Non-Exempt	PT Non-Exempt	SICK DAYS Exempt	VT Exempt and Non-Exempt
FMLA/CFRA [Family Care]	Yes	Yes	Yes	YES, but no more than 3 days w/in the employee's anniversary year	Yes, but only up to half of accrued balance
Non-FMLA ¹⁰	No	Yes	Yes	Yes	Yes
CFRA	Yes	Yes	Yes	Yes	Yes
PDL	Yes	No	No	Yes	Yes
W/C ¹¹	Yes	No	Yes	Yes	Yes
MILITARY	Yes	No	Yes	N/A	N/A
FAMILY MILITARY ¹²	Yes	No	Yes	N/A	N/A
MILITARY CAREGIVER / FMLA / CFRA ¹³	Yes	No	Yes	YES, but no more than 3 days w/in the employee's anniversary year	Yes, but only up to half of accrued balance
MILITARY EXIGENCY ¹⁴ / FMLA only	Yes	No	Yes	N/A	N/A
BONE MARROW AND *ORGAN DONOR	Yes	Yes, *up to two weeks only		Yes	Yes

⁸ Does not include paid holidays unless the holiday falls within a workweek that the employee was not on leave the entire workweek or the holiday(s) occurred when the employee was not generally expected to report for work (i.e. Christmas break); does include that portion of medical benefits usually paid by the College for up to 12-weeks in combination of all leave types with the exception of PDL. The coverage will extend for the length of PDL, up to four months (17.3 weeks) during a 12-month period commencing on the date the leave begins. The extension of health insurance coverage for PDL will apply even if there is no FMLA entitlement.

⁹ When on FMLA and/or CFRA leave, use of vacation, and or personal time is optional during periods the employee is receiving any kind of income replacement benefits, such as workers' compensation, state disability or paid family leave benefits. It is the employee's responsibility to notify the Administrative Assistant and /or Human Resources whether or not he/she is receiving income replacement benefits.

¹⁰ Employees who have not been employed by the College for twelve months or more and who have not worked at least 1,250 hours during the preceding twelve-month period will be placed on a non-FMLA leave. An employee's job is not protected during a non-FMLA leave, unless the leave is due to an eligible disability that qualifies for ADA/FEHA/PDL leave. Extended time off from work on an unprotected leave of absence may be subjected to disciplinary action for excessive absences.

¹¹ It is the responsibility of the employee to apply for worker's compensation benefits, as applicable.

¹² Family Military leave may run concurrently with Military Exigency leave.

¹³ Military Caregiver leave is 26-weeks of FMLA and 12-weeks of CFRA. FMLA and CFRA run concurrently.

¹⁴ Military Exigency is not covered under CFRA; therefore, CFRA leave is not exhausted when FMLA is used.

LEAVE	ARE BENEFITS CONTINUED? ¹⁵	IS EMPLOYEE REQUIRED ¹⁶ TO USE:			
		VT Exempt and Non-Exempt	PT Non-Exempt	SICK DAYS Exempt	VT Exempt and Non-Exempt
DOMESTIC VIOLENCE	Yes	Yes	Yes	Yes	Yes
VICTIMS OF CRIME	Yes	Yes	Yes	N/A	Yes
SCHOOL ACTIVITIES	Yes	Yes	Yes	Yes	Yes
CIVIL SERVICE	Yes	No	Yes	N/A	N/A
PERSONAL LEAVE	Yes	Yes	Yes	N/A	N/A

It is important for the employee to refer to the policy and procedure for each type of leave before requesting a leave. This will ensure that the employee is providing the correct medical certification to his or her health care provider to complete.

State Disability Insurance and California Paid Family Leave Benefits

California employees who take medical leave for their own serious health condition may qualify for State Disability Insurance (SDI) benefits. In addition, employees who take family leave to care for a seriously ill family member [parent, child, spouse, registered domestic partner, *sibling, *grandparent, *grandchild, and *parent-in-law] or for the birth or adoption of a new child may qualify for Paid Family Leave (PFL) benefits from the State of California for up to six weeks of limited compensation (wage replacement) after an unpaid, seven-day waiting period, within a 12-month period. This Paid Family Leave benefit is a component of the California State Disability Insurance (“SDI”) program and is administered by the State Employment Development Department’s (“EDD”) Disability Insurance Branch. It does not provide additional leave, job protection or reinstatement rights beyond those provided by protected leaves of absence. Once an employee has exhausted his or her six weeks of Paid Family Leave benefits (as well as any accrued vacation, and/or personal or sick leave), the remaining leave period of family/medical leave will be unpaid, as described above.

It is the responsibility of an employee on family or medical leave to apply for State Disability Insurance (SDI) benefits, workers’ compensation benefits, or Paid Family Leave (PFL), as

¹⁵ Does not include paid holidays unless the holiday falls within a workweek that the employee was not on leave the entire workweek or the holiday(s) occurred when the employee was not generally expected to report for work (i.e. Christmas break); does include that portion of medical benefits usually paid by the College for up to 12-weeks in combination of all leave types with the exception of PDL. The coverage will extend for the length of PDL, up to four months (17.3 weeks) during a 12-month period commencing on the date the leave begins. The extension of health insurance coverage for PDL will apply even if there is no FMLA entitlement.

¹⁶ When on FMLA and/or CFRA leave, use of vacation, and or personal time is optional during periods the employee is receiving any kind of income replacement benefits, such as workers’ compensation, state disability or paid family leave benefits. It is the employee’s responsibility to notify the Administrative Assistant and /or Human Resources whether or not he/she is receiving income replacement benefits.

applicable. For more information about these benefits, please see your Campus Administrative Assistant or Human Resources Department for brochures.

*NOTE: Leave of absence under FMLA/CFRA is not available to care for a sibling, grandparent, grandchild or parent-in-law.

Non-Eligible Employees

Employees who have not been employed with the College for twelve consecutive months and have not worked 1,250 hours within those 12-months are not eligible for FMLA/CFRA. Therefore, an employee who goes out on a non-FMLA and or non-FMLA/ADA leave will lose his/her insurance coverage during his/her leave and will be offered COBRA. Once the employee returns to work, his/her insurance benefits will be reinstated within the insurance companies' policies. This does not apply to PDL if the employee is not eligible for FMLA or CFRA. For more information regarding reinstatement of insurance coverage you may contact the Human Resources Department.

Notification to Employee

The Human Resources Department will send out a leave of absence letter outlining your eligibility or non-eligibility, rights, responsibilities and contribution payments, if applicable. Also enclosed are forms that may require completion by the employee and/or the employee's health care provider and important information about state disability and/or paid family leave. This letter is mailed out U.S. Postal Services, Federal Express [FedEx], or United Parcel Service [UPS] to your home address. If you miss delivery at your home address, it is your responsibility to follow the directions of the delivery service and/or have it picked up at the delivery service location as soon as possible. If you provide an email address, the letter/information and or forms may be emailed to you.

Affect on Group Insurance Benefits

The College will continue an eligible employee's existing group insurance benefits (health, dental, and vision) for up to twelve weeks in a rolling year while on an approved FMLA/CFRA leave as long as the employee continues to pay his/her insurance contribution payments. If an employee who is on a leave for longer than twelve weeks (in a rolling year) exhausts FMLA and/or CFRA or does not qualify for FMLA and/or CFRA, the employee's group insurances will be discontinued with the exception of life insurance that will be maintained for up to 12 months, if eligible. The employee will be offered COBRA. COBRA is offered at 102% of the total cost of insurance. The exception is PDL and or CFRA for Baby-Bonding. The coverage will extend for the length of PDL and or CFRA for Baby-Bonding. The extension of health insurance coverage for PDL (up to 17.3 weeks) will apply even if there is no FMLA or CFRA for Baby-Bonding entitlement.

Employees continue to be responsible for their insurance contributions during a leave of absence. Should the employee's vacation, personal and/or sick time become exhausted during the leave and the employee no longer receives compensation or the employee opts not to apply available accruals, the employee must begin making his/her contribution payments every two weeks on or before regular paycheck dates. Checks or money orders are made payable to "SJVC" and mailed to:

San Joaquin Valley College
Attn: Human Resources Department
3828 W. Caldwell Avenue
Visalia, CA 93277

If the employee does not pay his /her insurance contribution payment(s) when due for three consecutive due dates, the employee's group insurance(s) will be discontinued and the employee will be offered COBRA even if it is within the twelve (12) weeks for FMLA/CFRA and/or the four (4) months for PDL. The employee will remain responsible for owed contribution payments prior to cancellation.

Affect on 401k Contributions and Participant Loans

An employee's contributions will be suspended during any portion of the leave the employee no longer receives compensation due to exhausting vacation, personal and/or sick time.

The employee continues to be responsible to make his/her Participant Loan payments every two weeks. Once the employee no longer receives compensation due to exhausting vacation, personal and/or sick time or opts not to apply available accruals to the leave, the employee must make loan payments every two weeks. The payments are due on the regularly schedule paycheck dates. Failure to make regular payments by the due dates may result in the employee's loan being considered "in default." Money order or Cashier's checks are made payable to "SJVC" and mailed to:

San Joaquin Valley College
Attn: Human Resources Department
3828 W. Caldwell Avenue
Visalia, CA 93277

The College will make the payment to the administrator on the employee's behalf as done when the employee is receiving a paycheck.

NOTE: Participant Loan payments must be made separately from insurance contribution payments due to being processed through two different accounts.

Return to Work Status

Employees returning to work from a worker's compensation, family/medical, or ADA/disability leave will be returned to the same position held prior to the leave or one that is equivalent in pay, benefits and the terms and conditions of employment. The only exception to this is if the job has ceased to exist or the College could not keep the job open and operate safely and/or efficiently. If the employee's prior or equivalent position is not available at the end of the leave, employment will be terminated.

Employees returning from a pregnancy disability leave will be returned to their same position unless that job has ceased to exist or the College could not keep the position open; in that event the College will seek to provide one that is equivalent in pay, benefits and the terms and conditions of employment. An employee returning from pregnancy

disability leave has no greater right to reinstatement than if the employee had been continuously employed.

Employees who are unable to return to work after taking the maximum of leave allowed may be terminated if consistent with applicable law. Such individuals will be eligible for rehire and are encouraged to apply for available positions.

4. BEREAVEMENT LEAVE

In the event of a death in an employee's immediate family, a full-time employee may be allowed a paid leave of up to five [5] consecutive working days immediately following the death. In the event the employee only requires time off for the funeral services the employee may wait to take a day of bereavement when the funeral is scheduled. Bereavement leave may not be taken intermittently. For the purposes of the benefit, immediate family includes: current spouse, registered domestic partner, child, parent, legal guardian, brother, sister, grandparent, or grandchild; or mother-, father-, sister-, brother-, son-, daughter-, grandparent- or grandchild-in-law. The Campus Director or member of the Board of Directors may approve additional unpaid time off if necessary.

All requests at the campus level must receive the approval of the Campus Director; at corporate, a member of Senior Management must give approval. In either case, the request should be made through an employee's immediate supervisor.

5. PERSONAL LEAVE

The purpose of a personal leave is to provide a means for the College to offer employees excused leave without pay when exceptional circumstances (such as education, research, travel, family or other unusual personal needs) necessitate. A Personal Leave is required anytime an employee requests to be off from work more than ten (10) consecutive days including observed holidays that fall within a workweek that would result in the employee being off the entire workweek. For example: If an employee requested 02/12/10 – 02/19/10 with President's Day on 02/15/10 the time requested equals eleven (11) days and would require an approved Personal Leave. However, if the employee requested 02/16/10 – 02/22/10 this would only equal ten (10) days due to the requested time falling after the observed holiday and would not require a Personal Leave.

The College will consider requests for unpaid leaves of absence from employees who have at least one year of continuous service with the College. The length of the leave approved will be contingent upon the length of service of the employee and business necessity. The maximum length of a personal leave is six months. An employee will not be eligible for a personal leave of absence for twelve (12) months from his/her return date from the most recent leave of absence (including FMLA, CFRA, ADA, FEHA, WC, PDL, Personal and any Military associated leaves of absence).

Requesting a Personal Leave

Requests for personal leaves of absence must be submitted to the employee's supervisor in writing by completing a Personal Leave Request form, specifying the reason and duration of the leave, at least three (3) months in advance. Short notice or emergency requests will be considered based on the specific circumstances of the request.

Under all circumstances, the Personal Leave Request form must be completed and signed by the employee and the supervisor, and then forwarded to the Campus Director for campus-level approval. The Campus Director will forward the request to the Human Resources Department who will coordinate approval of the leave with the Vice President of Administration. The employee will then be provided with a copy of the form and the original will be forwarded and maintained in the employee's personal leave file.

Considerations to be Made

The supervisor and Campus Director will consider the current level of department activity, the availability of replacements and/or coverage, along with the employee's job performance, attendance and the necessity of the request.

Reinstatement

Approval of the leave does not guarantee job reinstatement; however, the College will make an effort to reinstate the employee to the same or a comparable position if available. If no position is available, the employee's employment with *SJVC* will be terminated. Such individuals will be eligible for re-hire and are encouraged to apply for available positions.

Reinstatement after a leave is at the discretion of the College.

If the employee's position or a comparable position is available upon the expiration of the leave, and the employee does not return to work, the employee will be terminated as of the last day of the employee worked.

Upon reinstatement, the employee's length of service and/or full-time employment will be adjusted to reflect actual time of service minus the period of time for the leave of absence.

Extension

Extension of a personal leave may be requested. However, business necessity will determine whether or not the extension is approved. The extension may not lengthen the personal leave beyond six months.

Effects on Benefits

- Non-exempt and exempt employees must apply his/her accrued vacation time to the leave.
- Non-exempt employees' personal time will be applied and paid during the leave. Exempt employees' sick leave will remain intact [sick days may not be applied toward a Personal Leave].
- Vacation and personal time accruals will cease during the leave.
- The employee will not be eligible for holiday pay for any observed holidays that fall within a workweek that results in the employee being off the entire workweek.
- The adjustment to the employee's length of service and/or full-time employment date may affect vacation accrual when the employee becomes eligible for the next level of vacation accrual.

Health insurance must be maintained if the employee wishes to have immediate coverage upon return to work without having to meet a 90-day waiting period or waiting for the next open enrollment (whichever comes first). During the first three-month period of the leave the College will maintain the employee's health insurance only if the contribution (the employee's portion of the premium) is paid in full by the employee (for the duration of the leave) **prior to the employee going on leave**. Thereafter, the employee will be offered COBRA at the mandated 102% of premium. If an employee returns within six months, they will resume their insurance coverage the first of the month following his/her return to work. For information on how a personal leave will affect all other insurance coverage (dental, vision, life, etc.) please contact the Benefits and Human Resources Manager at the corporate office.

During an approved personal leave, an employee participating in the 401(k) Profit Sharing Plan will not continue to contribute, but the previously credited income will not be affected. Employees are required to work 500 consecutive hours in the fiscal year in order to participate in the 401(k) Plan. Employees are required to work 1,000 consecutive hours in the fiscal year to be eligible for Profit Sharing.

6. MILITARY LEAVE

An unpaid leave will be granted to reservists who need temporary leave from their job to serve in the military.

Re-employment: To qualify for re-employment rights following military service, employees must meet the following five eligibility criteria:

- Left a civilian job;
- Gave notice that they were leaving to perform military service;
- Participated in a cumulative period of service of less than five years;
- Released from service under honorable or general conditions; and
- Reported back to work or applied for re-employment within time constraints prescribed by law.

The only exception to the notice requirement is military necessity (e.g. a classified recall) that precludes an employee from giving notice.

There is a set five-year cumulative limit on the amount of military leave employees can perform and still retain re-employment rights with a given employer. There are exceptions that allow employees to participate in military service beyond five years yet still retain their re-employment rights. Among those exceptions are: service due to national emergencies or war; service that requires the person, at no fault of his/her own, to remain on active duty beyond five years; employee is hospitalized for or is convalescing from an illness or injury incurred in, or aggravated during military service (limit may extend up to an additional two years); drills (inactive duty training); annual training; involuntary active duty extensions (including training certified as necessary by their service); and recalls due to a war or national emergency.

Health Benefits: For leaves up to six months, health insurance must be maintained if the employee wishes to have immediate coverage upon return to work without waiting for the next open enrollment. During the first three-month period, the contribution (the

employee's portion) must be paid in advance. Thereafter, the employee will be offered COBRA at the mandated 102% of premium. Upon return from "active military duty" the employee's health insurance will resume effective on the employee's return date.

Vacation and Personal Time Accrual and Sick Leave: Vacation and personal time accrual will stop during the employee's military leave; however, appropriate increases to accrual rates will be made as if the employee was not on a military leave. The non-exempt and exempt employee's vacation time will not be applied to the leave unless the employee requests the College to do so in writing. The non-exempt employee's personal time will be applied and paid during the leave. An exempt employee's sick leave will remain intact [sick days may not be applied toward a Military Leave] and will be increased to five days on the employee's full-time anniversary date.

Seniority: The employee's length of service with *SJVC* will not be adjusted; meaning the employee's length of service will remain as though the employee had not been on a military leave.

FMLA: The College will count the period of time the employee is on military leave to qualify the employee for FMLA leave when returned to work.

7. FAMILY MILITARY LEAVE

The College will grant ten [10] days of unpaid leave for a "qualified" employee if the employee's military spouse is on a leave from deployment in a combat zone with the active duty, reserve military or National Guard during a period of military conflict.

A qualified employee is one who works an average of twenty [20] or more hours per week. The qualified employee must be the spouse of a "qualified" member of the military.

Under Family Code section 297.5, the term spouse includes registered domestic partners. Accordingly, the College will provide a qualified employee with leave under A.B. 392 if he or she is a registered domestic partner of a qualified member of the military.

Military Conflict and Qualified Service Member Defined

The statute defines period of "military conflict" as either a period of war declared by the United States Congress, or a period of deployment for which a member of a reserve component is ordered to active duty either by the Governor or the President of the United States.

A "qualified member" is defined as 1) a member of the Armed Forces of the United States (i.e. Army, Navy, Air Force, Marines, Coast Guard) who has been 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 2) a member of the Armed Forces Reserve Components or the National Guard who has been deployed during a period of military conflict.

Leave Request Requirements

In order to take a Family Military Leave, a qualified employee must provide the College with notice of his or her intention to take leave within two business days of receiving official

notice that the military spouse will be on leave from deployment. An employee must also submit written documentation to the College certifying that the military member will be on military leave from deployment during the time of the requested leave.

The non-exempt and exempt employee's vacation time will not be applied to the leave unless the employee requests the College to do so in writing. The non-exempt employee's personal time will be applied and paid during the leave. An exempt employee's sick leave will remain intact [sick days may not be applied to a Family Military Leave].

Family Military Leave Provided by Other States

Family Military Leave requirements vary among those states that have adopted the leave. These family military leave statutes range from fifteen [15] to fifty [50] or more employees, the length of unpaid leave ranges from ten [10] to thirty [30] days, with and without advance notice requirements, depending on the size of the workforce. California's Military Leave requirements are twenty-five [25] or more employees and ten [10] days with advance notice as mentioned above. The College will abide by each participating state's law regarding family military leave for those employees who reside outside of California.

8. DOMESTIC VIOLENCE LEAVE

Employees who are victims of domestic violence, including sexual assault and stalking, are eligible for unpaid leave. An employee may request leave if he/she is involved in a judicial action, such as obtaining restraining orders, or appearing in court to obtain relief to ensure his/her health, safety, or welfare, or that of his/her child.

The College requires the employee provide notice and certification of his/her need to take leave under this policy. Certification may be sufficiently provided by any of the following:

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

San Joaquin Valley College will, to the extent allowed by law, maintain confidentiality of an employee requesting leave under this provision. The College will provide, as necessary, reasonable accommodation(s) that may include, but are not limited to, the implementation of safety measures or procedures for a victim of domestic violence, sexual assault, or stalking.

The length of unpaid leave an employee may take is limited to 12-weeks provided by the federal Family Medical Leave Act of 1993 for eligible employees.

Use of Sick Leave

An employee may apply available sick time to absence under a Domestic Violence leave.

9. VICTIMS OF A CRIME LEAVE

An employee who is a victim or has a family member who is a victim of a violent felony or serious felony may take time off from work under the following circumstances:

- The crime must be a violent or serious felony, as defined by law; and
- The employee must be a victim of a crime, or an immediate family member, registered domestic partner, or child of registered domestic partner is a victim.

An immediate family member is defined as: a spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, stepfather or guardian. A registered domestic partner means a domestic partner who is registered in accordance with California state law.

The absence from work must be in order to attend judicial proceedings related to a crime listed above. Examples of court proceedings in which the victim's rights may be at issue include:

Delinquency proceedings, proceedings involving a post-arrest or post-conviction release decision, pleas, and sentencing.

Before an employee may take time off for such reason, the employee must provide documentation of the scheduled proceeding. Such notice is typically given to the victim of the crime by a court or government agency setting the hearing, a district attorney or prosecuting attorney's office or a victim/witness office.

If advance notice is not possible, the employee must provide appropriate documentation within a reasonable time after the absence.

The employee is required to use any accrued vacation and/or personal time toward the absence to attend a judicial proceeding. If no vacation and/or personal time is available, the time is unpaid.

10. FAMILY SCHOOL PARTNERSHIP ACT LEAVE

Employees are encouraged to participate in the school activities of their child(ren). The absence is subject to all of the following conditions:

- Parents, guardians, or grandparents having custody of one or more children in kindergarten or grades one to twelve may take time off for a school activity, to find, enroll or re-enroll child(ren) in a school or with a licensed child care provider, or to address a child care provider or school emergency;
- The time off for school activity participation cannot exceed eight hours in any calendar month, or a total of forty hours each school year;

- Employees planning to take time off for school visitations must provide as much advance notice as possible to their supervisor;
- If both parents are employed by *San Joaquin Valley College*, the first employee to request such leave will receive time off. The other parent will receive the time off only if the leave is approved by his or her supervisor;
- Employees are required to apply any accrued vacation and/or personal time to the absence. If no vacation or personal time is available, the time is unpaid; and
- Employees must provide their supervisor with documentation from the child's school verifying that the employee attended a school activity on the day of the absence for that purpose.

Child Suspension from School

If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should notify his or her supervisor as soon as possible before leaving work. In agreement with California Labor Code Section 230.7, no discriminatory action will be taken against an employee who takes time off for this purpose.

Use of Sick Leave

An employee may apply up to one-half of available sick time to absence under a Family School Partnership Act (FSPA) leave.

11. VOLUNTEER CIVIL SERVICE LEAVE

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, reserve peace officer, or emergency rescue personnel. These individuals are also eligible for unpaid leave, up to 14 calendar days per year, for required training. Employees who are official volunteers are required to notify their supervisor that they may need to take time off for emergency duty. When called to emergency duty, the employee is to notify his/her supervisor before leaving if possible, or as soon as possible.

12. BONE MARROW AND ORGAN DONOR LEAVE

The law requires private employers with fifteen [15] or more employees to permit employees who have exhausted all available sick leave be permitted to take a leave of absence with pay for the purpose of bone marrow and organ donation.

Employees who are donors for bone marrow or organ may take paid time off as follows:

Employees may take up to five [5] workdays of leave in any one-year period for the purpose of donating bone marrow to another person.

Employees may take up to thirty [30] workdays of leave in any one-year period for the purpose of donating an organ to another person.

The one-year period is measured from the date the employee's leave begins and consists of twelve (12) consecutive months.

San Joaquin Valley College, requires that employees taking leave for bone marrow donation use five [5] days of accrued, but unused sick or personal and/or vacation. *San Joaquin Valley College*, requires that employees taking leave for organ donation use two weeks of accrued but unused sick and/or personal and/or vacation. Once a Donor has exhausted the required paid sick or personal and/or vacation time, the employee will be paid for the remaining leave of absence, if additional leave is needed, up to the maximum allowed by law (as indicated above).

Employees who wish to take a leave of absence to donate bone marrow or an organ will be required to provide written verification of the need for leave, including confirmation that the employee is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow.

Leave taken for the purpose of bone marrow or organ donation is not leave for the purpose of family medical leave under state law, The California Family Rights Act [CFRA]. However, if the employee is eligible for family medical leave under federal law, Family and Medical Leave Act [FMLA] and works at an SJVC location with fifty [50] or more employees within a seventy-five [75] mile radius, leave will run concurrently with FMLA.

During the leave for bone marrow or organ donors, *San Joaquin Valley College*, will continue to provide and pay for any group health plan benefits the employee was enrolled in prior to the leave of absence.

This leave is not a break in service for the purpose of salary adjustments or sick or personal, and/or vacation accrual, or seniority.

Employee returning from donor leave will be reinstated to the position held before the leave began, or a position with equivalent seniority status, benefits, pay and other terms and conditions of employment.

36. VOLUNTARY RESIGNATIONS

The following conditions will be considered a voluntary resignation for the purposes of all the **above leave policies**:

1. Failure to advise the College of availability to work;
2. Application for unemployment benefits;
3. Obtaining another position;
4. Engaging in another business;
5. Failure to return to work when notified;
6. Continued absence from work beyond the time approved by the College; or
7. Employee's treating physician has designated an indefinite leave

CONCLUSION

It is the intention of the College to clearly communicate policies and procedures. If you have questions regarding these policies and procedures, please do not hesitate to discuss them with your supervisor, the Campus Director, or contact the Human Resources Department.

The College holds the best interest of both its employees and business necessity to ensure that policies and procedures are written in a manner that is fair, and abides by state and federal laws.

Again, we would like to welcome you to the SJVC team, and we hope that your employment with the College is a growing experience that will mutually benefit you and the College.

Welcome aboard!

