



EMPLOYEE HANDBOOK

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General Information

Welcome

If you are new to ASI, welcome! If you are a current employee, thank you for your contributions! One of the keys to our success is hiring and retaining talented employees. We hired you because we believe you have the skills and the potential to help ASI succeed. We expect employees to perform their assigned tasks to the best of their abilities.

We are glad to have you as a member of our team and hope that your employment is mutually rewarding. Every employee plays an important role in our organization, and we value the abilities, experience, and background you bring.

If you ever need assistance or guidance, please do not hesitate to ask your supervisor or ASI Human Resources.

About This Handbook

This handbook provides information about the employment policies and practices of Associated Students, Incorporated of California Polytechnic State University at San Luis Obispo ("ASI"). These policies reflect ASI's mission and values, and we expect each employee to read this handbook carefully, as it serves as a valuable reference for understanding their role and employment with ASI.

This Employee Handbook supersedes all previously issued employee handbooks, and any inconsistent verbal or written policy statements made or issued before this Employee Handbook. Except for the policy of at-will employment or as contained in any currently valid written agreements between employees and ASI, ASI reserves the right to revise, delete, and add to the provisions of this Employee Handbook. All such revisions, deletions, or additions must be in writing and signed by the ASI Executive Director or their authorized representative. No oral statements or representations can change the provisions of this Employee Handbook.

This Employee Handbook is not a contract and does not constitute an express or implied contract guaranteeing continued employment for any employee. No manager has any authority to enter into a contract of employment, express or implied, that changes or alters the at-will employment relationship. Only the ASI Executive Director or their authorized representative has the authority to enter into an employment agreement that alters the at-will employment relationship, and any such agreement must be in writing and signed by the ASI Executive Director or their authorized representative.

Not all of ASI's policies and procedures are set forth in this Employee Handbook. We have summarized only some of the more important ones. If an employee has any questions or concerns about this Employee Handbook or any other policy or procedure, they should ask their supervisor, ASI Human Resources, or another member of management.

Nothing in this Employee Handbook or in any other document or policy is intended to violate any local, state, or federal law. Nothing in this Employee Handbook or in any other document or policy is intended to limit any concerted activities related to their wages, hours or working conditions, including the right to:

communicate with others concerning wages, hours, benefits, and other terms or conditions of employment; self-organize, form, join or assist labor organizations; bargain collectively through representatives of the employees' choosing; engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection; refrain from engaging in such activities; or engage in any other conduct protected by Section 7 of the National Labor Relations Act. Furthermore, nothing in this Handbook prohibits an employee from reporting concerns to, filing a charge or complaint with, making lawful disclosures to, providing documents or other information to, or participating in an investigation or hearing conducted by the Equal Employment Opportunity Commission, National Labor Relations Board, Securities and Exchange Commission, or any other federal, state, or local agency charged with the enforcement of any laws.

Employment and Hiring Practices

Employment “At Will”

Employment with ASI is “at will”. This means that employment may be terminated for any or no reason, with or without cause or notice at any time by the employee or by ASI. Nothing in this Employee Handbook or any oral statement will limit the right to terminate the at-will employment relationship. This at-will employment policy is the sole and entire agreement between the employee and ASI as to the duration of employment and the circumstances under which employment may be terminated. No manager or supervisor has any authority to enter into a contract of employment, express or implied, that changes or alters the at-will employment relationship. Only the ASI Executive Director or their authorized representative has the authority to enter into such an employment agreement that alters the at-will employment relationship, and any such agreement must be in writing and signed by the ASI Executive Director or their authorized representative.

Regular full-time and part-time employees hired before July 1, 1998, are not “at will” employees.

Equal Employment Opportunity

ASI is an equal opportunity employer. In accordance with applicable federal and state law, we prohibit discrimination and harassment against any applicant, employee, or individual providing services in the workplace pursuant to a contract based on their actual or perceived race (including traits historically associated with race, including but not limited to, hair texture and protective hairstyles), religious creed, color, national origin, ancestry, citizenship status, physical or mental disability, medical condition (genetic characteristics, cancer or a record or history of cancer), genetic information, marital status (including registered domestic partnership status), sex and gender (including pregnancy, childbirth, lactation, and related medical conditions), an individuals’ reproductive health decisions, gender identity and gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), age (40 and over), sexual orientation, Civil Air Patrol status, military and veteran status, a person’s use of cannabis off the job and away from the workplace, and any other consideration protected by federal, state, or local law (collectively referred to as “protected characteristics”).

For purposes of this policy, discrimination on the basis of “national origin” also includes discrimination against an individual because that person holds or presents the California driver’s license issued to those who cannot document their lawful presence in the United States, as well as discrimination based upon any of the following: an individual’s or individual’s ancestors’ actual or perceived physical, cultural, or linguistic characteristics associated with a national origin group; marriage to or association with individuals of a national origin group; tribal affiliation; membership in or association with an organization identified with or seeking to promote the interests of a national origin group; attendance or participation in schools, churches, temples, mosques, or other religious institutions generally used by persons of a national origin group; or a name that is associated with a national origin group. An employee’s or applicant for employment’s immigration status will not be considered for any employment purpose except as necessary to comply with federal, state, or local law.

ASI allows employees to self-identify their gender, name, and/or pronoun, including gender- neutral pronouns. ASI will use an employee’s gender or legal name as indicated on a government-issued

identification document, only as necessary to meet an obligation mandated by law. Otherwise, ASI will identify the employee in accordance with the employee's current gender identity and preferred name.

ASI recognizes that discrimination and harassment may occur not only based on individual protected characteristics but also based on the intersection or combination of two or more such characteristics. In accordance with California Senate Bill 1137, ASI strictly prohibits intersectional discrimination, that is, bias or unequal treatment arising from the combined effect of multiple protected traits (e.g., race and gender, disability and age).

At ASI, employment decisions are made without regard to protected characteristics, including race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age (40 or older), disability, or genetic information. Our commitment to these principles ensures that all employment practices, including hiring, promotion, and compensation, are based solely on merit and qualifications, in strict adherence to federal, state, and local laws.

ASI will not tolerate discrimination or harassment based upon these characteristics or any other characteristics protected by applicable federal, state, or local law. ASI also does not retaliate or otherwise discriminate against applicants or employees who request reasonable accommodation for reasons related to disability or religion. Our commitment to equal opportunity employment applies to all people involved in our operations and prohibits unlawful discrimination and harassment by any employee, including supervisors and co-workers.

Prohibited Harassment

ASI is committed to providing a work environment that is free of illicit harassment based on any protected characteristics. As a result, ASI maintains a strict policy prohibiting sexual harassment and harassment against employees, applicants for employment, individuals providing services in the workplace pursuant to a contract, and/or unpaid interns or volunteers, based on any legally-recognized basis, including, but not limited to, their actual or perceived race (including traits historically associated with race, including but not limited to, hair texture and protective hairstyles), religious creed, color, national origin, ancestry, citizenship status, physical or mental disability, medical condition (genetic characteristics, cancer or a record or history of cancer), genetic information, marital status (including registered domestic partnership status), sex and gender (including pregnancy, childbirth, lactation, and related medical conditions), an individual's reproductive health decisions, gender identity and gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), age (40 and over), sexual orientation, Civil Air Patrol status, military and veteran status, a person's use of cannabis off the job and away from the workplace, and any other consideration protected by federal, state, or local law.

For purposes of this policy, discrimination on the basis of "national origin" also includes harassment against an individual because that person holds or presents the California driver's license issued to those who cannot document their lawful presence in the United States and based on any of the following: an individual's or individual's ancestors' actual or perceived physical, cultural, or linguistic characteristics associated with a national origin group; marriage to or association with individuals of a national origin group; tribal affiliation; membership in or association with an organization identified with or seeking to promote the interests of a national origin group; attendance or participation in schools, churches, temples, mosques, or other religious institutions generally used by persons of a national origin group; or a name that is associated with a national origin group. All such harassment is prohibited.

This policy applies to all persons involved in our operations, including co-workers, supervisors, managers, temporary or seasonal workers, agents, clients, vendors, customers, or any other third party interacting with ASI (“third parties”) and prohibits proscribed harassing conduct by any employee or third party of ASI, including nonsupervisory employees and supervisors. If such harassment occurs on ASI’s premises or is directed toward an employee or third party interacting with ASI, the procedures in this policy should be followed.

Sexual Harassment Defined

Sexual harassment includes unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when:

- Submission to such conduct is made a term or condition of employment; or
- Submission to, or rejection of, such conduct is used as a basis for employment decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an employee’s work performance or creating an intimidating, hostile, or offensive work environment.
- Sexual harassment also includes various forms of offensive behavior based on sex and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list:
 - Unwanted sexual advances.
 - Offering employment benefits in exchange for sexual favors.
 - Making or threatening reprisals after a negative response to sexual advances.
 - Visual conduct: leering; making sexual gestures; displaying sexually suggestive objects or pictures, cartoons, posters, websites, emails, or text messages.
 - Verbal conduct: making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about an employee’s body or dress.
 - Verbal sexual advances or propositions.
 - Verbal abuse of a sexual nature; graphic verbal commentary about an individual’s body; sexually degrading words to describe an individual; suggestive or obscene letters, notes, or invitations.
 - Physical conduct: touching, assault, impeding or blocking movements.
 - Retaliation for reporting harassment or threatening to report sexual harassment.

An employee may be liable for harassment based on sex even if the alleged harassing conduct was not motivated by sexual desire. An employee who engages in unlawful harassment may be personally liable for harassment even if ASI had no knowledge of such conduct.

Other Types of Harassment

Harassment on the basis of any legally protected characteristic, as identified above, is prohibited. Prohibited harassment may include behavior similar to the illustrations above pertaining to sexual harassment. This includes conduct such as:

- Verbal conduct, including threats, epithets, derogatory comments, or slurs based on an individual’s protected classification.
- Visual conduct, including derogatory posters, photographs, cartoons, drawings, or gestures based on protected classification; and

- Physical conduct, including assault, unwanted touching, or blocking normal movement because of an individual's protected status.

Abusive Conduct Prevention

It is expected that ASI and persons in the workplace perform their jobs productively as assigned, and in a manner that meets all of managements' expectations, during working times, and that they refrain from any malicious, patently offensive, or abusive conduct including but not limited to, conduct that a reasonable person would find offensive based on any of the protected characteristics described above. Examples of abusive conduct include repeated infliction of verbal abuse, such as the use of malicious derogatory remarks, insults, and epithets; verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; or the intentional sabotage or undermining of a person's work performance.

Protection Against Retaliation

Retaliation is prohibited against any person by another employee or by ASI for using ASI's complaint procedure; reporting proscribed discrimination or harassment; or filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions, or otherwise denying any employment benefit.

Discrimination, Harassment, Retaliation, and Abusive Conduct Complaint

Procedure

Any employee who believes that they have been harassed, discriminated against, or subjected to retaliation or abusive conduct by a co-worker, supervisor, agent, client, vendor, customer, or any other third party interacting with ASI in violation of the foregoing policies, or who is aware of such behavior against others, should immediately provide a written or verbal report to their supervisor, any other member of management or ASI Human Resources. Employees are not required to make a complaint directly to their immediate supervisor. Supervisors and managers who receive complaints of misconduct must immediately report such complaints to ASI Human Resources who will attempt to resolve issues internally. When a report is received, ASI will conduct a fair, timely, thorough, and objective investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected. ASI expects all employees to fully cooperate with any investigation conducted by ASI into a complaint of proscribed harassment, discrimination, or retaliation, or regarding the alleged violation of any other ASI policies. ASI will maintain confidentiality surrounding the investigation to the extent possible and to the extent permitted under applicable federal and state law.

Upon completion of the investigation, ASI will communicate its conclusion as soon as practical. If ASI determines that this policy has been violated, remedial action will be taken, commensurate with the severity of the offense, up to and including termination of employment. Appropriate action will also be taken to deter any such conduct in the future.

The federal Equal Employment Opportunity Commission (EEOC) and the California Civil Rights Department (CRD) will accept and investigate charges of unlawful discrimination or harassment at no charge to the

complaining party. Information may be located by visiting the agency website at [United States Equal Employment Opportunity Commission](#)¹ or [California Civil Rights Department](#)²

Recruitment of Employees

ASI Human Resources, or designee, will coordinate job announcements and recruitment with area supervisors for positions. Typically, all positions will be posted for a minimum of two weeks.

Job applications will be screened based on the minimum qualifications criteria identified in the job description. Applicants that meet the minimum qualifications will be forwarded to the hiring committee.

Regular and Temporary Full-time and Part-time Benefited Positions

The ASI Executive Director or designee will appoint a hiring committee and a chair of the committee based on appropriate representation for the vacant position. The hiring committee shall typically consist of no less than three representatives, one of which will be an ASI staff member and one student.

ASI Human Resources will forward a recommendation to the ASI Executive Director who will determine which candidate to hire.

Intermittent and Student Positions

The hiring manager will appoint the individuals on the hiring committee. The committee shall typically consist of no less than the full-time hiring manager and a student representative of the department.

ASI Human Resources will forward a recommendation to the Area Director who will approve which candidate to hire.

Transfer of Employment from Another Auxiliary

The purpose of this policy is to serve as a guide for the transfer of regular and temporary full-time and part-time benefited employees from other local and CSU system-wide auxiliary organizations, including Foundations or Associated Students. This policy does not apply to student or intermittent employees.

Although the ASI Executive Director reserves the right to negotiate all employment packages in regard to vacation and sick leave, below are guidelines for transfer of employment.

When an employee from another auxiliary organization is hired by ASI, the employee's benefits are transferable and assumed by ASI as follows:

Vacation

The transferring employee will not be credited with their accrued vacation balance but will receive credit for the years of service with another auxiliary for the purpose of determining the appropriate rate of vacation accrual. For other purposes such as seniority, service credit will not be granted for time worked with the original auxiliary organization.

Sick Leave Balance

¹ U.S. Equal Employment Opportunity Commission - <https://www.eeoc.gov>

² California Civil Rights Department - <https://calcivilrights.ca.gov/shpt/>

The transferring employee will retain their sick leave balance upon transfer to ASI and will continue to earn sick leave at the regular ASI employee rate.

Regular or Permanent Status

Regular or permanent employee status, if it existed in the prior auxiliary organization, does not transfer with the employee. Transferring employees are at-will employees with respect to ASI as of their first date of employment with ASI.

CSU and Other Higher Education Employees

University employees hired by ASI are treated like any new hire. Prior university employment will not be taken into consideration in determining seniority or accrued rate of vacation, sick leave, and personal holiday credits.

If, however, the employee is transferring laterally from the CSU due to job elimination, the same policies will apply as to an auxiliary transfer.

Employee Referral Bonus

When a full-time or part-time benefited employee refers a candidate for an open full-time position, the referring employee may be eligible for a referral bonus. For a complete breakdown of the program's rules and qualifications, review the [Employee Referral Bonus Program](#)³ information on the [ASI SharePoint](#)⁴ page.

Disability Accommodation

To comply with applicable laws ensuring equal employment opportunities for individuals with disabilities, ASI 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 and/or a direct threat to the health and/or safety of the individual or others would result.

Any employee who requires accommodation in order to perform the essential functions of their job, enjoy an equal employment opportunity, and/or obtain equal job benefits should contact ASI Human Resources to request such an accommodation.

Employees who believe they need accommodation must specify, preferably in writing, what barriers or limitations prompted the request. ASI will evaluate information obtained from the employee, and possibly their health care provider or another appropriate health care provider, regarding any reported or apparent barriers or limitations, and will then work with the employee through an interactive process to identify possible accommodation, if any, that will help to eliminate or otherwise address the barrier(s) or limitation(s). If an identified accommodation is reasonable and will not impose an undue hardship on ASI and/or a direct threat to the health and/or safety of the individual or others, ASI will generally make the accommodation, or it may propose another reasonable accommodation which may also be effective. Employees are required to cooperate with this process by providing all necessary documentation supporting the need for accommodation and being willing to consider alternative accommodation when applicable. In some cases, the above-described interactive process may be triggered without a request from the employee,

³ Employee Referral Bonus Program - [Employee Referral Bonus Program](#)

⁴ ASI SharePoint - [Recruitment](#)

such as when ASI receives notice from its own observation or another source that a medical impairment may be impacting the employee's ability to perform essential job functions.

ASI will also consider requests for reasonable accommodation for medical conditions related to pregnancy, childbirth, and lactation were supported by medical documentation and/or as required by applicable federal, state, or local law.

Employees who wish to request unpaid time away from work because of a qualifying disability should speak to ASI Human Resources regarding the proposed accommodation.

ASI will not retaliate or otherwise discriminate against an employee or applicant who requests accommodation in accordance with this policy.

Religious Accommodation

ASI will provide reasonable accommodation for employees' religious beliefs, observances, and practices when a need for such accommodation is identified, and reasonable accommodation is possible. A reasonable accommodation is one that eliminates the conflict between an employee's religious beliefs, observances, or practices and the employee's job requirements, without causing undue hardship to the conduct of ASI's business.

ASI has developed an accommodation process to assist employees, management, and ASI Human Resources. Through this process, ASI establishes a system of open communication between employees and ASI to discuss conflicts between religion and work and to take action to provide reasonable accommodation for employees' needs. The intent of this process is to ensure a consistent approach when addressing religious accommodation requests. Any employee who perceives a conflict between job requirements and religious belief, observance, or practice should bring the conflict and their request for accommodation to the attention of ASI Human Resources to initiate the accommodation process. ASI asks that accommodation requests be made in writing, and in the case of schedule adjustments, as far in advance as possible.

ASI will not retaliate or otherwise discriminate against an employee or applicant who requests accommodation in accordance with this policy.

Accommodation for Adult Literacy Programs

ASI provides reasonable accommodation and assistance to an employee who reveals a literacy problem and requests assistance to enroll in an adult literacy education program unless doing so will result in an undue hardship to ASI's business operations. Examples of assistance include providing employees with the location of local literacy programs and arranging for job site visits by literacy education providers. Employees who wish to self-identify as an individual with a literacy problem and request an accommodation should contact ASI Human Resources. ASI will take reasonable steps to safeguard the privacy of any employee who self-identifies. In addition, employees who are performing satisfactorily will not be subject to termination of employment because they have disclosed literacy problems.

While ASI encourages employees to improve their literacy skills, ASI will not reimburse employees for the costs incurred in attending a literacy program. Time off to attend literacy programs may be provided as reasonable accommodation unless doing so will result in an undue hardship. However, if time off is provided, the time off may be unpaid. If time off is unpaid, employees wishing to take such leave may utilize their existing vacation time or other accrued paid time off.

Accommodation for Victims of Domestic Violence, Sexual Assault, or Stalking

ASI will make reasonable accommodations for any employee who reports that they are the victim of domestic violence, sexual assault, or stalking and requests that ASI accommodate their safety while at work, unless doing so would impose an undue hardship on ASI's operations or compromise legal obligations to maintain a safe and healthy workplace for all employees, as defined by applicable law.

This policy also applies to employees whose family member or designated person is a victim of a qualifying act of violence. Employees may designate one person per 12-month period, in accordance with state law.

For the purposes of this policy, a "victim" includes individuals subjected to domestic violence, sexual assault, stalking, or any qualifying act of violence as defined under California Labor Code section 230 and 230.1. This includes actual or threatened physical harm, use of a weapon, or significant emotional distress—even in the absence of an arrest or conviction.

Reasonable accommodations may include, but are not limited to, a transfer; reassignment; modified work schedule; change in work telephone number; change in workstation; installed lock; assistance in documenting domestic violence, sexual assault, or stalking that occurs at the workplace; safety procedures; or other adjustments to a job structure, workplace facility, or work requirement in response to a domestic violence, sexual assault, or stalking referral to a victim assistance program. ASI will engage in a timely, good faith and interactive process with the employee to identify effective reasonable accommodations.

Employees may also be entitled to a leave of absence under ASI's Crime Victim Leave policy, Leave to Attend Judicial Proceedings Related to Certain Felonies policy and/or Leave to Attend Court Proceedings for Serious Crimes policy. Employees should consult those policies and/or ASI Human Resources for additional information.

ASI may request that an employee provide a written statement signed by the employee (or an individual acting on behalf of the employee) certifying that the requested accommodation is for the employee's safety while at work. ASI may also require an employee to provide a certification, such as police report, court order, or documentation from a medical professional, that the employee is the victim of domestic violence, sexual assault, or stalking and may request recertification every six (6) months. Any of the following will be considered sufficient certification: a police report indicating the employee was a victim; a court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court; documentation from a licensed medical professional, domestic violence counselor, sexual assault counselor, victim advocate, licensed health care provider or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries resulting from the crime or abuse; or any other form of documentation that reasonably verifies that the crime or abuse occurred, including but not limited to, a written statement signed by the employee, or an individual acting on the employee's behalf, certifying that the absence is for an authorized purpose.

Employees must notify ASI if their needs change or if they no longer need accommodation. ASI will keep all information submitted in connection with an employee's request for accommodation confidential to the extent permissible by law. If the law requires disclosure of information, ASI will notify the employee before any information is released.

ASI will not discriminate or retaliate against any employee because the individual's status as a victim crime or abuse, if the employee provides ASI notice of such status, ASI has actual knowledge of such status, or the employee requests a reasonable accommodation in accordance with this policy.

ASI will provide all employees with a written notice of their rights under this policy and applicable law at the time of hire, annually, upon request, and whenever an employee discloses that they or a covered person may be a victim of a qualifying act of violence.

Employees who have questions about this policy or who wish to request reasonable accommodation under this policy should contact ASI Human Resources.

Accommodation for Drug or Alcohol Treatment or Rehabilitation

ASI will attempt to reasonably accommodate employees with chemical dependencies (drugs or alcohol), if they voluntarily wish to seek treatment and/or rehabilitation, unless the accommodation imposes an undue hardship on ASI's business operations. ASI's support for treatment and rehabilitation does not obligate ASI to hire or employ any person who violates ASI's drug and alcohol abuse policy or who, because of current use of drugs or alcohol, is unable to perform their duties or cannot perform the duties in a manner that would not endanger their health or safety or the health or safety of others.

ASI will keep all information submitted in connection with an employee's enrollment in a drug or alcohol rehabilitation program confidential to the extent permissible by law. Time off for these purposes is unpaid. However, employees wishing to take such leave may utilize their sick leave or accrued paid time off, if applicable.

Employees who have questions about this policy or who wish to request reasonable accommodation under this policy should contact ASI Human Resources.

General Employment Practices

Employee Classifications

Employees of ASI are classified as either exempt or non-exempt under federal and state wage and hour laws and are further classified for administrative purposes. The following designations are used throughout this employee handbook.

Exempt and Non-Exempt

Exempt Employees

Exempt employees are employees who have been classified by ASI as exempt from minimum wage and overtime pay requirements. Exempt employees are compensated on a salary basis, and their salary is compensation for all hours worked each week, rather than for a fixed number of hours per week.

Non-Exempt Employees

Non-exempt employees are employees who have been classified by ASI as non-exempt and who are not exempt from minimum wage and overtime pay requirements. Non-exempt employees are eligible to receive overtime pay for hours worked in excess of eight hours in any workday, 40 hours in a workweek, and seven days in a row in the same workweek. Employees will be informed whether their status is exempt or non-exempt and should consult their supervisor or ASI Human Resources with any questions or concerns regarding this status.

Regular

Full-Time

Full-time employees are those who are normally scheduled to work and who do work a schedule of forty (40) hours per week. Regular full-time employees are members of CalPERS and eligible for full benefits and are provided with benefits as required by applicable law.

Part-Time

Part time employees are those who are normally scheduled to work and do work fewer than forty (40) hours per week. Regular part-time employees who work at least one thousand (1,000) hours per fiscal year and are members of CalPERS are generally eligible for a pro-rated level of benefits and are provided with benefits as required by applicable law.

Temporary

A temporary employee is an employee who is hired for a limited period of time, and may be full-time or part-time. Temporary employees who work at least one thousand (1,000) hours per fiscal year and who become members of CalPERS may be generally eligible for full benefits. Temporary employees are eligible for holiday pay on a pro-rated basis and may be eligible for other benefits as required by applicable law.

Student

A student employee is an employee who is hired to fill a student-designated position, and the following policies apply:

Eligibility and Hours of Work

Only currently enrolled Cal Poly students are eligible for student employment with ASI. Active ASI Student Government members are not eligible for ASI student employee positions. Continuing students must have been enrolled in the preceding or following term in order to be employed during summer. Students may work no more than one term immediately following graduation. Students who have temporarily interrupted their academic progress may be employed for an interim period not to exceed one term.

Unit Load Requirements

Students must be enrolled in at least 6 units per term (undergraduates) or 4 units per term (graduate students) to remain eligible for student employment. Exceptions apply during quarter breaks, the summer term, and the grace period term. It is the responsibility of the student employee to promptly notify their supervisor if they fall below the required enrollment minimum at Cal Poly.

Maximum Hours of Employment

Student employees should work no more than twenty (20) hours per week during any week in which regular classes are scheduled. Student employees who are employed by more than one ASI department (e.g., Children's Center and Recreational Sports) must adjust their schedule so that the total workweek does not exceed twenty (20) hours.

In emergency or unusual situations that require the unique or specialized skills of a student employee, it is permissible for the student employee to work up to thirty (30) hours per week during the academic year if the supervisor first obtains approval from the appropriate Director and notifies ASI Human Resources in writing. During breaks when no classes or examinations are scheduled, or during a term in which the student is not enrolled in classes but has been approved to work, a student employee may work a maximum of eight (8) hours per day.

Intermittent

Intermittent employees are hired on a short-term or intermittent basis. These jobs may be the result of special projects, excessive workloads, or emergencies and are not to exceed one thousand (1,000) hours during the fiscal year.

Intermittent employees are paid by the hour and do not receive employee benefits, except for those required under applicable law. Intermittent employees who work over one thousand (1,000) hours during a fiscal year will have their employee status changed to "temporary employee."

Reassignment

Employees hired prior to July 1, 1998, may be placed on probationary status for a specified period if reassigned or promoted to a different position with ASI. If an employee performs unsatisfactorily in the new position, they may be reinstated to their former position or a similar position. "Similar" will be defined as comparable classification level, if available. Comparable classification level will not be an option in some instances, such as when the transfer is due to a reduction in work force, demotion, reorganization, or other circumstance where a return to the former or similar position is deemed inappropriate.

Employment of Relatives and Fraternalization

In order to avoid potential conflicts of interest, favoritism, harassment or breaches of professional standards, supervisors are prohibited from being a relative of or in romantic relationship with another

employee who is a subordinate of the supervisor or over whom the supervisor may have any influence concerning the employee's pay, benefits, job duties, performance evaluation, promotion, transfer, hiring, discipline, assignments, or other terms and conditions of employment ("prohibited situation"). In addition, ASI will not hire or place an individual who is a relative of or in a romantic relationship with another employee when a prohibited situation(s) arises.

If such a relationship occurs or exists, or if an individual is applying for a position that would create a prohibited situation, both the involved supervisor and the involved employee/applicant must report the relationship to ASI Human Resources immediately. Additionally, both individuals are required to take steps to resolve any actual or potential conflict of interest or impropriety created by the relationship.

Appropriate steps will be taken consistent with this policy in the sole discretion of ASI. This may include, but is not limited to, adjusting or the removal of any reporting relationship between the supervisor and the Employee, or termination of employment. ASI reserves the right to take whatever action is necessary to resolve the matter.

Employees who violate this policy, including the reporting requirement, will be subject to disciplinary action up to and including termination of employment.

In other cases where a conflict or the potential for conflict arises, job performance is impacted, or other business interests are implicated because of a relative or romantic relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. ASI reserves the right to take whatever action is necessary to resolve the matter.

For purposes of this policy, the term "relative" includes individuals related by blood or marriage or whose relationship with the Employee is similar to that of persons who are related by blood or marriage (e.g., domestic partnership or civil union status). For purposes of this policy, the term romantic relationship includes, but is not limited to, casual or serious dating, casual sexual involvement, cohabitation and any other conduct or behavior normally associated with romantic, dating or sexual relationships. Present Employees who marry will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another or in job positions that present a conflict of interest or danger of conflict of interest.

Background Checks and Criminal Records Check

ASI recognizes the importance of maintaining a safe and productive workplace with honest, trustworthy, qualified, reliable, and non-violent employees who do not present a risk of serious harm to their co-workers or others.

To promote these interests, ASI reserves the right to investigate an individual's prior employment history, personal references, and educational background, as well as other relevant information. Consistent with legal or contractual requirements, as well as the CSU Background Check Policy ASI also reserves the right to obtain and to review an applicant's or an employee's criminal conviction record, and related information, and to use such information when making employment decisions, but only to the extent permissible under applicable law.

A pending criminal matter may be considered in appropriate circumstances for business-related reasons, consistent with applicable law. All background checks will be conducted in strict conformity with the federal

Fair Credit Reporting Act (FCRA), applicable state fair credit reporting laws, and state and federal anti-discrimination and privacy laws. ASI is an equal opportunity employer and will comply with applicable federal, state and local laws relating to the use of background checks for employment purposes.

Standards of Conduct

ASI expects employees to follow basic, common-sense rules of conduct that will protect everyone's safety and security, as well as ASI's legitimate business interests. It is not possible to list all forms of prohibited behavior, but below are examples of unacceptable behavior that may lead to disciplinary action up to and including termination of employment, in the discretion of ASI. The following list is not all-inclusive:

- Falsification of employment records, employment information, or work-related information of ASI.
- Recording the work time of another employee, allowing any employee to record another employee's work time, or allowing falsification of any timecard, whether it's that employee's or another employee's timecard.
- Theft or the deliberate or careless damage of ASI's property or any employee, visitor or other third-party involved in ASI's business operations.
- Use or removal of materials, supplies, tools, or products of ASI, a visitor or third-party involved in ASI's business operations without advanced permission from management.
- Provoking a physical fight or engaging in physical fighting in the work environment, during working hours, at a work event, or on premises owned or occupied by ASI.
- Carrying firearms, weapons, or dangerous substances at any time, on premises owned or occupied by ASI, unless otherwise permitted by applicable law.
- Using abusive, violent, threatening, or vulgar language at any time in the work environment, during working hours or while on premises owned or occupied by ASI.
- Absence of three (3) consecutive scheduled workdays without prior notice to ASI.
- Making knowingly false statements concerning ASI or any employee or third-party involved in ASI's business operations.
- Failing to obtain permission from the employee's supervisor to leave work or be offline during scheduled working hours.
- Violating the Attendance Policy.
- Failing to observe working schedules, including meal and rest breaks.
- Abusing or misusing paid sick leave (for employees subject to mandatory sick leave laws, please refer to the provisions of the applicable policy or posting concerning sick leave).
- Working overtime without authorization or refusing to work assigned hours.
- Violating policies, rules, or procedures of ASI.
- Failure to demonstrate immediate and consistent improvement in poor work performance.
- Refusal to perform assigned duties as requested by a supervisor unless unsafe or contrary to ASI policies or procedures. Use, consumption or possession of intoxicating beverages or illegal drugs on ASI premises, during working hours, or a work event, or otherwise violating ASI's Drug and Alcohol-Free Workplace Policy.
- Discrimination or harassment in violation of our EEO or Sexual and Other Prohibited Harassment Policy against any employee, client, contractor, visitor, or other individual involved in the operations of ASI based upon race, religion, age, sex, national origin, disability or any other protected characteristic under applicable law.

Please note this list is not all-inclusive and ASI may take disciplinary action to address other types of conduct or performance issues or rule violation in its sole discretion.

ASI reserves the right to determine which type of disciplinary action to issue in response to any type of performance issue an employee.

This statement of prohibited conduct does not alter or limit the policy of at-will employment. Either the employee or ASI may terminate the employment relationship at any time for any reason, with or without cause, and with or without notice. As previously set forth in this Employee Handbook, only the ASI Executive Director or their authorized representative has the authority to enter into an employment agreement that alters the at-will employment relationship, and any such agreement must be in writing and signed by the ASI Executive Director or their authorized representative.

Other Conduct of Concern Policy

At ASI, we are committed to fostering a safe, respectful, and professional work environment that reflects our values and mission. In addition to conduct specifically addressed in other ASI policies, employees are expected to refrain from behavior that may disrupt ASI operations, compromise workplace harmony, or negatively impact the ASI community.

Definition and Scope

Other Conduct of Concern includes, but is not limited to, behavior that:

- Undermines a respectful and inclusive workplace culture.
- Creates unnecessary disruptions to ASI programs, services, or operations.
- Reflects negatively on ASI's reputation in the university community.
- Is inconsistent with ASI's mission, values, or professional expectations.
- Violates ethical standards, even if not explicitly prohibited by law or other ASI policies.
- Demonstrates poor judgment that may put ASI, its employees, or stakeholders at risk.
- Harms or threatens to harm ASI's financial, operational, or strategic interests.

Expectations and Accountability

ASI expects all employees to act with integrity, professionalism, and respect at all times. Employees who engage in conduct of concern may be subject to corrective action, up to and including termination of employment, depending on the nature and severity of the behavior.

Managers and supervisors are responsible for addressing conduct of concern and may initiate appropriate interventions, including but not limited to coaching, training, performance improvement plans, or disciplinary action. Employees who observe conduct of concern are encouraged to report it to their supervisor, ASI Human Resources, or another designated reporting channel.

Reporting and Resolution

ASI is committed to addressing conduct of concern in a fair and consistent manner. Reports will be reviewed and investigated as appropriate, ensuring due process and confidentiality to the extent possible. Retaliation against individuals who report concerns in good faith is strictly prohibited and will result in disciplinary action.

By upholding these standards, ASI reinforces its commitment to maintaining a positive and productive work environment for all employees.

Reporting and Anti-Retaliation

ASI Encourages a Speak Up Culture

Choosing to speak up about work-related concerns helps to build a healthy, ethical, and compliant company and is part of ASI culture. To promote that culture, ASI encourages employees to speak up and raise questions and concerns promptly about any situation that may violate ASI policies or procedures; the laws, rules, and regulations that govern our business operations; and best practices in accounting, auditing and financial reporting matters (collectively these are referred to in this policy as our “Code”). For purposes of this policy, and because ASI’s Standards capture standards of ethics and compliance at a broad level, references to our “Standards” should also be read to encompass all of ASI’s obligations to perform our jobs in a manner that is consistent with ASI’s policies and procedures, as well as applicable laws. Our people are our most valuable asset. It benefits all of us if we raise our concerns so ASI may consider them carefully and address them properly.

ASI is deeply committed to promoting a culture of ethical business conduct and compliance with:

- Our policies and procedures.
- The laws, rules, and regulations that govern our business operations.
- Best practices in accounting, auditing and financial reporting matters.

We expect all of our employees, officers, directors, and agents to follow this commitment in all aspects of their work.

Raise Good Faith Questions and Concerns About Conduct that May Violate Our Standards

Consistent with our commitment to ethics, compliance, and the law, we welcome an employee’s good faith questions and concerns about any conduct they believe may violate our Standards. ASI promotes an environment that fosters good faith communications when performing job duties and responsibilities for ASI. This includes conduct by employees, supervisors, and third parties involved in ASI’s business operations, including for example, contractors, suppliers, consultants, or clients.

ASI Does Not Tolerate Retaliation

Coming forward with questions or concerns may sometimes feel like a difficult decision, but ASI is committed to fostering an environment that does not deter individuals from speaking up when they observe conduct that may violate our standards. For that reason, ASI will not tolerate retaliation of any kind because an employee in good faith raises a question or concern about a violation or suspected violation of our Standards or because the employee participates in or cooperates with an investigation of such concerns.

Retaliation is any conduct that would reasonably dissuade an employee from raising, reporting, or communicating about good faith concerns through ASI’s internal reporting channels or with any governmental authority or from participating in or cooperating with an investigation or legal proceeding raising such concerns.

Retaliation may occur through conduct or written communication and may take many forms, including actual or implied threats, verbal or nonverbal behaviors, changes to the terms or conditions of employment, coercion, bullying, intimidation, or deliberate exclusionary behaviors.

It is ASI's policy to adhere to all applicable laws protecting ASI employees against unlawful retaliation or discrimination as a result of their raising good faith questions or concerns. If an employee becomes aware of an instance or threat of retaliation, it should be reported immediately.⁵

How to Raise Questions and Concerns

An employee can submit their good faith questions or concerns about conduct they believe may violate ASI Standards to:

- Their supervisor or manager
- Any ASI leader
- ASI Human Resources

When an employee raises a concern, ASI will maintain confidentiality to the fullest extent possible, consistent with applicable legal requirements and the need to conduct an adequate investigation or review.

When raising concerns, ASI asks that the employee provide as much detailed information as possible, including the background and history of the concern, names, dates, and places where possible, and the reasons why the situation is cause for concern. This is especially important for concerns raised anonymously, so that ASI may conduct an appropriate review and if necessary, begin an investigation.

What ASI Will Do

ASI is committed to reviewing all reported concerns, conducting proper, fair, and thorough investigations tailored to the circumstances, and taking appropriate remedial and concluding steps as warranted. All action taken by ASI in response to a concern will depend on the nature and severity of the concern. This may include initial inquiries and fact-gathering to decide whether an investigation is appropriate and, if so, the form and scope of the investigation. Note that an investigation into concerns raised is not an indication that they have either been confirmed or rejected. ASI complies with the law in conducting investigations and expects that employees will cooperate with an investigation, except when voluntary compliance with an investigation is being requested. Employees are expected to provide truthful information when participating in an investigation.

Remember, all good faith concerns and reports raised under this policy will be taken seriously.

Adherence to This Policy

Employees who believe that they have been subjected to any conduct that violates this policy may register a complaint using the procedures outlined above. Any employee who unlawfully discriminates against or retaliates against another employee as a result of their protected actions as described in this policy may be subject to corrective action, up to and including termination.

ASI does not prohibit anyone from electing to report concerns to make lawful disclosures to, provide documents or other information to or communicate with the Equal Employment Opportunity Commission, National Labor Relations Board, Securities and Exchange Commission or any other federal, state or local agency about conduct believed to violate laws or regulations. ASI also does not prohibit employees from participating in investigations or proceedings conducted by one of these authorities.

⁵ Nothing in this policy prevents ASI from taking appropriate disciplinary or other legitimate employment action consistent with its usual disciplinary practices and the law. In addition, this policy prohibits and does not protect employees who knowingly and intentionally raise false concerns or reports.

Salary and Wage Administration

Payday

ASI employees are paid every other Friday. Paychecks are distributed through the ASI Business Office or other designated area. Employees interested in having their paychecks automatically deposited should make such arrangements through ASI Human Resources. If a designated holiday falls on Friday, paychecks will be distributed according to the published annual payroll schedule. Employees who enjoy the benefit of electronic direct deposit will receive a statement containing Direct Deposit Advice on each payday.

Change of Address or Personal Information

Any change in name, address, or phone number must be promptly reported to ASI Human Resources designee.

Salary Increases

All regular and temporary full-time and part-time benefited employees may be eligible for an annual merit and/or cost-of-living adjustment (COLA) pay increase.

Merit increases are based on performance evaluation outcomes, goal attainment, overall performance, and the corporate budget. COLA is based on economic factors and the corporate budget and is applied consistently for all eligible employees irrespective of performance factors.

Increases for staff, excluding the ASI Executive Director, are granted completely within the discretion of ASI management with the overall organizational funding allocation approved by the Business and Finance Committee and the Board of Directors.

All regular and temporary full-time and part-time benefited employees who have been employed by ASI for less than one year may be eligible for a **pro-rated** merit pay increase and/or COLA.

Student and Intermittent employees are not eligible for merit/COLA pay increases.

Equity Policy

To ensure appropriate classification and equity for all positions within ASI, each position shall be reviewed every two years. The purpose of the Equity Policy is to set a guideline for the review to be used consistently for all employees. Each position will be reviewed to ensure comparable wages, title appropriateness, and classification appropriateness.

When reviewing equity comparability for a position, the following guidelines shall be used:

- CSU comparability
- Other auxiliary and professional organizations
- Local market when applicable
- Internal ASI compensation structure

To maintain objectivity, classification reviews shall generally be performed by an outside consultant.

Although a classification review will be conducted every two years, there may be occasions when a particular position needs to be evaluated out of sequence. This may be a result of an increase or decrease in scope and responsibility. An employee, a supervisor, or the Executive Director may initiate a classification assessment. A written request for a classification review should be submitted to the Executive Director or ASI Human Resources. This request should specify changes in the job responsibilities of the classification and explain why a reclassification would be justified.

Equity reviews shall be addressed independently from performance-based increases (merit pay) and cost-of-living adjustments (COLA).

Discussion of Wages

No employee is prohibited from disclosing the amount of their wages. ASI will not terminate, demote, suspend, or otherwise discriminate or retaliate against an employee who makes such a disclosure or because an employee exercises their rights, or aids or encourages other employees in exercising their rights, under California's Equal Pay Law.

This policy does not require the disclosure of wages.

Employee Time Records

ASI uses an electronic timekeeping system to assist in keeping an accurate record of an employee's time

Non-exempt Employees

Employees who are classified as non-exempt must accurately record the time they work each day, including the time they begin work, the time they end work, and the time they start and return from meal periods into the timekeeping system.

Additionally, all time off requests should be entered into the timekeeping system in order to be submitted to payroll. Non-exempt employees must approve their timecard on a bi-weekly basis.

When employees receive their paychecks, they should verify immediately that their working time was recorded accurately and that they were paid correctly for all hours worked.

Non-exempt employees must report all time worked and must not work any time that is not authorized by their supervisors. This means non-exempt employees must not start work early, finish work late, work during a meal or rest break or perform any other extra or overtime work unless directed to do so. Employees who have questions about when or how many hours they are expected to work should contact their supervisor.

It is a violation of ASI's policy for anyone to instruct or encourage another employee to work "off the clock," to incorrectly report hours worked or to alter another employee's time records. If any employee is directed or encouraged to incorrectly report hours worked or to alter another employee's time records, they should report the incident immediately to ASI Human Resources.

Exempt Employees

Employees who are classified as exempt must record absences from work for reasons such as leaves of absence, sick leave or vacation into the timekeeping system in order to be submitted to payroll.

Exempt employees are paid on a salary basis. This means the employee regularly receives a predetermined amount of compensation each pay period, which cannot be reduced because of variations in the quality or quantity of the employee's work. In general, an exempt employee will receive their salary for any week in which the employee performs any work, regardless of the number of days or hours worked. However, an exempt employee will not be paid for days not worked in the following circumstances:

- When an exempt employee takes one or more full days off for personal reasons other than sickness or disability, the employee will not be paid for such day(s) of absence, but the employee may use available vacation to make up for the reduction in salary.
- When an exempt employee takes one or more full days off from work due to sickness or disability, the employee will not be paid for such day(s) of absence, but the employee may use available sick time to make up for the reduction in salary.
- When an exempt employee works only part of the week during their first and last week with ASI, the employee will be paid only for the days actually worked.
- When an exempt employee takes unpaid leave under the Family and Medical Leave Act or corresponding laws, ASI will not pay for such days/hours of absence.
- When an exempt employee receives an unpaid disciplinary suspension of one or more full days, imposed in good faith for a work-related conduct rule infraction, ASI will not pay for such days of suspension.

An exempt employee's salary will not be reduced when the employee works part of a week and misses part of a week due to service as a juror, as a witness or in the military or for lack of work, though deductions may be made to offset amounts an employee receives as jury or witness fees, or for military pay.

It is company policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA) and applicable state law. ASI prohibits any deductions from pay that violates the FLSA or applicable state law.

If an exempt employee believes that an improper deduction has been made to their salary, the employee should immediately report this information to ASI Human Resources. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

Work Schedules

Each employee's supervisor will advise the employee regarding their specific working hours or shift. All employees are expected to be at their desk or designated work area at the start of their scheduled shift, ready to perform their work.

Employees are required to take meal and rest periods when required by applicable law. ASI complies with federal and California law in this regard. Employees should review ASI's Meal and Rest Break policy for further information. If an employee believes they are not permitted to take meal or rest periods required by applicable law, the employee should immediately contact ASI Human Resources.

Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in total hours that may be scheduled each day and week.

Rest and Meal Periods

ASI complies with federal and state legal requirements concerning meal and rest periods. ASI recognizes that employees perform at their best when they have the rest and nourishment they need. This policy explains when ASI expects employees to take meal and rest periods.

Meal Periods

ASI provides at least a 30-minute meal period to employees who work more than five hours in a work period and a second 30-minute meal period to employees who work more than 10 hours in a work period, unless they have elected to waive a meal period in accordance with ASI's policy and state law. Under certain circumstances, employees can voluntarily elect to waive a meal period. Meal Period Waiver Forms

When an employee works for a work period of more than five hours, ASI will provide a 30-minute meal period to start within the first five hours of work (e.g., if the employee begins work at 8 a.m., the meal period will be provided to start no later than 1 p.m.). When an employee works for a work period of more than 10 hours, ASI will provide a second 30-minute meal period to start within the first ten hours of work (e.g., if the employee begins work at 8 a.m. and takes the first unpaid meal period of exactly 30 minutes, the second meal period will be provided and must start no later than 6:30 p.m.).

Employees are relieved of all their duties during meal periods and are allowed to leave the premises.

ASI provides meal periods as follows:

Number of Hours Worked in a Work Period	Number of Meal Periods Provided	Comments
0 to < 5.0	0	An employee who does not work more than five hours in a work period is not provided with a meal period.
> 5.0 to < 10.0	1	An employee who works more than five hours in a work period, but who does not work more than ten hours in a work period, is provided with a 30-minute meal period to start within the first five hours of work, subject to any meal period waiver in effect.
> 10.0	2	An employee who works more than 10 hours in a work period is provided with a second 30-minute meal period to start within the first 10 hours of work, subject to any meal period waiver in effect. The meal period waiver will be invalidated if the employee works more than 12 hours.

Number of Hours Worked in a Work Period	Number of 10-Minute Rest Periods	Comments
0 to < 3.5	0	A non-exempt employee who works less than 3.5 hours in a work period is not entitled to a rest period.
3.5 to < 6	1	A non-exempt employee who works 3.5 to 6 hours in a work period is entitled to one 10-minute rest period.
> 6.0 to < 10.0	2	A non-exempt employee who works more than 6 hours in a work period but who does not work more than 10 hours in a work period is entitled to two 10-minute rest periods.
> 10.0 to < 14.0	3	A non-exempt employee who works more than 10 hours in a work period but who does not work more than 14 hours in a work period is entitled to three 10-minute rest periods.
** Non-exempt employees who work more than 14 hours in a work period may be entitled to additional rest periods.		

ASI does not pay non-exempt employees for meal periods, and consequently, non-exempt employees must record the start and stop times of their meal periods.

Rest Periods

Non-exempt employees are authorized and permitted to take a 10-minute paid rest period for every four hours worked, or major fraction thereof. Employees are relieved of all of their duties during rest periods and are allowed to leave the premises. ASI authorizes and permits rest periods as follows:

Whenever practicable, rest periods should be taken near the middle of each four-hour work period. Employees may not accumulate rest periods or use rest periods as a basis for starting work late, leaving work early, or extending the meal period.

Because rest periods are paid, non-exempt employees should not clock out for them.

Responsibilities

Supervisors are responsible for administering their department’s meals and rest periods.

Any non-exempt employee who is not provided with a meal period or authorized and permitted to take a rest period pursuant to the terms of this policy is immediately entitled to a meal or rest period premium. Supervisors will be responsible for authorizing meal or rest period premiums. Any supervisor who knows or should reasonably know that a meal or rest period was not provided in accordance with this policy should arrange for a premium to issue to the employee. Employees are responsible for reporting to their supervisor

any meal period that was not provided or any rest period not authorized and permitted where the supervisor would have no reason to otherwise know of this fact. Employees who feel they are owed a premium as a result of this policy but have not received the premium should report the missing premium immediately to their supervisor or ASI Human Resources.

Lactation Accommodation

Employees have the right to request a lactation accommodation. ASI will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child each time the employee has the need to express milk. Employees needing breaks for lactation purposes may use ordinary paid rest periods or may take other reasonable break time when needed. If possible, the lactation break time should run concurrently with scheduled meal and rest periods already provided to the employees. If the lactation break time cannot run concurrently with meal and rest periods already provided or additional time is needed, the lactation break time will be unpaid for non-exempt employees.

Employees will be relieved of all work-related duties during any unpaid breaks. When unpaid breaks or additional time are required, employees should work with their supervisor or ASI Human Resources regarding scheduling and reporting the extra break time.

Because exempt employees receive their full salary during weeks in which they work, all exempt employees who need lactation accommodation breaks do not need to report any extra break time as "unpaid". ASI will provide employees with the use of a room to express milk in private. The lactation room or other location will not be a bathroom and will be safe, clean, free from hazardous materials in close proximity to the employee's work area, shielded from view and free from intrusion by co-workers and/or the public. This location may be a place where the employee normally works, if applicable. The lactation room or other location will include a surface (on which to place a breast pump or other personal items, a place to sit and electricity or alternative devices (e.g. an extension cord or charging station) need to operate an electric or battery-powered breast pump. Lactating employees who pump breastmilk will also have access to a sink with running water and a refrigerator or alternative cooling device suitable for storing milk in close proximity to their workspace.

A room or other location identified for lactation may also be used for other purposes. However, during times when an employee is using the location for lactation purposes, that use will take precedence over all other uses. Employees who have questions or concerns related to lactation room scheduling conflicts should contact their supervisor or an ASI Human Resources representative. Any non-exempt employee who is not provided with a break as requested to express milk, should immediately contact ASI Human Resources.

Employees who wish to request a lactation accommodation should speak to their supervisors or ASI Human Resources. If ASI cannot provide break time or a location that complies with this Lactation Accommodation policy, the employee requesting the accommodation will be notified in writing.

Lactation is considered a pregnancy-related condition under California law.

ASI will not discriminate or retaliate against an employee who requests or uses a lactation accommodation in accordance with this policy or otherwise exercises their rights under California's lactation accommodation law. Employees who feel their lactation accommodation rights have been violated can file a complaint with the California Labor Commissioner's Office.

Supervisory Pay Differential Policy

Regular or Temporary full-time or part-time benefited supervising employees shall generally receive compensation 5% higher than that of their highest paid subordinate employee.

Exceptions to this policy include, but are not limited to:

- Subordinate's or supervisor's rate of pay is "red circled."
- Subordinate's years of service exceeds supervisor's by ten (10) or more years.
- Subordinate's position is technical in nature, requires certain licensure, and/or requires specialized skills.
- Competitive job market pay for the subordinate's position is higher than that of the supervisor.

Shift Differential Pay

An eligible employee may be entitled to a shift differential pay at a rate of \$.50 per hour. To be eligible for shift differential pay, employees must meet the following criteria:

- Be a full-time or part-time regular or temporary benefited employee
- Be non-exempt; and
- Work shifts other than 6 a.m. – 6 p.m.
- For employees whose shift requires them to work four or more hours other than 6 a.m. -6 p.m., the shift differential will be applied to all hours in that shift.

For employees whose shift requires them to work less than four hours other than 6 a.m. -6 p.m., the shift differential will be applied to only the hours worked other than 6 a.m. -6 p.m.

Hazardous Material Handling Differential Pay

Whenever a trained and certified employee is assigned to perform any asbestos-related or hazardous material handling duties, including but not limited to, removing or repairing asbestos lagging, performing any asbestos abatement, or cleaning up of asbestos, the employee shall receive a pay differential. The differential will be equivalent to the amount outlined in CSU Policy. "Hazardous Material Handling Duties" are defined as follows:

- Any work that requires, by law, that an employee be trained and certified to work with the specific material; AND
- Any work that requires an employee to use protective equipment and extra precautions to ensure their safety and health.

Employees shall be paid an allowance comparable to that of the CSU system upon successful completion of certification training.

Further, training in either asbestos abatement and handling, or in hazardous materials handling must be either EPA certified, or CAL-OSHA approved.

Refer to CSU Hazardous Material Handling Policy on the ASI website for more details.

New Hire Classification and Salary Rate

ASI positions are compensated at an equitable and competitive rate of pay based on job responsibility and scope of the position. Comparability guidelines are defined below.

To determine comparability as outlined by Title V of the California Education Code, ASI will determine if the ASI position is comparable to the classification categories established by the CSU system. Comparability and appropriate salary range are based on minimum qualifications, preferred qualifications, and essential functions of the position description.

If no comparability can be determined within the CSU system, ASI will determine the classification and salary range based on CSU auxiliary organizations of comparable size, positions at other higher education institutions, and the local labor market.

When a new employee is appointed to a position, the employee shall generally be compensated at the minimum salary range. Exceptions must be negotiated and approved in writing by the ASI Executive Director.

Temporary Pay Increase – Interim Appointment

Full-Time and Part-Time Benefited Employees

Occasionally, ASI may require staff to assume temporary responsibilities when a vacancy occurs. This may result in an “interim” appointment.

If an employee is assuming full “interim” status for more than sixty (60) days, the employee may be eligible for a temporary pay increase, retroactive to the first day of the official appointment. The temporary rate begins at the beginning of the interim position’s salary range or 5% of the employee’s current salary, whichever is higher.

Typically, an “interim” position may not exceed three (3) years. Upon completion of the “interim” appointment, the employee will automatically revert back to their previous classification and pay level.

Interim appointments will be memorialized in writing when an employee assumes more than 75% of the essential functions of the vacant position, as confirmed by the ASI Executive Director or ASI Human Resources. In the event the “interim” status is less than sixty (60) days, but more than thirty (30) days, a bonus may be provided to the employee. The bonus will be payable at the end of the interim appointment.

Student and Intermittent Employees

Occasionally, ASI may require student or intermittent staff to assume temporary responsibilities. This may result in a temporary pay increase to be determined by the ASI Executive Director.

Overtime

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime. Non-exempt employees will be paid one and one-half times their regular rate of pay for all hours worked in excess of 40 hours in any workweek, for all hours worked in excess of eight hours up to and including 12 hours in any workday and for the first eight hours worked on the seventh consecutive day of work in a workweek. Additionally, employees will be paid double their regular rate of pay for all hours worked in excess of 12 hours in any workday and for all hours worked in excess of eight hours on the seventh consecutive day of work in a workweek. Paid time off such as sick pay, holiday pay and vacation pay will not count toward hours worked for the purpose of determining overtime pay.

All employees are entitled to at least one day of rest every seven days in a workweek unless certain exceptions apply as described in ASI's Policy. An employee may independently and voluntarily choose not to take a day of rest and confirm such choice in writing with ASI.

All overtime work must be authorized in advance by the employee's supervisor. Working overtime without prior authorization may result in disciplinary action.

Employees are expected to cooperate with requests to work overtime.

Overtime that exceeds one hour per pay period for non-exempt student employees and intermittent employees must be approved in writing by the Area Director.

Overtime that exceeds one hour per pay period for non-exempt staff employees must be approved in writing by the ASI Executive Director.

ASI recognizes that there may be unforeseen circumstances, such as an emergency or other critical business need, that prevent obtaining prior approval for overtime. In these circumstances, the Area Director or ASI Executive Director must approve an exception to this policy in writing prior to the end of the following pay period.

For overtime pay calculation purposes, the workweek for most employees begins at 12:01 a.m. Saturday and ends at 12:00 a.m. the following Friday and the workday begins at 12:01 a.m. and ends at midnight that same day.

Call-Back Time

When a non-exempt ASI employee is called back to work on site during off-duty hours, that employee will be paid at least a minimum of two hours.

Make-Up Time

ASI allows the use of make-up time when regular or temporary non-exempt benefited employees need time off to tend to personal obligations. Make-up time worked will not be paid at an overtime rate.

Regular or temporary non-exempt benefited employees may take time off and then make up the time later in the same workweek or may work extra hours earlier in the workweek to make up for time that will be taken off later in the workweek. All make-up time must be worked in the same workweek as the time taken off.

Make-up time requests must be approved by the employee's supervisor and recorded in the employee's timecard.

All make-up time must be worked in the same workweek as the time taken off. ASI's seven-day workweek is Saturday through Friday. Employees may not work more than 11 hours in a day or 40 hours in a workweek as a result of making up time that was or would be lost due to a personal obligation.

If an employee takes time off and are unable to work the scheduled makeup time for any reason, the hours missed will normally be unpaid and all applicable leave policies apply. However, the supervisor may arrange with the employee another day to make up the time, if possible, based on scheduling needs. If an employee works make-up time in advance of time they plan to take off, they must take that time off, even if the time off is no longer needed for any reason.

An employee's use of make-up time is completely voluntary and subject to ASI's approval in its sole discretion. ASI does not encourage, discourage, or solicit the use of make-up time.

Red Circle Rates

An employee's salary may be red circled if the employee has reached the maximum of their salary range. If this is the case, the employee is only eligible for cost-of-living related increases, if any.

If determined by the ASI Equity Policy, a classification review, revision of CSU comparable classification's salary, or other circumstances, the red circle may be lifted, and the employee shall be eligible for future merit and service-related salary increases.

The ASI Executive Director has the sole discretion to grant a non-recurring bonus to employees who are red circled. Non-recurring bonuses will not increase the employee's base pay.

Holiday Pay

For calculating holiday pay, each holiday will be treated as a regular eight (8) hour workday for regular or temporary full-time benefited employees. Regular or temporary part-time benefited employees will receive holiday pay on a pro-rated basis determined by their normal schedule. For example, half-time employees will receive four (4) hours of holiday pay. Non-exempt employees shall be paid for holidays based on their straight time pay rate (as of the date of the holiday)

When a holiday falls on an employee's regular day off, the employee will still receive holiday pay for that day. Non-exempt employees who are required to work on an observed holiday will receive holiday pay in addition to pay for hours worked or they may opt to take an alternate day off in the same work week of the holiday, subject to supervisor approval.

See also Holidays Policy on page 40.

Student Employee Taxation Status

The Internal Revenue Service excludes from Social Security and Medicare coverage services performed by students employed by a college or university provided that the student is enrolled at least half-time and regularly attending classes. To be excluded from Social Security and Medicare taxes a student employee must be enrolled for a minimum of six (6) units for undergraduate and four (4) units for graduate programs.

Student employees that do not meet the minimum number of required units are required to have Social Security (6.2%) and Medicare (1.45%) withheld from their bi-weekly paycheck.

Benefits

Regular and temporary full-time and part-time benefited employees and their dependents (if applicable for the plan) are eligible to take part in the following insurance plans:

- Health Insurance
- Voluntary Life Insurance
- Dental Insurance
- Vision Insurance
- Life Insurance (employee only)
- Long-Term Disability Insurance (employee only)
- Medical and Dependent Care Reimbursement Accounts (Flexible Spending Accounts) (employee only)
- California Public Employees Retirement System (Cal PERS) Retirement Contributions (employee only)
- Post Retirement Benefits.

Premiums that exceed ASI's contribution are the employee's responsibility.

All eligible employees must apply for benefits prior to completion of sixty (60) days of employment. Coverage will start the first of the month following date of when ASI HR receives the paperwork. After enrolling, an employee must maintain an employment time base of half time or greater to receive continuous coverage. A decrease to a lesser time base will result in cancellation of coverage.

Eligible Dependents

- An employee's spouse or registered domestic partner.
- Biological, adopted children or stepchildren of the employee up to age 26.
- Certified disabled adult children (biological, adopted, and/or step).

During annual open enrollment periods, eligible employees may alter plans, enroll, or add eligible dependents. A change in employee or dependent status must be reported to ASI Human Resources within sixty (60) days. This includes birth of a child, adoption, death of a dependent, marriage, registered domestic partnership, or divorce. Late notification could result in ineligibility for coverage.

Detailed plan information for each of the provided benefits can be found on the [ASI SharePoint](#)⁶ page.

Health Insurance

Several medical plans are offered to regular and temporary full time and part time benefited employees. All plans provide comprehensive medical protection for eligible employees and their dependents. Plan benefits and premiums are subject to change with notice and may be terminated entirely. ASI contribution toward payment of premiums is substantial but varies with the number of family members enrolled.

⁶ ASI SharePoint Benefits Page - [Benefits](#)

Health Coverage for Domestic Partners

Domestic Partnerships, as outlined in Division 2.5, Section 297 of the Family Code, are recognized by ASI. Medical, vision, and dental benefits will be extended to registered domestic partners and eligible dependents of regular or temporary full-time or part-time benefited employees who request such coverage.

A Domestic Partnership is established when people meet the requirements specified in the Code.

Those requirements are as follows:

- The partners share a common residence.
- The partners agree to be jointly responsible for each other's basic living expenses incurred during domestic partnership.
- Neither partner is married or a member of another domestic partnership.
- Partners are not related by blood in a way that would prevent them from being married to each other in this state.
- Both partners are at least 18 years of age.
- Both partners are capable of consenting to the domestic partnership.
- Neither partner has previously filed a Declaration of Domestic Partnership with the Secretary of State pursuant to Division 2.5 of the Family Code that has not been terminated under Section 299 of the Family Code.
- Domestic partners' children will be eligible for health, dental, and vision benefits if they:
 - Are qualified and claimed as an IRS-defined dependent by the domestic partner.
 - Are less than 26 years of age.

Employees must register their domestic partnership with the California Secretary of State's office and provide copies to ASI Human Resources. A Declaration of Domestic Partnership form is available from ASI Human Resources.

Upon dissolution of a domestic partnership, a Notice of Termination of Domestic Partnership form must be completed and submitted to the California Secretary of State. This document is also available from ASI Human Resources.

Dental Insurance

ASI's dental insurance program provides limited dental coverage for eligible employees and dependents.

Basic Life	An amount equal to 0.5 times an employee's basic annual earnings rounded to the next higher \$1,000 plus \$55,000.
Accidental Death & Dismemberment	An amount equal to an employee's basic life insurance.
Plan Maximum	\$120,000
Non-Medical Maximum	\$120,000

Age Reduction Formula	Reduces by 33% at age 70, and to 50% of the original amount at age 75.
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Vision Insurance

ASI's vision insurance program provides limited vision coverage for eligible employees and dependents.

Life Insurance and Long-Term Disability Insurance

ASI provides Life and Long-term Disability (LTD) Insurance for eligible employees broken down as follows:

ASI covers the entire monthly premium costs.

Additionally, eligible employees can purchase Voluntary Life Insurance for additional coverage. Voluntary life insurance coverage has a \$100,000 guaranteed issue amount for employees, and a \$50,000 guaranteed issue amount for spouses. Effective dates will vary depending on enrollment date and amounts selected.

Flexible Spending Accounts

ASI's Flexible Spending Plan allows employees to set aside a certain amount of money on a pre-tax basis to pay for eligible medical or dependent care expenses.

Receipts for reimbursement can be submitted for eligible expenses immediately following program enrollment and are not contingent upon hire date. Reimbursements can be submitted online via the employee portal (partners.tasconline.com/tasc1ppt), on the TASC mobile app, or via fax.

Additionally, all eligible employees must re-enroll each year during Open Enrollment if they wish to continue participating in the Flexible Spending Plan.

If you separate from employment or retire from ASI mid-year, you will have thirty (30) days from your last day worked to submit eligible receipts for reimbursement. After this 30-day period, any remaining unused funds in your FSA account will be forfeited, and access to the account will be terminated.

Medical

Employees may set aside up to \$2,000 on a pre-tax basis each year to pay for eligible medical expenses.

Dependent Care

Employees may set aside up to \$5,000 on a pre-tax basis each year to pay for childcare or other dependent care to enable the parent or guardian to work.

Retirement

All regular and temporary, full-time and part-time benefitted employees are automatically enrolled in ASI's retirement program through CalPERS.

CalPERS

- PEPPRA member - 2% at 62 benefit factor - Employee hired on or after January 1, 2013. Classic member – 2% at 60 benefit factor - Employees hired between June 4, 2011 and December 31, 2012.
- Class member – 2% at 55 benefit factor – Employees hired before June 3, 2011.

- All CalPERS members are vested in the retirement pension plan after 5 years of service.
- The minimum age for a regular service retirement is 50 years of age.

Post-Retirement Health Benefits

ASI provides post-retirement health benefits to eligible retirees and their dependents as a percentage of active employee monthly health insurance premium contributions. The coverage amounts are based on the retiree’s hire date and years of service. Employees hired before June 1, 2011, are eligible for full retiree benefits after 5 years of service. Employees hired on or after June 1, 2011, must meet specific criteria to qualify for retiree benefits, as outlined below.

Retirees must be an active ASI employee on the date of retirement in order to be eligible for this program.

Retirement Vesting Schedule

Employees hired on or after June 1, 2011, must have a minimum of 10 years of service credit with CalPERS and at least 5 years of service with ASI to qualify for retiree health benefits. Eligible employees will receive a contribution toward retiree health benefits equivalent to the employer contribution rate for active employees, as determined annually based on the plan year.

The percentage of the employer contribution rate provided to retirees increases with additional years of CalPERS service, according to the following vesting schedule:

Years of CalPERS Service	Percentage of Employer Contribution
10 years	50%
11 years	55%
12 years	60%
13 years	65%
14 years	70%
15 years	75%
16 years	80%
17 years	85%
18 years	90%
19 years	95%
20 years	100%

CalPERS Service Credit refers to the total years of service credit accrued by an employee under the California Public Employees’ Retirement System (CalPERS). The Employer Contribution Rate is the percentage contribution that ASI provides toward active employees’ health benefits during the plan year.

Employees are responsible for verifying their CalPERS service credit and ensuring they meet eligibility criteria. ASI Human Resources is responsible for calculating and administering the retiree health benefits in accordance with this policy.

Additionally, it is important to note that while health benefits will remain in effect even after the retiree’s passing, dental and vision benefits for dependents will only be in place while the retiree is alive. If this

occurs, eligible dependents will be able to enroll in dental and vision benefits through COBRA for up to 26 months.

This policy is subject to periodic review and may be updated as necessary to remain compliant with applicable laws and regulations.

Emeritus Status

If upon completion of service, a regular or temporary full-time or part-time benefited employee of ASI meets the guidelines of eligibility to be considered for Emeritus Status at Cal Poly (CAP 550.1), ASI Human Resources will inform the employee of their eligibility and submit a request to the ASI Executive Director to be considered for Emeritus Status. If Emeritus Status is granted, the former employee will be notified by ASI Human Resources.

403(b) Contributions

Full-time and part-time benefited employees can elect to enroll in a 403(b) plan at any time by completing a Compensation Reduction Agreement Form. This optional plan, fully funded by the employee, offers a valuable chance to save additional funds for retirement, alongside the employee's existing contributions to CalPERS and Social Security (FICA). Contributions to a 403(b) plan are deducted from the employee's gross income before taxes, potentially reducing the employee's taxable income for the year and lowering the income tax owed. Additionally, earnings on contributions grow tax-deferred until they are withdrawn in retirement.

Flex Cash

Flex Cash is an optional benefit plan which allows employees who have other non-ASI coverage to receive cash payment in exchange for waiving ASI medical, dental, and/or vision insurance coverage.

COBRA – Group Continuation Insurance Plan

Employees and/or their dependents that lose health, dental, or vision insurance coverage due to certain qualifying events are eligible to purchase continued insurance coverage for a certain period 18 or 36 months after loss of coverage. Qualifying events include:

- Termination of employment for reasons other than gross misconduct.
- Employee reduction in time base.
- Death of employee.
- Divorce.
- Dependent child reaching age 26.

Workers' Compensation Insurance

All ASI employees (including intermittent employees, student employees, and volunteers who have signed an official volunteer appointment form) are covered by workers' compensation insurance. Determination of eligibility for workers' compensation benefits is made by the ASI workers' compensation insurance company carrier. Program benefits for approved claims include medical care required to treat an on-the-job injury or illness and disability benefit payments if an injury results in the inability to work for more than three calendar days. All work-related injuries must be immediately reported to the supervisor, designee, or ASI Human

Resources. The injured employee will be provided with a Workers' Compensation Claim form (DWC-1) within 24 hours, which the employee should complete and return to the supervisor as quickly as possible if the employee wishes to receive medical treatment by a doctor.

All initial medical care required to treat a work-related injury will be provided by Med Stop an approved medical facility or the provider selected and pre-designated by the employee.

Any other initial medical treatment will be considered self-procured, and payment will be the employee's responsibility unless prior authorization has been obtained from ASI Human Resources or the designation of a personal physician is on file in the ASI Human Resources office prior to the injury or illness.

Unemployment Insurance

If an employee becomes unemployed and applies for benefits through the California Employment Development Department (EDD), they may be eligible for unemployment compensation. Eligibility is determined by the EDD and depends on the circumstances of each individual case. Further information may be obtained from the nearest EDD office.

Cal Poly Recreation Center Membership

All employees that work for ASI regardless of location, are considered members of the Cal Poly Recreation Center. Employee memberships to the Cal Poly Recreation Center are at no charge. This includes student employees who work one term after graduation. Household members of the employee are eligible to purchase a membership to the Cal Poly Recreation Center according to the Cal Poly Recreation Center Household membership policy.

Leaves and Holiday

Attendance and Punctuality

Employees are expected to be regular in attendance and to be punctual. If employees are absent, their job duties will need to be performed by others or go undone. To limit problems caused by employees' unapproved absences, we have adopted the following policy.

Employees are expected to report to work as scheduled, be on time and be prepared to start work. Employees are also expected to remain at work for their entire work schedule, except for meal or break periods, or when required to leave on authorized Company business or other authorized reason. Unapproved late arrivals, early departures or other absences from scheduled hours are disruptive and must be avoided.

If an employee is unable to report for work on any particular day, they must call their supervisor at least one hour in advance of the time the employee is scheduled to begin working for that day (unless it is impossible to do so, in which case the employee must call as soon as possible thereafter). Employees who need to leave early must notify their supervisor as soon as they learn that they will not be able to complete their scheduled shift. ASI may inquire about the general reason for an absence, tardiness or early departure. Unless extenuating circumstances exist, employees must call in on each and every scheduled day on which they will not report to work, unless they are on an approved leave of absence.

Excessive absenteeism or tardiness may result in disciplinary action up to and including termination of employment, unless the absence or tardiness is excused or approved. The following are examples of types of time off that will not be considered grounds for disciplinary action under this policy:

- Time off that was previously approved, including vacation, personal holiday, and/or birthday holiday;
- Paid sick and safe time or mandatory paid leave provided under federal, state or local law;
- Approved state and federal leaves of absence, including but not limited to jury duty leave, military leave, leave protected under the Family and Medical Leave Act or similar state laws, and time off or leave specifically approved by ASI as an accommodation under applicable law; and/or
- Time off due to a work-related injury that is covered by workers' compensation.

Each situation of absenteeism, tardiness or early departure will be evaluated on a case-by-case basis. Even one unexcused absence or tardiness may be considered excessive, depending upon the circumstances. However, ASI will not subject employees to disciplinary action or retaliation for an absence, tardiness or early departure for which discipline may not be imposed under applicable law. If the employee believes that an absence, tardiness or early departure is (or should be) excused pursuant to applicable law, the employee should notify their supervisor of this fact as soon as possible, but no later than at the time of the absence, tardiness or early departure. (For the required timing of an employee's notice of the need for a foreseeable leave of absence, see the applicable leave policy). If an employee believes they have mistakenly been subject to disciplinary action for an absence, tardiness or early departure that the employee believes is or should be excused/approved, the employee should promptly discuss the matter with their supervisor or ASI Human Resources. ASI will investigate the situation and any errors will be corrected. Employees who fail to report for work without any notification to their supervisor and whose absence continues for a period of three (3) days (No Call/No Show) will be considered to have abandoned and voluntarily terminated their employment, absent extraordinary circumstances.

California Sick Leave

ASI provides eligible employees with paid sick leave pursuant to California's Healthy Workplaces Healthy Families Act ("HWHFA").

Eligibility, Accrual, and Carryover of Sick Leave

All employees working in California for ASI are eligible to receive sick leave under this policy. All full-time, part-time, and temporary ASI employees receiving full benefits will accrue paid sick leave at the rate of one workday (maximum of 8 hours) per month or not less than one hour for every 30 hours worked, whichever is greater.

Eligible part-time (benefited) employees will accrue sick leave on a pro rata basis or not less than one hour for every 30 hours worked, whichever is greater. There is no limit to the number of sick leave hours a full-time, part-time, or temporary benefited employee can accrue and carryover to the subsequent calendar year.

Student and intermittent ASI employees will accrue paid sick leave at the rate of one hour of leave for every 30 hours worked, up to an overall accrual cap of 80 hours or the equivalent of 10 workdays (based on the employee's work schedule), whichever is greater. Once a student or intermittent ASI employee's sick leave balance reaches their overall accrual cap, no further sick leave will accrue until previously accrued sick leave is used. Employees will not be given retroactive credit for any period of time in which they do not accrue sick leave because their balance was at the accrual cap.

For accrual purposes, exempt employees are assumed to work 40 hours per workweek unless their normal workweek is fewer than 40 hours per week, in which case sick leave accrues based upon the employee's

normal workweek hours. Non-exempt employees accrue sick leave based on all hours worked, not to exceed 80 hours in a pay period.

Employees begin to accrue sick leave on their first calendar day of employment with ASI or their date of eligibility under this policy, whichever is later. Sick leave may not be used in advance of being accrued.

Employees may carry over all accrued but unused sick leave from one calendar year to the next.

Employees will be able to determine the amount of sick leave available for use by reviewing their paystubs.

Using Sick Leave

Employees may use sick leave as it is accrued.

Employees are not required to search for or find an employee to cover their work when they take sick leave.

Covered Reasons for Use

Sick leave may be used only during times that an employee cannot work for the following reasons:

- The diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee, employee's family member, or designated person (one in a 12-month period).
- If the employee is a victim, victim's family member, or a designated person of domestic violence, sexual assault or stalking and time off is needed to:
 - Obtain or attempt to obtain any relief (e.g., a temporary restraining order, restraining order or other injunctive relief) to help ensure the health, safety or welfare of the victim, victim's family member, or a designated person.
 - Seek medical attention for injuries caused by domestic violence, sexual assault or stalking.
 - Obtain services from a domestic violence shelter, program or rape crisis center as a result of domestic violence, sexual assault or stalking.
 - Obtain psychological counseling related to an experience of domestic violence, sexual assault or stalking.
 - Participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault or stalking, including temporary or permanent relocation.

Family Member

For purposes of this policy, "family member" means the employee's spouse, registered domestic partner, child (including the child of a domestic partner), legal ward, parent (including the parent of a spouse or domestic partner), legal guardian, grandchild, grandparent, sibling, or a designated person. A "designated person" means a person identified by the employee at the time the employee requests sick leave. Employees are limited to one designated person per 12-month period.

Notice Required

Employees are required to provide reasonable advance notification if the need for paid sick leave is foreseeable (i.e., doctor's appointments). Where the need for sick leave is unforeseeable, the employee shall provide notice of the need for leave as soon as practicable. An employee may request paid sick leave in writing or verbally. If the employee is physically unable to make a written sick leave request or call their supervisor, a designee may contact the supervisor on the employee's behalf. If the immediate supervisor is not available, the employee (or designee) must speak to an available area supervisor or a member of management. However, if no supervisor can be reached, the employee (or designee) should email the ASI Human Resources at asihr@calpoly.edu.

When notifying ASI of the need to use sick leave, an employee should include the anticipated duration of the absence, when possible.

In all circumstances, employees are responsible for specifying that the time off is for sick leave reasons (as opposed to, for example, vacation), so that the absence may be designated as a sick leave absence.

Regular and temporary full-time and part-time benefited positions requesting time off due to illness that have exhausted all accrued sick leave must use any available vacation or personal holiday time prior to being placed on unpaid leave status unless otherwise stated in state or federal law.

Employees will not accrue paid sick leave during unpaid leaves of absence.

Discipline for Unprotected Use of Sick Leave

Discipline – up to and including termination – may be taken against an employee who uses sick leave for a purpose not covered by, or in a manner not consistent with, the HWHFA. In addition, discipline – up to and including termination – may be taken against an employee that violates this policy’s requirements concerning requesting, using, recording, verifying, and/or documenting use of sick leave.

Separation from Employment and Rehire

Unused sick leave will not be paid out upon termination of employment, for any reason.

If an employee’s employment with ASI ends and the employee is rehired within one (1) year of employment ending, the employee’s previously accrued but unused sick leave balance will be reinstated and made available for use in accordance with the HWHFA.

Rate of Pay

The rate of pay for sick leave will be calculated in accordance with applicable law.

Anti-Discrimination and Retaliation

As long as the use of sick leave complies with the requirements of this policy and the HWHFA, ASI will not count employees’ use of sick leave as an absence or “occurrence” under any company attendance policy. Therefore, any such use of sick leave will not lead to or result in discipline, demotion, suspension or termination.

ASI will not retaliate or discriminate against any employee for requesting or using sick leave for authorized circumstances or for making a complaint or informing a person about a suspected violation of this policy, cooperating or participating in any investigation, administrative hearing or judicial action regarding an alleged violation, opposing any policy or practice prohibited by any sick and safe time or mandatory paid leave law, or informing any person of their potential rights under the law.

Additional Information

Employees who have questions about the California Sick Leave policy should contact ASI Human Resources.

Holidays

All full-time, part-time, regular and temporary benefited employees shall receive approximately 14 paid holidays during the course of each calendar year. All benefited part-time employees will receive holiday benefits on a pro rata basis. The ASI holiday schedule will mirror that of the University. Employees who wish to observe religious holidays occurring on scheduled workdays must use accrued vacation time or take a

personal holiday. An employee on a leave of absence without pay or on other unpaid status on a day a holiday is officially observed shall not be entitled to the holiday. An employee on a leave of absence with pay on a day a holiday is officially observed shall be entitled to the holiday.

See also Holiday Pay Policy on page 30.

Personal Holiday

In addition to paid holidays, all regular and temporary full-time and part-time benefited employees will be allowed one workday (up to 8 hours) during the calendar year as a “personal holiday.” Personal holidays may be used to celebrate a religious holiday or special occasion that is not formally designated as a company holiday, or for any other reason requested by the employee. Personal holidays may not be taken until they are earned.

The personal holiday is credited to each employee on the first day of each year, or first day of employment. The unused personal holiday may be carried over into the following calendar year. However, at no time will any employee accrue a total balance of a personal holiday in excess of 16.0 hours or the equivalent pro-rated amount for part-time and temporary employees. A supervisor must approve personal holidays in advance. A personal holiday must be used in a full 8.0-hour increment or the equivalent pro-rated amount for part-time employees. Once the maximum accrual amount has been reached, no additional personal holidays will be earned until previously accrued personal holidays are used. Personal holiday pay is calculated at the employee's base rate of pay in effect at the time when the personal holiday is taken. Accrued personal holidays that have not been used will be paid to employees at the time of termination of employment at the employee's final base rate of pay at the time of separation.

Birthday

All regular and temporary full-time and part-time benefited employees are entitled to a birthday holiday (up to 8 hours). An employee has a thirty (30) day period before and following their birthday to take time off. Birthday time off must be approved in advance by a supervisor. A Birthday Holiday must be used in a full 8.0-hour increment or the equivalent pro-rated amount for part-time employees.

Please note that for new hires, the employee's birthday must fall on or after their start date in order to be eligible for a birthday holiday in their first year.

Vacation

ASI recognizes the importance of periods of rest and relaxation for our employees and provides them with paid vacation time to enjoy time away from work.

All regular and temporary full-time and part-time benefited employees are eligible to accrue vacation time. Vacation leave may not be used in advance of being accrued.

Although an effort is made to accommodate the preferences of individuals, ASI's needs are of primary consideration when vacations are scheduled. Before employees may take time off for vacation, it is necessary to first obtain supervisor approval.

Vacation accrues on each pay date as work is performed beginning from the first date of employment in a vacation eligible position and is based on non-overtime hours worked.

Eligible employees (who work at least 40 hours/week) will accrue vacation as set forth below:

Employee Years of Service	Vacation Days Earned Per Year (based on a 40 hour work week)
Less than 3 years	10 workdays/80 hours
3 to 6 years	15 workdays/120 hours
6 to 10 years	17 workdays/136 hours
10 to 15 years	19 workdays/152 hours
15 to 20 years	21 workdays/168 hours
20 to 25 years	23 workdays/184 hours
Over 25 years	24 workdays/192 hours

For the purpose of calculating vacation time accrual for eligible regular and temporary full-time employees, one workday consists of eight hours. Eligible part-time employees will accrue workdays of paid vacation in proportion to the number of their regularly scheduled hours per week, excluding overtime. For example, an employee who records 30 hours per week in their timecard would accrue each vacation day at three-fourths the full-time rate, (i.e., 10 six-hour workdays per year). Employees do not accrue any vacation time while on unpaid leave.

Employees holding Administrator (MPP) classified positions (e.g., Executive Director, or other Director positions) will earn vacation at the rate of 24 days per year, independent of length of service.

Employees with less than ten years of service may earn up to a maximum accrual bank of 34 workdays (272 hours) and employees with 10 or more years of service may earn up to a maximum accrual bank of 55 workdays (440 hours) for employees with 10 or more years of service. Once an employee has earned the maximum amount they can accrue, no additional vacation time will be earned until previously earned vacation time is used. Employees will not be given retroactive credit for any period of time in which vacation is not accrued due to reaching the maximum bank. At year end, unused vacation at or below the maximum accrual amount will carry over to the subsequent year. Vacation may not be taken in advance of being earned.

Accruals are based upon years of service and hours worked each pay period. Employees will only accrue their full pro rata amount of vacation for any pay period in which they have worked or are paid 80-hours by ASI. Employees are not considered to be “paid by ASI” when they are receiving Short-Term or Long-Term Disability benefits, state or local paid family and medical leave benefits, or workers’ compensation insurance, unless the employee is supplementing their leave with accrued sick or vacation time. When supplementing leave with accrued time off, employees will accrue sick or vacation time based on the number of hours being supplemented.

Increases in an employee’s accrual rate will occur at the start of the next pay period following their anniversary date with ASI.

Vacation time is paid at the employee’s base hourly rate of pay or base salary for the approved period of time off. Vacation time is not considered hours worked for the purposes of calculating overtime.

If a designated ASI holiday falls within the employee's vacation time, the day is paid as a designated holiday rather than a vacation day.

The employee will be paid for any accrued but unused vacation time at their base rate of pay when they separate from employment with ASI.

Vacation Cash-Out

All regular and temporary full-time and part-time benefited employees who accrue vacation time are eligible to elect to cash-out (i.e., receive cash payments) up to a maximum of eighty (80) hours of vacation time for the following calendar year. Employees will be required to submit proper notice to ASI Human Resources prior to the end of the calendar year for any cash-out elections they wish to take the following calendar year. Annual election selections are irrevocable and cannot be changed for any reason after the election deadline. See ASI Human Resources for the Vacation Cash-Out procedure and the Vacation Cash-Out Election Form.

Leave Without Pay

Employees who have exhausted all vacation, sick, and personal time may be eligible to take time off without pay, subject to supervisor approval. Leave without pay will not be granted if the employee has any accrued time available unless this leave is specifically covered under applicable law.

Pregnancy and Pregnancy-Related Disabilities Leave and Accommodation

Pregnancy Disability Leave

Any employee who is disabled by pregnancy, childbirth or a related medical condition (including medical conditions relating to lactation) is eligible for up to four months of pregnancy disability leave. If an employee is also eligible for leave under the federal Family and Medical Leave Act (Fed-FMLA), the Fed-FMLA leave and the pregnancy disability leave will run concurrently.

For purposes of this policy, employees are "disabled by pregnancy" when, in the opinion of their health care provider, they cannot work at all or are unable to perform any one or more of the essential functions of their job or to perform them without undue risk to themselves, the successful completion of their pregnancy or other persons as determined by a health care provider. The term "disabled" also applies to certain pregnancy-related conditions, such as severe morning sickness or the need to take time off for prenatal or postnatal care, bed rest, post-partum depression and the loss or end of pregnancy (among other pregnancy-related conditions that are considered to be disabling).

Reasonable Accommodation for Pregnancy-Related Disabilities Under California Law

Any employee who is affected by pregnancy may also be eligible for a temporary transfer or another accommodation, in accordance with California law. Employees are considered "affected by pregnancy" under California law if they are pregnant or have a related medical condition and their health care provider has certified that it is medically advisable for the employee to temporarily transfer or to receive some other accommodation.

ASI will provide a temporary transfer to a less-strenuous or -hazardous position or duties or other accommodation to an employee affected by pregnancy if:

- The employee requests a transfer or other accommodation;
- The request is based upon the certification of a health care provider as "medically advisable"; and
- The transfer or other requested accommodation can be reasonably accommodated pursuant to applicable law.

No additional position will be created, and ASI will not terminate another employee, transfer another employee with more seniority, or promote or transfer any employee who is not qualified to perform the new job as a part of the accommodation process.

Examples of reasonable accommodations include: (1) modifying work schedules to provide earlier or later hours; (2) modifying work duties, practices or policies; (3) providing time off; (4) providing furniture (such as stools) and modifying equipment and devices; and (5) providing additional break time for lactation or trips to the restroom. If time off or a reduction in hours is granted as a reasonable accommodation, ASI will consider the reduced hours/time off as pregnancy disability leave and deduct those hours from an employee's four-month leave entitlement.

Advance Notice and Medical Certification

To be approved for a pregnancy disability leave of absence, a temporary transfer or other reasonable accommodation, employees must provide ASI with:

- 30 days' advance notice before the leave of absence, transfer or reasonable accommodation is to begin, if the need is foreseeable.
- As much notice as is practicable before the leave, transfer or reasonable accommodation when 30 days' notice is not possible; and
- A signed medical certification from their health care provider that states that they are disabled due to pregnancy or that it is medically advisable for them to be temporarily transferred or to receive some other requested accommodation.

ASI may require employees to provide a new certification if they request an extension of time for their leave, transfer or other requested accommodation.

Failure to provide ASI with reasonable advance notice may result in the delay of leave, transfer or other requested accommodation.

Duration

ASI will provide employees with pregnancy disability leave for a period not to exceed four months. The four months is defined as the number of days (and hours) the employee would normally work within four calendar months or 17.33 workweeks. This leave may be taken intermittently or on a continuous basis, as certified by the employee's health care provider.

ASI may require an employee to temporarily transfer to an available alternative position to meet the medical need of the employee to take intermittent leave or work on a reduced schedule as certified by the employee's health care provider. The employee must be qualified for the alternative position, which will have an equivalent rate of pay and benefits, but not necessarily equivalent job duties.

Any temporary transfer or other reasonable accommodation provided to an employee affected by pregnancy will not reduce the amount of pregnancy disability leave time the employee has available unless the

temporary transfer or other reasonable accommodation involves a reduced work schedule or intermittent absences from work.

The length of the transfer or other accommodation will depend upon the period of time for which it is medically advisable.

Benefits

ASI will maintain an employee's health insurance benefits during an employee's pregnancy disability leave for a period of up to four months (as defined above) on the same terms as they were provided prior to the leave time. If employees take additional time off following a pregnancy disability leave that qualifies as leave under the California Family Rights Act (CFRA), ASI will continue their health insurance benefits for up to a maximum of 12 workweeks in a 12-month period.

In some instances, ASI may recover premiums it paid to maintain health insurance benefits if an employee fails to return to work following pregnancy disability leave for reasons other than taking additional leave afforded by law or Company policy or not returning due to circumstances beyond the employee's control.

Integration with Other Benefits

Pregnancy disability leaves and accommodations that require employees to work a reduced work schedule or to take time off from work intermittently are unpaid. Employees may use their accrued vacation or sick time benefits during the unpaid leave of absence, if applicable. However, use of vacation or sick time benefits will not extend the available leave of absence time. Vacation or sick time hours will not accrue during any unpaid portion of the leave of absence.

Any State Disability Insurance for which employees are eligible may be integrated with accrued vacation or sick time benefits so that they do not receive more than 100 percent of their regular pay.

Reinstatement

If the employee and ASI have agreed upon a definite date of return from the leave of absence or transfer, the employee will be reinstated on that date if they notify ASI that they are able to return on that date. If the length of the leave of absence or transfer has not been established, or if it differs from the original agreement, the employee will be returned to work within two business days, where feasible, after notifying ASI of their readiness to return.

Before employees will be allowed to return to work in their regular job following a leave of absence or transfer, they must provide ASI Human Resources with a certification from their health care provider that they can perform safely all of the essential duties of the position, with or without reasonable accommodation. If employees do not provide such a release prior to or upon reporting for work, they will be sent home until a release is provided. This time before the release is provided will be unpaid.

Employees will be returned to the same position upon the conclusion of their leave of absence or transfer unless the position ceases to exist. In cases where the employee's position no longer exists, ASI will provide a comparable position on the scheduled return date or within 60 calendar days of that return date. However, employees will not be entitled to any greater right to reinstatement than if they had not taken the leave.

To the extent required by law, some extensions beyond an employee's pregnancy disability leave entitlement may be granted when the leave is necessitated by an employee's injury, illness or "disability" as defined under the Americans with Disabilities Act and/or applicable state or local law.

ASI will not discriminate or retaliate against employees because they request or make use of leave, a transfer or other accommodations in accordance with this policy. This policy does not limit a pregnant employee's rights under any other policy or laws protecting gender, pregnancy and childbirth, or health conditions related to pregnancy or childbirth.

Employees who have questions about this policy or who wish to request leave, transfer or other reasonable accommodation under this policy should contact ASI Human Resources.

Pregnancy Accommodations Under the Federal Pregnant Workers Fairness Act

In addition to the accommodations provided under California law, ASI complies with the federal Pregnant Workers Fairness Act ("PWFA") by providing reasonable accommodations for known physical or mental limitations related to the pregnancy, childbirth or related medical conditions of a qualified applicant or employee, unless the accommodation would impose an undue hardship on the operation of ASI's business. "Known physical or mental limitations" are those that the applicant, employee or their representative has communicated to ASI.

Employees or applicants who wish to inform ASI of such a limitation and/or request a reasonable accommodation under this policy should contact ASI Human Resources, preferably specifying in writing, what barriers or limitations prompted the request. ASI Human Resources will evaluate information provided regarding any reported or apparent barriers or limitations and will then communicate with the applicant or employee and engage in an interactive process to determine the nature of the limitation and what, if any, reasonable accommodation(s) may be appropriate. If, through this interactive process, ASI and the individual arrive at a reasonable accommodation that does not impose an undue hardship on the operation of ASI's business, ASI will make that accommodation.

ASI will not require a qualified employee to take leave if another reasonable accommodation can be provided.

ASI prohibits discrimination on the basis of pregnancy, childbirth or related medical conditions. ASI also will not interfere with any individual's rights under the PWFA or take adverse action against a qualified applicant or employee because they request or use reasonable accommodations in accordance with this policy, report or oppose discrimination under the PWFA, or participate in a proceeding involving an alleged violation of the PWFA. Individuals who believe they have been subjected to, or believe that another individual has been subjected to, prohibited discrimination or retaliation should report it immediately to any ASI Human Resources Representative.

Paid Parental Leave

ASI recognizes that the arrival of a child is a momentous, exciting, and potentially a stressful occasion. We are committed to supporting parents when they welcome a new child into their home. Our Paid Parental Leave policy provides eligible employees with one week (40-hours) of paid leave to bond with their child within 12 months of the child's birth, adoption, or foster placement. This time is intended to provide employees with an opportunity to welcome the new addition to their family.

Parental leave under this policy is separate from and in addition to any pregnancy disability leave, childbirth recovery leave, Short-Term Disability, or State Disability Insurance benefits provided to employees who give birth to a child.

This policy applies to all regular, full-time and part-time employees (as defined below) regardless of where they work. ASI will comply with all federal, state and local laws providing employees with paid and unpaid family medical leave rights and benefits. Where applicable state or local laws provide additional or different benefits and/or protections for eligible employees, this policy and the applicable laws will be harmonized to apply to employees in such locations.

Eligibility

To be eligible for paid parental leave, employees must meet the following criteria:

- Regular (non-temporary) full-time and part-time (who work at least 1000 hours/fiscal year); and
- Have worked for ASI for at least 12 months prior to the commencement of the leave, though the 12 months need not be consecutive.

Temporary and part-time employees working less than 1000 hours per fiscal year are not eligible for paid leave under this policy but will continue to be entitled to any other applicable leave pursuant to company policy or by local, state, or federal laws.

In the case of adoption or foster care, the child must be age 17 or younger or 18 years of age or older and incapable of self-care because of a mental or physical disability at the time of the placement for this policy to apply.

Leave for the adoption of the employee's spouse, domestic partner, or committed partner's child is excluded from this policy if the child is not new to their home.

Surrogate mothers and sperm donors are excluded from coverage under this policy.

Paid Parental Leave Benefits

Eligible employees will be provided up to 40 hours or 5 days (defined as base pay per scheduled weekly hours) of paid parental leave following the birth of the employee's child or the placement of a child with the employee for adoption or foster care. The amount is pro-rated for part time employees.

Employees are limited to receiving 40 hours or 5 days under this policy in a 12-month period rolling backward, regardless of whether more than one birth or placement occurs within the 12-month period. If multiple births or the placement of multiple children occur (e.g., the birth of twins or adoption of siblings), it does not increase the total amount of paid parental leave granted for that event.

Compensation during Paid Parental Leave

Eligible employees will receive 100% of their base salary or base hourly wages based on the employee's regular work schedule during their paid parental leave, which does not include bonuses, overtime pay, shift differentials, or any other extra compensation ("100% of pay"), unless otherwise required by applicable law. To the extent possible, compensation for paid parental leave will be paid on regularly scheduled pay dates.

Paid parental leave is not considered "hours worked" for the purposes of calculating overtime.

Requesting Paid Parental Leave

To request leave under this policy, employees must notify ASI Human Resources Department as soon as practicable but at least 30 days in advance of the proposed date of the leave. If that notice is not practicable under the circumstances or otherwise provided by applicable law. If the need for leave is unforeseeable, employees must provide notice as soon as reasonably possible. Written notice is preferred, but not required.

Employees will be required to provide documentation (e.g., birth certificate or adoption papers) substantiating their eligibility for leave under this policy within 30 days of the child's birth, adoption, or placement. If the employee is eligible for FMLA leave and/or any applicable state leave, any applicable medical certification requirements will govern.

Employees who are receiving state-mandated benefits for intermittent new child bonding leave must provide ASI with the schedule of intermittent leave they have submitted to the State and notify ASI of any changes in that schedule.

When both parents work for ASI, ASI will not provide paid leave under this policy to both employees at the same time, unless otherwise required by law.

Failure to provide the required information and/or otherwise meet the requirements of this policy will render the employee ineligible to receive paid parental leave from ASI.

Continuation of Benefits

Benefits will continue to be provided during paid parental leave under this policy. Employees remain responsible for payment of their regular employee portion of the premium. During paid parental leave, all benefits provided under any employee benefit plan will be governed by the terms and conditions of the applicable employee benefit plan documents in accordance with applicable law. If an employee fails to return from the leave, ASI may seek to recover any health premiums paid by it on the employee's behalf to the extent allowed by applicable law.

Coordination with Other Leave Entitlements and Company Benefits

When applicable and to the extent permitted by law, paid parental leave under this policy will run concurrently with any paid or unpaid parental leave required under any applicable federal, state or local leave laws, including but not limited to leave under the federal Family and Medical Leave Act (FMLA). The amount of paid parental leave cannot be scheduled so as to extend the available leave under applicable federal, state or local law. Although employees may be eligible for additional leave and/or benefits under their state or local law after they exhaust paid parental leave under this policy. The amount of leave and compensation available under this policy will be reduced by any state or local paid family leave used for the same qualifying event during the 12-month period immediately preceding the employee's paid parental leave.

ASI will comply with applicable law to the extent that it requires benefits that are greater than, or different from, the benefits outlined in this policy.

For more information about other available leave and/or benefits that may be available under applicable state or local law, please consult ASI's policies in this Employee Handbook or contact ASI Human Resources.

Reinstatement

ASI will attempt to return an eligible employee to their former position or a comparable position upon return from paid parental leave, at its discretion. Given changing business needs, however, no guarantee of reinstatement can be made. Employees on leave are asked to confirm their return date at least one week before they return to work. Any requests for additional leave must be made as soon as possible. Employees on leave who do not return as scheduled, and fail to request or cannot show good reason why an extension should be granted, will be considered to have voluntarily terminated their employment as of the day the original leave expired. If paid parental leave is running concurrently with a leave of absence that is job-protected under federal, state, or local law, ASI will comply with any applicable reinstatement and reemployment requirements.

Additional Information

Paid parental leave is not an accrued benefit and will not be paid out on termination of employment for any reason. ASI reserves the right to amend, modify, suspend or terminate this policy at any time, with or without advance notice. ASI has the exclusive right to interpret this policy.

Employees with additional questions about this policy should contact ASI Human Resources.

Family and Medical Leave

ASI will grant family and medical leave in accordance with the requirements of applicable federal and state law in effect at the time the leave is granted. Although the federal and state laws have different names, ASI refers to the federal Family and Medical Leave Act (Fed-FMLA) and the California Family Rights Act (CFRA) collectively as "FMLA Leave." In any case, employees will be eligible for the most generous benefits available under applicable law.

Employee Eligibility

To be eligible for FMLA Leave, employees must: (1) have been employed by ASI for a total of at least 12 months (not necessarily consecutive); (2) have worked at least 1,250 hours during the previous 12 months immediately prior to the start of the leave; and (3) (Fed-FMLA only) have worked at a location where at least 50 employees are employed by ASI within 75 miles of the employee's worksite, as of the date the leave is requested. Eligibility requirements may differ for employees who have been on a protected military leave of absence. If employees are unsure whether they qualify for FMLA Leave, they should contact ASI Human Resources.

Reasons for Leave

Federal and state laws allow FMLA Leave for various reasons. Because employees' legal rights and obligations may vary depending upon the reason for the FMLA Leave, it is important to identify the purpose or reason for the leave. Fed-FMLA leave and CFRA leave run concurrently except for the following reasons: to care for a child without regard to age or dependency status, registered domestic partner, a child of a registered domestic partner, grandparent, grandchild, parent-in-law, sibling or designated person (CFRA only), incapacity due to pregnancy or prenatal care as a serious health condition (Fed-FMLA only), qualifying exigency leave as defined under the FMLA (Fed-FMLA only), qualifying exigency leave as defined under the CFRA (CFRA only) and military caregiver leave (Fed-FMLA only). Additionally, CFRA coverage for an employee's own serious health condition that also constitutes a disability under the California's Fair Employment and Housing Act (FEHA) is separate and distinct from FEHA protections. If the employee cannot

return to work at the expiration of the CFRA leave, ASI will engage the employee in the interactive process to determine whether an extension of the leave would be a reasonable accommodation under the FEHA.

FMLA Leave may be used for one of the following reasons:

- The birth, adoption or foster care of an employee's child within 12 months following birth or placement of the child (Bonding Leave);
- To care for an immediate family member (spouse, child, parent and for CFRA Leave: registered domestic partner, child of a registered domestic partner, grandparent, grandchild, sibling or designated person) with a serious health condition (Family Care Leave);
- An employee's inability to work because of a serious health condition (Serious Health Condition Leave);
- A "qualifying exigency," as defined under the FMLA, arising from a spouse's, child's or parent's "covered active duty" as a member of the military reserves, National Guard or Armed Forces or as defined under the CFRA, related to the covered active duty or call to covered active duty of an employee's spouse, domestic partner, child, or parent in the Armed Forces of the United States (Qualifying Exigency Leave); or
- To care for a spouse, child, parent or next of kin (nearest blood relative) who is a "Covered Servicemember" (Military Caregiver Leave).

Definitions

"Child," for purposes of Bonding Leave and Family Care Leave, means a biological, adopted or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis, and for Fed-FMLA only, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability, at the time that FMLA Leave is to commence. "Child," for purposes of Qualifying Exigency Leave and Military Caregiver Leave, means a biological, adopted or foster child; stepchild; legal ward; or a child for whom the person stood in loco parentis, and who is of any age.

"Parent," for purposes of this policy, means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the person. This term includes a parent-in-law for CFRA leave only. For Qualifying Exigency Leave taken to provide care to a parent of a deployed military member, the parent must be incapable of self-care as defined by the FMLA.

"Designated Person," for purposes of this policy means any individual related by blood or whose association with the employee is the equivalent of a family relationship. Employees may identify a designated person at the time they request CFRA leave.

"Covered Active Duty" means (1) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and (2) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation as defined by applicable law.

"Covered Servicemember" means (1) a member of the Armed Forces, including a member of a reserve component of the Armed Forces, who is undergoing medical treatment, recuperation or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness incurred or aggravated in the line of duty while on active duty that may render the individual medically unfit to

perform his or her military duties; or (2) a person who, during the five years prior to the treatment necessitating the leave, served in the active military, Naval or Air Service, and who was discharged or released under conditions other than dishonorable (a "veteran" as defined by the Department of Veteran Affairs), and who has a qualifying injury or illness incurred or aggravated in the line of duty while on active duty that manifested itself before or after the member became a veteran. For purposes of determining the five-year period for covered veteran status, the period between October 28, 2009, and March 8, 2013, is excluded.

"Spouse" means the other person with whom an individual entered into marriage as defined or recognized under state law in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage that either (1) was entered into in a state that recognizes such marriages; or (2) if entered into outside of any state, is valid in the place where entered into and could have been entered into in at least one state. For purposes of CFRA leave, a spouse includes a registered domestic partner or same-sex partners in marriage.

"Key employee" means a salaried Fed-FMLA Leave eligible employee who is among the highest paid 10 percent of all the employees employed by the employer within 75 miles of the employee's worksite at the time of the Fed-FMLA leave request.

"Serious health condition" means an illness, injury, impairment or physical or mental condition that involves either:

- Inpatient care (including, but not limited to, substance abuse treatment) in a hospital, hospice or residential medical care facility, including any period of incapacity (that is, inability to work, attend school or perform other regular daily activities) or any subsequent treatment in connection with this inpatient care; or
- Continuing treatment (including, but not limited to, substance abuse treatment) by a health care provider that includes one or more of the following:
 - A period of incapacity (that is, inability to work, attend school or perform other regular daily activities due to a serious health condition, its treatment or the recovery that it requires) 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 via an in-person visit to a health care provider, or at least one visit to a health care provider that results in a regimen of continuing treatment under the supervision of the health care provider.
 - Any period of incapacity due to pregnancy or prenatal care (under the Fed-FMLA, but not the CFRA).
 - Any period of incapacity or treatment for incapacity due to a chronic serious health condition that requires periodic visits to a health care provider, continues over an extended period of time and may cause episodic incapacity.
 - A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective, such as Alzheimer's, a severe stroke and the terminal stages of a disease.
 - Any period of absence to receive multiple treatments (including any period of recovery) by a health care provider either for (a) restorative surgery after an accident or other injury; or (b) 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.

"Serious injury or illness" in the case of a current member of the Armed Forces, National Guard or Reserves is an injury or illness incurred by a covered servicemember in the line of duty on active duty (or that preexisted the member's active duty and was aggravated by service in the line of duty on active duty) in the Armed Forces that may render him or her medically unfit to perform the duties of his or her office, grade, rank or rating. In the case of a covered veteran, "serious injury or illness" means an injury or illness that was incurred in the line of duty on active duty (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty) and that manifested itself before or after the member became a veteran.

"Qualifying exigency" for Fed-FMLA is defined by the Department of Labor and for CFRA is defined by the California Unemployment Insurance Code and generally includes events related to short-notice deployment, military ceremonies, support and assistance programs, changes in childcare, school activities, financial and legal arrangements, counseling and post-deployment activities. Qualifying Exigency Leave may also be used to spend up to 15 days with military members who are on short-term, temporary, rest and recuperation leave during their period of deployment.

Length of Leave

If the reason for leave is common to both Fed-FMLA and CFRA and, therefore, running concurrently, the maximum amount of FMLA Leave will be 12 workweeks in any 12-month period. If the reason for leave is not common to both Fed-FMLA and CFRA and, therefore, not running concurrently, then an eligible employee may be entitled to additional leave under applicable law.

The applicable "12-month period" utilized by ASI is the 12-month period measured forward from the start date of the employee's first FMLA leave. Under this method, the 12-month period is measured from the date the employee first uses any FMLA leave.

The maximum amount of Fed-FMLA Leave for an employee wishing to take Military Caregiver Leave will be a combined leave total of 26 workweeks in a single 12-month period. A "single 12-month period" begins on the date of the employee's first use of such leave and ends 12 months after that date.

If both spouses work for ASI and are eligible for leave under this policy, under the Fed-FMLA, the spouses will be limited to a total of 26 workweeks off between the two when the leave is for Military Caregiver Leave only or is for a combination of Military Caregiver Leave, Bonding Leave and/or Family Care Leave taken to care for a parent.

When CFRA leave is for the birth or placement of a child and both parents work for ASI, they will each be allowed up to 12 weeks of CFRA leave within 12 months of the child's birth or placement.

To the extent required by law, leave beyond an employee's FMLA Leave entitlement will be granted when the leave is necessitated by an employee's work-related injury or illness, a pregnancy-related disability or a "disability" as defined under the Americans with Disabilities Act (ADA) and/or the Fair Employment and Housing Act (FEHA). When the reason for CFRA leave was the employee's serious health condition, which also constitutes a "disability" under the FEHA and the employee cannot return to work at the conclusion of the CFRA leave, ASI will engage in an interactive process to determine whether an extension of leave would constitute a reasonable accommodation under the FEHA.

Intermittent or Reduced Schedule Leave

Under some circumstances, employees may take FMLA Leave intermittently, which means taking leave in blocks of time or reducing the employee's normal weekly or daily work schedule. An employee may take leave intermittently or on a reduced schedule whenever it is medically necessary to care for the employee's child, parent or spouse with a serious health condition or because the employee has a serious health condition. The medical necessity of the leave must be determined by the health care provider of the person with the serious health condition.

Intermittent or reduced schedule leave may also be taken for absences where the employee or his or her family member is incapacitated or unable to perform the essential functions of the job because of a chronic serious health condition, even if the person does not receive treatment by a health care provider.

Leave due to military exigencies may also be taken on an intermittent basis.

Employees who take leave intermittently or on a reduced work schedule basis for planned medical treatment must make a reasonable effort to schedule the leave so as not to unduly disrupt ASI's operations. Please contact ASI Human Resources prior to scheduling medical treatment. If FMLA is taken intermittently or on a reduced schedule basis due to planned medical treatment, we may require employees to transfer temporarily to an available alternative position with an equivalent pay rate and benefits, including a part-time position, to better accommodate recurring periods of leave.

If an employee using intermittent leave or working a reduced schedule finds it physically impossible to start or stop work mid-way through a shift in order to take CFRA leave and is therefore forced to be absent for the entire shift, the entire period will be counted against the employee's CFRA entitlement. However, if there are other aspects of work that the employee is able to perform that are not physically impossible, then the employee will be permitted to return to work, thereby reducing the amount of time to be charged to the employee's CFRA entitlement.

CFRA leave for bonding leave does not have to be taken in one continuous period of time, but the minimum duration is two weeks. However, ASI will grant a request for CFRA leave lasting less than two weeks' twice during the 12-week period. Additional requests for Bonding Leave lasting less than two weeks may be directed to ASI Human Resources and will be considered on a case-by-case basis depending on the needs of ASI. If the request is granted, ASI may require the employee to transfer temporarily to an available alternative position. Bonding Leave must be concluded within one year of the birth or placement of the child.

If employees have been approved for intermittent leave and they request leave time that is unforeseeable, they must specifically reference either the qualifying reason for leave or the need for FMLA Leave at the time they call off.

Notice and Certification

Bonding, Family Care, Serious Health Condition and Military Caregiver Leave Requirements employees are required to provide:

- When the need for the leave is foreseeable, 30 days' advance notice or such notice as is both possible and practical if the leave must begin in fewer than 30 days (normally this would be the same day the employee becomes aware of the need for leave or the next business day);

- When the need for leave is not foreseeable, notice within the time prescribed by ASI's normal absence reporting policy, unless unusual circumstances prevent compliance, in which case notice is required as soon as is otherwise possible and practical.
- When the leave relates to medical issues, a completed Certification of Health Care Provider form within 15 calendar days (for Military Caregiver Leave, an invitational travel order or invitational travel authorization may be submitted in lieu of a Certification of Health Care Provider form).
- Periodic recertification (as allowed by law).
- Periodic reports during the leave.

In addition to other notice provisions, employees requesting leave for CFRA qualifying reasons must respond to any questions designed to determine whether an absence is potentially qualifying for leave under this policy. Failure to respond to permissible inquiries regarding the leave request may result in denial of CFRA leave protections. Similarly, an employee or the employee's spokesperson may be required to provide additional information needed to determine whether a requested leave qualifies for Fed-FMLA protections. An employee's failure to adequately explain the reason for the leave may result in the denial of Fed-FMLA protections.

Certification forms are available from ASI Human Resources. At ASI's expense, we may require a second or third medical opinion regarding the employee's own serious health condition or the serious health condition of an employee's family member for Fed-FMLA purposes and, for CFRA purposes, the employee's own serious health condition. In limited cases, we may require a second or third opinion regarding the injury or illness of a Covered Servicemember. Employees are expected to cooperate with ASI in obtaining additional medical opinions that we may require.

When leave is for planned medical treatment, employees must try to schedule treatment so as not to unduly disrupt ASI's operation. Please contact ASI Human Resources prior to scheduling planned medical treatment.

If an employee does not produce the certification as requested, the FMLA leave will not be protected.

Recertification After Grant of Leave

In addition to the requirements listed above, if an employee's Fed-FMLA leave is certified, ASI may later require medical recertification in connection with an absence that the employee reports as qualifying for Fed-FMLA leave. For example, ASI may request recertification if (1) the employee requests an extension of leave; (2) the circumstances of the employee's condition as described by the previous certification change significantly (e.g., employee absences deviate from the duration or frequency set forth in the previous certification; employee's condition becomes more severe than indicated in the original certification; employee encounters complications); or (3) ASI receives information that casts doubt upon the employee's stated reason for the absence. In addition, ASI may request recertification in connection with an absence after six months have passed since the employee's original certification, regardless of the estimated duration of the serious health condition necessitating the need for leave. Any recertification requested by ASI will be at the employee's expense.

In addition to the requirement listed above, a recertification under the CFRA may only be requested at the expiration of the time period in the original certification for time off for the employee's own serious health condition.

If an employee does not produce the recertification as requested, the leave will not be CFRA protected.

Qualifying Exigency Leave Requirements

Employees are required to provide:

- As much advance notice as is reasonable and practicable under the circumstances.
- A copy of the covered servicemember's active-duty orders when the employee requests leave and/or documentation (such as Rest and Recuperation leave orders) issued by the military setting forth the dates of the servicemember's leave.
- A completed Certification of Qualifying Exigency form within 15 calendar days, unless unusual circumstances exist to justify providing the form at a later date.

Certification forms are available from ASI Human Resources.

Failure to Provide Notice or Certification and to Return from Leave

Absent unusual circumstances, failure to comply with these notice and certification requirements may result in a delay or denial of the leave. If an employee fails to return to work at the leave's expiration and has not obtained an extension of the leave, ASI may presume that the employee does not plan to return to work and has voluntarily terminated his or her employment.

Compensation During Leave

Generally, FMLA Leave is unpaid. However, employees may be eligible to receive benefits through state-sponsored programs. Employees may also choose to use accrued vacation and sick leave, to the extent permitted by law and ASI's policy. If employees elect to have wage-replacement benefits and accrued paid leave integrated, the integration will be arranged such that employees will receive no greater compensation than their regular compensation during this period. ASI may require employees to use accrued vacation to cover some or all of a Fed-FMLA Leave. However, ASI will only require employees to use accrued vacation, if the CFRA leave is otherwise unpaid. The CFRA leave is not unpaid if the employee is receiving state disability insurance, short- or long-term disability payments pursuant to an employer provided plan, or is receiving Paid Family Leave through the state. The use of paid benefits will not extend the length of FMLA Leave.

Benefits During Leave

ASI will continue making contributions to employees' group health benefits during their leave on the same terms as if the employees had continued to actively work. This means that if employees want their benefits coverage to continue during their leave, they must also continue to make the same premium payments that they are now required to make for themselves or their dependents. Employees taking leave for a reason that is common to both Fed-FMLA and CFRA and, therefore, leave is running concurrently, will generally be provided with group health benefits for a 12-workweek period. When employees take leave for a reason that is not common to both Fed-FMLA and CFRA and, therefore, leave is running consecutively, ASI will continue the employee's health insurance benefits for up to a maximum of 12 workweeks in a 12-month period during each applicable leave. Employees taking Military Caregiver Leave may be eligible to receive group health benefits coverage for up to a maximum of 26 workweeks. In some instances, ASI may recover premiums it paid on an employee's behalf to maintain health coverage if the employee fails to return to work following FMLA Leave.

An employee's length of service will remain intact, but benefits such as vacation and sick leave may not accrue while on an unpaid FMLA Leave.

Job Reinstatement

Under most circumstances, employees will be reinstated to the same position they held at the time of the leave or to an equivalent position with equivalent pay, benefits and other terms and conditions of employment. If an employee becomes unqualified during CFRA leave as a result of not attending a necessary course, or renewing a license, the employee will be given a reasonable opportunity to fulfill those conditions upon returning to work. Further, ASI may grant an employee's request to work a different shift, in a different or better position, or in a different location, that is better suited to the employee's personal needs upon returning from CFRA leave. ASI will also consider a reasonable accommodation under the FEHA if the employee is returning from CFRA leave for his or her own serious health condition. However, employees have no greater right to reinstatement than if they had been continuously employed rather than taken leave. For example, if an employee would have been laid off or his or her position would have been eliminated even if he or she had not gone on leave, then the employee will not be entitled to reinstatement. However, if an employee has been replaced or the employee's position was restructured to accommodate the employee absence, the employee is entitled to reinstatement.

Prior to being allowed to return to work, an employee wishing to return from a Serious Health Condition Leave must submit an acceptable release from a health care provider that certifies the employee is able to resume work. For an employee on intermittent or reduced schedule FMLA Leave, such a release may be required up to once every 30 days if reasonable safety concerns exist regarding the employee's ability to perform his or her duties, based on the serious health condition for which the employee took the intermittent or reduced schedule leave.

For Fed-FMLA purposes only, key employees may be subject to reinstatement limitations in some circumstances. If employees are considered a "key employee," those employees will be notified of the possible limitations on reinstatement at the time the employee requests a leave of absence, or when leave begins, if earlier.

Confidentiality

Documents relating to medical certifications, recertifications or medical histories of employees or employees' family members will be maintained separately and treated as confidential medical records, except that in some legally recognized circumstances, the records (or information in them) may be disclosed to supervisors and managers, first aid and safety personnel or government officials.

Fraudulent Use of FMLA Leave Prohibited

An employee who fraudulently obtains FMLA Leave from ASI is not protected by the Fed-FMLA's or the CFRA's job restoration or maintenance of health benefits provisions. In addition, ASI will take all available appropriate disciplinary action against an employee due to such fraud.

Nondiscrimination

ASI takes its FMLA Leave obligations very seriously and will not interfere with, restrain or deny the exercise of any rights provided by the Fed-FMLA or the CFRA. We will not terminate or discriminate against any individual for opposing any practice or because of involvement in any proceeding related to the Fed-FMLA or CFRA. If an

employee believes that his or her Fed-FMLA or CFRA rights have been violated in any way, he or she should immediately report the matter to ASI Human Resources.

Additional Documentation

ASI's "Employee Rights and Responsibilities" notice provides additional details regarding employees' rights and responsibilities under the Fed-FMLA. Employees may obtain a copy of the "Employee Rights and Responsibilities" notice from ASI Human Resources.

Employees should contact ASI Human Resources as to any Fed-FMLA or CFRA questions they may have.

Spousal/Domestic Partner Military Leave

Qualified employees, who are spouses or registered domestic partners of a qualified member of the Armed Forces, National Guard, or Reserves ("member"), may take an unpaid leave of up to 10 days during a qualified leave period of the member.

To be eligible for this leave, the employee must:

- Be the spouse or registered domestic partner of the member.
- Work an average of 20 or more hours per week.
- Provide ASI with notice within 2 business days of receiving official notice that the member will be on leave from deployment that the employee intends to take leave under this policy.
- Submit written documentation certifying that the member will be on leave from deployment during the period the leave is requested.

This policy does not affect an employee's rights with respect to any other employee benefit provided by law and does not affect or prevent ASI from allowing an employee to take a leave that the employee is otherwise entitled to take. ASI will not retaliate against any employee for requesting or taking leave under this policy.

From purposes of this policy the following definitions apply: "Qualified member" means a person who is a member of the Armed Forces of the United States who has been deployed during a period of military conflict to an area designated as a combat theater or zone by the President; or a member of the National Guard or the Reserves who has been deployed during a period of military conflict regardless of area.

"Period of military conflict" means either:

- A period of war declared by the United State Congress.
- A period of deployment for which a member of a reserve component is ordered to active duty pursuant to either U.S. Code Title 10, Sections 12301 and 12302 or Title 32.

"Qualified leave period" means the period during which the qualified member is on leave from deployment during a period of military conflict.

Family Leave Insurance

Employees may be eligible for up to eight weeks of state-provided paid family leave (PFL) insurance benefits when they take time off for one of the following purposes:

- To bond with a child during the first 12 months after the child's birth or after the placement of a child for adoption or foster care with the employee.

- To care for an immediate family member (spouse, registered domestic partner, child, parent, grandparent, grandchild, sibling and parent-in-law defined by the PFL law) who is seriously ill and requires care.
- To participate in a qualifying exigency related to the covered active duty or call to covered active duty of the employee's spouse, domestic partner, child or parent in the U.S. Armed Forces.

The PFL benefits described in this policy are a state-provided partial wage replacement benefit, not a protected leave of absence. To obtain approval for a leave of absence for the reasons set forth above, employees must contact their supervisor or ASI Human Resources and comply with applicable eligibility, notice, and certification requirements when required by state or federal law.

Amount and Duration of Benefits

The weekly benefit amount is generally 70 to 90 percent of the employee's earnings (depending upon the employee's income), with benefits capped according to a state-imposed maximum weekly benefits amount. Employees may receive up to eight weeks of PFL benefits during a 12-month period but may not receive more benefits than earned in wages during the base period for calculating benefits (generally, the 12 months prior to the term in which the claim is made).

When applicable, PFL benefits will run concurrently with leave time available under the CFRA and the federal FMLA. Employees may use any accrued but unused sick leave prior to receiving PFL benefits.

For more information, contact ASI Human Resources for a brochure or visit the [State of California Employment Development Department](#) website.

Workers' Compensation

When work-related accidents, injuries or illnesses occur, employees may be eligible for workers' compensation insurance benefits. ASI provides a comprehensive workers' compensation insurance program at no cost to employees and in accordance with applicable state law. This program covers most injuries or illnesses, sustained in the course of employment, that require medical, surgical or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits or, if the employee is hospitalized, treatment immediately.

Reporting Work-Related Injury or Illness

Employees who sustain a work-related injury or illness should inform their supervisor or designee immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately.

Leaves of Absence/Accommodation

Employees who need to take time off from work due to a workers' compensation illness or injury may also be eligible for a leave of absence under ASI's leaves of absence or reasonable accommodation policies. Employees should consult ASI Human Resources for additional information.

Return to Work

Employees who are ready to return to work following a workers' compensation-related leave of absence must supply a work status update form from a health care provider confirming the employee's ability to return to work.

No Discrimination or Retaliation

ASI will not discharge or otherwise discriminate against any employee because the employee reports a work-related fatality, injury or illness.

Fraud

ASI will notify the workers' compensation insurance carrier if we have reason to believe an employee has supplied false or misleading information in connection with a claim and/or has filed a fraudulent claim. Workers' compensation fraud is a crime and may also be grounds for disciplinary action, up to and including termination of employment.

⁴ State of California Employee Development Department – <http://edd.ca.gov>

Leave Donation Program

ASI's Leave Donation Program is a voluntary program that provides a means for certain employees to assist other employees when they or an immediate family member experience a medical emergency and have exhausted their accrued sick and vacation time, and as a result are experiencing financial hardship. The program allows certain employees to voluntarily donate accrued sick and/or vacation time that can be used by another employee, who meets the criteria of the program. Such donations are made by employees on an as needed basis by the transfer of hours which ASI will pay to the recipient employee as wages.

Eligible employees must meet all the following criteria:

- Has suffered a medical emergency or must care for an immediate family member, who has suffered a medical emergency.
- Has exhausted all their accrued sick and vacation time and is not otherwise receiving compensation through ASI, or other sources, such as private or public insurance (i.e., SDI) or disability benefits. In the event the employee is receiving payments from such other sources, leave donations are limited to the difference between the employee's regular weekly earnings and benefits received.
- Has worked for ASI for 180 continuous days.
- Classified as a regular and temporary full-time or part-time benefited employee.

Employees must complete the Application for Leave Donation Program, which is available from and should be submitted to ASI Human Resources. If an employee is unable to complete the form, a family member or a designee may do so on behalf of the employee. Applications will be confidential, and an applicant's personal circumstances will be confidential.

A medical emergency is a medical condition of the employee or a family member that will require the prolonged absence of the employee from duty and will result in a substantial loss of income to the employee because the employee will have exhausted all paid leave available apart from the program. Intermittent absences following prolonged absences are not considered to be continuous medical emergencies. With respect to any medical emergency, ASI reserves the right to request proof of such an emergency.

ASI Human Resources will evaluate each case individually and make a recommendation to the ASI Executive Director for final approval.

A Family Member is the employee's spouse or registered domestic partner, child, parent, or "in loco parentis". The family member must require the employee's direct care or live in the same household.

Qualifying employees are eligible to receive a donation once every six (6) months, not to exceed 90 days per calendar year.

All donations will be considered taxable wages and are subject to authorized required deductions.

Donated time will be distributed on an hour for hour basis and paid on the recipient's regular payday(s).

The minimum donation is one (1) hour and all donations are made in whole hour increments. No employee may donate more than forty (40) hours in a calendar year period.

Federal tax law prohibits designating a specific beneficiary. When an employee applies, donations will be solicited for contributions to a pool to meet the projected need. If donations offered exceed need, individual donations will be adjusted so an individual donor's leave banks will be charged proportional to overall offered donations. All donations are voluntary and confidential.

Donations are not considered taxable income for donors. Likewise, the dollar equivalent for these hours is not counted as wages for calculation of any wage-based benefit for either the recipient or the donor. The cash equivalent of a donation is not tax deductible.

This program is not an additional leave entitlement or benefit, but rather a means of allowing employees to help colleagues in need. Recipients must continue to adhere to all leave of absence provisions. ASI may change or revoke this policy without notice. Participation in the program is strictly voluntary. ASI cannot guarantee that donated time will be available. Any employee who participates in the program, either as a donor or a recipient, agrees to hold ASI, its representatives, and its employees harmless if their application is denied in full or in part.

Bereavement Leave

Eligible employees may take up to five days of bereavement leave for the death of a spouse, domestic partner, child, parent, parent-in-law, sibling, grandparent, or grandchild. All regular and temporary full-time and part-time benefited employees qualify to receive up to five days of paid leave per death of an eligible family member. All students, intermittent, or other non-benefited employees are eligible to use any available sick leave or take five days of unpaid time off. To be eligible for bereavement leave, employees must have been employed by ASI for at least 30 days immediately preceding the start of the leave. Bereavement leave days need not be taken consecutively, but bereavement leave must be completed within 12 months of the date of death of the family member. Bereavement leave is separate from and provided in addition to other legally protected leaves, including leave provided under the California Family Rights Act. An employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee for additional time off as approved in advance of time off.

ASI will not refuse to hire or discharge, demote, fine, suspend, expel, or discriminate against an individual because the individual exercised the right to bereavement leave provided by this policy or gave information or testimony as to their own bereavement leave, or another person's bereavement leave, in an inquiry or proceeding related to rights guaranteed under California's bereavement leave law. Further, ASI will not

interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under California's bereavement leave law.

Reproductive Loss Leave

Eligible employees may take up to five days of reproductive loss leave following a reproductive loss event. To be eligible for leave, employees must have been employed by ASI for at least 30 days immediately preceding the start of the leave. An employee who experiences more than one reproductive loss event within a 12-month period may take a total of 20 days of reproductive loss leave within a 12-month period.

For purposes of this policy, a reproductive loss event is defined as the following:

- Failed adoption, meaning the dissolution or breach of an adoption agreement with the birth mother or legal guardian, or an adoption that is not finalized because it is contested by another party, where the employee would have been a parent of the adoptee if the adoption had been completed.
- Failed surrogacy, meaning the dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the surrogate, where the employee would have been a parent of a child born as a result of the surrogacy.
- Miscarriage by the employee, the employee's current spouse or domestic partner, or another individual where the employee would have been a parent of a child born as a result of the pregnancy.
- Stillbirth resulting from the pregnancy of the employee, the employee's current spouse or domestic partner, or another individual where the employee would have been a parent of a child born as a result of the pregnancy.
- Unsuccessful assisted reproduction, which is defined as an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure for the employee, the employee's current spouse or domestic partner, or another individual where the employee would have been a parent of a child born as a result of the pregnancy.

Reproductive loss leave days need not be taken consecutively but generally must be completed within 12 months of the reproductive loss event. For a reproductive loss event that spans multiple days, the event is deemed to occur on the final day of the event. If an employee is on, or chooses to go on, a leave of absence under state or federal law (including California Family Rights Act leave or pregnancy disability leave), either prior to or immediately following a reproductive loss event, the employee must complete reproductive loss leave within three months of the end date of the other leave.

Reproductive loss leave will run concurrently with the ASI's Bereavement Leave policy in and is unpaid except as set forth in that policy. An employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee. ASI will maintain the confidentiality of any employee requesting reproductive loss leave. Any information provided to ASI regarding reproductive loss leave will be maintained as confidential and will not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

ASI will not refuse to hire or discharge, demote, fine, suspend, expel, or discriminate against an individual because the individual exercised the right to reproductive loss leave provided by this policy or gave information or testimony as to their own reproductive loss leave, or another person's reproductive loss leave, in an inquiry or proceeding related to rights guaranteed under California's reproductive loss leave law.

Further, ASI will not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under California's reproductive loss leave law.

Jury Duty

Employees called for jury duty are expected to fulfill their civic responsibility. Employees must provide a copy of their summons to ASI Human Resources and their immediate supervisor, as soon as possible, in order to arrange for time off.

ASI pays the employee's regular wage for up to ten (10) workdays of jury duty for regular and temporary full-time and part-time benefitted employees. Employees on leave of absence are not eligible for jury duty pay. Student and Intermittent employees are not eligible for jury duty pay. Jury duty pay, exclusive of travel reimbursement, should be remitted to ASI Human Resources. Benefits will be continued while on jury duty.

If an employee is dismissed early at any time during jury duty, they must telephone their supervisor, who may request that they report to work.

ASI requires a certificate from the court verifying the days of jury service in order to receive jury duty pay.

Military Leave

Both state and federal law provide employees with the right to take leave in order to serve in the military. At the federal level, military leave rights are governed by the Uniformed Services Employment and Reemployment Rights Act of 1994, commonly referred to as USERRA. This policy first discusses military leave under USERRA and then describes additional military leave rights provided under California law.

If an employee plans to request leave based on military service, they should contact ASI Human Resources for information on any additional rights or requirements, if applicable, under state law.

Employee Eligibility – USERRA

Employees will be granted a leave of absence for service in the uniformed services according to USERRA and applicable state law. Leave is available to all employees who are eligible to take it and seek reinstatement under USERRA or applicable state law for the purpose of performing service in the uniformed services.

Employees are eligible under USERRA to seek reinstatement if they meet the following requirements:

- The employee provides proper notice (as discussed below);
- The cumulative total of the employee's service periods does not exceed five years, except as otherwise permitted by USERRA (as discussed below);
- The employee seeks reinstatement within the time frames outlined by USERRA (as discussed below); and
- The employee is discharged from service in the uniformed services in a manner that does not disqualify the employee for USERRA's protections (as discussed below).

Definitions – USERRA

For purposes of this policy, "uniformed services" means the Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the Public Health Service, the commissioned officer corps of the National Oceanic and Atmospheric Administration, System members of the National Urban Search and Rescue

Response System during a period of appointment into Federal service under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, intermittent personnel who are appointed into Federal Emergency Management Agency service under section 306(b)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act or to train for such service, and any other category of persons designated by the President in time of war or national emergency.

For purposes of this policy, “service in the uniformed services” means voluntary or involuntary active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, State active duty for a period of 14 days or more, State active duty in response to a national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.), State active duty in response to a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any such duty, a period for which a System member of the National Urban Search and Rescue Response System is absent from a position of employment due to an appointment into Federal service under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, a period for which a person is absent from a position of employment due to an appointment into service in the Federal Emergency Management Agency as intermittent personnel under section 306(b)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5149(b)(1)), and a period for which a person is absent from employment for the purpose of performing funeral honors duty as authorized by section 12503 of title 10 or section 115 of title 32.

Notice of Leave – USERRA

An employee must notify ASI Human Resources of the need to take leave as far in advance as feasible. ASI requests notice at least 30 days prior to the beginning of the leave, if possible. Verbal notice is sufficient, but ASI may request documentation from the employee. If giving notice is impossible or unreasonable for reasons not attributable to the employee, notice should be provided as soon as possible. Notice may not be required when precluded by military necessity, which is defined by the Department of Defense, the Administrator of FEMA for FEMA service, or the Secretary of Health and Human Services for intermittent disaster-response appointees of the National Disaster Medical System.

Employees are responsible for updating changes in contact information by sending such information to ASI Human Resources.

Length of Leave – USERRA

An employee is entitled to leave for up to five years of service in the uniformed services, subject to certain exceptions that may require ASI to provide leave, but not count the service period towards the five-year limit. Employees who have questions about whether their service period counts toward the five-year limit, please contact ASI Human Resources.

Nature of Discharge – USERRA

Reinstatement may be denied if an employee is released from service under conditions that would disqualify the employee for the protections provided for under USERRA (for example, dishonorable discharge).

Use of Accrued, Unused Paid Time Off During Leave – USERRA

Any employee on military leave may use accrued, but unused, paid time off to compensate the employee during the leave. The employee is not required to use such paid time off during military leave but may choose to do so.

Employee Responsibility to Seek Reinstatement – USERRA

The following rules apply to an employee who seeks reinstatement after completing a period of service in the uniformed services.

For uniformed service that is Less than 31 Days or fitness for duty examinations

The employee must return to work at the beginning of the first regularly scheduled work period that starts on the first full day after release from service, following reasonable travel time home, plus an eight-hour rest period.

For uniformed service that is more than 30 days, but less than 181 days

An employee must seek reinstatement within 14 days of release from uniformed service if the employee's service was greater than 30 days but less than 181 days.

For uniformed service that is more than 180 days

An employee must seek reinstatement within 90 days of release from uniformed service if the employee's service was greater than 180 days.

In case of Injury or illness

If an employee is hospitalized, convalescing, or recovering from an injury or illness incurred or aggravated during uniformed service, the periods for seeking reinstatement may be extended for a period of up to two years, unless seeking reinstatement after expiration of that period is impossible or unreasonable due to no fault of the employee.

Reinstatement Positions – USERRA

An employee returning from leave who properly seeks reinstatement according to the requirements of USERRA and applicable state law will be entitled to be reinstated as follows:

If uniformed service is 91 days or less

The employee will be returned to the position they would have held if there had been continuous employment if the employee is qualified to perform the required duties of that position ("escalator position"). If the employee is not qualified to perform the required duties of the escalator position, ASI will make reasonable efforts to qualify the employee for that position. If the employee is not qualified for the escalator position after these reasonable qualification efforts are made, the employee will be reinstated to the position the employee held immediately prior to starting the leave.

If uniformed service is greater than 90 days

The employee will be returned to the escalator position. If the employee is not qualified to perform the required duties of the escalator position, ASI will make reasonable efforts to qualify the employee for that position. If the employee is not qualified for the escalator position after these reasonable efforts are made,

the employee will return to the position they held immediately prior to taking a leave, or a position of like status, pay, and seniority.

Employees with Disabilities

An employee who has a disability that is incurred in, or aggravated during, uniformed service is entitled to receive reasonable accommodation in the performance of the escalator position. If the employee is not qualified for the escalator position even with the consideration of reasonable accommodations, the employee will be reemployed in a position of equivalent seniority, status and pay for which the employee could become qualified or is qualified after reasonable accommodation. If the employee cannot meet the qualifications of this second position even with the consideration of reasonable accommodations, ASI will reemploy the employee in a position that is the nearest approximation in terms of seniority, status, and pay to the second position, with reasonable accommodations.

Prompt reinstatement will vary depending on the amount of time the employee has been out on military leave. Prompt reinstatement may require a delay in employment of up to two weeks following the date the employee seeks reinstatement. Only in unusual circumstances will this period exceed two weeks.

ASI may require an employee returning from military leave for a period of service that exceeds 30 days to provide documentation of the employee's right to reinstatement, which requires the employee to show they gave reasonable notice of the need for leave, the employee has not exceeded five years of non-exempt service, the employee sought reinstatement within the time frame required by USERRA, and the employee was discharged from service in the uniformed services in a manner that does not disqualify the employee for USERRA's protections.

An employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave period. Additionally, if an employee fails to seek reinstatement within the time frames discussed below, ASI will apply its normal work rules regarding absence from employment without notice or permission.

Discharge Restrictions Following Reinstatement – USERRA

Employees who are reinstated after uniformed service that lasts between 30-180 days will not be discharged except for cause for a period of six months following reinstatement. Employees who are reinstated after a uniformed service that lasts more than 180 days will not be discharged except for cause for a period of one year following reinstatement.

For purposes of this section of the policy, "cause" means: (1) with respect to employee conduct, that it is reasonable to discharge the employee for the conduct in question, the employee had notice, which was express or can be fairly implied, and the conduct would constitute cause for discharge; and (2) with respect to other reasons for termination of employment, such as a position elimination or a layoff, that there are legitimate, nondiscriminatory reasons for the action.

Health & Welfare Benefits While on Leave – USERRA

Active military personnel and their dependents typically are covered by TRICARE, the military healthcare plan, if the deployment is longer than 30 days.

An employee on military leave who elected health care coverage under ASI's health care plan prior to the start of a leave will retain that coverage for the first 30 days of any military leave at the rates the employee paid immediately prior to the start of the leave. After 30 days of leave, the employee may elect to continue

their health care coverage, including coverage for dependents, for up to 24 months, under USERRA. If this continuation coverage is elected, the employee will be required to pay the entire cost of such coverage, which may be up to 102% of the full premium amount for that coverage. Employees also may be entitled to coverage under COBRA for up to 18 months of military leave. COBRA coverage runs concurrently with any continuation coverage under USERRA, and the employee is entitled to only one form of continuation coverage. The employee is responsible for all premium payments attributable to the employee; failure to pay such premiums will result in cancelation of coverage.

Prohibition Against Discrimination and Retaliation – USERRA

Any employee who believes they have been discriminated or retaliated against based on their past, present, or future participation in the uniformed services, request for military leave, complaint or participation in any investigation of a complaint of discrimination or retaliation based on a military leave request or service participation, or any other situation protected under USERRA should immediately provide a written or verbal report to their supervisor, any other member of management or to ASI Human Resources to report such incidents. After a report is received, a thorough and objective investigation will be undertaken, according to the Equal Employment Opportunity policy set forth in ASI's Handbook. ASI prohibits retaliation against employees who make such complaints.

California Military Leave

Employees who are members of the National Guard or United States Reserve will be granted a temporary leave of absence without pay while engaged in military duty ordered for purposes of military training, drills, encampment, naval cruises, and special exercises or like activities.

This leave is not to exceed 17 calendar days annually, including time involved in going to and returning from such duty. Collateral benefits will not be restricted or terminated because of an employee's temporary incapacity as a result of the employee's duty in the National Guard, Naval Militia, State Military Reserve, or federal reserve components of the United States Armed Forces, if the employee is ordered to duty or training for 52 weeks or less. Similarly, employees who are members of the state Military Reserve will be granted a temporary leave of absence without pay while engaged in military duty for purposes of military training, drills, unit-training assemblies, or similar inactive duty training. This leave is not to exceed 15 calendar days annually, including time involved in going to and returning from that duty.

Employees who are members of California's National Guard or the national guards of other states will be entitled to reinstatement upon return from military leave for active service, so long as certain conditions are met. Employees returning from leave who were full-time employees will be restored to the same position or to a position of similar seniority, status and pay unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so and part-time employees will be restored to the same position or to a position of similar seniority, status and pay, if any exists, so long as:

- The employee is an officer or enlisted member of the National Guard of any state.
- The employee was called to active duty by the Governor of the state in which they serve in the National Guard or by the President of the United States.
- The employee received a certificate of satisfactory service in the National Guard.
- The employee is still qualified to perform the duties of the position.

- If the employee left a full-time position, they made application for reemployment within 40 days of being released from service; if the employee left part-time employment, they made application for reemployment within 5 days of being released from service; and
- The employee's position was not temporary.

For 1 year following reemployment, ASI will not discharge the employee without cause.

ASI will not discriminate against members of the military or naval services of California or the federal reserve component of the United States Armed Forces.

Personal Leave of Absence

(For Reasons Not Covered by the FMLA/CFRA or for Persons Not Eligible for FMLA/CFRA Leave)

A personal leave of absence will be approved only for good cause and only for a duration of up to one year for full and part-time benefited employees. Leaves beyond one year must be approved and renewed on at least an annual basis. Requests for personal leave of absence must be made in writing to the ASI Executive Director, including justification for the request and written approval of an employee's supervisor.

A personal leave of absence may be granted at ASI's discretion. The request for a personal leave of absence must be submitted at least thirty (30) days in advance, if possible. All requests must state the reason for leave and the expected date of return. The leave of absence must be used for the purpose stated.

If an employee has accrued vacation and/or a personal holiday, they must be used during the leave before an employee is placed on unpaid status. Use of personal holiday and/or vacation will not extend the length of absence authorized.

An employee returning from personal leave will be offered the same position held at the time of departure, if available. If this position is not available, a comparable position will be offered, if available. If neither the same nor a comparable position is available, return to work will depend on job openings existing at the time of scheduled return, if any. There are no guarantees of reinstatement and return to work will depend on qualifications for existing openings, if any.

Employees must pay the entire cost of group insurance, plus a percentage for administrative costs for the period of any unpaid leave. Failure to do so may result in a lapse of coverage.

Employees should arrange for all necessary payments before leave commences. Other benefits are also affected; for example, sick leave, vacation and retirement benefits do not accrue during unpaid leave of absence.

A personal leave of absence will be approved only for good cause and only for a duration of up to one term for student and intermittent employees. Requests for a personal leave of absence must be made in writing including justification for the request. Personal leave of absence must be approved by the area supervisor and ASI Human Resources.

Time Off for Voting

ASI encourages all employees to fulfill their civic responsibilities and to vote in official public elections. Most employees' schedules provide sufficient time to vote either before or after working hours. Any employee who does not have sufficient time outside of working hours to vote in a statewide public election, while the polls

are open, may take up to two hours off from work, without loss of pay. Any additional time off will be without pay. Employees must take the time off at the beginning or end of their regular work schedule, whichever allows the freest time for voting and the least amount of time off from work, unless mutually agreed otherwise.

Employees must provide at least two working days' notice of the need for leave when, on the third working day prior to the election day, the employee knows or has reason to believe they will need time off to vote on election day. Otherwise, employees must give reasonable notice of the need to have time off to vote.

School or Child Care Activities Leave

An employee who is a parent to 1 or more children who are of the age to attend a licensed childcare provider, kindergarten or grades 1 through 12 may take up to 40 hours of leave per school year to participate in any of the following:

- Finding, enrolling, or reenrolling the child in a school or with a licensed childcare provider.
- Participating in school or childcare-related activities.
- Addressing a childcare provider or school emergency.
- “Parent” includes parent, guardian, stepparent, foster parent, grandparent, and persons who stand in loco parentis (in place of a parent) to a child.

Time off for reasons other than a childcare provider or school emergency is limited to 8 hours per calendar month. Childcare provider or school emergencies occur when the child cannot remain in school or with a childcare provider due to one of the following:

- The school or childcare provider has requested that the child be picked up or has an attendance policy (excluding planned holidays) that prohibits the child from attending or requires that the child be picked up from school or childcare.
- Behavioral or discipline problems.
- Closure or unexpected unavailability of the school or childcare provider (excluding planned holidays).
- A natural disaster (e.g., fire, earthquake or flood).

Employees wishing to take time off for a planned absence (e.g., to participate in scheduled school or childcare provider activities or enroll a child in school or with a childcare provider) must provide reasonable advance notice to their supervisor. Employees needing time off to address a childcare provider or school emergency must provide notice to their supervisor as soon as practicable. If the supervisor is not available, please contact ASI Human Resources.

ASI may require employees to provide documentation from the school or childcare provider verifying that the employee participated in the school or childcare activity, including the date and time of the activity.

If both parents of a child work for ASI, only one parent - the first to provide notice - may take the time off, unless ASI approves both parents taking time off simultaneously. Employees must substitute any existing vacation or paid time off for any part of this leave. Employees who do not have vacation or other paid time off available will be allowed time off without pay.

School Discipline Leave (Suspension)

Employees who are the parent or custodial guardian of a child in kindergarten or grades 1 through 12 may take time off when required, in accordance with California Law, to attend a portion of a school day in the classroom of their child or ward because that child has been suspended.

To be eligible for leave, the employee must provide advance notice that their appearance at the school has been requested.

ASI may require employees to provide documentation, including a copy of the school's notice or some other certification stating that the employee's presence at the school is mandatory.

Employees wishing to take such leave must utilize their existing vacation or other accrued paid time off. School visits for other purposes may be covered under ASI's School or Day Care Activities Leave policy.

Emergency Responder Leave

ASI will not terminate or discipline any employee who is a volunteer firefighter, reserve peace officer, or emergency rescue personnel because the employee takes time off to perform emergency duty or engages in fire, law enforcement, or emergency rescue training. In the event an employee needs to take time off for this type of emergency duty, they should alert their supervisor and ASI Human Resources before leaving ASI's premises.

A "volunteer firefighter" includes any person registered as a volunteer member of a regularly organized fire department of a city, county, city and county, or district having official recognition of the government of the city, county, or district in which the department is located, or a regularly organized fire department of an unincorporated town.

"Emergency rescue personnel" include any volunteer or paid officers, employees, or members of a fire department or fire protection or firefighting agency who perform first aid and medical services, rescue procedures, transportation or other related activities necessary to insure the health or safety of a person in immediate danger. Such personnel include those who work for the: (1) federal or state government; (2) city, county, city and county, district, or other public or municipal corporation or political subdivision of this state; (3) sheriff's department, police department, or private fire department; or (4) disaster medical response entity sponsored or requested by the state.

Employees who are health care providers must promptly notify ASI if they become designated as emergency response personnel and when they are notified that they will be deployed in their capacity as emergency response personnel.

For employees who are providers of emergency medical services, ASI reserves the right to deny leave under this policy when the employee's absence would hinder the availability of public safety or emergency medical services.

Employees will also be allowed up to 14 calendar days of leave per year to engage in fire, law enforcement, or emergency rescue training.

All time taken under this policy is unpaid, except that exempt employees will be paid when required under applicable law.

Civil Air Patrol Leave

ASI will not terminate or discriminate against an employee who is a volunteer member of the Civil Air Patrol or prevent a member from performing service as part of the California Wing of the Civil Air Patrol during an emergency operational mission. Additionally, ASI will not retaliate against an employee for requesting or taking Civil Air Patrol leave in accordance with this policy.

ASI will provide eligible employees with up to 10 days per year of leave, but no more than 3 days at a time, unless the emergency is extended by the entity in charge of the operation and ASI approves the extension. To be eligible for leave, employees must have been employed by ASI for at least 90 days immediately preceding the start of the leave and must be duly directed and authorized by a political entity that has the authority to authorize an emergency operational mission of the California Wing of the Civil Air Patrol.

Employees must request leave with as much notice as possible. ASI may require certification from the proper Civil Air Patrol authority to verify an employee's eligibility for leave. ASI may deny leave if the employee fails to provide the required certification.

Leave taken under this policy is unpaid except that exempt employees will be paid when required by applicable law. Employees will not be required to exhaust the accrued vacation or paid time off prior to taking unpaid civil air patrol leave but may choose to use such benefits during leave to receive pay.

Following leave, an employee must return to work as soon as practicable and must provide evidence of the satisfactory completion of the Civil Patrol service. If the employee complies with these requirements, the employee will be restored to their prior position without loss of status, pay or other benefits.

Crime Victim Leave

ASI will provide time off to any employee who is a victim, as that term is defined in this policy, so that the employee may obtain or attempt to obtain relief and to help ensure the health, safety or welfare of the employee or the employee's child. For purposes of this policy, "victim" includes a victim of stalking, domestic violence, or sexual assault; a victim of a crime that caused physical injury or that caused mental injury and a threat of physical injury; or a person whose immediate family member is deceased as the direct result of a crime.

"Relief" includes, but is not limited to, a temporary restraining order, restraining order or other injunctive relief. "Immediate family member" includes the employee's:

- Child, regardless of age (including a biological, adopted, step-, or foster child; legal ward; child of a domestic partner; child to whom the employee stands in loco parentis; or person to whom the employee stood in loco parentis when the person was a minor).
- Parent (including a biological, adoptive, step-, foster parent or legal guardian of the employee or the employee's spouse or domestic partner or a person who stood in loco parentis when the employee or employee's spouse or domestic partner was a minor child).
- Sibling (including a biological, foster, step-, half- or adoptive sibling).
- Spouse or registered domestic partner.
- Any other individual whose close association with the employee is the equivalent of such family relationships.

Any employee against whom any crime has been committed will also be permitted time off to appear in court to comply with a subpoena or other court order as a witness in a judicial proceeding.

Employees should give ASI reasonable notice of the need for leave, unless advance notice is not feasible. When an unscheduled absence occurs, ASI may require the employee to provide written certification of the need for time off. Any of the following will be considered sufficient certification: a police report indicating the employee was a victim; a court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court; documentation from a licensed medical professional, domestic violence counselor, sexual assault counselor, victim advocate, licensed health care provider or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse; or any other form of documentation that reasonably verifies that the crime or abuse occurred, including but not limited to, a written statement signed by the employee, or an individual acting on the employee's behalf, certifying that the absence is for an authorized purpose.

Additionally, an employee who is a victim may take time off for any of the following reasons: (1) to seek medical attention for injuries caused by the crime or abuse; (2) to obtain services from a domestic violence shelter, program, rape crisis center or victim services organization or agency as a result of the crime or abuse; (3) to obtain psychological counseling or mental health services related to an experience of crime or abuse; and (4) to participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation.

If the reason for the leave is also covered by the federal Family and Medical Leave Act (FMLA) and/or the California Family Rights Act (CFRA), the leave pursuant to this policy and FMLA/CFRA will run concurrently. Additionally, the length of leave under this policy is limited to that provided under the FMLA. For example, an employee is not entitled to time off due to reasons in this policy if they have already exhausted the maximum 12 weeks of leave under the FMLA.

Employees may use accrued paid time off, such as vacation time, in order to receive compensation during the leave of absence.

Employees may also be entitled to a reasonable accommodation under ASI's Accommodation for Victims of Domestic Violence, Sexual Assault or Stalking policy and to additional leave under ASI's Leave to Attend Judicial Proceedings Related to Certain Felonies policy and Leave to Attend Court Proceedings for Serious Crimes policy. Employees should consult those policies and/or ASI Human Resources for additional information. ASI will keep all information submitted in connection with an employee's request for leave confidential to the extent permissible by law. If the law requires disclosure of information, ASI will notify the employee before any information is released.

ASI will not discriminate or retaliate against any employee because of the employee's status as a victim of crime or abuse, if the employee provides ASI notice of such status, ASI has actual knowledge of such status, or the employee takes or requests leave in accordance with this policy.

Employees who have questions about this policy or who wish to request a leave of absence under this policy should contact their ASI Human Resources representative.

Leave to Attend Judicial Proceedings Related to Certain Felonies

ASI prohibits discrimination against an employee who wishes to take time off from work to attend judicial proceedings related to certain violent, serious, or theft/embezzlement related felonies committed against the employee, the employee's immediate family member, the employee's registered domestic partner, or a child of the employee's registered domestic partner.

"Immediate family member" is defined as an employee's spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, or stepfather.

Before an employee may be absent from work to attend a judicial proceeding, the employee must give the employer a copy of the notice of each scheduled proceeding that is provided to the victim by the agency responsible for providing notice, unless advance notice is not feasible. When advance notice is not feasible or an unscheduled absence occurs, the employee must provide documentation within a reasonable time evidencing the judicial proceeding from

(1) the court or government agency setting the hearing; (2) the district attorney or prosecuting attorney's office; or (3) the victim/witness office that is advocating on behalf of the victim.

Confidentiality of the situation, including an employee's request for the time off, will be maintained to the greatest extent possible.

Employees may use accrued benefits, such as vacation time, in order to receive compensation during the time taken off from work.

Leave to Attend Court Proceedings for Serious Crimes

ASI prohibits discrimination against an employee who is a victim of certain serious criminal offenses and wishes to take time off to appear in court to be heard at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, or post-conviction release decision or any proceeding in which a right of the victim is at issue.

A "victim" means any employee who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a serious criminal offense. The term "victim" also includes the employee's spouse, registered domestic partner, parent, child, sibling, or guardian.

Before employees may take time off under this policy, they must provide ASI with reasonable advance notice of their intention to take time off, unless the advance notice is not feasible. If an employee must take an unscheduled absence due to victimization from a serious criminal offense, the employee must provide ASI with a certification within a reasonable time. The types of certification to account for an unscheduled absence include: a police report indicating the employee was a victim of one of the specified serious criminal offenses; a court order protecting or separating the employee from the perpetrator of one or more of the specified offenses, or other evidence from the court or prosecuting attorney that the employee has appeared in court; or documentation from a medical professional, domestic violence counselor or advocate for victims of sexual assault, health care provider or counselor that the employee was undergoing treatment for physical or mental injuries resulting in victimization from one of the specific serious criminal offenses.

Confidentiality of the situation, including an employee's request for the time off, will be maintained to the greatest extent possible.

Employees may use accrued benefits, such as vacation time, in order to receive compensation during the time taken off from work.

Time Off for Bone Marrow Donation

Eligible employees who undergo a medical procedure to donate bone marrow to another person will be provided with 5 workdays off in any 1-year period, without a loss in pay. For purposes of this policy, a "1-year period" is 12 consecutive months from the date the employee begins their leave. Employees may take leave in 1 or more periods, as long as the leave does not exceed 5 days in any 1-year period.

Employees are eligible for leave if they have worked for ASI for at least 90 continuous days prior to the start of their leave.

Employees who seek leave under this policy must provide verification from a physician detailing the purpose and length of leave, including the medical necessity for the donation.

Employees must use all available accrued sick, vacation, or paid time off concurrently with this time off. If an employee does not have enough earned vacation or other paid time off to cover the leave period, the remaining days of leave will be paid by ASI. Use of this leave will not be counted against any available leave under the federal Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA), if applicable. Leave under this policy is also not considered a break in service for purposes of, salary adjustments, vacation, other paid time off, annual leave, or seniority.

While on bone marrow donor leave, ASI will maintain all group health insurance benefits as if the employee was still at work. In most circumstances, upon return from this leave, an employee will be reinstated to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if they did not take a leave. For example, if an employee on bone marrow donor leave would have been laid off had they not taken a leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement.

ASI will not retaliate or tolerate retaliation against any employee for requesting or taking bone marrow donor leave in accordance with this policy.

Time Off for Organ Donors

Eligible employees who undergo a medical procedure to donate an organ to another person will be provided with up to 30 workdays off in any 1-year period, without a loss in pay and an additional 30 workdays off without pay, in any 1 year period. For purposes of this policy, a "1-year period" is 12 consecutive months from the date the employee begins their leave. Employees may take leave in 1 or more periods, as long as the leave does not exceed 60 days in any 1-year period.

Employees are eligible for leave if they have worked for ASI for at least 90 continuous days prior to the start of their leave.

Employees who seek leave under this policy must provide verification from a physician detailing the purpose and length of leave, including the medical necessity for the donation.

Employees must use all available accrued sick, vacation, or paid time off concurrently with this time off for up to 2 weeks of the 30-workday paid or unpaid leave period. If an employee does not have enough earned

vacation or paid time off to cover the two-week period, then any remaining days of leave will be paid by ASI, up to 30 workdays. Use of this paid or unpaid leave will not be counted against any available leave under the federal Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA), if applicable. Leave under this policy is also not considered a break in service for purposes of salary adjustments, vacation, paid time off, annual leave, or seniority.

While on organ donor leave, ASI will maintain all group health insurance benefits as if the employee was still at work. In most circumstances, upon return from this leave, an employee will be reinstated to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if they did not take a leave. For example, if an employee on organ donor leave would have been laid off had they not taken a leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement.

ASI will not retaliate or tolerate retaliation against any employee for requesting or taking organ donor leave in accordance with this policy.

Working Conditions

Keys

University keys are distributed by Facility Services. Employees must pick up keys in person and present an authorization card signed by the ASI Executive Director or their supervisor and a valid identification card.

All keys are the property of the State of California and are issued to employees so they may carry out the responsibilities of their assignment. Employees are responsible for all keys checked out to them and must notify ASI, Public Safety and Facility Services if a key is lost.

Upon separation, transfer, or leave from the University (excluding full vacation or sick leave), keys must be returned to the Facility Services Department, at which time Facility Services will complete the appropriate form indicating receipt of university property.

Mail

The use of the University mail system is reserved solely for conducting ASI business. Employees may not use the mail system, ASI letterhead, or stamps for personal purposes.

Parking

Employees who wish to park on campus must purchase a parking permit. Parking permit rates are determined by the University and are subject to change without notice. Monthly payroll deduction authorizations can be arranged upon request from ASI Human Resources.

Cell Phone Reimbursement

Employees who are required to use their personal cell phone for ASI business needs will be provided with the appropriate cell phone reimbursement. Employees who are not required to use their personal cell phone for ASI business should not do so.

Eligibility

Area directors are responsible for the review of cell phone reimbursement eligibility as well as the appropriate reimbursement level for each position within their area. Eligibility criteria and reimbursement amounts are subject to change at any time and must be approved by the ASI Executive Director. In the event it is necessary to change or terminate the reimbursement amount, employees will be notified by their supervisor.

Payment

The reimbursement will be paid to the employee monthly according to the published ASI Payroll Schedule and will be included on their ASI paycheck.

Additional Expenses

Employees who believe they have incurred additional expenses that are not covered by the provided reimbursement, or if a reimbursement is not being provided and the employee believes one is owed to them,

should immediately notify their supervisor and ASI HR. Documentation may be required to determine if a reimbursement or increase in reimbursement is required.

Taxable Income

Employees will be taxed on cell phone reimbursement according to the regulations of the IRS code (Publication 15 Section 5). The reimbursement is reported annually on the employee's W-2. The reimbursement does not increase the employee's base salary or hourly pay.

Equipment and Fees

All costs and decisions related to the purchase, usage, and maintenance of an employee's cell phone, including contract and termination fees, shall be the sole responsibility of that employee. The cell phone is personally owned by the employee and may therefore be used for both personal and business purposes.

Work-related Misuse

Work-related misuse of the cell phone which is inconsistent with ASI policy, and/or local, state, or federal laws may result in immediate cancellation of the cell phone reimbursement and disciplinary action up to and including termination.

Compliance with Laws

The employee is personally responsible for complying with international, federal, state, and municipal laws regarding the use of cell phones and other wireless communication devices while driving. Under no circumstances will Associated Students, Inc. be liable for non-compliance. Furthermore, email accounts and cell phone records are subject to public records disclosures and subpoena as dictated by local, state, and federal laws when cell phones are used in the course and scope of employment with ASI.

Remote Work

ASI supports temporary remote work arrangements when they align with business and operational needs. Remote work must be approved in advance by the employee's supervisor, and employees must adhere to the standards and expectations outlined in this policy. Employees are paid a flat rate for each day working remotely.

Eligibility and Approval

Eligibility

Remote work arrangements are available to employees whose job duties can be performed effectively outside the primary workplace. Eligibility is subject to supervisor approval and may vary depending on job responsibilities, performance, and operational needs.

Approval

Employees must submit a request for remote work to their supervisor in advance of the need to temporarily work remotely. Supervisors will evaluate requests based on job requirements, team needs, and the employee's ability to maintain productivity and accountability.

Work Schedules

Normally full-time employees observe a minimum 40-hour workweek. Work schedules are subject to change to accommodate ASI needs; employees will be given reasonable notice about any material change in an employee's regular work schedule.

Additional and Outside Employment

Employment Within the CalPERS System

"Additional Employment" is the term used to describe any employment for employers within the CalPERS system, regardless of the source of funding, that is in addition to the primary or normal work assignment for which the ASI employee is hired. Additional employment limitations are based on periods of time, not salary. As an ASI employee, additional employment may be permitted up to a maximum of 125% time-base without impacting CalPERS benefits, under certain circumstances.

Employees that are "exempt" from the overtime provisions of the Fair Labor Standards Act do not receive additional compensation for work that is considered to be a part of their primary work assignment. However, exempt employees may be assigned additional employment equivalent to twenty-five (25%) percent above a 1.00 full-time equivalent time base if the additional assignment is unrelated to their primary work assignment.

Non-exempt employees are eligible for overtime pay in accordance with applicable law.

Employment Outside of ASI

Any outside employment must not interfere with hours of work assigned by ASI or job performance.

Personal Appearance

The image ASI projects to the public is reflected in the appearance of our employees. Simply stated, employees should look neat, clean and well-groomed and should be dressed appropriately to perform their specific duties. Employees are expected to use good judgment in their appearance and grooming, keeping in mind the nature of the work, their own safety and the safety of co-workers, and their need to interact with the public.

Below are a few guidelines for professional appearance:

- Clothing should be well-fitting and not constitute a safety hazard.
- All employees should practice common sense rules of cleanliness and comfort.
- While jeans are appropriate for most positions, the jeans must be in good condition.
- Jewelry may be restricted for safety reasons, based on the position.
- Shorts must have a minimum 5-inch inseam

Student, intermittent, custodial, and maintenance staff are required to wear their ASI provided uniform while on shift. Student and intermittent employees must also wear their ASI provided name tags. Facility Supervisors and Audio-Visual staff are also required to wear black pants or shorts. Children's Center staff are not required to wear name tags.

We encourage employees to seek the advice of their supervisor or ASI Human Resources if they have questions regarding appropriate dress or appearance at work. Employees who report to work improperly dressed or groomed may be instructed by their supervisor to return home to change. The time that non-exempt employees are absent for this purpose will be unpaid unless state law requires otherwise.

Nothing in this policy is intended to prevent employees from wearing a hair or facial hair style that is consistent with their cultural, ethnic or racial heritage or identity. This policy will be interpreted to comply with applicable local, state or federal law.

ASI will reasonably accommodate exceptions to this policy if required due to an employee's religious beliefs, medical condition or disability. Employees who need such an accommodation should contact their supervisor or ASI Human Resources.

Social Media

ASI respects the legal rights of its employees and understands that employees' time outside of work is their own. However, employees should be mindful that their social media activity, even if done off premises and while off-duty, could affect ASI's legitimate business interests. For example, the information posted could be ASI's confidential business information. In addition, some readers may mistakenly view an employee as a spokesperson for ASI. Consequently, social media activity is a legitimate and proper focus of company policy.

For purposes of this Policy, "social media activity" includes all types of posts and other communications on the internet, including but not limited to, posts on social networking sites, such as Facebook, LinkedIn, and Google+; blogs and other on-line journals and diaries; bulletin boards and chat rooms; microblogging, such as X (formerly Twitter); and posts of photographs, video or audio on media-sharing sites, such as YouTube, Instagram, TikTok, or Flickr. "Social media activity" also includes permitting, or failing to remove, posts by others where the employee can control the content of posts, such as on a personal page or blog.

Scope Of This Policy

This Social Media policy applies:

- To all company employees.
- To social media activity for business or personal purposes.
- To social media activity while on or off duty, when on or off ASI's premises, and while using ASI's or personal electronic resources.
- To social media activity that relates in any way to, or may reflect on or impact, ASI's business, employees, customers, business partners, vendors, suppliers or competitors.
- Regardless of whether an employee identifies their affiliation with ASI in their social media activity or in their account profile or posts anonymously or using a pseudonym.

Social Media Guidelines

ASI values its established brand reputation and good will relationships. These are important ASI assets. When an employee engages in social media activity that identifies them as an ASI employee, or in any way relates to, or reflects on, ASI, they should bear that in mind and follow the guidelines listed below:

- **Limit personal use during working time** - An employee may use ASI's electronic resources to engage in social media activity for non-business purposes during non-working time as long as that activity takes place only an incidental amount of their time, does not interfere with the employee's or their co-workers' job responsibilities, and complies fully with all ASI policies. Employees may not maintain an open connection to, or stream, any social media site. Such non-business is a privilege that may be withdrawn if abused.
- **Know and follow the rules** - An employee's social media activity is subject to all pertinent ASI policies, including, but not limited to, policies regarding standards of conduct, confidential information, harassment and discrimination, and business equipment and information systems usage policy.
- **Express only your personal opinions** - Unless prior authorization has been received to speak on ASI's behalf. Employees should not represent in any social media activity that they are authorized to speak on ASI's behalf, or that ASI has reviewed or approved the content. If that will not be obvious from the content or context of their post, the employee should put in their post "#notanofficialspokesperson" or state in their account profile or post, "The views expressed in this post are my own. They have not been reviewed or approved any by ASI entity."
- **Be respectful** - Employees should not post content about, or any image of, ASI, management, co-workers, or customers that is vulgar, obscene, threatening, knowingly or recklessly false, hateful, or a violation of ASI's policies against discrimination, harassment, or hostility on account of race, age, religion, sex, sexual orientation, ethnicity, nationality, disability, or other protected class, status, or characteristic. Employees should not disparage ASI's products or services, or the products or services of its customers, vendors or competitors.
- **Use of ASI logo** - Employees should not use ASI's logo, trademark, or proprietary graphics in a way that suggests they are representing ASI or while engaging in conduct that violates ASI policy. For example, employees should not create a social media page with ASI's logo placed in a way that might suggest to readers that ASI is sponsoring the page.
- **Protect confidential business information** - Employees should not disclose, or post images or video of, any of ASI's trade secrets or confidential business information or of any confidential business or creative processes. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Confidential business information may include, but is not limited to, marketing strategies, product launches, pricing policies; plans for the acquisition or disposition of corporate assets, non-public information about customers, and ASI's attorney-client communications.
- **References** - All requests for references or recommendations received through social media activity must be handled in accordance with ASI's policy on responding to these requests.

Addressing Concerns

Experience demonstrates that employees are more likely to resolve concerns about work by speaking directly with their co-workers, supervisor or other management-level personnel, or by contacting ASI Human Resources, than by posting those concerns on the internet. If an employee decides to express concerns in social media, they should avoid using any content that reasonably could be viewed as malicious, obscene, or threatening; or that might constitute prohibited harassment or bullying.

Please note that some company policies, such as the Sexual and Other Prohibited Harassment policy, contain specific reporting procedures that should be followed by employees seeking to report violations of those policies.

Enforcement

Failure to comply with this Policy may lead to discipline, up to and including termination of employment, and if appropriate, ASI will pursue all available legal remedies.

Non-Smoking Campus

In accordance with the CSU policy that the Cal Poly campus is 100% smoke free and tobacco free, all products containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, and snuff are prohibited. Additionally, any electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah are also prohibited. The use of nicotine cessation products regulated by the United States Food and Drug administration are permitted.

Personnel Files and Payroll Records

Upon written request, a current or former employee or a designated representative may inspect and receive a copy of the employee's personnel file and records that relate to the employee's performance or to any grievance concerning the employee in the presence of an ASI representative at a mutually convenient time, at the employee's expense. Employees may add their version of any disputed item to the file. ASI will comply with a written personnel file request at reasonable intervals and reasonable times within 30 calendar days of the written request. The parties may agree to a date beyond 30 calendar days provided it is not longer than 35 calendar days from the employer's receipt of the written request.

For a current employee, personnel records will be available for inspection where the employee reports to work or at another location that is mutually agreeable. For a former employee, personnel records will be available for inspection where the records are stored or at another location that is mutually agreeable.

Current and former employees also may inspect their payroll records upon written or oral request and may request a copy of these records. ASI will comply with written payroll records requests as soon as practicable, but no later than 21 calendar days following the request. Current and former employees who request a copy of their payroll records may be charged a reasonable fee related to the cost of copying the requested documents.

Only authorized members of management and ASI Human Resources have access to an employee's personnel file. Only ASI Human Resources is authorized to release information about current or former employees on behalf of ASI. However, ASI will cooperate with—and provide access to an employee's personnel file to—law enforcement officials or local, state or federal agencies in accordance with applicable law, or in response to a subpoena, in accordance with applicable law.

Public Records Requests

The California Public Records Act (CPRA) provides that members of the general public may request an auxiliary to disclose its “public records”.

Any employee of ASI who receives a request for public records, written or otherwise, is to immediately forward the request to the attention of ASI Human Resources and the Director – Business Services. Once the request is received, ASI Human Resources will coordinate with appropriate departments, including the campus Public Records Act (PRA) officer, to ensure timely and legal responses to these requests.

Additionally, ASI Human Resources will immediately forward a copy of the request to the Vice President of Student Affairs and provide updates to confirm response and compliance. ASI, as an auxiliary of a California State University campus, has a legal obligation to respond within ten (10) days of receipt of the request.

It is important to note that public records requests may not always be formalized in writing. Informal requests may constitute requests under the CPRA and require a response in the same manner as those submitted in formal format (i.e., some form of writing). Questions regarding how to handle public records requests are to be directed to ASI Human Resources.

Mandated Reporters

California law requires certain employees, known as “Mandated Reporters”, to report known or suspected child abuse or neglect. ASI has identified specific positions that are classified as either General Reporters or Limited Reporters. ASI Human Resources maintains a list of these positions and notes this requirement on applicable job descriptions and job postings.

Individuals hired into these positions must sign a written acknowledgment of legal responsibility to report abuse as a condition of employment or continuing employment, except for employees hired before January 1, 1985 (although such employees are encouraged to report suspected abuse or neglect).

General Reporters

General Reporters, whenever in their professional capacity or within the scope of their employment has knowledge of or observes a person under the age of 18 years whom they know or reasonably suspect has been the victim of child abuse or neglect, must report the suspected incident, no matter where it occurred.

Limited Reporters

Limited Reporters, whenever in their professional capacity or within the scope of their employment has knowledge of or observes a person under the age of 18 years whom they know or reasonably suspect has been the victim of child abuse or neglect on CSU premises or at an official activity of, or program conducted by ASI or the CSU, must report the suspected incident.

Procedure for Reporting

To make a report, employees must do the following:

- Immediately, or as soon as practically possible, contact by phone one of the following: police or sheriff’s department (including campus police but not including a school district police or security department); a county probation department (if designated by the county to receive mandated reports); or the county welfare department (Child Protective Services or CPS).

- Within 36 hours of receiving the information concerning the incident: complete the California Form SS 8572 [Suspected Child Abuse Report form](#)⁷ using the following instructions, Definitions and General Instructions for Completion of Form SS8572; and send, fax or electronically transmit it to the agency that was contacted by phone.

Abuse and Neglect That Must Be Reported

The types of abuse and neglect that must be reported include:

- Physical Abuse, meaning physical injury other than by accidental means inflicted on a child.
- Sexual assault, including sex acts with a child, intentional masturbation in the presence of a child, child molestation, and lewd or lascivious acts with a child under 14 years of age or with a child under 16 years of age if the other person is at least ten years older than the child.
- Sexual exploitation, including acts relating to child pornography, child prostitution, or performances involving obscene sexual conduct by a child.
- Statutory rape, involving sexual intercourse between a child under 16 years of age and a person 21 years of age or older, which is also a form of “sexual assault”.
- Neglect, meaning the negligent treatment or maltreatment of a child by a parent, guardian, or caretaker under circumstances indicating harm or threatened harm to the child’s health or welfare.
- Willful harming or injuring or endangering a child, meaning a situation in which any person inflicts, or willfully causes or permits a child to suffer, unjustifiable physical pain or mental suffering, or causes or permits a child to be placed in a situation in which the child or child’s health is endangered.
- Unlawful corporal punishment, meaning a situation in which any person willfully inflicts upon a child cruel or inhuman corporal punishment or physical injury.

What is Not Child Abuse or Neglect?

The law does not consider the following child abuse or neglect for reporting purposes:

- Injuries caused by two children fighting during a mutual altercation.
- An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of their employment.
- Reasonable and necessary force used by public school officials to quell a disturbance threatening physical injury to a person or damage to property, for self-defense, or to obtain possession of weapons or other dangerous objects under a child’s control.
- Corporal punishment, unless it is cruel or inhumane or willfully inflicts a physical injury.
- Not receiving medical treatment for religious reasons.
- Acts performed for a valid medical purpose.
- An informed and appropriate medical decision made by a parent or guardian or caretaker after consultation with a physician who has examined the child.

⁷ Suspected Child Abuse Report Form - https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf

Immunity and Confidentiality of Reporter

Mandated Reporters cannot be held civilly or criminally liable for their reports. Instead, they enjoy immunity from prosecution for their reporting of suspected child abuse. Both the identity of the person who reports and the report itself are confidential and disclosed only among appropriate agencies.

Penalty for Failure to Report Abuse or Impeding Report

A Mandated Reporter who fails to make the required report of abuse, or any administrator or supervisor who impedes or inhibits a report, is guilty of a misdemeanor punishable by up to six months in jail, a fine of \$1,000, or both. Where the abuse results in death or great bodily injury, the Mandated Reporter who fails to make a required report or administrator or supervisor who impeded or inhibited the report is subject to punishment of up to one year in jail, a fine of \$5,000 or both.

Allegations of Child Abuse

If an employee of ASI Children's Programs is accused of Child Abuse, the Children's Center Director will immediately conduct a preliminary investigation as to the validity of the accusation and simultaneously notify ASI Human Resources, the ASI Executive Director, and Community Care Licensing. Community Care Licensing will guide further investigation of the situation, and the counsel of the ASI Attorney will be sought.

If a child abuse allegation is made, the employee will be removed from contact with children and may be suspended or assigned to other duties during the investigation. Guilt will not be assumed, and there will be no retaliation toward the employee on the part of the Children's Center or ASI regarding an unsubstantiated allegation. However, if a complaint is substantiated by the authorities the employee will be terminated.

All employees will be obliged to cooperate in the investigation process; disciplinary action may be taken against employees who do not cooperate or who interfere with carrying out these procedures, which have the purpose of protecting children from abuse.

Whistle Blower Protection and Non-Retaliation Policy and Procedure for Reporting Complaints

ASI will not adopt or enforce any rule, regulation or policy preventing an employee from disclosing information to ASI or to a governmental or law enforcement agency if the employee has reasonable cause to believe that the information discloses a violation of state or federal statute, or a violation of, or non-compliance with a state or federal rule or regulation.

If any ASI employee wishes to make a report regarding suspected unlawful activity, they should report the activity immediately to ASI Human Resources who will initiate a prompt, thorough, and objective investigation. Reports should be in writing with as much detail as possible. Oral and anonymous reports will also be accepted and investigated.

ASI will not:

- Retaliate against an employee for disclosing information about suspected unlawful activity as defined above to a governmental or law enforcement agency.
- Retaliate against an employee for refusing to participate in an activity that would result in a violation of state or federal statute, or a violation of, or non-compliance with a state or federal rule or regulation.

- Retaliate against an employee for having exercised their rights in their present or former employment.

If an employee elects not to report suspected unlawful activity, as defined above, to ASI Human Resources, they may contact the California Office of the Attorney General's Whistleblower Hotline at (800) 952-5225. The Attorney General shall refer calls received on the whistleblower hotline to the appropriate governmental authority for review and possible investigation.

Additionally, reports can also be made to the University's Civil Rights and Compliance Office (CRCO). To file a complaint (complainants only), please complete the applicable [complaint form](#) on CRCO's website and submit it to crco@calpoly.edu. A Civil Rights and Compliance Office staff member will be in contact within 72 hours of the submission of the complaint.

ASI does not prohibit anyone from electing to report concerns to make lawful disclosures to, provide documents or other information to or communicate with the Equal Employment Opportunity Commission, National Labor Relations Board, Securities and Exchange Commission or any other federal, state or local agency about conduct believed to violate laws or regulations. ASI also does not prohibit employees from participating in investigations or proceedings conducted by one of these authorities.

Use of Company Equipment and Resources

When using Company equipment, vehicles or other property, employees are expected to exercise care, maintain the property in safe working order, and follow all operating instructions, safety standards and guidelines.

Employees should notify their supervisors if any equipment, machines, tools, or vehicles appear to be damaged, defective or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Employees who have questions about their responsibility for maintenance and care of equipment or vehicles used on the job should consult their supervisor.

All employees are expected to comply with all local, state, and federal laws while operating Company vehicles and other equipment. ASI may discipline employees who engage in unlawful conduct.

Business Equipment and Information Systems Usage Policy

ASI has significantly invested in telephone services, copiers, computers, laptops, tablets, mobile phones, messaging systems, hardware, internet access, e-mail, software, networks, computer accounts, data storage, voicemail and all other types of business equipment and electronic resources provided by ASI (collectively "Business Equipment and Information Systems"). ASI's Business Equipment and Information Systems are vital to keeping our operations flowing smoothly and effectively.

Monitoring of Business Equipment and Information Systems; No Expectation of Privacy

The Business Equipment and Information Systems provided by ASI, and all information and electronic communications transmitted through, received by or stored on the Business Equipment or Information Systems, are the exclusive property of ASI.

Important Note: ASI (and/or through its authorized representatives) has the right, without notice, in its sole discretion, to monitor, review, retain, disclose and/or take any other appropriate actions regarding (collectively, “Monitoring”) any information and electronic communications transmitted through, received by or stored on its Business Equipment and Information Systems – including e-mails and messages sent or received (whether such e-mails and messages are related to personal or business matters and/or whether they are sent or received using a Company mail account, a non-Company internet-based account, such as yahoo.com, hotmail.com, gmail.com, or a social networking website), faxes, voicemails, internet and Intranet communications, access and usage, and documents, files or programs stored on ASI’s Business Equipment and Information Systems to the fullest extent permitted by law. ASI’s rights regarding Monitoring its employees’ use of the Business Equipment and Information Systems exist whenever an employee uses ASI’s Business Equipment and Information Systems, regardless of whether they are working in the office, at home or at another location, and whether or not such use is during official office hours or relates to ASI’s business. Thus, at no time should employees believe that they have any expectation of privacy while using any of ASI’s Business Equipment and Information Systems.

Employees’ use of ASI’s Business Equipment and Information Systems constitutes their consent to Monitoring by ASI (and/or its authorized representatives). Therefore, employees should not expect privacy or confidentiality in anything they create, download, display, store, send or receive on ASI’s Information Systems, even if it has been deleted, password-protected, encrypted or is marked “confidential,” “private,” “personal,” “privileged” or other words or phrases intended to convey it is private. In addition, the use of passwords to gain access to ASI’s Business Equipment and Information Systems is intended solely to protect the security of ASI’s business and does not confer an expectation of privacy for individual employees. If an employee wishes to avoid ASI potentially accessing and reviewing their personal communications, documents, files or data, then they should not use ASI’s Business Equipment and Information Systems for personal purposes and should not save personal material on ASI’s Business Equipment and Information Systems.

Acceptable Use

This policy describes ASI’s general guidelines for using its Business Equipment and Information Systems.

Employees should use ASI’s Business Equipment and Information Systems with the understanding that these resources are provided for the benefit of ASI’s business. Employees may use Company e-mail for personal use, during nonworking time, as long as such use complies with Company rules and policies, and applicable laws. Employees should never use ASI’s Business Equipment and Information Systems for personal use in a manner that degrades the functionality of those systems or interferes with their work duties or responsibilities to customers.

The following guidelines, which are not all-inclusive, have been established to ensure that employees understand expectations with regard to the use of ASI’s Business Equipment and Information Systems:

- Employees must comply with the password and other security provisions of ASI’s Business Equipment and Information Systems. Employees must not use codes or passwords to gain unauthorized access to other employees’ files or to Company files. Employees must not provide access to ASI’s Business Equipment and Information Systems to anyone other than employees of ASI who are authorized users and other authorized users.
- Sending, saving, accessing, or viewing obscene or vulgar material on ASI’s Business Equipment and Information Systems is prohibited. Messages stored and/or transmitted by ASI’s Business

Equipment and Information Systems must not contain content that may reasonably be considered to be obscene or other patently offensive material, including but not limited to, sexual comments, jokes or images; racial slurs; gender-specific comments; or any comments, jokes or images that would discriminate against or harass someone on the basis of their race, color, sex, age, national origin or ancestry, disability, or any other category protected by federal, state or local law. Any use of ASI's Business Equipment and Information Systems to engage in harassment or discrimination prohibited by Company policies is unlawful and strictly prohibited.

- ASI's policies apply fully to the use of ASI's Business Equipment and Information Systems. Any use of ASI's Business Equipment and Information Systems that violates a Company policy is prohibited.
- ASI's Business Equipment and Information Systems must not be used for solicitation purposes during working hours. ASI's no solicitation rule applies to the use of ASI's Business Equipment and Information Systems.
- Employees may use software on local area networks or on multiple machines only in accordance with applicable license agreements.
- Employees may not download software and install it on Company Business Equipment and Information Systems. ASI reserves the right to audit any Company computer or equipment to determine what software is installed on the local drive(s).

Violators of this policy may be subject to discipline, up to and including termination of employment.

Computer and Systems Security

All Company Business Equipment and Information Systems and the data stored on them are, and remain at all times, the property of ASI. As such, all messages created, sent or retrieved over the internet or ASI's Business Equipment and Information Systems are the property of ASI, and should be considered Company information. ASI reserves the right to retrieve and read any message composed, sent or received using ASI's Business Equipment and Information Systems for any business reason, including but not limited to, ensuring compliance with this and all Company policies.

Employees should be aware that even when a message is deleted or erased, it is still possible to re-create the message; therefore, ultimate privacy of a message cannot be ensured to anyone. Accordingly, the internet, email and other messages are not private. Furthermore, all communications, including but not limited to, text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

Employees should also be aware that duplicates of email or other messages transmitted through a personal, web-based email account using Company equipment could be stored on ASI's Business Equipment and Information Systems; likewise, information regarding internet sites that an employee has accessed may also be stored.

Email and Message Content Screening

ASI maintains the right to screen all inbound and outbound email and other message (e.g., instant messages) content sent or received on ASI's Business Equipment and Information Systems. Messages or attachments that contain obscene or vulgar material may be quarantined and held from transmission or receipt until the sender or recipient can verify the message or attached document is work-related.

If an employee wants to communicate with an attorney or send an otherwise confidential piece of communication that they do not want ASI to monitor, the employee should consider using a personal email address and personal computer equipment. If an employee does use Company Business Equipment or Information Systems, the employee consents to any monitoring by ASI and should understand that there is no right to privacy with respect to such communications, to the extent permissible under applicable law.

Virus Protection

To prevent computer viruses from being transmitted through the system, employees are not authorized to download any software from the internet onto any Company Business Equipment or Information Systems.

ASI maintains virus protection software on all network servers and filters all inbound and outbound email for virus attachments. Email containing a virus will be quarantined and both the sender and recipient will be informed. If the virus can be removed, the message will be forwarded to the recipient.

Discipline

Violations of this policy will result in discipline, up to and including termination of employment.

Safety and Health

Drug-Free Workplace

Each employee has a responsibility to co-workers and the public to complete their job duties in a safe and conscientious manner. Continuing research and practical experience have proven that even limited quantities of illegal drugs, abused prescription drugs, marijuana, or alcohol can impair reflexes and judgment. This impairment, even when not readily apparent, can have catastrophic consequences. Moreover, studies have shown that impairment by controlled substances may last long after the user believes the effects have worn off

Drug Use/Distribution/Possession/Impairment

ASI strictly prohibits the use, sale, attempted sale, conveyance, distribution, manufacture, purchase, attempted purchase, possession, cultivation, and/or transfer of illegal drugs or other unlawful intoxicants at any time, and in any amount or any manner, regardless of occasion. "Illegal drugs" means all drugs whose use or possession is regulated or prohibited by federal, state, or local law and include lawful controlled substances that have been illegally or improperly obtained.

Unless otherwise limited by state law, ASI prohibits the use of marijuana and marijuana products. ASI will take disciplinary action, up to and including termination, where the employee is impaired at work due to the use of medical or recreational marijuana or if marijuana or marijuana products are brought onto company property or in company-provided vehicles.

Alcohol Use/Distribution/Possession/Impairment

All employees are prohibited from distributing, dispensing, possessing, or using any beverage or medicine containing alcohol while engaged in work for ASI or on ASI premises and from working with alcohol in their systems. Furthermore, lawful off-duty alcohol use, while generally not prohibited by this policy, must not interfere with an employee's job performance.

Prescription and Over-the-Counter Drugs

This policy does not prohibit the possession and proper use of lawfully prescribed or over-the-counter drugs. However, an employee taking medication should consult with a health care professional or review dosing directions for information about the medication's effect on the employee's ability to work safely, and promptly disclose any work restrictions to a supervisor or ASI Human Resources. Employees are not required to reveal the name of the medication or the underlying medical condition.

ASI reserves the right to transfer, reassign, place on leave of absence or take other appropriate action regarding any employee during the time the employee uses medication that may affect the ability to perform safely. ASI will comply with all requirements pertaining to providing reasonable accommodation to the extent required by applicable law.

ASI's general prohibition against the possession or use of marijuana at work or being under the influence of marijuana during working time and working while impaired applies regardless of whether an employee is certified to use marijuana for medical reasons under state law. Unless otherwise required by law, ASI will not accommodate the use or possession of marijuana by individuals who are medically authorized to use marijuana as a matter of state law but will offer such individuals alternative accommodations related to any

underlying disability. Employees who have any questions regarding ASI's position concerning medical marijuana in a particular location should contact ASI Human Resources.

Counseling and Rehabilitation

Employees who voluntarily seek help with substance abuse (self-referral) by contacting ASI will be provided an opportunity to pursue counseling and rehabilitation. ASI will make available to these employees' information about counseling and rehabilitation services. An employee who is receiving counseling and/or treatment for substance abuse may use available vacation time, other paid time off, or, if eligible, family and medical leave. Health insurance often covers the costs of such services, but costs not covered must be paid by the employee. The employee may not return to work until released by a treatment provider to do so and they receive a negative result on a return-to-work drug and/or alcohol test (as appropriate for that individual). In addition, the employee may be asked to submit to follow-up testing for a period following the return to work.

An employee's decision to seek help voluntarily will not be used as a basis for disciplinary action, although the individual may be transferred, given work restrictions or placed on leave, as appropriate. A request for help is considered voluntary only if it is made before the employee is asked to submit to any drug or alcohol test or is discovered to have otherwise violated this policy.

Legal Sanctions

All cases involving potential criminal activity with regard to alcohol or illegal drugs will be forwarded to the University Police Department for investigation. When appropriate, cases may be referred to the District Attorney's Office for criminal prosecution.

Safe Practices

ASI maintains an Illness and Injury Prevention Program, Emergency Action Procedures, Risk Management Plan, and Hazard Communication Standards (if required), which may be reviewed in the ASI Human Resources Office.

ASI is concerned about employee health and safety. Proper safety equipment must be used and worn in the performance of job functions. In addition to any safety equipment, employees must follow other safety rules and always be safety conscious. Please refer to the ASI Safety Manual, found in all program areas, for general safety policies and procedures.

Employees should notify their supervisor or a member of the Safety Committee of any unsafe conditions or practices. Help avoid accidents by eliminating hazards when possible.

Should an unsafe condition or accident occur, even though no one is injured, employees must report any incident to their supervisor as soon as possible. All work-incurred injuries must be reported to the supervisor and ASI Human Resources immediately.

Employees must not lift or push objects that are too heavy or awkward to handle. Employees should inform their supervisor of any task that is unsafe or where assistance is needed to perform the task safely. Operation of any equipment should not occur unless employees are authorized and trained to handle such equipment.

The above safety rules are intended to protect all employees. Violating a safety rule may result in discipline, up to and including termination of employment. The above safety rules are only a partial list and are not

intended to replace sound judgment, nor do they include all the instances in which disciplinary action may be taken.

Recovery/Cool-Down Periods

ASI permits employees who work outside to spend not fewer than 5 minutes in the shade to cool down when necessary to avoid heat illness, during which they are relieved of all duties. There is no set schedule for recovery/cool-down periods and there is no limit on how many recovery/cool-down periods employees may take when performing work outside. Any employee experiencing any signs or symptoms of heat illness must immediately contact their supervisor and ASI Human Resources.

Time spent taking a recovery/cool-down period in compliance with this policy is considered "hours worked" and will be paid. Any nonexempt employee who is required to work through some or all of a cool-down period should complete a "California Cool-Down Premium Request Form" and submit it to their supervisor no later than the end of the pay period (Premium Request Forms are provided upon request). ASI will assume that any nonexempt employee who fails to record a missed cool-down period missed the cool-down period voluntarily.

Use of Cell Phones/Text Messaging While Driving

Employees whose job responsibilities include regular or occasional driving and who are issued an ASI cell phone (including smartphones and other mobile electronic devices) or use their personal cell phone for business-related work are expected to put safety first. Therefore, personal and ASI-supplied cell phones are not to be used while driving unless the cell phone can be connected via hands-free device that is consistent with California law as described below.

Employees should also be aware that driving while holding and operating a handheld wireless telephone or electronic wireless communications device is a violation of California law unless the device is specifically designed and configured to allow hands-free operation and is used in that manner while driving. Under California law, such handheld devices can only be operated while driving in a manner requiring use of the driver's hand if: the device is mounted on the vehicle's windshield or affixed to the dashboard or center console in a manner that does not hinder the driver's view of the road; and the driver uses their hand to activate or deactivate a feature of the device with a single swipe or tap of the driver's finger.

If an employee receives a call on a cell phone while driving, they must pull over safely, park and then either answer the phone or return the call. Furthermore, if an employee needs to make a call, they must also pull over safely, park and then place the call. Employees also may not send or review text messages while driving as part of their job responsibilities.

The purpose of this policy is to ensure the safety of employees, other motorists and ASI property. Employees who are charged with traffic violations or cause accidents or injuries resulting from their use of personal or ASI-issued cell phones while driving will be solely responsible for all liabilities, fines, etc., that result, to the extent permissible under the law.

Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued an ASI-provided cellular telephone for business use or who use their personal cellular telephone for business use, are also expected to abide by the provisions of this policy.

Work-Related Accidents or Illnesses

An employee who sustains a work-related injury or illness should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately.

Employees who sustain work-related injuries may receive workers' compensation benefits. See ASI's Workers' Compensation Insurance policy for more information.

Employees who need to take time off from work due to a workers' compensation illness or injury may also be eligible for a leave of absence under ASI's leaves of absence or reasonable accommodation policies. Employees should consult with ASI Human Resources for additional information.

Any recreational activities sponsored by ASI, such as picnics, softball games, and other social gatherings, are purely voluntary and not related to any person's work duties. Participation or non-participation in those activities will have no effect on any employee's job terms and conditions. An employee who participates in such activities does so at their own risk.

Anti-Violence in the Workplace

The safety and security of employees is of vital importance to ASI. Therefore, ASI has adopted a zero-tolerance policy concerning work-related violence. Threats or acts of violence, including intimidation, bullying, physical or mental abuse and/or coercion will not be tolerated.

Work-related violence is any intentional conduct which is sufficiently severe abusive or intimidating to cause an individual to reasonably fear for their own personal safety or the safety of their family, friends, and/or property such that employment conditions are altered, or a hostile, abusive or intimidating work environment is created for one or more employees. The conduct prohibited by this policy applies to conduct by all persons involved in our operations, including employees, supervisors, managers, temporary or seasonal employees ("employees"), agents, clients, vendors, customers, or any other third-party interacting with ASI ("third parties").

Examples of work-related violence include, but are not limited to, the following:

- Threats or acts of violence occurring on ASI premises, regardless of the relationship between ASI and the parties involved in the incident.
- Threats or acts of violence occurring off ASI premises involving someone who is acting in the capacity of a representative of ASI.
- Threats or acts of violence occurring off university premises involving an employee of ASI, if the threats or acts affect the business interests of ASI.
- Threats or acts of violence occurring off university premises in which an employee of ASI is a victim, if ASI determines that the incident may lead to an incident of violence on university premises.
- Threats or acts resulting in the conviction of an employee or agent of ASI, or of an individual performing service for ASI on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence which adversely affect the legitimate business interests of ASI.
- Examples of conduct which may be considered threats or acts of violence under this policy include, but are not limited to the following:
- Threatening physical contact directed toward another individual.

- Threatening an individual or their family, friends, associates, or property with harm.
- The intentional destruction or threat of destruction of ASI or another's property.
- Menacing or threatening phone calls.
- Stalking.
- Veiled threats of physical harm or similar intimidation.
- Communicating an endorsement of the inappropriate use of firearms or weapons.

Work-related violence does not refer to work environment arguments or debates that are zealous or impassioned, provided there is no resort to any form of coercion. Discussions about sporting activities, popular entertainment or current events are not considered work-related violence when there is no threat of violence being directed to the work environment or any individual connected with it. Rather, work-related violence refers to behavior that demonstrates an intention to engage in violence, condones violence in our work environment, or targets any individual with acts or threats of violence.

Employees should help maintain a violence-free work environment. To that end, employees are encouraged to immediately report any incident that violates this policy to a supervisor, another member of management or ASI Human Resources.

This policy in no way prohibits employees from engaging in activities that are protected under applicable state and federal laws, including but not limited to any activity that is protected under Section 7 of the National Labor Relations Act, which includes the right of employees to speak with others, engage in debates and protest about their terms and conditions of employment. No provision of this policy statement or any other provision in this policy alters the at-will nature of employment with ASI. ASI will make the sole determination of whether and to what extent, it will act upon threats or acts of violence. In making this determination, ASI may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that work-related violence has occurred.

Personnel Actions

Disciplinary Process

With the exception of regular full-time and part-time employees hired before July 1, 1998, all employees, regardless of classification, are at “at will.” This means the employment relationship may be terminated “at will” by ASI or the employee, with or without cause or notice and without following any formal system of discipline or warnings. However, ASI may exercise its discretion to use forms of discipline that are less severe than dismissal in some cases. The following types of counseling steps may be taken in connection with a particular situation. However, no formal steps of counseling or any type of discipline is required before ASI may impose any form of discipline, including dismissal.

Disciplinary action may take the form of any of the following steps: oral or written warning, probation, suspension, demotion, or dismissal.

Any recommendation for probation, suspension, demotion, or dismissal must be approved by the ASI Executive Director in consultation with the supervisor and ASI Human Resources. A copy of the written documentation shall be placed in the employee’s personnel file.

Nothing in this policy alters the at-will relationship of ASI employees.

Reduction in Staff

It may be necessary or appropriate from time to time for ASI to reduce its staff due to such factors as lack of work, budget constraints or reorganization to improve efficiency, or other reasons. ASI reserves the right to transfer and reassign any and all employees in order to achieve a net reduction in staff.

If a reduction in staff is determined to be necessary, it will be ASI’s highest concern to assure productivity and the ongoing viability of the organization. If possible, ASI will provide thirty (30) days’ notice of reduction in staff to regular employees and two (2) weeks’ notice to intermittent and temporary employees or otherwise pursuant to applicable law. Employees will be selected for a reduction in staff based on a combination of factors including, but not necessarily limited to, job performance, productivity, skills and education, qualifications, the ability to perform the work remaining, flexibility to perform a variety of tasks, attendance, and disciplinary record, in order to best serve the business interests of ASI. Any single factor or a combination of factors may be determinative in a particular case.

Resignation

Should an employee decide to end their employment with ASI, ASI requests that the employee provide a written resignation letter, preferably with 2 weeks’ notice. Resignations should be submitted to their supervisor and ASI Human Resources.

Nothing in this policy alters the Employment At-Will Policy in this Handbook.

Pay and Benefits Upon Termination

Vacation and Personal Holiday time accrued and not yet taken will be paid-out at the time of separation at the employee’s final rate of base pay. Birthday Holiday and Sick leave benefits are not payable at the time of separation.

External Committee Involvement

ASI encourages involvement on external committees such as with the University, auxiliaries, higher education affiliations, and professional affiliations as appropriate for job responsibilities. Any involvement with external committees should not, however, interfere with ASI responsibilities.

Voluntary Open-Door Policy

We recognize that employees may have suggestions for improving our work environment, as well as complaints about the work environment. Employees should feel free to contact their supervisors, another member of management, or ASI Human Resources with any suggestions and/or complaints.

While we provide employees with this opportunity to communicate their views, please understand that not every complaint can be resolved to the employee's satisfaction. Even so, we believe that open communication is essential to a successful work environment, and all employees should feel free to raise issues of concern without fear of reprisal.

A formal written complaint may be filed with ASI Human Resources within ten (10) working days from the event, giving rise to the complaint. ASI Human Resources will undertake or direct a thorough and objective investigation of the complaint. The investigation will be completed and a determination regarding the complaint will be made and communicated to the employee(s) who complained. The decision of ASI Human Resources is final.

Please note that some Company policies, such as the Sexual and Other Prohibited Harassment policy, contain specific reporting procedures that should be followed by employees seeking to report violations of those policies. Employees should utilize this Voluntary Open-Door policy for reports and ideas that are not addressed through ASI's specific reporting procedures.

Performance Management

An employee evaluation program has been developed to improve employee performance, to improve supervisor/employee relationships, and to establish clearly understood duties and responsibilities expected of each employee based upon performance standards and goals. It is the responsibility of each supervisor to ensure that all performance evaluations are completed in a timely fashion and in full recognition of their importance to both the employee and employer.

Annual Performance Evaluation

Performance evaluations will be conducted annually, usually at the end of the fiscal year.

Please keep in mind that a positive performance review does not guarantee a salary increase or a promotion. Salary increases and/or promotions are solely within the discretion of ASI and depend upon many factors in addition to individual and Company performance.

Pay and promotion decisions must be in writing and approved by an authorized representative of ASI to be effective. ASI reserves the right to issue disciplinary action and make any personnel changes (including termination) before or after performance evaluations.

Educational Assistance

ASI supports employees seeking to develop valuable new career skills. The Educational Assistance Program is used to assist in the professional development of staff.

Regular, full-time employees who have been employed by ASI for a minimum of one (1) year are eligible to apply for the program. Employees who will reach their one-year anniversary within the current program year may submit an application in advance; however, program participation and reimbursement may only begin after the one-year requirement has been met. Expenses incurred prior to the one-year anniversary date are not eligible for reimbursement.

Applications for the program are open bi-annually. ASI Directors will review all applications and recommend candidates to the ASI Executive Director for final approval. Acceptance to the program is limited based upon available funding and assessment of the candidates' overall objectives, benefit to ASI, and prior participation in the program. The completion of courses does not guarantee a reassignment or promotion.

Once accepted into the program, participants may enroll in up to six (6) units per term in undergraduate or graduate coursework approved by the ASI Executive Director. ASI will allow participants time off during working hours to attend one class per term taken at Cal Poly, subject to supervisor approval and business needs.

Continued eligibility is dependent on the grade of "C" or better for undergraduate coursework and the grade of "B" or better for graduate coursework. The participant must provide an official grade report no later than three weeks after course completion to ASI Human Resources. Eligibility for the Educational Assistance Program will be suspended for the following term if the grade requirement is not met.

For detailed information on ASI's Educational Fee Reimbursement program, including reimbursement amounts, please refer to the [ASI Educational Assistance](#)⁸ pages on SharePoint.

Types of Courses Which May Taken

Work-Related Courses

Work-related courses are taken for the purpose of improving the level of skills and knowledge needed to perform existing duties and responsibilities of the participant's current position, or acquiring skills and knowledge needed to perform newly assigned duties and responsibilities of the current position. Enrollment may be voluntary or at the direction of the supervisor.

Career Development Courses

Career development courses are taken to meet the educational or equivalent experience requirement of a job within ASI.

Professional Development

ASI offers employees various training and development opportunities to strengthen existing job skills or acquire new skills needed to prepare for future work assignments. These training periods may include time off with pay to attend seminars, workshops, or specialized training programs for individuals or groups of employees. The responsibility for identifying training needs and taking the steps necessary to satisfy those

⁸ ASI Educational Assistance SharePoint Page - [Educational Assistance Program](#)

needs is shared by the employee and the supervisor. The granting of time off to participate in training and development opportunities is contingent on the needs of ASI and the approval of the supervisor.

Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave?

You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave?

Generally, to request FMLA leave you **must**:

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your employer **may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

What does my employer need to do?

If you are eligible for FMLA leave, your employer **must**:

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your employer **cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer **must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your employer **must notify you in writing**:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

