

# Employee Handbook

Agricultural Foundation of California  
State University, Fresno



Revised May 1, 2026

---

# *TABLE OF CONTENTS*

---

WELCOME .....	1
ESSENTIAL HANDBOOK PROVISIONS .....	2
EQUAL EMPLOYMENT OPPORTUNITY .....	3
Commitment to the Interactive Process and Reasonable Accommodation.....	3
EMPLOYMENT CATEGORIES .....	3
Exempt and Non-Exempt.....	4
Position Classifications for Benefits Eligibility Purposes.....	4
Position Reclassification .....	4
PAYROLL AND TIMEKEEPING .....	4
Hours of Work .....	5
Rest and Meal Period .....	5
Timekeeping and Attendance Reports .....	5
Pay Day .....	6
Pay Checks .....	6
Direct Deposit .....	7
Pay Rate Change .....	7
Deductions from Pay.....	7
Reporting Time Pay .....	7
On-Call and Standby Time.....	8
Business and Travel Expense.....	8
BENEFITS .....	9
Health Insurance .....	9
Dental Insurance .....	10
Vision Insurance .....	10
Life Insurance.....	10
Additional Life Insurance .....	10
Flex Cash Program.....	10
Consolidated Omnibus Budget Reconciliation Act (COBRA) .....	11
Vacation .....	11
Paid Sick Leave for Benefited Employees .....	12
Paid Sick Leave for Non-Benefited Employees.....	14
Holidays .....	15
Career Development and Educational Assistance.....	16
Workers' Compensation .....	18
Unemployment Insurance .....	19
Disability Insurance .....	19

Child Care .....	19
Parking (On-Campus) .....	19
Campus Identification Card .....	19
Employee Assistance Program.....	20
LEAVES OF ABSENCE .....	20
Bereavement Leave.....	20
Pregnancy and Related Leave .....	20
Lactation Accommodation.....	21
Reproductive Loss.....	22
Family and Medical Leave Act.....	22
California Family Rights Act.....	24
Military Leave.....	24
Jury and Witness Duty .....	24
Parental Leave for Employees with Children in School .....	25
Time Off to Vote.....	25
Literacy Leave.....	25
Personal Leaves of Absence.....	25
Organ and Bone Marrow Donation.....	26
Victims of Domestic Violence, Sexual Assault and Other Crimes .....	26
Victims of Serious Crimes .....	27
NONDISCRIMINATION & ANTI-HARASSMENT POLICY .....	27
Employee Relations .....	27
Nondiscrimination Program .....	27
Unlawful Harassment.....	28
Sexual Harassment Defined .....	28
Other Types of Harassment.....	29
Complaint Procedure.....	29
Liability for Harassment .....	30
Additional Enforcement Information .....	30
RESOLUTION PROCEDURE FOR EMPLOYEE COMPLAINTS .....	30
Open Door Policy.....	30
Complaint Resolution.....	31
WORK STANDARDS AND EMPLOYEE CONDUCT .....	33
Work Rules and Performance Standards.....	33
Progressive Discipline.....	33
Personal Appearance and Grooming Standards .....	34
Attitude.....	34
Drug Free Workplace.....	34

Attendance and Punctuality.....	37
Nepotism .....	38
Outside Employment.....	38
Performance Evaluation .....	38
CODE OF CONDUCT .....	39
Respect for the Law .....	39
Principles of Community .....	39
Equal Employment Opportunity .....	40
Nondiscrimination.....	40
Unlawful Harassment.....	40
Nepotism .....	40
Outside Employment.....	40
Personal Appearance and Grooming Standards .....	40
Employees in a Supervisory Role .....	40
Workplace Violence.....	41
Drug Free Workplace.....	41
Safety .....	41
Equipment and Vehicles .....	41
Attendance and Punctuality.....	41
Security Inspections .....	41
Conflicts of Interest Disclosure.....	41
Receipt of Gifts, Tips and Gratuities.....	42
External Activities and Public Comment .....	42
Work Ethic and Standards.....	42
Economy and Efficiency .....	43
Information Systems Policies.....	43
Communication Devices .....	43
Whistleblower Policy .....	44
Social Media and Networking.....	45
OPERATIONAL CONSIDERATIONS .....	47
Safety .....	47
Equipment and Vehicles .....	47
Driving on Ag Foundation Business .....	48
Security Inspections .....	48
EMPLOYMENT SEPARATION .....	48
ACKNOWLEDGMENT .....	50

---

# *WELCOME*

---

Welcome to the Agricultural Foundation of California State University, Fresno ("Ag Foundation"). We are pleased you have joined our organization, and hope you find your employment challenging, rewarding, and mutually beneficial. Please read this employee handbook in its entirety.

The Agricultural Foundation of California State University, Fresno is a non-profit corporation. An auxiliary corporation, organized in 1954, its main purpose is to support the educational mission of Fresno State. Our primary focus is to provide support for student projects with the Jordan College of Agricultural Sciences and Technology and the University Agricultural Laboratory.

Auxiliaries are private employers and as such possess operational flexibility not typically found in State public entities. Auxiliary organizations are self-supporting and exist to promote the educational mission of each campus.

One of more than ninety recognized auxiliary organizations within the California State University (CSU) system, the Agricultural Foundation operates in conformance with the rules and regulations adopted by the Board of Trustees of the California State University and is governed by a Board of Directors.

Throughout this Employee Handbook the terms "Employee Handbook" and "Handbook" are used interchangeably. The terms "Agricultural Foundation of California State University, Fresno." and "Ag Foundation" are used interchangeably. Also, within this Handbook, the title "Executive Director" refers to the Executive Director of the Agricultural Foundation, and the title "Director of Human Resources" refers to the Director of Human Resources for the Auxiliary Services.

---

## *ESSENTIAL HANDBOOK PROVISIONS*

---

This Employee Handbook was developed to provide guidelines and summary information for the employees of the Ag Foundation. It is not possible to anticipate or describe every situation that may arise in the workplace, nor is it possible to provide information that answers every question. Therefore, when appropriate, the Ag Foundation may revise, modify, add to, reduce or eliminate any policies, practices, procedures, work rules or benefits stated in this handbook or in any other document, except for the policy of at-will employment. Changes and revisions will be communicated in writing in a way that provides a reasonable amount of notice of such changes.

The Ag Foundation is not governed by any form of collective bargaining. Although some benefits and policies may be similar to those offered by the University to its employees, the Ag Foundation has developed its own policies and procedures (many of which are outlined in this Employee Handbook).

The Ag Foundation is an at-will employer. As such, any employee may separate his/her employment with the Ag Foundation at any time, with or without advance notice, and with or without cause. The Ag Foundation has similar rights.

An employee's status as an at-will employee may not be changed except in writing and signed by the Executive Director.

***THIS HANDBOOK IS NOT INTENDED TO CONSTITUTE AN EMPLOYMENT CONTRACT NOR IS IT INTENDED TO CONVEY ANY CONTRACTUAL RIGHTS OR OBLIGATIONS OR GUARANTEES OF FUTURE EMPLOYMENT.***

No manager, supervisor or employee of the Ag Foundation has authority to enter into any agreement for employment for any specified period of time or to make any agreement for employment other than that of an at-will nature. Additionally, in its sole discretion and without advance notice, the Ag Foundation may advance, promote, demote, increase or decrease pay, and/or modify job duties of any employee.

Questions regarding the Ag Foundation's policies, procedures, or programs should be addressed to Auxiliary Human Resources. University employees may not be familiar with the policies, procedures, and programs of the Ag Foundation, and as such may not be able to provide accurate information regarding them. Therefore, it would be inappropriate to rely on University employees to explain Ag Foundation policies, procedures, or programs.

This Employee Handbook contains policies and revisions that supersede all prior handbooks, policy statements, inconsistent policy statements and memoranda of the Ag Foundation as of the distribution of this Employee Handbook. Employees should disregard and destroy any prior handbooks in order to avoid any confusion or misunderstandings.

---

## *EQUAL EMPLOYMENT OPPORTUNITY*

---

The Ag Foundation is committed to providing equal employment opportunity for all qualified persons, without regard to race, color, ancestry, national origin, religion, creed, age (40 and over), disability (mental and physical), sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions, and transgender status), sexual orientation, gender identity, gender expression, medical condition, genetic information, marital status, military or veteran status, reproductive health decision-making, or any other status protected by applicable federal or state law. It also includes a perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics. All such discrimination is unlawful. Our policy applies to all employment practices, including hiring decisions, compensation, benefits, promotions, transfers, training, disciplinary action, and terminations.

We are committed to providing reasonable accommodation to qualified applicants and employees with disabilities so they can apply for jobs and perform essential duties, unless doing so would result in an undue hardship.

We expect all employees to show respect and sensitivity towards all employees and customers, and to demonstrate a commitment to the organization's equal opportunity and non-discrimination objectives. If you observe a violation of this policy, you should report it immediately to your supervisor or to Auxiliary Human Resources. Supervisors and Managers, upon receipt of such report, are required to immediately contact Auxiliary Human Resources.

Auxiliary Human Resources will take the appropriate steps to determine the extent of any violation, will recommend corrective action and/or punitive action when warranted, and will work closely with the Executive Director to help ensure practices are in place to avoid similar recurrences of violations.

### **Commitment to the Interactive Process and Reasonable Accommodation**

Employees with a disability or medical condition that will adversely impact their ability to continue to perform the essential duties of their job are urged to contact Auxiliary Human Resources as soon as possible, in order to begin the interactive process. Auxiliary Human Resources may also initiate the interactive process if it becomes aware of the possible need for accommodation. Engaging in the interactive process will help to determine if the Ag Foundation can provide reasonable accommodation, without causing undue hardship.

---

## *EMPLOYMENT CATEGORIES*

---

Categories have been created in order to determine eligibility for Ag Foundation sponsored benefits. Upon hiring, employees are placed in one of these employment categories. The following definitions are designed to help you understand your employment status and eligibility for benefits. These classifications do not guarantee employment for any specified period of time and are subject to change.

## **Exempt and Non-Exempt**

---

Every position is classified as either "Non-Exempt" or "Exempt" in accordance with the Fair Labor Standards Act (FLSA) and applicable state laws. This classification has no relationship to whether an employee is eligible for a specific benefit, except employees filling non-exempt positions are eligible for overtime pay (when applicable). Employees whose position is designated as exempt are not eligible to receive overtime pay.

Changing a position classification from non-exempt to exempt, or vice versa, may occur only by written request from a manager or supervisor for review and approval from both Auxiliary Human Resources and the Executive Director.

## **Position Classifications for Benefits Eligibility Purposes**

---

"Benefited" employees generally include those employees who are eligible to receive Ag Foundation sponsored benefits, while "non-benefited" employees are generally ineligible for Ag Foundation benefits. Below are the definitions used by the Ag Foundation to describe eligibility for benefits:

**Benefited** employees are those typically assigned to work 40 hours per week. These positions are eligible for full benefits provided by the Ag Foundation.

**Non-Benefited** employees include those considered part-time or students and are not eligible for Ag Foundation provided benefits. These employees are covered under Workers' Compensation, Disability, Unemployment Insurance and any federal or state mandated benefits.

## **Position Reclassification**

---

Prior to a classification or reclassification of any type, Auxiliary Human Resources will conduct a complete job responsibility audit of the position. Following the audit, Auxiliary Human Resources will write a job description for the position. Requests for reclassification must be submitted to Auxiliary Human Resources for final review and approval by the Director of Human Resources.

Reclassifications shall be approved only when a position's range of job responsibilities has changed to a level that warrants a change in exempt status, pay grade, or a change impacting eligibility for benefits. An increase or decrease in volume of work in and of itself is not typically justification for reclassification.

---

# ***PAYROLL AND TIMEKEEPING***

---

Employees are required to sign an information sheet or transaction form whenever there is a change to their payroll record. Failure to do so in a timely manner may result in a delay in the transaction being processed. The employee may receive a copy of the processed form for their records at their request.

## **Hours of Work**

---

Each employee is assigned by the supervisor to a workday or week. The work period for benefited employees is normally eight (8) hours per day and forty (40) hours per workweek is, with the standard workweek being Sunday from 12:00 a.m. through Saturday at 11:59 p.m.

Exempt employees are expected to work the hours necessary to satisfactorily accomplish the requirements of their position, to give proper supervision, and to be appropriately available to their manager and to those under their direction. While the standard schedule is normally at minimum forty (40) hours per week, the actual number of hours worked may vary based on workload, deadlines, and business needs.

Generally, non-exempt employees who work over eight (8) hours in a day or over forty (40) hours in a week are paid overtime pay. Overtime pay is based on actual hours worked. Time off on sick leave, vacation, paid holiday, or any leave of absence is not considered hours worked for purposes of computing overtime.

Advanced approval should be given verbally by a manager or supervisor prior to work being performed that would result in overtime compensation. Overtime will be approved in writing by a manager or supervisor upon the employee submitting their timesheet. Employees that work overtime without permission may be subject to disciplinary action.

## **Rest and Meal Period**

---

All non-exempt employees are provided with one (1) paid rest/break period of at least ten (10) minutes for each four (4) hours of work, or major portions thereof. A rest period may also include recovery periods to prevent heat illness. To the extent possible, rest periods will be provided in the middle of work periods. Since break time is paid as time worked, employees must not be absent from the workstation or work location beyond the allotted time. Breaks are not to be added to the beginning or end of the work shift and may not be accumulated for a later time or used to extend lunch breaks.

Please refer to Lactation Accommodation in this handbook, if additional break time is needed to express breast milk for an infant child.

Typically, employees working an eight (8) hour workday will be given a one (1) hour unpaid meal period. In some cases (i.e. summer schedule), the meal period may be less than one (1) hour but will not be less than thirty (30) minutes. Employees must start their meal period before the fifth (5<sup>th</sup>) hour of work.

Supervisors are to schedule meal periods prior to the employees fifth (5<sup>th</sup>) hours of work, to accommodate operating requirements, and to ensure employees are relieved of all active work responsibilities and restrictions during meal periods.

## **Timekeeping and Attendance Reports**

---

All employees are required to track their time and attendance and submit a corresponding report to ensure they are compensated timely and accurately. All employees are required to submit their

completed and accurate time and attendance reports to their supervisor on the first working day after the pay period.

**Non-benefited employees** are required to submit an Hourly Time and Effort Report “timesheet” to Auxiliary Human Resources/Payroll by the end of the business day following the end of the pay period.

**Benefited employees** are required to submit a Monthly Attendance Report to Auxiliary Human Resources/Payroll no later than five (5) working days after the end of the month.

- Employees that are non-exempt are to report hours worked, meal breaks, as well as hours not worked which are to be compensated for such as sick leave, vacation, bereavement or jury duty.
- Employees that are exempt (those who do not qualify for overtime) will accurately record time taken such as sick leave, vacation, bereavement or jury duty. Exempt employees will record such time in full day increments.

Late submissions to the Auxiliary Human Resources/Payroll will result in late payment of wages to the employee(s). Further, it should be understood that if an employee does not submit a time and attendance report, in whatever form required for that employee, the employee will not be paid.

Willful falsification of any time and attendance report will result in disciplinary action, up to and including separation of employment.

Timesheets and attendance reports are available on the Auxiliary Human Resources website at <https://auxiliary.fresnostate.edu/association/hr/employee-resources.html>.

## **Pay Day**

---

Benefited employees are paid on the 15<sup>th</sup> and the last day of the month. When the pay date falls on a holiday or weekend, the last workday before the normal pay date will be the pay day, unless otherwise indicated on the payroll schedule.

Non-benefited employees are paid on the 7<sup>th</sup> and the 22<sup>nd</sup> of the month. When the pay date falls on a holiday or weekend, the last workday before the normal pay date will be the pay day, unless otherwise indicated on the payroll schedule.

Payroll schedules are available on the Auxiliary Human Resources website at <https://auxiliary.fresnostate.edu/association/hr/employee-resources.html>.

## **Pay Checks**

---

Pay checks are normally available in the employees' work unit. However, each employee should consult with their supervisor as to the procedures and place where their paycheck will be available. If an employee is not available on the pay day due to vacation or some other reason, the paycheck will be mailed to the employee's home address if other prior arrangements have not been made.

Employees who discover a mistake in their paycheck, or lose the check, should notify the Auxiliary

Human Resources /Payroll Department immediately. Confirmed errors will be corrected, and in the case of loss or theft, a new check will be issued. The Ag Foundation cannot be held responsible for the loss or theft of a check if it cannot stop payment on the check.

### **Direct Deposit**

---

As a service to our employees and to increase payroll efficiency and minimize time away from work to deposit pay checks, direct deposit is highly encouraged for all employees. Inquiries should be directed to Auxiliary Human Resources/Payroll regarding current services available.

### **Pay Rate Change**

---

Pay is based on the position and duties an employee is performing. Pay rate changes (increases or decreases) are based on performance, availability of funding, and other considerations that may vary during the course of employment.

Employees should understand that no final or effective decision regarding pay rate changes can be made by a supervisor alone, with the exception of a pay rate change for a non-benefited employee. Changes in pay for non-benefited employees can be made at the unit level. Changes in pay for a benefited employee may be made only with written approval of the JCAST Dean, Director of Human Resources and Executive Director.

### **Deductions from Pay**

---

On each pay day, employees will receive a statement showing gross pay, deductions, and net pay, in addition to their paycheck or deposit confirmation notice. Local, state, federal and Social Security taxes will be deducted automatically. Employees may elect to have additional voluntary deductions taken from their pay when they provide their written authorization.

Garnishments from pay that are court ordered under state or federal law will be honored and deducted from the employee's pay as ordered. Garnishments may only be stopped if the employee provides an official release from the court or agency to Auxiliary Human Resources/ Payroll.

### **Reporting Time Pay**

---

An employee who reports to work on a scheduled workday, but is not put to work or is furnished with less than half of their usual or scheduled day's work, will be paid the greater of one-half (1/2) their usual or scheduled day's work (up to four (4) hours), or two (2) hours at their regular rate of pay.

An employee who reports to work a second (2<sup>nd</sup>) time in a scheduled workday and is furnished with less than two (2) hours of work, will be paid for two (2) hours at their regular rate of pay.

These provisions shall not apply where the failure to provide the scheduled amount of work results from specific causes beyond the Ag Foundation's control, such as (1) an inability to commence or continue operations because of threats to employees or to property, or because of the

recommendation of civil authorities; (2) a failure of the sewer system or of public utilities to supply electricity, water, or gas; (3) an interruption of work caused by an act of God or other cause outside of the Ag Foundation's control; (4) instances where an employee makes a request to leave work early for personal reasons; or (5) where an employee reports to work unfit.

### **On-Call and Standby Time**

---

Employees may be required to serve in an on-call capacity to respond to an unforeseen circumstance or emergency and, if such circumstance arises, to report to work after the end of the employees' regular shifts and before the beginning of their next scheduled shifts. Non-exempt employees who are placed on-call by their supervisor will be compensated.

#### **Restricted on-call duty**

Employees placed on restricted on-call duty are expected to remain either on the work premises or in a geographic vicinity that permits the employee to respond to an authorized call to work within 15 minutes. Employees on restricted on-call duty will be paid as follows:

1. For time spent waiting for an authorized call to work, employees will be paid their regular hourly rate. Employees must separately record their time spent waiting for an authorized call to work and the time they spent responding to a call.
2. For time spent responding to an authorized call to work, including the time spent traveling to and from work, employees will be paid their regular hourly rate, and the employees will be paid for all time spent responding to an authorized call to work, or a minimum of two (2) hours, whichever is greater.

Employees on restricted on-call duty are required to comply with applicable company policies, including the company's Drug and Alcohol Policy.

#### **Unrestricted on-call duty**

Employees placed on unrestricted on-call duty are free to respond to authorized calls to work within 4 hours or decline to respond to a call to work. Employees on unrestricted on-call duty will be paid as follows:

1. While waiting for authorized calls to work, employees are free to engage in personal activities, and consequently such time is not considered work time.
2. If employees on unrestricted on-call time respond to authorized calls to work, the employees will be paid their regular hourly rates for time spent responding to authorized calls to work, including the time spent traveling to and from work, or a minimum of two hours, whichever is greater.

Employees on unrestricted on-call duty are required to comply with applicable company policies during the time they are responding to an authorized call to work, including the company's Drug and Alcohol Policy.

### **Business and Travel Expense**

---

The Ag Foundation will reimburse employees for reasonable business travel expenses while on assignment away from the normal work location. All business travel must be approved in advance by the immediate supervisor, and any expense or reimbursement is based on the Ag Foundation's written travel policy. Please consult with Auxiliary Human Resources on how to report travel time

pay.

Employees involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by the Ag Foundation may not be used for personal use without prior approval. Prior to traveling for business, employees must successfully complete Defensive Driving training along with required forms. Please contact Auxiliary Human Resources for information.

With prior approval from an employee's supervisor, a family member or friend may accompany employees on business travel when it will not interfere with business objectives. Generally, employees are also allowed to combine personal travel with business travel, as long as time away from work is approved and additional expenses arising from such non-business travel are paid by the employee. Abuse of the business travel expense policy, including falsifying expense claims, may result in disciplinary action, up to and including termination of employment. Please refer to the Ag Foundation's travel policy at <https://agf.fresnostate.edu/forms.html> for any travel related questions.

---

## ***BENEFITS***

---

The Ag Foundation has established a number of employee benefit programs for eligible employees. Although this Employee Handbook does not restate all of the features of these benefit programs, it provides brief summaries to acquaint employees with some of their key features. Official plan documents should be consulted for further information regarding health, dental, vision, and life insurance benefits as these plans change on a regular basis. These documents are available on the Auxiliary Human Resources website at <https://auxiliary.fresnostate.edu/association/hr/employee-resources.html>.

While it is the Ag Foundation's intention to continue these benefits, the Ag Foundation reserves the right to modify, increase, reduce or eliminate any benefit, in whole or in part, at any time. Neither the benefit programs nor their descriptions are intended to create any guarantees regarding employment or continued employment.

### **Health Insurance**

---

Various health insurance plans are available to all Benefited employees and their eligible dependents. The Ag Foundation's contribution to the cost of health insurance is determined periodically as the cost of this insurance changes. Any employee's share of the premium cost is paid through payroll deduction.

Employees and their eligible dependents must enroll within thirty (30) days from the date of eligibility or wait until the next annually designated "open enrollment period".

Insurance coverage is effective the first (1<sup>st</sup>) day of the month following employment in a benefited classification and remains in effect until the last day of the month of separation from employment.

Upon marriage, an employee may enroll the new spouse (and any eligible dependents) within thirty (30) days with proof of marriage. Newborn and adopted children may be enrolled within thirty (30) days of birth or custody.

### **Dental Insurance**

---

Dental insurance is provided to eligible Benefited employees with an option for dependent coverage. Eligibility for coverage begins the first (1<sup>st</sup>) day of the month following employment in a benefited classification and remains in effect until the last day of the month of separation from employment.

### **Vision Insurance**

---

Vision insurance is provided to eligible Benefited employees with an option for dependent coverage. Eligibility for coverage begins the first (1<sup>st</sup>) day of the month following employment in a benefited classification and remains in effect until the last day of the month of separation from employment.

### **Life Insurance**

---

Term life insurance is provided for all Benefited employees. Eligibility for coverage begins the first (1<sup>st</sup>) day of the month following employment in a benefited classification and remains in effect until the last day of the month of separation from employment. The amount of the insurance is based on your classification. Please refer to the following schedule:

<b><u>Classification</u></b>	<b><u>Coverage</u></b>
Exempt	\$50,000
Non-Exempt	\$25,000

### **Additional Life Insurance**

---

Benefited employees have the option to purchase additional life insurance valued at the employee's annual pay up to the maximum amount allowed by the carrier. Employees also have the option to purchase life insurance for eligible dependents. Employees must elect to purchase this insurance through payroll deduction at the time of hire or wait until the open enrollment period. Please contact Auxiliary Human Resources if a request to purchase additional life insurance is outside of open enrollment.

### **Flex Cash Program**

---

Benefited employees who have alternative health or dental coverage outside of the Ag Foundation may enroll in the Ag Foundation's Flex Cash Program and receive cash payments instead of company sponsored health care insurance. Please contact Auxiliary Human Resources for the monthly flex cash amounts for optioning out of health insurance coverage. Employees who elect flex cash must certify they have existing health coverage. Other conditions may apply, and employees are encouraged to speak with Auxiliary Human Resources prior to enrolling in the Flex Cash Program.

## **Consolidated Omnibus Budget Reconciliation Act (COBRA)**

---

In accordance with the requirements of the federal health insurance law, called “COBRA,” eligible employees and their family members may continue participation in the employer’s group health insurance program following certain “qualifying events.” These events include an employee’s separation from employment (other than due to “gross misconduct”), resignation, reduction in hours, divorce, legal separation, death, and certain other events. Where the right to continue coverage arises, coverage may be continued at special rates authorized by COBRA. Details regarding the COBRA rules are presented to employees when they experience a qualifying event that triggers the right to continue participation in the group health plan.

Another federal law, called the Health Insurance Portability and Accountability Act (“HIPAA”), allows certain individuals to transition from one job to another without losing their health insurance coverage, or reducing the amount of time they may be excluded from coverage under a new employer’s health insurance plan. The employer complies with its obligations under the HIPAA and recognizes coverage that a new employee had under a prior employer’s group health plan to the extent required by law. This may facilitate enrollment in the employer’s group health plan prior to the date coverage might otherwise be available. Details are available from Auxiliary Human Resources.

Unless notification is given in advance of the date the insurance is to be canceled, the employee may be required to pay for an additional month of insurance. Once the insurance has been canceled, it may not be reactivated. Due to the complexities of COBRA, individuals should fully understand their rights and obligations by contacting Auxiliary Human Resources before making decisions or assumptions with regards to coverage.

## **Vacation**

---

Benefited employees begin to accrue paid vacation from their date of hire and accrue vacation according to the below accrual schedule. Vacation is not accrued during periods of layoff, unpaid leave or when the employee is not scheduled to work for certain months in the year. Vacation is pro-rated based on the hours worked for Benefited part-time employees. Non-benefited employees are not eligible for paid vacation.

<b>Years of Service</b>	<b>Vacation Accrual</b>
1 month - 3 years	6.7 hours/month (10 days/year)
3 years, 1 month - 6 years	10 hours/month (15 days/year)
6 years, 1 month - 10 years	11.4 hours/month (17 days/year)
10 years, 1 month - 15 years	12.7 hours/month (19 days/year)
15 years, 1 month - 20 years	14 hours/month (21 days/year)

20 years, 1 month - 25 years	15.4 hours/month (23 days/year)
25 years, 1 month + over	16 hours/month (24 days/year)

Vacation can accrue up to a maximum as indicated on the following schedule. Once this maximum is reached, no further vacation will accrue until vacation time is used. When some vacation is used and the balance drops below the maximum accrual amount, vacation time will begin to accrue again. The Ag Foundation will not grant accrued vacation time for any period of time during which the accrued vacation was at the maximum.

The Ag Foundation encourages employees to take accrued vacation time. Typically, employees may select the time frame they wish to take their vacation. However, the supervisor must approve the requested vacation schedule in advance. It should be recognized that in some cases it may not be possible to accommodate a particular vacation request, and the vacation may be deferred until a time when workload or other business-related factors permit the vacation to be approved. Final decisions on vacation schedules remain at the discretion of the supervising manager.

<i>All employees</i>	1-3 years of service	120 hours
	3 years, one month to 6 years of service	180 hours
	6 years, one month to 10 years of service	204 hours
	10 years, one month to 15 years of service	228 hours
	15 years, one month to 20 years of service	252 hours
	20 years, one month, to 25 years of service	276 hours
	25 years, one month or more years of service	288 hours

### **Paid Sick Leave for Benefited Employees**

Paid sick leave is provided for employees to help ensure that they will not be financially burdened if unable to work due to illness. This policy applies to eligible Benefited Employees at the start of employment. Eight (8) hours of sick leave is provided for each full calendar month worked for Benefited full-time employees. Sick leave is pro-rated based on the hours worked for Benefited part-time employees. Sick leave is not earned during overtime, periods of unpaid disability, or unpaid leaves of absence.

#### **Use of Paid Sick Leave**

Sick leave may be used for medical examinations, for the employee's own illness or injury, or to attend to the illness of a child, grandchild, spouse, registered domestic partner, registered domestic partner's child, stepchild, parent, grandparent, sibling, or designated person.

In accordance with Senate Bill (SB) 1105, paid sick leave is provided to agricultural employees who (i) work outside and (ii) request sick leave to avoid smoke, heat, or flooding conditions created by a local or state emergency, including sick days necessary for preventive care due to their work or such conditions.

SB 1105 defines “agricultural employee” as a person employed in any of the following:

- An agricultural occupation, as defined in Wage Order No. 14 of the Industrial Welfare Commission.
- An industry that prepares agricultural products for the market on the farm, as defined in Wage Order No. 13 of the Industrial Welfare Commission.
- An industry that handles products after harvest, as defined in Wage Order No. 8 of the Industrial Welfare Commission.

#### Reporting to work

Employees who are unable to report to work due to illness are to notify their direct supervisor prior to the scheduled start of the workday or as soon as a required absence is known. If an employee becomes sick during the workday, the supervisor or a person in management must be notified before leaving the work site. Failure to follow these procedures or other instructions given by the supervisor may result in an unexcused absence and/or disciplinary action.

#### Proof of leave

The Ag Foundation reserves the right to require a satisfactory statement from a licensed health care provider whenever an employee uses sick leave. If required, the health care provider statement must verify that an injury or disability existed, its beginning and ending dates, and/or the employee's ability to return to work without presenting a risk to their own health or safety or the health or safety of others. When requested, such verifications and releases may be a condition for receiving sick leave benefits and returning to work.

#### Supplemental Pay During Sick Leave

If an illness or disability lasts more than seven (7) calendar days, or if an employee is hospitalized before the eighth (8<sup>th</sup>) day of an absence, the employee should apply for State Disability Insurance (SDI). Benefit payments received from SDI will be integrated with accrued sick leave and vacation. The Payroll Department will integrate sick and/or vacation (if available) time with the SDI benefits to equal the employee’s usual gross pay.

#### Sick Leave and Workers’ Compensation

When an employee is absent from work and is receiving Workers' Compensation benefit payments, accrued sick leave will be used to supplement the employee's pay. A health care provider's statement must be provided confirming that the employee is unable to work and expected duration of absence.

#### Return to Work

When an employee is released to return to work, a written statement from the health care provider indicating any restrictions, and the length of time restrictions will be in place must be provided to the supervisor and Auxiliary Human Resources.

#### Sick Leave Restrictions

Sick Leave may not be used during holidays, vacation, hours worked for a non-Ag Foundation employer, or hours of work outside an employee's regular schedule. If sick leave is misused, sick pay will not be granted and may result in disciplinary action.

#### Sick Leave Accrual

Sick leave accrues without a maximum accrual limit. Unused Sick Leave is not paid to an employee

at the time of separation. Sick Leave cannot be used until it has been earned.

### **Paid Sick Leave for Non-Benefited Employees**

---

Paid sick leave for non-benefited employees is provided to eligible employees and is not earned during overtime, periods of unpaid disability, or unpaid leaves of absence.

#### **Eligibility Provisions**

Employees who complete ninety (90) days of employment are eligible to be for paid sick days beginning with their ninety-first (91<sup>st</sup>) day of employment. This policy applies to all non-benefited employees, including employees in part-time, student and temporary positions. Employees are provided five (5) days (or 40 hours) of paid sick leave at the beginning of the benefit year.

#### **Use of Paid Sick Leave**

Employees may use up to a maximum of five (5) days (or 40 hours) of paid sick days at the start of each benefit year. Employees may only request to use the number of sick hours they were originally scheduled to work.

An employee may use sick leave when the employee is sick or ill. In addition, an employee may submit an oral or written request to receive paid sick days for any purpose allowed by the California Healthy Workplaces, Healthy Families Act, such as either:

- (a) The diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee, a child, grandchild, spouse, registered domestic partner, registered domestic partner's child, stepchild, parent, grandparent, sibling, or designated person, or
- (b) For an employee who is a victim of domestic violence, sexual assault, or stalking, to take time off (i) to obtain or attempt to obtain any relief to help ensure the health, safety, or welfare of the employee or the employee's child, such as a temporary restraining order, restraining order or other injunctive relief, (ii) to seek medical attention, obtain services from a shelter, program or rape crisis center, (iii) to obtain psychological counseling, (iv) to participate in safety planning, or (v) to take other actions to increase safety from future incidents.

The Ag Foundation will provide paid sick days for either purpose.

In accordance with Senate Bill (SB) 1105, paid sick leave is provided to agricultural employees who (i) work outside and (ii) request sick leave to avoid smoke, heat, or flooding conditions created by a local or state emergency, including sick days necessary for preventive care due to their work or such conditions.

SB 1105 defines "agricultural employee" as a person employed in any of the following:

- An agricultural occupation, as defined in Wage Order No. 14 of the Industrial Welfare Commission.
- An industry that prepares agricultural products for the market on the farm, as defined in Wage Order No. 13 of the Industrial Welfare Commission.
- An industry that handles products after harvest, as defined in Wage Order No. 8 of the Industrial Welfare Commission.

### Maximum Paid Sick Leave

At the beginning of each benefit year, employees are provided with a maximum of five (5) days (or 40 hours) of paid sick leave that will not carry over to the following year. Employees may not hold a sick leave balance of more than the maximum five (5) days (or 40 hours) in any given benefit year.

### Separation From Employment

Paid sick leave is intended to assist employees who miss work due to their own illness or an illness of a qualified family member during their employment. Any provided paid sick days that are not used prior to the last day of employment are lost at the time of resignation, termination, retirement, layoff, or other separation from employment. If an employee is rehired within one (1) year of the date of separation, any lost paid sick days will be reinstated and available for the employee to use starting the first day of rehire.

### Rate of Pay

Paid sick days will be compensated at the same rate as the employee normally earns during regular work hours. The rate of pay will be based on the employee's hourly wage. If an employee has different hourly rates in the ninety (90) days before taking accrued paid sick leave, the rate of pay will be calculated by dividing the employee's total wages (not including overtime premium pay) by the employee's total hours worked in the full pay periods of the prior ninety (90) days of employment. Paid sick days will be paid by the payday for the next regular payroll after the sick leave is taken.

### Reporting to Work

Employees who are unable to report to work due to illness are to notify their direct supervisor prior to the scheduled start of the workday or as soon as a required absence is known. If an employee becomes sick during the workday, the supervisor or a person in management must be notified before leaving the work site. Failure to follow these procedures or other instructions given by the supervisor may result in an unexcused absence and/or disciplinary action.

### Proof of Leave

The Ag Foundation reserves the right to require a satisfactory statement from a licensed health care provider whenever an employee uses sick leave. If required, the health care provider statement must verify that an injury or disability existed, its beginning and ending dates, and/or the employee's ability to return to work without presenting a risk to their own health or safety or the health or safety of others. When requested, such verifications and releases may be a condition for receiving sick leave benefits and returning to work.

### Return to Work

When an employee is released to return to work, a written statement from the health care provider indicating any restrictions, and the length of time restrictions will be in place must be provided to the supervisor and Auxiliary Human Resources.

## **Holidays**

---

Consistent with University's holiday schedule, the Ag Foundation provides Benefited employees the following paid holidays as of the date of hire. Non-Benefited employees do not receive paid holidays:

<i>New Year's Day</i>	January 1 <sup>st</sup>
<i>Martin Luther King Day</i>	3rd Monday in January
<i>President's Day</i>	3rd Monday in February
<i>Farmworkers Day</i>	March 31 <sup>st</sup>
<i>Memorial Day</i>	Last Monday in May
<i>Juneteenth</i>	June 19 <sup>th</sup>
<i>Independence Day</i>	July 4 <sup>th</sup> (typically)
<i>Labor Day</i>	1st Monday in September
<i>Veteran's Day</i>	November 11 <sup>th</sup>
<i>Thanksgiving Day</i>	4 <sup>th</sup> Thursday in November
<i>Christmas Day</i>	December 25 <sup>th</sup>

*Additionally, the observance of Lincoln's Birthday, Admission Day, and Columbus Day are deferred until the week between December 26<sup>th</sup> and December 30<sup>th</sup>, consistent with the University's campus holiday calendar.*

The Friday following Thanksgiving and December 31<sup>st</sup> are not paid holidays; employees will be required to exhaust any accrued vacation time, or the time off will be unpaid (if vacation time is not accrued).

When a holiday falls on a Saturday or Sunday, the holiday will normally be observed on the same day it is observed by the University.

In order to be eligible for a paid holiday, an employee must work the last scheduled workday before and the first scheduled workday after the applicable holiday. If an employee is on an approved vacation or approved sick day when the holiday occurs, the holiday will be paid. A doctor's certification may be required if sick leave is used immediately prior to or after a holiday. Employees on unpaid leave of absence are not eligible for holiday pay.

If a non-exempt employee is required to work on a paid scheduled holiday, that employee will receive straight time pay for the hours worked in addition to holiday pay at the regular rate of pay. Exempt employees receive no additional compensation or accrued time for working on a holiday.

### **Career Development and Educational Assistance**

The Ag Foundation recognizes that the skills and knowledge of its employees are critical to the success of our organization. The educational assistance program encourages personal and professional development through formal education, in order to assist employees in maintaining and improving job-related skills.

The educational assistance program was developed for Benefited employees to ensure continued improvement of abilities and performance for their current position. It should be understood that we cannot guarantee that participation in formal education will entitle an employee to automatic advancement, a different job assignment, pay increases, or continued employment with the Ag Foundation.

Where budgetarily available, educational assistance is provided to employees who have completed twelve (12) months of employment in Benefited status and have a record of satisfactory performance and attendance with the Ag Foundation. To maintain eligibility, individuals must remain an active employee and perform their job satisfactorily through the completion of each course.

Courses should be scheduled so that attendance does not conflict with an employee's normal work hours. If a course is only offered during an employee's normal work hours, the employee must obtain prior and written approval from their Unit Director. Time away from work to attend a course must be either taken as vacation or time off without pay or made up at another time as directed by the employee's supervisor, and in accordance with state and federal regulations.

No compensation will be paid to an employee for attending classes for approved coursework, except if vacation time is used as specified above.

For qualified employees, the Ag Foundation will pay one hundred percent (100%) of the tuition expense associated with taking up to six (6) units of collegiate coursework taken during the fall or spring semester (excluding summer semester) for a total of twelve (12) units per academic year. Further, the Ag Foundation may grant the employee time off with pay for three (3) units of course work per semester with prior approval from the Manager.

To qualify for educational assistance:

- (1) A plan must be submitted to the Executive Director and Auxiliary Human Resources. The plan must include what courses will be taken and how it will benefit the Ag Foundation.
- (2) Advance approval must be granted by the employee's supervisor, the Dean and the Executive Director.
- (3) The employee must have completed at least one (1) year of satisfactory employment in a Benefited status capacity and be actively working throughout the respective semester.
- (4) The employee must pay for the course in advance and receive a passing grade in order to receive reimbursement from the Ag Foundation for the tuition.
- (5) Funds must be available in the respective employee's unit budget. Priority for funds will be given to those employees who enroll in Fresno State courses.
- (6) The coursework must be directly related to the employee's existing job and must help maintain or improve the knowledge and skills required for that job.
- (7) For those employees attending Fresno State, the Ag Foundation will pay up to the maximum annual amount for "registration fees" per semester.
- (8) Employees who are taking courses and who are laid off during their course of employment will not be eligible for further reimbursements.

Employees are encouraged to take job-related courses regardless of whether or not they are seeking a college degree.

The maximum amount of tuition the Ag Foundation will reimburse is for a maximum of six (6) units

per semester and will require final approval from the Executive Director.

*NOTE: The Ag Foundation does not pay application, health or testing fees, penalty fees, or charges for books and other materials.*

**Professional Development:** These training events, while important to professional development, are different than attending collegiate courses. The Manager must approve attendance in advance and funds must be available for these training events. Time off may be approved with pay if the supervisor determined the employee would benefit in their role from such attendance. If such attendance is only a personal benefit, the employee may be granted time off without pay or approved for vacation time as long as doing so would not adversely affect the work unit. Employees are encouraged to attend University sponsored professional development opportunities, such as the LEAD workshops.

## **Workers' Compensation**

Workers' Compensation insurance provides benefits to any employee who experiences injury or illness connected with employment at the Ag Foundation. To be eligible for Workers' Compensation benefits, the injury must be a direct result of the job or have occurred while at work. Federal and state law governs benefit entitlements, and it is essential that you report all work-related accidents, injuries, and illnesses immediately. Please note that no disciplinary actions will be taken against any employee that files a legitimate claim. Retaliation against employees that file worker's compensation claims will not be tolerated. If you feel that you are being harassed or mistreated as a result of filing a claim, please contact Auxiliary Human Resources immediately so that appropriate actions can be taken.

### ***Reporting Workplace Injuries***

*Any workplace injury, accident, or illness must be reported to your Manager or Supervisor as soon as possible, regardless of the severity of the injury or accident. If medical attention is required immediately, managers will assist employees in obtaining medical care, after which the details of the injury or accident must be reported.*

*Your supervisor can provide information regarding building safety at your location. It is important that you are aware of safety and emergency evacuation procedures.*

The Ag Foundation reserves the right to require a physical examination by a physician of its choice to determine the employee's physical ability, in order to start or remain on a medical leave status. Filing a false or fraudulent claim will be cause for disciplinary action up to and including immediate termination and possible criminal penalties.

Although the Ag Foundation is unable to guarantee reinstatement in all cases, if an employee takes a leave of absence as a result of an injury or illness experienced in connection with employment with the Ag Foundation and then would like to return to work, the employee will be returned to their former position, if available, or will be offered the first available opening in a comparable position for which they are qualified. Exceptions may result if business conditions have necessitated a reduction in force.

## **Unemployment Insurance**

---

When employment is reduced or separated, Unemployment Insurance provides benefits to all eligible former employees. The Employment Development Department (EDD) establishes eligibility for these benefits and performs administration of this program. The dollar amount of benefits you may be eligible to receive for unemployment is determined solely by the EDD.

## **Disability Insurance**

---

State Disability Insurance (SDI) provides benefits to employees that are unable to work due to illness or injury that is not related to work. Eligibility for SDI benefits is established by the Employment Development Department (EDD) and performs administration for benefits under this program. The dollar amount of benefits you may be eligible to receive is determined by the EDD.

## **Child Care**

---

The Ag Foundation does not sponsor childcare benefits; however, there are childcare facilities on campus and employees may enroll eligible children based on availability, and the regulations established by the facility.

## **Parking (On-Campus)**

---

Parking on campus is permitted with an appropriate parking permit only. Permanent restricted parking pass fees (year-round) are paid through payroll deduction by eligible benefited employees. Semester only parking permits are purchased at the Parking Office the entire semester. Parking passes are issued with written authorization from Auxiliary Human Resources.

If any employee wishes to keep a permanent restricted parking pass during a period of authorized leave of absence, the full amount of the monthly parking will be deducted from the first full paycheck after the employee's return to work, unless other arrangements are made with Auxiliary Human Resources. Employees who are on unpaid leave of absence must submit a check for the full amount of the monthly parking, when keeping a permanent restricted parking pass, or leave it with Auxiliary Human Resources for the duration of their leave. Employees who are laid off or employment has been separated must turn in the parking pass to Auxiliary Human Resources.

A parking pass may be purchased or returned at any time; however, the full charge for the month will be made regardless of that month's usage. Refunds will be made only upon determination that an error in the deduction was made. At the time of separation, all employees are required to return their parking pass to Auxiliary Human Resources. All parking fines or towing charges are the employees' responsibility and must be addressed with the University Parking Office.

## **Campus Identification Card**

---

A campus identification card may be required to use various facilities on campus, purchase discount or other tickets to campus events, provide identification to events, check out campus library materials, or provide identification upon request by University Police. The campus identification card is produced by the Bulldog Card Office only after Auxiliary Human Resources gives appropriate authorization. It may not be loaned to another individual and must be returned to

Auxiliary Human Resources at the time of separation of employment.

### **Employee Assistance Program**

---

The Employee Assistance Program (EAP) is a service provided at no cost to employees and their family members. It provides a confidential means for employees to obtain professional advice, counseling, or referral to other professional services in order to deal with various issues, needs and concerns. Information can be located on the Employee Assistance Program website at: <https://adminfinance.fresnostate.edu/hr/eap/index.html>. Other assistance may be available by contacting Auxiliary Human Resources.

## ***LEAVES OF ABSENCE***

---

The Ag Foundation has several types of leaves of absence available to accommodate a variety of leave situations, depending on the circumstances. A leave of absence is considered time off from work for health-related reasons. While some leaves are paid, some are provided without pay. Leaves may be applied concurrent with another leave, or they may be applied consecutively.

Employees who contemplate taking a leave of absence for any reason must discuss their leave of absence with their direct supervisor and Auxiliary Human Resources, in as far advance as practical to help ensure they have a complete understanding of the leave they will take, and how the policies apply to their specific needs.

### **Bereavement Leave**

---

In the unfortunate event of death of an immediate family member (parent, parent-in-law, child, current spouse, domestic partner, domestic partner's child, sibling, grandparent, or grandchild), an employee may use up to five (5) sick leave days to arrange and attend the funeral. One (1) day of sick leave may be used to attend services for an extended family member such as an uncle, aunt, or cousin.

### **Pregnancy and Related Leave**

---

Employees should contact Auxiliary Human Resources as soon they become aware of the need for a leave of absence, due to pregnancy disability. The Ag Foundation will grant an unpaid Pregnancy Disability Leave (PDL) if you are disabled because of your pregnancy, childbirth, or a related medical condition.

#### Leave Available

If you are disabled due to pregnancy, childbirth, or a related medical condition, you may take up to a maximum of four (4) months leave. Employees affected by pregnancy, childbirth, or related medical condition may request reasonable accommodation upon the advice of their health-care provider so that they can continue working. Please consult with Auxiliary Human Resources if the need for reasonable accommodation should arise.

Pregnancy disability leave runs concurrently with Family and Medical Leave (FMLA) under federal law, but not with the California Family Rights Act under state law.

### Notice and Certification

You must provide the Ag Foundation with reasonable advance notice of your need for pregnancy disability leave. In addition, you must provide the Ag Foundation with a health care provider's statement certifying the last day you can work, and the expected duration of your leave. On the date any extension is obtained (not the return date), the employee must contact Auxiliary Human Resources.

### Compensation During Leave

Pregnancy disability leaves are without pay. However, you must exhaust any accrued sick time during the leave. Use of vacation time during the leave is optional. Some of those payments will be integrated with any state disability, Paid Family Leave (PFL) insurance or other wage reimbursement benefits that you may receive. At no time will you receive a greater total payment than your regular compensation.

### Benefits During Leave

If you are also eligible for federal Family and Medical Leave (FMLA), the Ag Foundation will maintain, for up to a maximum of twelve (12) workweeks, any group health insurance coverage that you were provided before the leave on the same terms as if you had continued to work. In some instances, the Ag Foundation may recover premiums it paid to maintain health coverage if you do not return to work following pregnancy disability leave. After twelve (12) weeks of coverage under FMLA, the employee will be eligible to elect health care continuation coverage under COBRA.

If you are on pregnancy disability leave, but you do not receive continued employer paid coverage because you are not eligible for family and medical leave paid coverage, you may continue your group health insurance coverage through the first (1<sup>st</sup>) of the month following four (4) weeks of pregnancy disability leave. After which, you will be offered COBRA coverage. You should contact Auxiliary Human Resources for further information.

### Reinstatement

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

If upon return from a pregnancy disability leave you are unable to perform the essential functions of the job because of a physical or mental disability, the Ag Foundation will attempt to accommodate you.

### Lactation Accommodation

---

The Ag Foundation provides a reasonable amount of break time to accommodate an employee's need to express breast milk for the employee's infant child. The Ag Foundation will make a

reasonable effort to provide the employee with the use of a room or other location in close proximity to the employee's work area for the employee to express milk in private. Such space will meet the requirements of the California Labor Code including a surface to place a breast pump and personal items, a place to sit, access to electricity, a sink with running water, and a refrigerator for storing breast milk.

### Procedures

An employee may request accommodation for lactation breaks by submitting a lactation accommodation request form to their department supervisor.

The department supervisor must respond to the employee's accommodation request in writing on the lactation accommodation request form submitted by the employee indicating the approval or denial of the break request. The completed request form must be returned to the employee and a copy sent to Auxiliary Human Resources.

The requested break time should, if possible, be taken concurrently with other scheduled break periods. Non-exempt employees must clock out for any lactation breaks that do not run concurrently with normally scheduled rest periods. Any such breaks will be unpaid.

The Ag Foundation reserves the right to deny, in writing, an employee's request for a lactation accommodation if the additional break time will seriously disrupt operations.

Employees have the right to file a complaint with the labor commissioner for any violation of rights provided under Chapter 3.8 of the California Labor Code regarding lactation accommodations.

### **Reproductive Loss**

---

In the unfortunate event of a reproductive loss, including miscarriage, failed adoption or surrogacy, or unsuccessful assisted reproduction, leave of five (5) days for each loss, up to twenty (20) days within a 12-month period will be granted. An employee is eligible for this leave if they have worked for the Ag Foundation for at least thirty (30) days and the leave is taken within three (3) months of the loss. Employees may supplement their leave with their accrued sick time.

### **Family and Medical Leave Act**

---

The Family and Medical Leave Act (FMLA) provides job-protected leave from work for family and medical reasons. FMLA protects leave for the birth or placement of a child for adoption or foster care; to care for the employee's spouse, child or parent who has a serious health condition; or when the employee is unable to work because of their own serious health condition.

FMLA also protects for reasons related to any qualifying exigency leave – leave for certain reasons related to a family member's foreign deployment, and military caregiver leave – leave when a family member in a current servicemember or recent veteran with a serious injury or illness. A qualifying "family member" is the employee's spouse, child or parent. Please contact Auxiliary Human Resources as soon as you become aware of the need for FMLA.

### Eligibility

Any employee, regardless of whether or not they work full time or part time, is eligible for benefits under this program if they have worked for the Ag Foundation for at least twelve (12) months and have worked at least twelve-hundred fifty (1,250) hours with the Ag Foundation during the twelve (12) months before their FMLA leave starts.

#### Leave Available

Eligible employees have the right to use up twelve (12) workweeks of FMLA leave during a twelve (12) month period, and up to twenty-six (26) workweeks of leave during a single twelve (12) month period for military caregiver leave if the employee is the servicemembers spouse, child, parent or next of kin. The methodology of determining the twelve (12) month period is a rolling period measured, from the first date an employee uses any leave under this program.

Employees have the right to take FMLA leave all at once, or, when medically necessary, in separate blocks of time or by reducing the time they work each day or week. Intermittent or reduced schedule leave is also available for military family leave reasons. A health care provider's certification is required outlining the frequency and the time frame requested.

#### Notice and Certifications

Employees seeking to use FMLA are required to provide: (1) thirty (30) days advance notice when the need for the leave is foreseeable, or as soon as possible when the need is unpredictable; (2) medical certification (both prior to the leave and prior to reinstatement); and, (3) periodic re-certification and reports to Auxiliary Human Resources during the leave. Any request for an extension of leave must be made at least two (2) weeks prior to the end of the leave.

#### Compensation During Leave

FMLA is generally unpaid, however, you must exhaust any accrued sick time during the leave. Use of vacation time during the leave is optional. Some of those payments will be integrated with State Disability Insurance (SDI) or Paid Family Leave (PFL). At no time will you receive a greater total payment than your regular compensation.

#### Holiday Benefits During Leave

If a paid holiday falls during the period an employee is on paid leave of absence, the employee will be eligible to receive this holiday as paid time off, only if eligible to receive paid holidays. If a non-paid holiday falls during a paid leave of absence employees will continue to exhaust their accrued time off (vacation or sick) on the holiday.

#### Benefits During Leave

The Ag Foundation maintains group insurance coverage for an employee on family leave for up to a maximum of twelve (12) work weeks, if such insurance is in effect before the leave is taken. Group insurance is maintained on the same terms as if the employee had continued to work. If a leave is approved past the twelve (12) weeks, benefits may be covered if sufficient vacation time is available to continue the employee's pay while on leave. Vacation and sick leave will not accrue during the unpaid leave. Employees who do not receive continued paid coverage for their medical insurance may continue their group insurance through COBRA.

#### Failure to Return Promptly

If an employee fails for any reason to return to work promptly upon the expiration of an approved

leave of absence and has not obtained an extension from Auxiliary Human Resources prior to such expiration date, the employee will be considered to have voluntarily resigned.

### Job Reinstatement

Under most circumstances, an employee will be reinstated to their original job, or offered an equivalent job with equivalent pay, benefits, and other employment terms and conditions upon return from family and medical leave. This applies if the job still exists, or if a comparable job is available and the employee is qualified. In addition, an employee's use of family and medical leave will not result in the loss of any employment benefits that the employee earned or was entitled to before using such leave.

### California Family Rights Act

---

Employees may be covered under the California Family Rights Act (CFRA). Eligibility requirements, benefits, and notice procedures under the CFRA are generally the same as those under the Family and Medical Leave Act (FMLA), and leave taken under the CFRA generally runs concurrently with FMLA leave. Please consult the Family and Medical Leave Act section of the Employee Handbook for more details.

For employees who are eligible for CFRA/FMLA leave, the Pregnancy Disability Leave (PDL) runs concurrently with FMLA leave but not CFRA leave. Please consult the Pregnancy and Related Leave section of the Employee Handbook for more details. Under CFRA, both parents (including fathers, adoptive/foster parents, or same sex partners) are entitled to CFRA leave to bond with a new child. Employees must take CFRA leave within one (1) year of the birth, adoption or foster placement of the child.

### Military Leave

---

Military leaves are granted in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees subject to military duty must discuss the individual case with Auxiliary Human Resources so that the type of military leave entitlement may be determined.

### Jury and Witness Duty

---

Benefited employees who are summoned to serve jury duty will be allowed up to thirty (30) days of paid leave during a one (1) year period. A jury duty notice must be given to the supervisor as soon as received and forwarded to Auxiliary Human Resources prior to commencing jury duty.

Jury duty pay is calculated on the employee's base pay rate. If required to serve beyond the thirty (30) day period, employees may request to use vacation or an unpaid leave. While on unpaid leave, employees are responsible for health, dental, and vision insurance premiums that normally would be covered by the employer. In addition, accrual of other benefits will be suspended while unpaid leave is taken. As previously stated, the salary of exempt employees will not be reduced for any week in which any work is performed but may be reduced if no work is performed. The paid leave is only given during the time that an employee would normally be scheduled to work and only if the fees for service are remitted to the Ag Foundation (except mileage, which the

employee may retain). Such benefits will not be paid if the employee is on leave or if the job ends for any reason while serving jury duty.

Evidence of jury duty attendance must be presented to Auxiliary Human Resources. Employees should continue to report for work on those days or parts of days when excused from jury duty or when jury duty does not conflict with the work schedule.

If subpoenaed as a witness, but not as a party or an expert witness, in a court case, an employee will be granted time off with pay provided that the witness fee is remitted to the Ag Foundation. If the witness fee is not remitted, the time off will be without pay unless vacation is used. All time required serving as a witness in any Ag Foundation matter will be with full pay.

### **Parental Leave for Employees with Children in School**

An employee who is the parent or guardian of one (1) or more children in kindergarten through twelfth (12<sup>th</sup>) grade may take up to forty (40) hours of unpaid leave during each school year, per child, to visit the school. Any employee contemplating such leave should contact their immediate supervisor in advance prior to scheduling such absence.

### **Time Off to Vote**

The Ag Foundation encourages employees to fulfill civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after the regular work schedule. However, if employees are unable to vote during non-working hours, the Ag Foundation will grant up to two (2) hours of paid time off with acceptable justification for the request.

Employees must request time off from their supervisor in writing at least two (2) working days prior to the election day, so that necessary time off can be scheduled at the beginning or end of the workday; or at whatever time provides the least disruption to the normal work schedule. A voter's receipt is required on the first (1<sup>st</sup>) working day following the election, in order to qualify for paid time off.

### **Literacy Leave**

The Ag Foundation will make reasonable accommodations for any employee who reveals a literacy problem and requests assistance in enrolling in an adult literacy program. Assistance to employees will also be given by either providing information on the location of local literacy programs or making arrangements for a jobsite visit by a special literacy education provider.

Upon request, the use of vacation or personal leave may be granted for participation in a literacy program by the employee's supervisor.

### **Personal Leaves of Absence**

Generally, an employee who has worked for the Ag Foundation for at least one (1) year in a benefited status may be granted personal leave without pay for a period not to exceed thirty (30) days. Approval for a leave under this program may be granted to an employee who desires

schooling or training to improve quality of service, or for other reasons not covered under other policies. Unless mandated by law, a personal leave of absence is an employee privilege, not a right, and must be approved by the employee's supervisor and Auxiliary Human Resources. All requests will consider the employee's length of service, performance and work record, the reason for the request, the business impact, and the ability to temporarily replace the employee during the leave.

All vacation must be used before a leave of absence begins. A leave because of illness will not be granted until all sick leave has been exhausted. The cost of all insurance premiums shall be the responsibility of the employee while on a personal leave of absence.

If an employee fails to report to work at the expiration of the approved leave, the Ag Foundation will assume the employee has resigned.

### **Organ and Bone Marrow Donation**

An employee may request time away for organ and bone marrow donations. The Ag Foundation will provide up to thirty (30) business days of paid leave for organ donation and up to five (5) business days for bone marrow donation per one-year period, in addition to an extra 30 days of unpaid leave for organ donors, with some conditions like requiring use of accrued sick/vacation time first. This leave is job-protected, separate from normal PTO, and requires employer notification, covering the donation and recovery process. To be eligible, employees must have been employed with the company for 90 days immediately preceding the commencement of leave.

An employee shall provide written verification that the employee is an organ or bone marrow donor, and the donation is medically necessary. For organ donation, an employee may be required to use two (2) weeks of sick leave or vacation. For bone marrow donation, an employee may be required to use five (5) days of sick leave or vacation, with the employer providing paid leave for the remaining two (2) weeks. If the employee does not have accrued sick leave, the employee would receive a total of thirty (30) days of paid leave. The amount of sick leave or vacation that must be used is determined by the reason for the leave and the amount of the employee's available vacation and sick leave balances. Please contact Auxiliary Human Resources for further information.

### **Victims of Domestic Violence, Sexual Assault and Other Crimes**

If an employee is a victim of a crime of domestic violence, sexual assault, stalking, crimes that cause physical injury or mental injury, or whose immediate family member is deceased as a direct result of a crime, may take time off to seek judicial relief to help ensure the health, safety, or welfare of the employee or a child. This may include efforts to obtain a temporary restraining order, a restraining order, or other injunctive relief from a court.

Victims of a crime, other than a serious felony, may take time off to appear in court as a witness to comply with a subpoena or other court order. Employees may also take time off from work to get medical attention for injuries caused by crime or abuse, receive services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of the crime or abuse, receive psychological counseling or mental health services related to an experience of crime or abuse, or participate in safety planning and take other actions to increase safety from future crime or abuse.

If an employee needs time off from work for one (1) of these purposes, or any other purpose protected by law, reasonable notice must be provided to Auxiliary Human Resources. If reasonable notice is not feasible, the employee is responsible for providing notice within a reasonable time following the absence and may be required to certify the reason for the absence in a manner that meets the applicable legal standards.

### **Victims of Serious Crimes**

---

Employees who are victims of a serious crime may take time off to participate in judicial proceedings relating to the crime. The immediate family members of such crime victims may also take time off to participate in such a proceeding. Employees may use their accrued vacation and sick leave benefits to cover any time off. Employees must provide Auxiliary Human Resources with a copy of the notice of each scheduled proceeding, unless advanced notice is not feasible, or the employee must provide the notice prior to returning to work.

---

## ***NONDISCRIMINATION & ANTI-HARASSMENT POLICY***

---

### **Employee Relations**

---

The Ag Foundation strives to perpetuate an environment where there is truly fair and equal opportunity for employment, for all qualified employees and applicants. To help guide us in working toward this high standard, we have created several policies which can be found in the Code of Conduct, and elsewhere throughout this Handbook. These policies provide a process for the review and investigation of possible violations of any of the Ag Foundation's policies, procedures, or programs.

We strive to meet the standards of equal employment for all qualified employees and have created these and other policies to help us reach our goals. Each employee has an individual obligation to be observant and report what they believe is, or might, be a violation of any of these policies. We cannot address issues for which we are not aware, and each employee can and should contribute toward achieving our organizational goals by actively partaking in this endeavor.

### **Nondiscrimination Program**

---

The Ag Foundation is committed to providing a work environment in which all employees are treated with dignity and respect and that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment.

We have made significant progress with our Nondiscrimination initiatives. We strive to continue to provide equal employment opportunities to all applicants and employees regardless of race, color, ancestry, national origin, religion, creed, age (40 and over), disability (mental and physical), sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions, and transgender status), sexual orientation, gender identity, gender expression, medical condition, genetic information, marital status, military or veteran status, reproductive health decision-making, or any other status protected by applicable federal or state law.

The Director of Human Resources has overall responsibility for our Nondiscrimination Policy. By

exercising personal and professional leadership in promoting equal opportunity and nondiscrimination in all aspects of our personnel policies and practices, we maintain a Nondiscrimination Program that works to increase the equal employment of protected individuals.

To achieve and maintain our objectives, cooperation and commitment is required by all employees in the demonstration of positive attitudes and efforts that in turn reflect our nondiscrimination policies to others within the organization and in our community. To help ensure our employees are aware of their individual responsibilities, this policy statement is included in policy manuals.

## **Unlawful Harassment**

We are committed to providing and maintaining a work environment free of unlawful harassment of our employees, customers and visitors. Unlawful harassment is not only against the law - it also negatively impacts our work culture and prevents us from achieving our organizational objectives. Ag Foundation policy prohibits sexual harassment and discrimination based on race, color, ancestry, national origin, religion, creed, age (40 and over), disability (mental and physical), sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions, and transgender status), sexual orientation, gender identity, gender expression, medical condition, genetic information, marital status, military or veteran status, reproductive health decision-making, or any other status protected by applicable federal or state law.. It also includes a perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics. All such harassment is unlawful and will not be tolerated. The Ag Foundation will investigate and take corrective action under this policy, even if the sexually harassing conduct is not motivated by an individual's sexual desires.

## **Sexual Harassment Defined**

Applicable state and federal law defines sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to the conduct is made a term or condition of employment; or (2) submission to or rejection of the conduct is used as basis for employment decisions affecting the individual; or (3) the conduct has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive working environment. The sexually harassing conduct need not be motivated by an individual's sexual desires in order to be classified as harassment. This definition includes many forms of offensive behavior. 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 such as leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, or posters;
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about any 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, or suggestive or obscene letters, notes, or invitations;
- Physical conduct such as touching, assault, or impeding or blocking movements; and

- Retaliation for reporting harassment or threatening to report harassment.

It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females. Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a manager, or harassment by persons doing business with or for the Ag Foundation.

### **Other Types of Harassment**

Prohibited harassment on the basis of race, color, ancestry, national origin, religion, creed, age (40 and over), disability (mental and physical), sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions, and transgender status), sexual orientation, gender identity, gender expression, medical condition, genetic information, marital status, military or veteran status, reproductive health decision-making, or any other status protected by applicable federal or state law, includes behavior similar to sexual harassment, such as:

- Verbal conduct such as threats, epithets, derogatory comments, or slurs;
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- Physical conduct such as assault, unwanted touching, or blocking normal movement; and
- Retaliation for reporting harassment or threatening to report harassment.

### **Complaint Procedure**

The Ag Foundation's complaint procedure provides for a timely, thorough, and objective investigation of any claim of unlawful or prohibited harassment, appropriate disciplinary action of anyone found to have engaged in prohibited harassment, and appropriate remedies for any victim of harassment. A claim of harassment may exist even if the employee has not lost a job or some economic benefit.

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

An employee who believes they have been harassed on the job or at a work-related function should provide a written or verbal complaint to Auxiliary Human Resources or the Executive Director. A complaint should include details of the incident and names of the individuals who may have witnessed the incident or who may have been involved.

Any manager or supervisor of any Ag Foundation employee receiving a harassment complaint must refer such complaint to the Auxiliary Human Resources or the Executive Director. Auxiliary Human Resources will undertake an effective, thorough, and objective investigation of the harassment allegations.

If Auxiliary Human Resources determines a violation of this policy has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the Ag Foundation to have violated this policy will be subject to appropriate disciplinary action, up

to and including termination.

Any action taken will be made known to the reporting employee. The Ag Foundation will not retaliate against any employee for filing a complaint and will not tolerate or permit retaliation by management, employees, or coworkers. Any allegation of retaliation must be immediately reported to Auxiliary Human Resources or the Executive Director.

### **Liability for Harassment**

Any employee of the Ag Foundation, whether a coworker or supervisor, who is found to have engaged in prohibited harassment is subject to disciplinary action, up to and including discharge from employment. Any employee who engages in prohibited harassment, including any manager or supervisor, may be held personally liable for monetary damages. Any manager or supervisor who knew about harassment and took no action to stop it or failed to report the harassment to the Auxiliary Human Resources or the Executive Director, may also be subject to discipline up to and including discharge. The Ag Foundation does not consider conduct in violation of this policy to be within the course and scope of employment, or the direct consequence of the discharge of one's duties. Accordingly, to the extent permitted by law, the Ag Foundation reserves the right not to provide a defense or pay damages assessed against employees for conduct in violation of this policy.

### **Additional Enforcement Information**

In addition to the Ag Foundation's internal complaint procedure, employees should also be aware that the federal Equal Employment Opportunity Commission (EEOC) and the California Civil Rights Department (CRD) investigates and prosecutes complaints of unlawful harassment and discrimination in employment. Employees who believe that they have been unlawfully harassed or discriminated against may file a complaint with either of these agencies.

For more information, contact Auxiliary Human Resources. You may also contact the nearest office of the EEOC or the CRD, as listed in the telephone directory.

---

## ***RESOLUTION PROCEDURE FOR EMPLOYEE COMPLAINTS***

---

### **Open Door Policy**

The Open Door Policy is a voluntary process that allows you to talk to your immediate supervisor or to a higher level of management, without fear of retaliation. Although you are encouraged to solve your problem at the lowest possible level, you may take it as far up the chain of command as needed.

You are free to raise your concerns to any level of management. However, whenever possible, you should try to resolve any problems with your immediate supervisor. Because this person is close to your situation, he or she may already be aware of the problem or be in a position to offer a new perspective or some new facts that may be helpful to you.

If you are dissatisfied with your immediate supervisor's response or need to talk to someone other than your supervisor, you may take your problem to the next higher level of supervision. You are

encouraged to follow the specific chain of command in your department or work group, because that is often the most direct way of getting matters resolved. However, you may take a problem or concern directly to Auxiliary Human Resources at any time.

## **Complaint Resolution**

Employees are encouraged to bring their complaints about work-related situations to the attention of management. Employees will be provided with an opportunity to present their complaints and appeal decisions by management through a formal complaint procedure. All complaints will be resolved fairly and promptly.

The formal complaint procedure is as follows:

1. A complaint may be defined as an employee's expressed feeling of dissatisfaction concerning conditions of employment or treatment by management, supervisors or other employees. Examples which may be causes of complaints include, but are not limited to:
  - Application of Ag Foundation policies, practices, rules, regulations and procedures believed to be to the detriment of an employee;
  - Treatment considered unfair by an employee, such as coercion, reprisal, harassment or intimidation;
  - Alleged discrimination because of race, color, ancestry, national origin, religion, creed, age (40 and over), disability (mental and physical), sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions, and transgender status), sexual orientation, gender identity, gender expression, medical condition, genetic information, marital status, military or veteran status, reproductive health decision-making, or any other status protected by applicable federal or state law; and
  - Improper or unfair administration of employee benefits or conditions of employment such as vacations, fringe benefits, promotions, retirements, performance reviews, salaries, or seniority.
2. Supervisors are responsible for ensuring the complaint is fully processed.
3. No employee will be penalized for using the Ag Foundation's complaint procedure.
4. Except as otherwise specified in this Handbook, any complaint filed shall follow the procedure outlined below, shall refer to the provision or provisions of Ag Foundation policy, practice, procedure, rule or regulation alleged to have been violated and shall adequately set forth the facts pertaining to the alleged violation.
  - A. The complaining employee shall present a complaint in writing to their immediate supervisor. Discussions shall be informal for the purpose of settling differences in the simplest and most direct manner. The immediate supervisor shall reach a decision and communicate it in writing to the complaining employee within three (3) working days from the date the complaint was presented. If the complaint involves the supervisor, an employee may proceed directly to Step C.
  - B. If the complaint is not settled in Step A, the complaining employee shall, within three (3)

working days, forward the written complaint to the Unit Director. The Unit Director shall, within five (5) working days, meet with the complaining employee to determine the facts of the case. The Unit Director shall notify the complaining employee of their decision, in writing, within five (5) working days following the date of the meeting, unless a different amount of time is mutually extended in writing.

- C. If the complaint is not settled at Step B, the complaining employee shall, within five (5) working days, forward the written complaint to the Director of Human Resources. The Director of Human Resources shall meet with the complaining employee within ten (10) working days after receipt of the complaint, unless a different amount of time is mutually extended in writing. The Director of Human Resources shall ascertain the facts and forward recommendations to the Executive Director within five (5) working days after the meeting, unless this period is extended in writing by mutual agreement. The Executive Director shall have ten (10) working days to consult with any of the parties involved and render a decision in writing to the employee, unless a different amount of time is mutually extended in writing.
5. The decision of the Executive Director at Step C (directly above) shall be final and binding on the parties, without further right to appeal.
  6. A complaint must be brought forward as soon as it might reasonably be known to exist. In the event a complaint arises, the employee must submit it to their supervisor within five (5) working days.
  7. The time limit at any stage of the complaint procedure may be extended by written mutual agreement of the parties involved in that step.
  8. Any complaint presented shall be written and may be presented in any legible format or a format prescribed by Auxiliary Human Resources. It must be dated and signed by the employee presenting it or sent via the employee's work email. Any decision rendered shall be provided in writing to the employee and shall be dated and signed by the Ag Foundation's representative at that step.
  9. When a written complaint is presented, the Ag Foundation's representative shall provide a dated and signed receipt for it at that particular step.
  10. A complaint not advanced to the higher step within the time limit provided, shall be deemed permanently withdrawn and as having been settled on the basis of the decision most recently given. Failure on the part of the Ag Foundation's representative to answer within the time limit set forth in any step will entitle the employee to proceed to the next step.
  11. When a complaint is reduced to it shall set forth:
    - A complete statement of the complaint and facts upon which it is based;
    - The section or sections of Ag Foundation Policy claimed to have been violated; and
    - The remedy or correction requested.

12. Complaints presented anonymously will not be accepted as valid complaints under this policy.

---

## ***WORK STANDARDS AND EMPLOYEE CONDUCT***

---

### **Work Rules and Performance Standards**

---

Employees are responsible for understanding and following the standards and work rules described throughout this Employee Handbook and in other applicable company documents. Individuals that do not comply may be subject to disciplinary action, up to and including termination of employment. It is not possible to provide a complete list of every work rule or performance standard. As a result, the following rules and standards are presented as examples of unacceptable conduct, and have no contractual significance, and do not change the at-will employment policy.

- Insubordination or misconduct of any kind.
- Abuse, misuse, theft, or the unauthorized possession or removal of Ag Foundation property or the personal property of others.
- Falsifying or making a material omission on company records, reports, or documents, including payroll, personnel, and employment records.
- Disorderly conduct in the workplace, including fighting or attempted bodily injury, the use of profane, abusive, or threatening language toward others, or possession of a weapon or explosive.
- Violation of any law adversely affecting the organization, or conviction in court of any crime which may cause the employee to be regarded as unsuitable for continued employment.
- Violation of alcohol, drugs, and controlled substances policy.
- Falsifying a pay record or document of the employee or another employee or knowingly allowing another employee to do so.
- Excessive absenteeism or any absence without notice.
- Violation of safety rules.
- Violation of the Information Security Policy or Code of Conduct Policy
- Discrimination or harassment of other employees.

The Ag Foundation's own best interest lies in ensuring that disciplinary action is prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory performance in the future. Therefore, the following Progressive Discipline policy has been established.

### **Progressive Discipline**

---

The Ag Foundation supports the use of progressive discipline to address conduct issues such as poor work performance or misconduct, to encourage employees to become more productive workers, and to conform their behavior to standards and expectations.

The Ag Foundation may, in its sole discretion, utilize whatever form of discipline is deemed

appropriate under the circumstances, up to and including immediate termination of employment. Use of progressive discipline in no way limits or alters the at-will employment relationship.

The Ag Foundation reserves the right to determine the appropriate level of discipline for any inappropriate behavior, including but not limited to demotion, oral and written warning(s), suspension with or without pay, and discharge/termination. Each situation will be dealt with on an individual basis.

### **Personal Appearance and Grooming Standards**

---

During business hours, employees are expected to present a clean and neat appearance and dress according to the requirements of the position. Dress, grooming and personal cleanliness standards contribute to a positive work environment, and demonstrate an appropriate image for the Ag Foundation.

Employees should be considerate of the fact that many co-workers and customers may have allergies to fragrances. In consideration of customers or employees that have sensitivity or allergies to fragrances, the Ag Foundation may prohibit any and all fragrances creating “fragrance-free” areas or zones where needed.

Employees who report to work inappropriately dressed may be sent home and directed to return to work in proper attire. Under such circumstances, employees may not be compensated for their time away from work.

In some positions, uniforms or standard work clothes are required. Uniforms furnished by the Ag Foundation are not for use outside of work area. Employees must consult with their supervisor as to what constitutes appropriate attire.

These personal appearance and grooming standards should be used as a guideline. Management reserves the right to determine at its discretion the appropriateness of an employee’s attire.

The Ag Foundation will make reasonable accommodations on the basis of religious dress and grooming practices. Employees may dress consistent with their gender identity and expression.

### **Attitude**

---

There are times when every employee, for a variety of reasons, may have a problem that may affect them at work. However, the Ag Foundation expects every employee to strive to practice and promote a positive attitude toward all individuals conducting business with us, or with fellow employees in the organization. While we try to be understanding of an individual's problems, employees are expected to act in a fashion that furthers the organization's best interests.

### **Drug Free Workplace**

---

The Ag Foundation is committed to providing a safe, healthy and productive work environment for all employees and other individuals in the workplace. Consistent with this commitment, and its obligations under applicable law, this policy establishes the Ag Foundation’s intent to provide an

alcohol and drug-free environment and to encourage our employees to voluntarily seek help with any alcohol and drug-related problems.

### Statement of Policy

Any individual who conducts business for the Ag Foundation, is applying for a position or is conducting business on the Ag Foundation's premises is covered by this policy. Specifically, the policy applies to, but is not limited to, managers, supervisors, full-time, part-time, and temporary employees, independent contractors, visitors, volunteers, interns and applicants.

This policy is intended to apply whenever anyone is representing or conducting business for or on behalf of the Ag Foundation. Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is the Ag Foundation's intent and obligation to provide a drug free, healthy, safe and secure work environment.

### Regulations and Prohibitions

The Ag Foundation prohibits the following:

- The unlawful possession, manufacture, distribution, dispensation, sale, transportation, offer to sell, promotion, purchase and/or use of drugs, alcohol\*, or controlled substance at any Ag Foundation worksite, at any Ag Foundation sponsored/sanctioned activities and events, and while employees or other individuals as previously described perform Ag Foundation-related business, regardless of the location. Employees and other individuals as previously described shall not report for work or work under the influence of any drug or alcohol or other substances that will impair work performance, alertness, coordination or response, or affect the safety and health of others.
  - \* On campus or Ag Foundation worksite possession, distribution or use of alcohol is limited to certain approved events and locations covered by the guidelines of Fresno State's official Policy on Alcohol and Other Drugs. Apart from said events, such possession, distribution or use of alcohol is strictly prohibited.
- Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor, notify company doctor) to avoid unsafe workplace practices. The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of the Ag Foundation's policy to intentionally misuse and/or abuse prescription medications. Appropriate disciplinary action will be taken if job performance deteriorates and/or other accidents occur.
- If at any time an Ag Foundation representative has a reasonable belief that an employee is in possession, use, or distribution of alcohol and/or drugs in violation of this policy, the Ag Foundation may notify law enforcement to fully investigate the matter and/or take further corrective action, including but not limited to termination.

### Drug-Free Workplace

In compliance with the Drug-Free Workplace Act of 1988, the Ag Foundation has a longstanding commitment to provide a safe, quality-oriented and productive work environment. Alcohol and

drug misuse poses a threat to the health and safety of Ag Foundation employees and to the security of the company's equipment and facilities. For these reasons, Ag Foundation is committed to the elimination of drug and alcohol use and misuse in the workplace.

The Ag Foundation will assist and support employees who voluntarily seek help for drug or alcohol addiction before becoming subject to discipline or termination under this or other policies. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or require driving, or if they have violated this policy previously. Once a drug test has been initiated under this policy, unless otherwise required by the Family and Medical Leave Act or the Americans with Disabilities Act, the employee will have forfeited the opportunity to be granted a leave of absence for treatment, and will face possible discipline, up to and including discharge.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and they must promptly disclose any work restrictions to their supervisor.

#### Drug and Alcohol-Related Health Risks

The use and abuse of drugs and alcohol can have severe negative effects in behavior and physiology. Drugs and alcohol are chemicals, and by their very nature, cause reactions in the body. Possible effects from drug and alcohol use include, but are not limited to, convulsions, memory loss, psychosis, anxiety, delusions, hallucinations, sleep disorders, depression, liver and kidney damage, cardiac irregularities, hepatitis, neurological damage, and even death.

For additional resources that describe the health risks associated with the use of drugs and alcohol, please visit the following websites:

- [www.drugabuse.gov/drugs-abuse](http://www.drugabuse.gov/drugs-abuse)
- [www.dea.gov/druginfo/factsheets.shtml](http://www.dea.gov/druginfo/factsheets.shtml)
- [www.niaaa.nih.gov/alcohol-health/alphabets-effects-body](http://www.niaaa.nih.gov/alcohol-health/alphabets-effects-body)
- [www.rethinkingdrinking.niaaa.nih.gov](http://www.rethinkingdrinking.niaaa.nih.gov)

#### Resources, Education and Assistance

The Ag Foundation recognizes drug and alcohol dependency as treatable conditions and offers its employees services from the Employee Assistance Program (EAP) for substance abuse and/or dependency problems. Employees are encouraged to seek assistance from drug and alcohol-related problems and may request leaves of absence for this purpose, in addition to using approved vacation or sick leave.

Information obtained regarding an employee during participation in EAP will be treated as confidential. Access to this information is limited to those who have a legitimate need to know in accordance with federal and state laws, and management policies.

- Ag Foundation employees may obtain confidential consultation regarding substance abuse or other personal problems at no cost to the employee or member of their immediate family.

A careful assessment of the situation will be made, and alternatives will be offered that are both appropriate and affordable.

- Community agencies are also available to address drug and alcohol-related problems. Most of the various local drug treatment programs offer no-cost assessment and may be located on the Internet under “Drug Abuse & Addiction Information & Treatment Centers.”

Treatment for drug and alcohol-related problems may be covered by the employee’s benefit plan. However, the employee bears the ultimate financial responsibility for any recommended treatment.

### Shared Responsibility

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and supervisors have important roles to play. All employees are required to not work or be subject to duty while their ability to perform job duties is impaired due to on/or off-duty use of alcohol and/or drugs.

Supervisors are responsible for informing employees of the Ag Foundation’s alcohol and drug-free workplace policy as well as documenting negative changes and/or problems in work performance.

### Communication

This policy is included in the Employee Handbook and the Employee New Hire Packet. As a condition of employment, all employees are required to review, execute, and date an acknowledgment of having received a copy of said policy. The executed acknowledgment is placed in the employee’s personnel file.

Managers may permit an exception to this policy for their employees (who are of legal age) to consume alcohol in moderation (i.e.: a single six (6) ounce glass of wine) during an Ag Foundation or University sponsored event (i.e.: holiday celebration). However, in no case is an employee permitted to return to work if they are unable to function safely or efficiently.

### Attendance and Punctuality

---

Punctuality and dependability are of prime importance to the efficient operation of the Ag Foundation. Whenever employees are late or absent, the functions of the department cannot continue with the same degree of efficiency that would be possible if every employee were on time and at work. Absenteeism and tardiness place a burden on other employees and are generally disruptive. If a supervisor feels an employee's attendance is poor or there is excessive tardiness, disciplinary action may be taken to correct the problem.

Employees who find it necessary to be late to work or absent for any reason are expected to follow the proper procedures for notifying their supervisor and/or getting advance permission when possible as follows:

- Obtain advance permission (written or verbal) from your immediate supervisor when possible.
- In case of illness, notify the immediate supervisor no later than one (1) hour before the scheduled work time.

- When an absence is longer than one (1) day, notify the immediate supervisor daily or as often as needed, to keep the supervisor informed as to the probable date of return to work. Failure to report for work for three (3) days without notification or permission will be considered an automatic resignation of employment.
- A verification of illness or appointments may be required if, in the opinion of the supervisor, absenteeism is excessive or questionable.

## **Nepotism**

Relatives of employees will receive the same consideration as any other applicant for a job opening and will not be accorded preferential treatment in employment matters. Related employees are not permitted to work in job positions in which a conflict of interest could arise, in a direct supervisory relationship, or work in the same operational unit unless otherwise approved by Auxiliary Human Resources and/or the Executive Director. The Ag Foundation may require a related employee to transfer or resign, if there is a conflict of interest or supervisory relationship that cannot be resolved.

Relatives of employees currently employed by the Ag Foundation may be hired only if they will not work directly for or supervise a relative or will not occupy a position in the same line of authority within the organization or in the same operational unit. This policy applies to any relative, higher or lower in the organization, who has the authority to review employment decisions. Current employees cannot be transferred into such a reporting relationship.

## **Outside Employment**

Employees may engage in "outside employment" with certain restrictions. The term "outside employment" means employment not compensated through Ag Foundation payroll. Any employee seeking to engage in outside employment should consult and seek prior approval from their supervisor or manager. Outside employment should only be undertaken with great caution so as not to jeopardize employment with the Ag Foundation, which is every benefited employee's first obligation and responsibility.

Outside employment and associated activities may not compete, conflict with, or compromise the Ag Foundation's interests. Unauthorized use of any tools, equipment or use of confidential information is not allowed. In addition, the solicitation or conducting of any outside business during paid working time is prohibited. Any doubts or concerns should be discussed with your supervisor or Auxiliary Human Resources prior to acceptance of outside employment.

Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside employment activity causes or contributes to job-related problems, such employment must be discontinued. If necessary, disciplinary action will be taken to deal with specific problems, up to and including termination of Ag Foundation employment.

## **Performance Evaluation**

Employees who supervise other employees have special responsibilities to treat their employees

fairly, afford those equal opportunities, maintain open and honest communication, and ensure they understand their performance standards. Performance evaluations must be undertaken against these standards objectively and without bias.

Benefited employees will typically receive performance evaluations annually. Evaluations will be reviewed in private between the supervisor and the employee. Evaluations are part of the personnel file and may be considered when making decisions affecting training needs and opportunities, pay, promotion, transfer, or continued employment.

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal day-to-day basis, so that the formal performance evaluation is not the first time the employee is made aware of either good performance or performance concerns related to the assigned job duties and expectations.

Procedures regarding performance evaluations are guidelines. The Ag Foundation reserves the right to modify or revoke these procedures at any time. Furthermore, satisfactory performance does not guarantee increases in salary, promotions, or continued employment.

---

## *CODE OF CONDUCT*

---

The Ag Foundation is firmly committed to complying with its legal and ethical obligations under all state and federal laws. As a result, we expect all employees, at every level, to comply strictly with all legal and ethical obligations. The Ag Foundation holds all employees responsible for carrying out and monitoring compliance with this commitment. Accordingly, an employee's failure to fulfill responsibilities under this policy may result in disciplinary action, up to and possibly including termination.

The purpose of this Code of Conduct, hereinafter referred to as "Code", is to guide employees of the Ag Foundation in matters related to personal conduct. The Code is not meant to cover every possible conduct or situation that may arise. For more information, please refer to the policies within the handbook or contact your supervisor or Auxiliary Human Resources.

### **Respect for the Law**

---

Employees, in common with all citizens, have an obligation to observe all applicable federal, state, and local laws, regulations, ordinances, and authoritative orders, and are required to conduct themselves accordingly.

### **Principles of Community**

---

The Ag Foundation seeks to create and foster an inclusive work environment of respect, kindness, collaboration and accountability. The Ag Foundation has aligned its goals with Fresno State's Principles of Community. Employees are expected to adhere to and exemplify these principles in interactions with colleagues, supervisors, employees of the university, students and community members.

## **Equal Employment Opportunity**

---

We are committed to equal employment opportunity for all qualified individuals, without regard to protected class status or any other consideration. All such discrimination is unlawful.

We expect all employees to show respect and sensitivity towards all employees and customers, and to demonstrate a commitment to the organization's equal opportunity and non-discrimination objectives.

## **Nondiscrimination**

---

Cooperation and commitment are required of all employees in the demonstration of positive attitudes and efforts, which in turn reflect our nondiscrimination policies to others within the organization and in our community.

## **Unlawful Harassment**

---

The Ag Foundation and employees are required to be committed to promoting a work environment that is free of unlawful discrimination, and any form of unlawful harassment. The Ag Foundation prohibits retaliation of any kind against individuals who file complaints in good faith, or who assist in an employer investigation.

## **Nepotism**

---

Related employees are not permitted to work in job positions in which a conflict of interest could arise, in a direct supervisory relationship, or in the same operational unit. The Ag Foundation may require a related employee to transfer or resign, if there is a conflict of interest or supervisory relationship that cannot be resolved.

## **Outside Employment**

---

Employees may engage in "outside employment" with certain restrictions. Outside employment should only be undertaken with great caution, so as not to jeopardize employment with the Ag Foundation, which is every benefited employee's first obligation and responsibility. Any doubts or concerns should be discussed with your supervisor or Auxiliary Human Resources, prior to acceptance of outside employment.

## **Personal Appearance and Grooming Standards**

---

In the interest of presenting a positive and professional image, employees must observe good habits of grooming and personal hygiene.

## **Employees in a Supervisory Role**

---

Individuals who supervise other employees have special responsibilities to treat their employees fairly and to afford them equality of opportunity, to maintain open and honest communication with them and to ensure their employees understand performance standards expected of them. Evaluations of employee performance must be undertaken against these standards objectively and

without bias.

### **Workplace Violence**

The Ag Foundation has zero tolerance for employees who make threats, engage in threatening behavior, or commit acts of violence against others. Employees must commit to a workplace free of violence of any kind.

### **Drug Free Workplace**

We strive to provide a drug free, healthy and safe workplace. Employees are required to report to work in appropriate mental and physical condition, to perform their job in a satisfactory manner.

### **Safety**

The Ag Foundation emphasizes “safety first”. Employees are expected to take steps to promote a safe workplace, by remaining safety conscious and reporting any safety concerns.

### **Equipment and Vehicles**

Employees must understand how to operate company vehicles and equipment in a safe manner, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

### **Attendance and Punctuality**

Employees are responsible for being punctual and dependable each scheduled workday, in order to promote efficient operations.

### **Security Inspections**

Employees must cooperate in any inspection. An employee who wishes to avoid inspection of any articles or materials should not bring them into the workplace.

### **Conflicts of Interest Disclosure**

Employees must avoid conflicts between their private interests and their employment responsibilities and must avoid situations where there is a reasonable basis for the perception of such a conflict.

In general terms, “conflict of interest” relates to a self-interest that you might have which either (a) influences or (b) may appear to influence, your judgment as an employee of the Ag Foundation. While one example of this concept could be working for a company and at the same time maintaining an ownership interest in a business that competes against the company that employs you, the concept is broad enough to include any set of circumstances in which personal interests could cause loyalty to your employer to be comprised.

## **Receipt of Gifts, Tips and Gratuities**

---

Every customer, patron and employee is entitled to superior and courteous service. Employees must not ask for or encourage the giving of any form of gift, tip, gratuity or benefit in connection with the performance of their duties. Gifts, tips and gratuities may include, but not limited to, money, tips for services, fees, commissions or credits either current or deferred. Receipt of gifts, tips, and gratuities can be perceived as an inducement to act in a particular way, thus creating a real or apparent conflict of interest. However, an employee may give or accept an occasional gift of nominal value that is offered in accordance with social or cultural practice. If you have questions regarding this policy or are ever unsure if a gift receive violates this policy, contact Auxiliary Human Resources immediately.

## **External Activities and Public Comment**

---

Employees are free to engage in political parties, professional, interest groups, or charitable activities, provided that participation does not give rise to a conflict of interest or impede the performance of an employee's duties. Where an employee comments publicly in connection with political parties or interest group activities, it must be made clear that such comments are made on behalf of the political party or association, which they represent and not in their capacity as an employee of the Ag Foundation.

In an effort to ensure a productive and harmonious work environment, individuals not employed by the Ag Foundation may not solicit or distribute literature (except for official University or Ag Foundation approved literature) in the workplace at any time for any purpose unless specifically authorized by the Executive Director or Auxiliary Human Resources. Employees are bound by the same policy above, except that they may solicit and distribute non-work-related literature during non-work times in non-work areas (i.e.: distributing non-work-related material during the meal period in the lunchroom is generally not prohibited). Employees should contact their supervisor or Auxiliary Human Resources for any clarification needed with respect to this policy. Public comment by employees in their capacity as private citizens is certainly permitted. In making private comments (including electronic means such as electronic mail), every effort must be made to ensure that the opinions expressed are not represented as an official view of the Ag Foundation.

## **Work Ethic and Standards**

---

The Ag Foundation aims to achieve the highest standards in the conduct of its business, which ultimately serves to advance the educational interests of the University. All employees contribute to the achievement of this aim when they carry out their duties honestly, and to the best of their ability. In this regard, employees are expected to carry out their duties in a professional, responsible, impartial and conscientious manner, and are accountable for their official conduct and decisions.

Employees should endeavor to maintain and enhance their skills and expertise and keep up to date the knowledge associated with their particular field or area of work. High standards of performance are expected.

Employees must exercise due care in undertaking their activities, particularly where others rely on advice or information offered. Employees have a duty to take reasonable care to avoid causing harm (including physical harm) to anyone. Thus, employees must actively promote safe working practices and environments for everyone using Ag Foundation facilities. Fraud, corrupt conduct, or

malfeasance is contrary to law and is to the detriment of the Ag Foundation, as well as ultimately to the University. Employees are required to report genuinely suspected or known fraud or corrupt conduct.

Appropriate measures to ensure proper internal control with respect to Ag Foundation assets must be observed at all times. Employees must not be assigned job duties or allowed to engage in conduct, which may compromise the maintenance of proper internal controls.

### **Economy and Efficiency**

Employees have a responsibility to ensure Ag Foundation resources are managed effectively. In this regard, material, financial and computerized resources should only be used for Ag Foundation purposes. Though employees may occasionally need to use Ag Foundation resources for personal reasons, such as personal telephone calls, such usage must be kept to a minimum and must not result in additional expense to the Ag Foundation. Additionally, equipment, materials, and facilities must be treated with appropriate care and secured against theft and misuse, in order to ensure that the maximum levels of resources are available to discharge Ag Foundation functions.

### **Information Systems Policies**

Employees are required to read and adhere to information systems policies. If there is a conflict between those information systems policies and the policies presented below, please contact Auxiliary Information Technology for additional guidance. Please refer to the Information Security policy for further information at: <http://www.auxiliary.fresnostate.edu/association/it/index.html>.

### **Communication Devices**

#### **Personal Cellular Phones**

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of Ag Foundation phones. Some Ag Foundation units require employees to be accessible at all times by electronic means, including communication devices. As a courtesy, please ensure your phone is on vibrate or silent. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees are asked to make any other personal calls on non-work time where possible. Flexibility will be provided in circumstances demanding immediate attention. The Ag Foundation will not be liable for the loss of personal cellular phones brought into the workplace.

#### **Safety Issues for Cellular Phone Use**

- Employees whose job responsibilities include regular or occasional driving are expected to refrain from using their phone while driving, unless able to safely do so with a wireless headset or Bluetooth connection. Safety must come before all other concerns.
- Employees whose job responsibilities do not specifically include driving as an essential function, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.
- Violations of this policy will be subject to discipline, including termination of employment.

#### **Special Responsibilities for Managerial Staff**

As with any policy, supervisors and managers are expected to serve as role models for compliance

with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy, as well as all policies.

A copy of the Ag Foundation's Policy and Procedures on the use of Electronic Communication Devices is available at <https://agf.fresnostate.edu/public-documents.html>.

## **Whistleblower Policy**

---

Employees may report any violation of the Code in writing to Auxiliary Human Resources. The Ag Foundation encourages all employees to report all occurrences that in good faith are believed to be violations of this Code. Any employee making such a report shall be deemed to be a "Whistleblower." It is the intent of this provision that employees making good faith reports of suspected fiscal misconduct, violations of law, or other violations of this Code shall be protected from retaliatory action as follows:

- The Ag Foundation will use best efforts to protect Whistleblowers against retaliation, as described below. However, it cannot guarantee absolute confidentiality, and there is no such thing as an "unofficial" or "off the record" report. Auxiliary Human Resources will keep the Whistleblower's identity confidential, unless (1) the person agrees to be identified; (2) identification is necessary to allow Auxiliary Human Resources, the Executive Director or law enforcement officials to investigate or respond effectively to the report; (3) identification is required by law; or (4) the person accused of violations is entitled to the information as a matter of legal right in disciplinary proceedings.
- Employees may not retaliate against a Whistleblower with the intent or effect of adversely affecting the terms or conditions of employment or enrollment (including but not limited to threats of physical harm, loss of job, punitive work assignments, or impact on salary or wages). Whistleblowers who believe they have been retaliated against may file a written complaint with Auxiliary Human Resources. A proven complaint of retaliation shall result in a proper remedy for the person harmed and the initiation of disciplinary action, up to and including dismissal, against the retaliating person. Protection from retaliation is not intended to prohibit managers or supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.
- Notwithstanding the foregoing, Whistleblowers must be cautious to avoid allegations made with reckless disregard for their truth or falsity.

If you have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by the Ag Foundation, we encourage you to report it immediately to your supervisor, manager, or the Executive Director so that we may investigate.

Alternatively, criminal activity can be reported anonymously to the tip hotline, which is operated by the Fresno State Police Department. Call and leave a voicemail at 559-664-3204; text tip to 559-664-3204; or email tip to [fresnostate@tipnow.org](mailto:fresnostate@tipnow.org). You may also contact the California State Attorney General's Whistleblower Hotline at 1-800-952-5225. The Attorney General will refer your call to the appropriate government authority for review and possible investigation.

## **Social Media and Networking**

---

Social media and blogs can be valuable and powerful means of communication. Ag Foundation would like you to keep the following guidelines in mind when participating in social media (such as blogs, discussion boards and chat groups, postings on interactive sites such as wikis, Facebook, Instagram, Snapchat, X, or any other social or professional networking sites), in order to protect your own interest as well as the Ag Foundation's interests. For the purposes of these guidelines, we will refer to all such activity as "postings."

Remember that while social networking is fun and valuable, there are some risks you should keep in mind. In the social media world, there is often no line between public and private, or personal and professional. We've created these general social networking/media guidelines that are important for you to follow as you share your thoughts, views and perspectives—as an Ag Foundation employee—in the virtual world:

### Use good judgment

- We expect you to use good judgment in all situations. That applies in the world of social networking/media as well.
- Just as we work together to maintain an environment in our work locations that is positive, respectful and inclusive for our employees, customers, vendors and customers, we are to work together to do the same in the social networking/media world.

### Be respectful

- Be professional and respectful of others in your communications, and refrain from posting statements that are false, misleading, obscene, defamatory (whether of Ag Foundation, our employees or our competitors), libelous, tortuous, degrading, threatening, harassing, hateful, insulting, inflammatory, offensive, unlawful, fraudulent, discriminatory, or invasive of the privacy of others.
- Always treat others (including customers, non-customers, shareholders, co-workers, vendors and competitors) as you would expect to be treated.

### Be transparent

- Even where you are specifically authorized to speak on behalf of the Ag Foundation as a spokesperson, you should state that the views expressed in your postings, etc. are your own.
- Be open about your affiliation with the Ag Foundation and the role/position you hold.

### No expectation of privacy

- The Ag Foundation maintains the right (but not the obligation) to monitor all files and messages stored on and transmitted through Ag Foundation electronic devices (such as desktop computers or laptop computers). There is no reasonable expectation of privacy regarding social media accessed through these devices, even if you have used a private account and/or password.

### Do not share the following:

### **Confidential information**

- Do not publish, post, or release information that is considered confidential or not public. Online conversations are never private.
- If it appears confidential, it probably is. If you have any questions about what is considered confidential consult Auxiliary Human Resources.
- If a member of the media contacts you, always refer them to Auxiliary Human Resources.

### **Private and personal information—yours, customers' and co-workers'**

- To ensure your safety, be careful about the type and amount of personal information you provide. Avoid talking about personal schedules or situations.
- Never give out or transmit personal information of others such as customers, vendors, or co-workers.

### Be cautious with respect to:

#### **Images**

- Respect brand, trademark, copyright information and/or images.
- The use of any photos, images and videos must be pre-approved by the respective supervisor or manager. If there is any doubt that you have the authority to use any photo, image or video, contact your supervisor immediately.
- Do not post pictures of others (customers, co-workers, etc.) without their permission.

#### **Other sites**

- A significant part of the interaction on social media platforms involves passing or sharing interesting content or linking to various items. However, we are ultimately responsible for any content we pass on to our networks. Do not blindly repost a link without looking at the content first. Ask yourself, “Does it compliment the Ag Foundation’s Code of Conduct?”
- Avoid linking to outside websites, unless you trust the source and/or we have a partnership with the company to whose website we are linking.
- Pay attention to the security warnings that pop up on your computer before clicking on unfamiliar links. They serve a purpose and protect you, the Ag Foundation and others from things such as computer viruses.
- When using social media platforms and other tools, be sure to follow their printed terms and conditions.

#### **If you do not get it right**

- Be sure to correct any mistake you make immediately and make it clear what you have done to fix it.
- If it's a major mistake (e.g., exposing private customer or employee information or reporting confidential information), please let Auxiliary Human Resources know immediately so proper steps can be taken to help minimize the impact it may have.

#### **Report inappropriate conduct appropriately**

- If you feel that employees of the Ag Foundation are, have been, or will be engaged in any inappropriate conduct regarding the use of social media, please discuss your

concerns with a manager, rather than publicizing your suspicions through posting. This may spare both you and the Ag Foundation the unintended repercussions of false, half-true, or misleading allegations.

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

---

## *OPERATIONAL CONSIDERATIONS*

---

### **Safety**

---

To assist in promoting a safe and healthy work environment for employees, customers, and visitors, the Ag Foundation has established an Injury and Illness Prevention Program (IIPP). The Director of Human Resources is responsible for implementing, administering, monitoring, and evaluating the program. Its success depends on the alertness and personal commitment of all employees.

Information about workplace safety and health issues is provided to employees through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos and other written communications. Annual risk inspections are conducted in collaboration with Environmental Health and Safety and periodic inspections throughout the year are done at a unity level. Employees and supervisors receive periodic workplace safety training, which covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Some of the best safety improvement ideas come internally from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, bring them to the attention of a safety committee member, or discuss them with Auxiliary Human Resources. Employees may report concerns or offer suggestions anonymously if they wish without fear of reprisal. Forms for this purpose may be requested from unit offices or Auxiliary Human Resources.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy a situation, may be subject to disciplinary action, up to and including termination.

If an injury or accident should occur, employees should immediately notify their supervisor and complete the requested paperwork. Please refer to the Workers Compensation paperwork located at: <https://auxiliary.fresnostate.edu/association/hr/employee-resources.html>

### **Equipment and Vehicles**

---

Equipment and vehicles essential in accomplishing job duties can cause great bodily harm if used improperly and are expensive and may be difficult to repair/replace. Employees must understand that the use of a cell phone or texting device while operating a vehicle or equipment may impair the employee's ability to devote their full attention to the duty of operating the vehicle or equipment.

When using Ag Foundation property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Employees should notify the appropriate supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. In addition, damaged or faulty furnishings such as chairs or other items used in the course of work, or for visitors' use, should be reported to management in order to ensure safety. Any employee who drives on official company business is required to successfully complete the Fresno State defensive driving course.

### **Driving on Ag Foundation Business**

---

If driving is a requirement for an Ag Foundation position, the employee is required to successfully complete a defensive driving training course before they are authorized to operate any vehicles or claim mileage for operating a privately owned vehicle. In addition, employees must possess a valid driver's license, have liability insurance for the minimum amount prescribed by State law, and have a good driving record, as verified by the Department of Motor Vehicles.

To obtain specific information concerning the criteria for driving on Ag Foundation business, or to secure the required authorization, contact Auxiliary Human Resources.

### **Security Inspections**

---

The Ag Foundation desires to maintain a workplace free of drugs, alcohol, firearms, explosives, or other improper materials. We require the cooperation of all employees in our efforts to enforce this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of the Ag Foundation. Any articles found within them can be inspected by any agent or designated representative of the organization at any time, with or without prior notice. Therefore, any employee who wishes to avoid inspection of any articles or materials should not bring them into the workplace.

---

## ***EMPLOYMENT SEPARATION***

---

Benefited employees separating from employment must be referred to Auxiliary Human Resources for an exit meeting, to discuss such issues as employee benefits and the return of Ag Foundation property.

Non-benefited employees separating from employment must submit a completed separation form and final timesheet to Auxiliary Human Resources for timely processing of final pay.

Employees who voluntarily resign can request to receive their final pay on their last day of work, provided the request is made at least 72 hours before their date of separation. If no notice is provided, or if the employees requests, final payment can be by mail or by picking up direct deposit. In accordance with California Law, all accrued vacation pay (including personal day) will be included

with final pay, regardless of reason for separation. Employees who are involuntarily separated will be given their final pay at the time of termination.

Individuals wishing to apply for new job opportunities within the Ag Foundation or other auxiliaries are welcome to do so; however, there are no rights or preference given to such other employment.

All rights reserved. No part of this document may be reproduced in any form or by any electronic or mechanical means, including information storage and retrieval systems, without permission in writing from the Agricultural Foundation of California State University, Fresno.

---

## *ACKNOWLEDGMENT*

---

This Employee Handbook describes important information about the Agricultural Foundation of California State University, Fresno (Ag Foundation). I understand that I should consult Auxiliary Human Resources regarding any questions not answered in this Employee Handbook.

I have entered into my employment relationship with the Ag Foundation voluntarily and acknowledge there is no specified length of employment. I understand the Ag Foundation is an at-will employer, which means I can terminate my employment at any time, with or without advance notice, with or without cause, and the Ag Foundation has similar rights.

No manager, supervisor, or employee of the Ag Foundation has authority to enter into any agreement for employment, for any specified period of time or to make any agreement for employment other than at-will.

Since the information, policies, and benefits described are subject to change, I acknowledge changes and revisions may occur and that such changes will be communicated through appropriate notices, and that those changes may modify, eliminate, reduce or improve existing policies and benefits.

I agree to read the Employee Handbook, whether in paper or electronic form, read all changes in a timely manner, and agree to comply with the policies contained in the Employee Handbook and any revisions made to it.

**PRINT FULL NAME** \_\_\_\_\_

**EMPLOYEE SIGNATURE** \_\_\_\_\_

**DATE** \_\_\_\_\_