

Employee Handbook
Westside Community Services

WESTSIDE



COMMUNITY
S E R V I C E S

Adopted by the Board
May 12, 2010

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SECTION I

Introduction to Westside Community Services

1.1 Welcome Statement

Welcome! As an employee of Westside Community Services (Westside), you are an important member of a growing and dynamic team. We hope that you will find your position within the organization rewarding, challenging and productive.

Because our success depends upon the dedication of each of our employees, we are highly selective in choosing new members to join our team. We look to you and the other employees to contribute to the overall success of the organization.

This employee handbook is intended to explain the terms and conditions of employment of all employees of Westside. Written employment contracts between Westside and some individuals may supersede some of the provisions of this handbook, but only if they have been signed by the Chief Executive Officer of Westside.

Our employment handbook summarizes the policy and practices in effect at the time of publication. It is not however, intended to be a contract (explicit or implied), nor is it intended to create any legally enforceable obligations on the part of Westside or its employees. This handbook supersedes all previously issued handbooks and any policy or benefit statements or memoranda that are inconsistent with the policies described herein as of May 12, 2010.

1.2 Right to Revise

Westside's employee handbook continues the employment policies and practices of the organization in effect at the time of publication. Westside reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook or in any other document. All changes must be in writing and be approved by the Board of Directors.

This manual will be reviewed and revised annually or as need arises, and revisions will be approved and duly dated by the Board of Directors.

Any changes to this handbook will be distributed to all employees. No verbal statements can in any way alter the provisions of this handbook.

Acknowledgement of the receipt of the Westside Employee Handbook establishes the agreement between you and Westside as to the tenure of employment and the circumstances under which employment may be terminated.

The Human Resources Manager will be happy to answer any questions you may have regarding this handbook and any of its policies.

Again, welcome aboard.

Very kind regards,

David Powell
Interim Chief Executive Officer

Te'yon Price
Human Resources Manager

SECTION II
Information About Westside

2.1 Mission Statement

To provide high quality, family-centered, culturally competent behavioral health and human services.

2.2 About Westside

Westside Community Services is a non-profit, community-based organization whose goal is to provide a comprehensive range of mental health, substance abuse prevention and treatment, and HIV-related services to the residents of San Francisco, with particular emphasis on African Americans and other underserved, diverse populations in the Western Addition.

One of the first community-based mental health agencies in the country, Westside Community Services has been providing mental health and related services to adults, youth, and families since 1967. As an incorporated non-profit, a volunteer Board of Directors governs our organization.

Westside is dedicated to caring for the underserved populations of San Francisco, including but not limited to, the poor, the indigent, the homeless, people of color and others who have difficulty accessing health services.

Westside's integrated programs make services available for low-income residents who have multiple and complex health requirements. Westside recognizes that the psychological, sociological, economic and medical aspects of these complex illnesses must be addressed in order to enable a person to recover. The philosophy of Westside is to form a partnership with each client, as we believe this is the most effective way to maximize the strengths of the person, their family and their culture.

SECTION III
General Information

3.1 Equal Employment Opportunity

Westside Community Services is an equal opportunity employer and makes employment decisions based on individual merit. We want to have the best available persons in every job. Our policy prohibits unlawful discrimination based on race, color, sex (including pregnancy, childbirth, or related medical condition), religion, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition, including genetic characteristics, sexual orientation, or any other consideration made unlawful by federal, state, or local laws.

Westside is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to **all** persons involved in organization operations and prohibits unlawful discrimination or harassment by any employee of the organization. This policy applies to all areas of employment including recruitment, hiring, training, promotion, transfer, compensation and benefits. For information about the types of harassment that are prohibited and for a description of Westside's internal process for addressing complaints of discrimination or harassment, please refer to the Policy Against Harassment located below.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the organization will make reasonable accommodations for disabled employees and for pregnant employees who request an accommodation for pregnancy, childbirth, or related medical conditions, unless undue hardship will result. Please see Human Resources for more detail.

Any candidate or employee who requires an accommodation in order to perform the essential functions of the job he/she is to perform may contact Human Resources to request such an accommodation. The individual with the disability should specify what accommodation he/she needs to perform the job.

3.2 Unlawful Harassment Policy

Westside is committed to providing a work environment free of unlawful harassment. Our policy prohibits sexual harassment and harassment based on pregnancy, childbirth or related medical conditions, race, color, religion, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition including genetic characteristics, sexual orientation, or any other consideration made unlawful by federal, state, or local laws. Our anti-harassment policy applies to all persons involved in the operation of the organization and prohibits unlawful harassment by any employee of Westside, including supervisors and managers, as well as vendors, customers, and any other persons.

What is prohibited?

Prohibited unlawful harassment includes, but is not limited to, some of the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures; and those sent via company or private email;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;

- Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors; and
- Retaliation for reporting or threatening to report harassment.

If it is your belief that you have been unlawfully harassed or discriminated against, or if you have reason to believe another employee has been harassed or discriminated against, submit a written complaint to your supervisor/manager, the Chief Executive Officer or Human Resources as soon as possible. You will be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses. Supervisors/managers must refer all harassment complaints to Human Resources or the Chief Executive Officer. Human Resources will immediately undertake an effective, thorough and objective investigation of the harassment allegations. The investigation will be handled in a confidential manner to the extent consistent with a full, fair, and proper investigation.

If it is determined that this policy has been violated, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the organization to be responsible for harassment in violation of this will be subject to appropriate disciplinary action, up to and including termination. Human Resources will advise all parties concerned of the results of the investigation when appropriate. The organization will not retaliate against you for filing a complaint and will not tolerate or permit any known retaliation by management, employees or co-workers.

We encourage all employees to report any incidents of harassment forbidden by this policy **immediately** so that complaints can be quickly and fairly resolved.

3.3 Drug and Alcohol Free Workplace Policy

Westside maintains a drug-free work place in accordance with the Provisions of the California Drug-Free Workplace act of 1990. Westside strictly prohibits the unlawful possession, distribution, sale or use of any controlled substance in the work place, on or off-site while conducting business for or representing Westside. Employees who violate this policy will be subject to serious disciplinary action, up to and including discharge.

Westside has established a drug-free awareness program pursuant to the Drug-Free Workplace act of 1990. It is important that employees understand the dangers of drug abuse in the workplace and Westside's policy of maintaining a drug-free work place.

Throughout the year Westside will provide drug-free awareness programs. All employees are required to attend at least one of these programs. Announcements of these programs will be posted and sent to all Program Managers for distribution and announcement.

Westside recognizes alcoholism and drug abuse as diseases that are treatable. Any employee whose physician recommends treatment for either of these diseases will be granted a medical leave of absence without pay for such treatment from a state recognized treatment program. The medical leave of absences may not exceed 12 weeks duration.

3.4 Whistleblower Policy

It is the intent of Westside to adhere to all laws and regulations that apply to the organization and the underlying purpose of the whistleblower policy is to support the organization's goal of legal compliance. The support of all employees is necessary to achieve compliance with various laws and regulations.

Westside's Board of Director's approves and publishes the whistleblower policy under separate cover. Contact the Human Resources Manager for a current copy of the policy.

SECTION IV

Hiring

4.1 At-Will Employment

Westside Community Services is a non-profit organization that provides services on a contractual basis to the City and County of San Francisco, as well as other funding agents.

Westside enters into a mutual “Employment At-Will” relationship with all its employees and makes no guarantee as to the length of employment. At-will employment may be terminated with or without cause, and with or without notice at any time by the employee or other organization.

Managers, supervisors and employees are not permitted to enter into an agreement of employment for any specified period of time or make an agreement for employment other than at-will terms. The Chief Executive Officer of Westside is the only individual with authority to make such an agreement for Executive Staff and certain management level positions, and this agreement is binding only if it is in writing.

Westside retains the authority to hire, promote, lay-off, discipline and terminate employees at its discretion.

Management also retains the authority to implement and require employees to observe work rules, determine the skills, skill levels and performance standards required by employees and to plan, direct and control the operations of all its work.

Management may also implement and maintain a procedure for resolving workplace disputes, separate and apart from the procedures otherwise set forth in this handbook.

Any further questions regarding at-will employment should be directed to the Chief Executive Officer and/or the Human Resources Manager.

4.2 Collective Bargaining Agreement

Westside recognizes the Union as the exclusive bargaining agent for all non-managerial employees covered by the Collective Bargaining Agreement, for purposes of collective bargaining concerning wages, hours of work and other terms and conditions of employment.

Excluded from the Collective Bargaining Agreement are the following:

- temporary employees
- temporary-fixed term employees
- volunteers
- interns
- trainees
- confidential and managerial employees
- medical doctors and
- supervisors as defined in the National Labor Relations Act.

All Westside employees, including those covered by a Collective Bargaining Agreement, shall be managed by the policies in this handbook. The only exception would be where there is a specific provision in the Collective Bargaining Agreement that preempts or conflicts with a policy in this handbook. Where there is such a conflict, the Collective Bargaining Agreement shall govern.

Copies of the Collective Bargaining Agreement may be obtained from Union representatives.

4.3 Employment Classification

Exempt

Exempt employees include professional staff related to program and administrative functions. Exempt employees are not subject to overtime, minimum wage, record keeping, meal periods and rest periods.

Non-Exempt

Non-exempt employees include full and part-time employees that are engaged in unskilled, semi-skilled or skilled work, such as maintenance staff, office assistants, clerks and counselors. Non-Exempt employees are paid hourly and are eligible for overtime.

4.4 Employment Status

Introductory Period

The first three to six months (depending upon the position) of continuous employment at Westside is considered an employee's Introductory Period to his/her position and to Westside. The length of the Introductory Period is dependent on the level of the position.

Professional Staff: Six month evaluation (Exempt Employees)

Mid-Level and Support Staff: Three month evaluation (Non-Exempt Employees)

During the Introductory Period, the employee's supervisor/manager will explain the job responsibilities and the performance standards expected of him/her and will closely monitor the Employee's performance.

During the Introductory Period, the Employee will learn his/her responsibilities, become acquainted with fellow employees and determine whether he/she is happy with his/her job responsibilities.

Upon completion of the Introductory Period, the supervisor/manger will review the employee's performance. If the supervisor/manager finds the employee's performance is satisfactory and Westside decides to continue his/her employment, the employee will become a regular employee.

If an employee's Introductory Period is unsatisfactory, the Introductory Period may be extended by mutual agreement and the supervisor/manager will advise the employee of any performance improvement expected from the employee. Upon successful completion of the extended Introductory Period, the employee will become a regular employee of Westside.

Introductory employees may be discharged without corrective action and may not seek redress through the Grievance Process.

Completion of the Introductory Period does not entitle an employee to remain employed by Westside for any definite period of time.

Regular Employees

Regular employees are employees hired to work on a regular schedule for the organization. Regular employees may be classified as either full-time or part-time.

Full-Time Employees

Regular full-time employees are those who are scheduled for and do work 37.5 or 40 hours per week, depending on his/her program.

Part-Time Employees

Regular part-time employees are those who have completed the Introductory Period and are scheduled for and do work fewer than 37.5 or 40 hours per week, depending upon the program, but more than 20 hours per week.

Hourly Employees

Hourly employees work a pre-determined schedule of less than 20 hours a week.

Temporary Employees

Temporary employees are those employed for short-term assignments. Short-term assignments generally are periods of six-months or less; however, such assignments may be extended. They are not entitled to rights contained in this handbook and are not eligible for employee benefits except those mandated by applicable law.

Interns

An intern is a student-volunteer participating at a Westside program as part of an established educational training program. They are not entitled to the rights contained in this handbook except those mandated by applicable law.

Trainees

A trainee is an employee hired as part of the Westside vocational training program. The purpose of the vocational training program is to develop the trainee's skills in order to enhance their ability within the community. They are not entitled to rights contained in this handbook except those mandated by applicable law.

Inactive Status

Employees who are on any type of leave of absence, work-related or non-work-related, which exceeds three months, will be placed on inactive status. During this time, medical benefits, PTO accrual and paid holidays will not be earned and seniority will not continue to accrue.

Seniority

An employees' seniority refers to the length of continuous employment at Westside compared to that of other employees. Seniority for all regular, full-time employees and regular, part-time employees

shall be defined as the most recent date of hire as a regular employee. However, for purposes of decisions based on seniority such as PTO approval and layoffs, the following rules apply:

- Seniority for regular employees is determined by the length of time an employee is in their current job classification (e.g. Clinical Supervisor, Psych Tech., etc.). Seniority status changes with every promotion or demotion to a different job classification. Lateral transfers or re-assignments do not affect an employee's seniority.
- Seniority for an employee who is within their introductory period is based on the date of assignment to the position the employee currently holds. When lay-offs are necessary, employees within their introductory period will be laid off first, on the basis of tenure in the introductory classification.

Temporary, hourly, and short-hour employees or interns/trainees have no seniority rights in relationship to any benefited employee.

Reemployment of Former Westside Employees

Former permanent employees (whether full-time or part-time) who were employed in a regular position and who resigned in good standing may be considered for re-employment provided their qualifications are suitable for a vacant position. A former employee who is re-employed will be treated as either a new hire or a reinstatement. Reinstatement will occur if re-employment occurs within six months of the termination date. A re-hire will occur if re-employment occurs after six months from the date of termination. For union members, the terms of the collective bargaining agreement, if any, will apply. Re-hiring will be based on a combination of performance, seniority and ability to do the job.

Employment of Relatives of Westside Employees

Westside will not hire relatives of a Westside employee where actual or potential problems may arise regarding supervision, security, safety, morale or where a potential conflict of interest exists.

If two employees marry, register as domestic partners or become related causing actual or potential problems such as those described above, only one of the employees will be retained with Westside. The two employees will have thirty (30) days to decide which relative will stay with Westside. If the decision is not made in the time allotted, the Human Resources Manager in consultation with the Chief Executive Officer will make the decision, taking employment history and job performance of both employees into account.

SECTION V
Time Off From Work

5.1 Holidays

All regular and introductory full-time and part-time employees, regardless of status or length of service, receive the following eleven (11) holidays:

New Year's Day
Martin Luther King's Birthday
President's Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Christmas Eve (1/2 day based on the Managers discretion)
Christmas Day
New Years Eve (1/2 day based on the Managers discretion)

*Employees may be allowed to take ½ day Christmas Eve and New Years Eve at the discretion of his/her supervisor or manager or Chief Executive Officer.

A calendar of holidays is released in the last pay period in December.

Floating Holidays

Each employee will receive two (2) floating holidays each fiscal year, which must be used before June 30th at the end of that fiscal year. Floating holidays may be used in observation of personal holidays that are not observed by the organization. Floating holidays must be approved in advance of the employee taking time off by the immediate supervisor/ manager.

Observation of Paid Holidays

When a paid holiday falls on Saturday, Westside's programs that operate Monday through Friday will be closed on the Friday prior to the holiday; when the holiday falls on Sunday, Westside will close on the following Monday.

Pay for Programs Operating Seven (7) Days per Week

For Westside programs that operate more than five(5) days a week, if a recognized paid holiday falls on the weekend, regular or introductory benefited employees who work on the paid Westside recognized holiday will receive holiday pay. If an employee works on the actual holiday, the employee will receive holiday pay. However, in no event will an employee receive double holiday pay if they work both days. The holiday pay will be based on the employee's regularly scheduled work hours up to their Full-Time Equivalent (FTE) allocation accrual rate as indicated in the payroll schedule.

Pay for Holidays Not Worked

If a recognized paid holiday falls on a regular or introductory benefited employee's day off, the employee may take an additional day-off with pay on their next regularly scheduled workday at the regular straight time hourly or salaried rate with prior approval from their immediate

supervisor/manager or the Human Resources Manager. If due to administrative requirements the employee is not able to take the next regularly scheduled workday off, they may take an extra day off as it is deemed operationally feasible, and if approved in advance by your immediate supervisor/manager or Human Resources Manager.

Pay for Holidays Worked by Eligible Staff

Regular or introductory employees who work on a recognized paid holiday are paid at the regular straight-time hourly wage rate. They may take off their next regularly scheduled workday with prior approval from their immediate supervisor/manager or the Human Resources Manager. If due to program or administrative requirements they are not able to take the next regularly scheduled workday off, they may take another day off as soon as it is deemed operationally feasible, and if approved in advance by their immediate supervisor/manager. If scheduling another day off is not operationally feasible, as determined by the employee's immediate supervisor, the employee will receive holiday pay in addition to pay for hours worked on the holiday.

Pay for Holidays Worked by Hourly and Temporary Staff

All hourly and temporary staff who work on a recognized paid holiday are paid at the rate of time-and-one-half for all hours worked.

Pay for Full-Time, Part-Time and Hourly Staff

Pay for full-time, part-time and hourly staff for holidays will be prorated based on the scheduled hours indicated in the Personal Action Notice or New Hire Action Form.

Paid Holiday and Paid Time Off (PTO)

If a paid holiday falls during an employee's planned Paid Time Off (PTO), the paid holiday does not count as a used Paid Time Off (PTO) day.

Paid Holiday and Leave of Absence

Paid Holidays are an employee benefit, and as such an employee on Leave of Absence does not receive pay for the Holidays.

5.2 Paid Time Off

All full-time and part-time employees start to accrue Paid Time Off (PTO) after thirty (30) days of continuous employment, and continually thereafter unless broken by a Leave of Absence or termination of employment.

Paid Time Off Accrual

All eligible employees accumulate Paid Time Off (PTO) at the following annual rate, based on Full-Time Equivalent (FTE) status:

<u>Length of Employment</u>	<u>Paid Time Off Accrual</u>
30 days - 5 years	21 days
6 years - 15 years	26 days
16 years & thereafter	31 days

Part-time employees who work 20 or more hours a week earn a prorated amount of Paid Time Off (PTO) in accordance with the PTO accrual schedule.

Temporary and Hourly employees do not accrue Paid Time Off (PTO).

An employee can accumulate up to 400 hours of Paid Time Off (PTO) accrual. Once an employee reaches the 400 hours accrual limit, there will be no future accruals until the employee's accrual falls below the maximum PTO limit. However, the Chief Executive Officer can approve accumulation above the limit based on program needs. An employee who has exhausted their Paid Time Off can request time off without pay as outlined in the section "Leave of Absence".

Employees may begin to use Paid Time Off (PTO) as soon after the employee has accrued PTO and as work schedules permit, and with the approval of his/her supervisor or manager or the Division Director.

Full-time and part-time employees may use accrued Paid Time Off (PTO) for paid vacation leave or any other type of Paid Time Off. Employees must schedule time off with his/her supervisor/manager, the Human Resources Manager or the Chief Executive Officer prior to taking the Paid Time Off. The manager may disallow a Paid Time Off request if program or agency needs are such that the time away would present a hardship on the program or agency.

Planned Paid Time Off

All employees must submit advanced Paid Time Off (PTO) requests annually to their supervisor/manager by January 30th of each year. The supervisor/manager will review and approve/disapprove PTO requests for the fiscal year based on the employee's length of service and available staff requirements.

Time off requests received after January 30th will be approved based on seniority. A supervisor/manager may disallow a PTO request if program needs are such that the time away would present an undue hardship on the program or the agency and available staff requirements.

Unplanned (Emergency) Paid Time Off

Paid Time Off can be used for unplanned (emergency) absences from work. The employee should notify his /her immediate supervisor/manager or the Human Resources Manager as soon as possible when unplanned Paid Time Off (PTO) is needed.

An employee should call their immediate supervisor/manager prior to one (1) hour of the regular scheduled start time when Paid Time Off (PTO) is needed for an unplanned absence such as an illness or other emergency. During an unplanned absence, the employee is expected to keep the supervisor/manager informed of continuing absence on a daily basis.

If an employee is absent or using unplanned Paid Time Off for more than (3) three consecutive days, a written verification of the necessary and/or compelling reason for PTO usage is required prior to returning to work.

Coordination of Paid Time Off, State Disability or Workers Compensation

In the event of absence due to disability or as a result of a work-related accident or illness, an employee may coordinate the use of accrued PTO with State Disability (SDI) or Workers Compensation Insurance (WCI). The total of the payments from the insurance and PTO cannot exceed one hundred percent (100%) of salary.

Separating Employees and Paid Time Off

Separating employees are paid for any unused Paid Time Off days at the final distribution of pay in accordance with the maximum accrual schedule.

5.3 Leaves of Absence

Westside may grant an unpaid or paid leave of absence to employees under certain circumstances. It is important to request a leave of absence in writing as far in advance as possible, to keep in touch with the Westside Human Resources Manager or Chief Executive Officer during leaves of absence, and give prompt notice if there is any change in return date. If an employees' leave expires without such proper notification it will be assumed that the employee does not plan to return and has voluntarily terminated employment.

Westside continues to pay premiums for health insurance coverage for eligible employees on extended leaves of absence for three months, except for employees on personal leave. In such cases, eligible employees may self-pay the monthly premiums for employee and dependent coverage. Employees also do not continue to accrue benefits, including Paid Time Off (PTO) during unpaid leave of absence. The Human Resource Manager can provide additional information on this subject.

To request any leave of absence, employees must complete the proper form and return it to their supervisor/manager, who will process it through the chain of command to the Human Resource Manager or the Chief Executive Officer. The Human Resource Manager or the Chief Executive Officer is responsible for approval or disapproval of the leave request. Leaves that are not mandated by State or Federal laws are at the sole discretion of Westside.

The maximum period of time for which a leave may be authorized depends on the type of leave requested and the extent to which it is allowed by law.

5.4 Pregnancy Disability Leave

Pregnancy, childbirth, or related medical conditions will be treated like any other disability, and an employee on leave will be eligible for temporary disability benefits in the same amount and degree as any other employee on leave.

Any female employee planning to take pregnancy disability leave should advise Human Resources as early as possible. Leave is available for all disabilities related to each pregnancy, and does not need to be taken in one continuous period of time.

A woman is “disabled” when she cannot work at all, or is unable to perform any one or more of the essential functions of her job, or perform them without undue risk to herself, the successful completion of her pregnancy, or other persons.

Temporary Transfers

Westside will transfer an employee (if they are affected by pregnancy) to a less strenuous or hazardous position if all the following conditions are met:

- They request a transfer
- Their request is based upon the certification by their health care provider that transfer is medically advisable; and
- The transfer can be accommodated reasonably

An employee is “affected by pregnancy” if they are pregnant or have a related medical condition, and their health care provider has certified that it is medically advisable for you to transfer.

If an employee transfers, they can return to their same position or duties or to a comparable position when they can safely perform same position or duties. A “comparable position” has the same pay, benefits and working conditions, and involves the same or similar duties and responsibilities.

Request for Leave

An employee must give as much advanced notice of their leave as is possible, Preferably at least 30 days before their leave or transfer is to begin if the need for the leave or transfer is feasible. When 30 days notice is not possible, notice must be given as soon as possible.

As part of this notice, the employee must submit a completed “Request for Leave of Absence” to Human Resources. A copy of this form is in available from the Human Resource Manager.

As a condition of any pregnancy-related disability leave or transfer, the employee must present a written certification signed by their health care provider to the Human Resources Manager.

If the employee continues to be disabled at the expiration of the time period that the health care provider originally estimated, re-certification must be obtained to continue the leave.

Reinstatement

If the employee and Westside have agreed upon a definite date of return, they will be reinstated on that

date if they notify Human Resources that they can return on or before that date. If the length of an employee leave has not been established, or if it differs from the original agreement, the employee will return to work within two business days, where feasible, after the employee notifies the Human Resources Manager of the employee readiness to return.

When the employee is ready to return to work, the employee must obtain a written release from their health care provider certifying that the employee can safely perform all of the essential duties of their original job with or without reasonable accommodations. We will reinstate the employee to the job they held before their leave began, unless one of the following exists:

- The employee would not otherwise have been employed in the same job at the time reinstatement is requested for legitimate business reasons unrelated to their leave; or
- The employee job could not be kept open or filled by a temporary employee without substantially undermining the ability of Westside to operate safely and efficiently.

If we cannot reinstate the employee to their job, we will offer them a comparable position, consistent with the law, provided that a comparable position exists and is available.

If the employee was laid off during their leave and no comparable position is available, the employment is terminated.

Coordination with other Benefits

Accrued Paid Time Off (PTO) will be utilized for the leave until exhausted. However, such use of PTO will be coordinated with Paid Family Leave and Short-Term Disability benefits where applicable. Use of PTO will not extend the length of the leave to which the employee is otherwise entitled.

State Disability Insurance

When the employee becomes disabled, the employee should apply for California State Disability Insurance (SDI) benefits. State law provides for payment of SDI benefits for the entire length of time that the employees' health care provider certifies that the employee is disabled by pregnancy, childbirth or related medical conditions both before and after birth, up to a total of fifty-two (52) weeks of payment in a twelve (12) month period. The typical duration of benefits is up to four (4) weeks benefits before delivery, and ten (10) weeks benefits after the normal delivery, and twelve (12) weeks benefits after a cesarean, but these lengths of time can be extended or shortened according to your health care provider's certification of the length of time the employee is expected to be disabled by your pregnancy, childbirth or related medical conditions. State Disability forms are available from your health care provider. Any SDI to which you are eligible will be integrated with you accrued Paid Time Off (PTO) so that the employee do not receive over one hundred percent (100%) of their regular pay.

Pregnancy Disability Leave (PDL) and Family/Medical Leave (FMLA)

If the employee takes pregnancy disability leave and are eligible under the federal or state family and medical leave laws, Westside will maintain group health insurance coverage for up to a maximum of twelve (12) work weeks (if such insurance was provided before the leave was taken) on the same terms as if you had continued to work. Leave taken under the pregnancy disability policy runs concurrently with Family and Medical leave under federal law, but not Family and Medical Leave under California Law.

If the employee is ineligible under the federal and state family and medical leave laws, while on pregnancy disability, they will receive continued paid coverage on the same basis as other medical leave that the organization may provide and for which they are eligible. In some instances, Westside may recover premiums that are paid to maintain health coverage for the employee if they fail to return to work following pregnancy disability leave.

If the employee is on pregnancy disability leave and are not eligible for continued paid coverage, or if paid coverage ceases after twelve (12) work weeks, they may continue your group health insurance coverage through Westside in conjunction with federal Cobra guidelines by making monthly payments to Westside for the amount of the relevant premiums.

5.5 Family Medical Leave of Absence (FMLA)/California Family Rights Act (CFRA)

Family Medical Leave Act (FMLA) is Federal law.

The California Family Rights Act (CFRA) is State law.

Eligibility

State and Federal Family and Medical Leave Act laws provide up to twelve (12) work weeks of unpaid family medical leave within a twelve (12) month period, under the following circumstances:

- The employee has accrued more than 12 months of service. If the leave is for FMLA only, the 12 months of service must have accumulated within the previous seven years. There is no such cap under CFRA;
- The employee has worked at least 1,250 hours during the previous 12-month period before the need for leave; and
- The employee is employed at a work site where there are 50 or more employees within a 75 mile radius.

Calculating the 12-Month Period

For purposes of calculating the 12-month period during which 12 weeks of leave may be taken, Westside uses a "rolling" method of calculation. This means that the 12-month period of Family and Medical Leave Act (FMLA) or California Family Rights Act (CFRA) is measured forward from the date the employee begins to use their FMLA/CFRA leave.

Under most circumstances, leave under federal and state law will run at the same time and the eligible employee will be entitled to a total of 12 weeks of family and medical leave in the designated 12-month period, which for Westside is July 1st to June 30th.

However, leave because of the employee's disability for pregnancy, childbirth or related medical condition is not counted as time used under CFRA. Time off because of pregnancy disability, childbirth or related medical condition does count as family and medical leave under federal law. Employees who take time off for pregnancy disability and who are eligible for family and medical leave will also be placed on family and medical leave that runs at the same time as their pregnancy disability leave. Once the pregnant employee is no longer disabled, she may apply for leave under CFRA, for purposes of baby bonding.

5.6 Family Medical Leave Act (FMLA) and Pregnancy Disability Leave (PDL)

Time off from work because of an employee's disability due to pregnancy, childbirth or related medical condition is not counted as time used under California Family Rights Act.

Requests for Leave

The following procedures shall apply when an employee requests family leave:

- Notify the Human Resources Manager as soon as the employee become aware of you need for family/medical leave. If the leave is based on the expected birth, placement for adoption or foster care, or planned medical treatment for serious health condition of the employee or a family member, the employee must notify your supervisor/manager at least thirty (30) days before leave is to begin.
- The employee must consult with their supervisor/manager regarding scheduling of any planned medical treatment or supervision in order to minimize disruptions to the operations of Westside. Any such scheduling is subject to the approval of your health care provider or the health care providers of your child, parent, or spouse or registered domestic partner. If the employee cannot provide thirty (30) days notice, their supervisor/manager, the Human Resources Manager or Chief Executive Officer must be informed as soon as is practical.
- If the Family Medical Leave Act/California Family Rights Act is used because of the employee's own serious health condition, the Human Resources Manager may require at Westside's expense, a second opinion from a health care provider that the Human Resources Manager chooses. The health care provider designated to give a second opinion will not be the one who is employed on a regular basis by Westside.

Certification by Health Care Providers

Westside requires the employee to provide certification within fifteen (15) days of any request for Family/Medical Leave (FMLA)/California Family Rights Act (CFRA) leave, unless it is impractical to do so. The Human Resources Manager may require recertification from the health care provider if additional leave is required.

Reinstatement

The Human Resources Manager will require certification by their health care provider that the employee is fit to return to work. Failure to provide the health care provider certification of the employee's fitness to return to work will result in denial of reinstatement until the certificate is obtained.

Under most circumstances, upon their return from FMLA/CFRA leave, an employee will be reinstated to his/her original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However an employee has no greater right to reinstatement than if he/she had been continuously employed rather than on leave. For example,

5.7 Paid Family Leave

Under Paid Family Leave (PFL), employees in California can receive benefits to replace a portion of wages lost when they are on leave from work to care for a sick family member. It does not create a right to a leave of absence, and because of this, its name causes confusion.

All employers in California are subject to this law, which runs concurrently with the Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA).

PFL is a state-sponsored insurance program within the State Disability Insurance (SDI) program.

Through PFL, employees receive partial wage replacement for up to six weeks in any twelve-month period while on leave from work to care for a seriously ill or injured family member or to bond with a minor child.

Leave for bonding with a child must occur within one year of:

- The birth of a child; or
- Placement of a child in the home for foster care or adoption.

Like SDI, PFL does not create the right to a leave of absence, and does not require you to create a leave of absence policy or guarantee reinstatement, unless otherwise mandated by law.

Concurrent with FMLA and CFRA

An employee who is entitled to family leave under the Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA) can apply for PFL benefits concurrent with those leaves.

Definitions Under PFL

PFL defines child, domestic partner, parent, spouse, and serious health condition for purposes of applying for benefits. The definitions are:

- **Child.** A biological, adopted, or foster son or daughter, a stepson or stepdaughter, a legal ward, a son or daughter of a domestic partner, or the person to whom the employee stands in loco parentis;
- **Domestic partners.** As defined in Family Code sec. 297, “two adults who have chosen to share one another’s lives in an intimate and committed relationship of mutual caring and who file a Declaration of Domestic Partnership with the Secretary of State.”;
- **Family Member.** Grandparents, grandchildren, parents-in-law, and siblings.
- **Parent.** A biological, foster, or adoptive parent, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child;
- **Serious health condition.** An illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential health care facility, or continuing treatment or continuing supervision by a health care provider; and
- **Spouse.** A partner to a lawful marriage.

5.8 Medical Disability Leave of Absence (Work-Related)

The employee may take a leave of absence for an occupational illness or injury, generally for a period equal to the duration of their temporary disability.

When they are on leave, they must be examined by a health care provider and certified to be temporarily disabled from returning to their employment.

Their leave of absence will end as soon as a doctor certifies that they can safely perform all of the essential functions of their job, with or without reasonable accommodations. If we receive medical evidence satisfactory to us that they are permanently unable to perform all of the essential functions of your job, with or without reasonable accommodations, and if reassignment to a vacant position is not possible, your employment may be terminated. The employee may be eligible for vocational rehabilitation benefits from Westside's Workers Compensation Insurance carrier.

During their leave, they may receive Workers Compensation benefits in accordance with state law. Workers Compensation benefits will be integrated with any Paid Time Off (PTO) they choose to use so that they will not receive over one hundred percent (100%) of their regular pay.

For such a leave in excess of three (3) months, Westside will not pay the employees portion of the monthly premium or for dependent coverage under its group medical insurance plan. The employee may arrange with the Human Resources to self pay so that their coverage continues after three (3) months of leave. During the first three (3) months, they may continue to self pay for the monthly employee portion of the coverage and for dependent coverage.

During their leave of absence for work-related medical disabilities, they will not continue to accrue Paid Time Off or floating holiday benefits and will not be eligible for holiday pay.

Reinstatement

The employee will be reinstated to their former position when a health care provider certifies that they can safely perform all of the essential functions of the job, with or without reasonable accommodations. The exceptions to this rule are as follows:

- When the employee directly or indirectly indicate to us that they do not intend to return to our employment;
- When their former position no longer exists;
- When the employee had to be replaced as a business necessity;
- When the employee are no longer qualified for their former job; or
- When the employee cannot return to their former job without posing a direct threat to their health or safety or the health and safety of another employee, consistent with applicable law, in which case you will be terminated in accordance with Section titled "Termination of Employment" in this handbook.

5.9 Disability Leave (Non-Work Related)

All employees are eligible for disability leaves of absence, which will be granted for disability due to illness, injury or other reasons. A disability leave of absence for non-work related reasons generally will be granted for a period up to the duration of the temporary disability unless the leave imposes an undue burden, or your position is eliminated for lawful reasons, or Westside replaces you consistent with applicable law. A Workers Compensation leave of absence generally will be granted for a period equal to the duration of the temporary disability.

To request a disability leave of absence, the employee must complete an appropriate form and return it to the Human Resources Manager. The request should include the anticipated beginning and ending dates of the leave and in non-emergency situations should be submitted at least one (1) month prior to the desired starting date. A doctor's statement stating that they are disabled must be submitted to the Human Resources Manager or Chief Executive Officer of Westside at the beginning of their leave and normally every thirty (30) calendar days thereafter, at the end of the leave, the employee must provide a doctor's statement that they are capable of returning to work.

Return to Work

If the employee does not return to the prior position or a comparable one as soon as they are able (assuming either option is available), Westside will consider them to have voluntarily resigned. Acceptance of other employment during disability leave, inconsistent with the leave, also will be considered a resignation from Westside.

5.10 Bereavement Leave

Bereavement leave with pay shall be granted to all regular employees for absence necessitated by the death of an immediate family member. For purposes of this policy, immediate family member includes father, mother, stepfather, stepmother, grandmother, grandfather, father-in-law, mother-in-law, son, daughter, stepson, stepdaughter, foster children, legal guardian, registered domestic partner or significant other.

An employee with a death in the family may take up to three consecutive scheduled workdays off with pay with the approval of the Human Resources Manager. If the service takes place outside of the State of California, one extra day will be granted for travel.

All requests for bereavement leave must be submitted in writing to the supervisor/manager or the Human Resources Manager.

A copy of the family member's obituary and or travel documents will be required for verification of the need for bereavement leave.

5.11 Voting Leave

On Election Day, in the event when an employee does not have sufficient time outside of work hours to vote in a local, state or federal election, the employee may take off enough work time to enable them to vote. Such time should be taken at the beginning or the end of the regular work shift, which ever allows for more free time. Under these circumstances they will be allowed a maximum of two (2) hours on Election Day without loss of pay. Where possible, they should provide their supervisor/manager or the Human Resources Manager with at least two (2) work days notice that time

off to vote is needed.

Employees may be required to show their voter's receipt to their supervisor/manager to verify that the time taken off was used for voting.

Employees are encouraged to use other voting options such as absentee ballots to fulfill their voting responsibilities.

5.12 Jury Duty

If you receive a Jury Summons, you should notify the Human Resources Manager immediately so that arrangements can be made to cover your absence. You must provide a copy of your jury summons when requesting time off. If you cannot be excused from jury duty, you will be allowed to take time off for each full or partial work day you serve on jury duty.

Non-exempt employees who have completed their introductory period will receive their full pay while serving up to twenty (20) days of Jury Duty within a twelve (12) month period.

Exempt employees will receive full salary unless they are absent for a full week and perform no work. When you are on jury duty leave of absence and if you are a day-shift employee, you are expected to continue to report to work on those days or parts of days when excused from jury duty, or when jury duty does not conflict with your work schedule.

Witness Leave

Westside will grant non-exempt employees an unpaid leave of absence to appear in court for any of the following reasons:

1. The employee have been served with a subpoena or other court order, requiring them to appear as a witness in any judicial or quasi-judicial proceeding, OR
2. The employee must or wish to take legal action as a victim of domestic violence, legal action includes, but is not limited to, court appearances, preparing documents, or meeting with advocates pertaining to the granting removal or restraining others, or to obtain other kinds of relief.

Exempt employees will be paid for such absences. For non-exempt employees, the leave of absence is unpaid, but the employee may use accrued Paid Time Off (PTO) in lieu of unpaid time off.

Notification Requirements

Employees requesting leave under this section must give reasonable advance notice that they will be absent from work. Reasonable advanced notice means informing your supervisor/manager not less than seven calendar days before your scheduled absence. When seven calendar days' advance notice is not possible, employees must provide as much advance notice as possible under the circumstances.

If leave under this policy is unscheduled or taken in response to an emergency, the employee shall within a reasonable time thereafter, provide evidence that he/she has in fact appeared in court or taken the leave for some qualifying reason as identified above.

Please let your supervisor/manager know if you wish to use any accrued but unused paid leave to cover

any part of the unpaid leave.

5.13 Victims of Crime Leave

An employee who is a victim or who is the family member or registered domestic partner of a victim of a crime may take time off from work under the following circumstances:

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

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

- The leave from work is necessary to attend judicial proceedings related to a crime listed above.
- The employee must provide documentation of the scheduled proceedings, such as a notice by a court or government, law enforcement officer or a victim/witness office setting the hearing. If advance notice is not possible, you must provide appropriate documentation within two (2) days after the absence.

Employees may use accrued Paid Time Off, if available. Once that is exhausted, any absence from work to attend judicial proceedings will be unpaid.

5.14 Domestic Violence Leave

Employees who are victims of domestic violence, or who have children who are victims of domestic violence, are eligible for unpaid leave. This leave includes time off for court proceedings, counseling, medical attention, and participation in safety planning programs.

The employee must provide notice and certification of your need to take leave under this policy. Certification may be sufficiently provided by any of the following:

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

Westside will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision.

Domestic violence leave may also qualify as FMLA/CFRA leave in some circumstances. In such

instances, any leave taken under this provision will be counted as family/medical leave and charged to your entitlement of twelve (12) work weeks of family/medical leave in a twelve (12)-month period.

5.15 School Activities Leave

Employees are encouraged to participate in the school activities of their child(ren). If they are the parents, foster parents, adopted parents, grandparents or guardians with custody of one or more child(ren) enrolled in a licensed daycare center, kindergarten, or grades one (1) through twelve (12), you may take time off up to eight (8) hours per calendar month or total of forty (40) hours of unpaid leave each year to participate in the licensed daycare or school activities of your child(ren).

If any custodial parents are employed by Westside, the parents should decide how the time will be divided between each parent to allow unpaid time off from work to appear at the school, although Paid Time Off may be taken for this leave.

Prior to their planned absence, they must give reasonable notice to their supervisor/manager or the Human Resources Manager that they have been requested to appear at their child's school.

The employee is required to provide documentation to the Human Resources Manager from the school verifying the date and time of your visit.

5.16 Military Leave

All employees may take unpaid leaves of absence to accommodate service and training in the United State Armed Forces, Military Reserves or National Guard.

Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in the National Guard will be given the necessary time off. The time off will be unpaid, except where state law dictates. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

A leave of absence will be granted for two (2) weeks of summer military training with the Reserve or National Guard without a break in continuous services.

Employees are required to provide advance notice of their service obligations to the Human Resources Manager or the Chief Executive Officer, unless military necessity makes this impossible. Military orders should be presented to the Human Resources Manager and arrangements made within forty-five (45) days prior to departure.

Accrued Paid Time Off (PTO) may be used for the leave if the employee chooses. Benefits will continue to accrue during the period of leave in accordance with State and Federal law.

Request for Reinstatement

Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or Nation Guard will be reinstated at Westside under the following conditions:

- The employee must notify the Human Resources Manager or Chief Executive Officer of their intent to return to employment at least two (2) weeks prior to his/her return to Westside.

- They have been a regular employee for at least ninety (90) days prior to entering military service or reserve.
- The request for reinstatement is made within ninety (90) days of discharge and employee presents proof of military service and discharge.
- The employee can perform the duties of the position.
- The employee has had no other employment between the time of leaving Westside and entering military service and returning to Westside.

An employee meeting these requirements will be reinstated to employment at Westside and will retain their original hire date. If they have any questions regarding military leave, please contact the Human Resources Manager.

5.17 Volunteer Civil Service Personnel Leave

Employees will be allowed to take time off to perform emergency service duty as a volunteer firefighter, peace officer or emergency rescue personnel. They are also eligible to take leave for required training for volunteer civil service duty.

An employee who is an official volunteer firefighter, peace officer or emergency rescue personnel must provide documentation to the Human Resources Manager that they may have to take time off for Emergency Volunteer Service duty at least seventy-two (72) hours in advance of the leave, or as soon as is practicable.

- All emergency duty employees must provide cellular phone numbers to his/her supervisor/manager and the Human Resources Manager.
- Leave will be unpaid, unless accrued Paid Time Off is used for this type of leave.

5.18 Personal Leave

A personal leave of absence without pay may be granted at the discretion of Westside Community Services. Requests for personal leave should be limited to unusual circumstances requiring an absence of longer than two weeks. Approved personal absences of shorter duration are not normally treated as leaves, but rather as excused absences without pay.

5.19 Concurrent Personal and Family/Medical Leave

Any leave taken under this provision that qualifies as leave under the state and/or federal Family and Medical Leave Acts will be counted as family/medical leave and charged to your entitlement of 12 workweeks of family/medical leave in a 12-month period.

5.20 Supplemental Insurance

AFLAC and Colonial offer employees the option of enrolling in various types of Supplemental Insurance, including, but not limited to, Short-Term Disability Accident Insurance, Cancer Insurance, and Life Insurance. For more details please contact Human Resources.

5.21 HCAO: Health Care Accountability Ordinance

Employees who work more than 20 hours a week are to be covered by health insurance or Westside pays the SF General \$3.00 an hour for every hour worked by an hourly employee.

- Effected: Short-hour employees who work above 20 hours a week
- Excluded from HCAO are temps, trainees, interns and employees who work less than 20 hours a week.

5.22 HCSO: Health Care Security Ordinance

Employers are required to make reasonable health care expenditures on behalf of their employee. Employees of the below classification working at least 90 calendar days:

- Hourly employees working 8 hours a week, including those who work on a part time or temporary basis

Excluded from the HCSO: Trainees and Interns

5.23 PSLO: Paid Sick Leave Ordinance

All employees must provide sick leave to each employee who works in San Francisco. Our regular part-time and full-time employees are exempt from the ordinance because we exceed the standard with our PTO program.

- Effected employees: Short hour and temporary employees.
- Excluded: trainees and interns.
- Accrual begins 90 calendar days after the employees first day of work.
- Accrual rate: For every 30 hours worked, an employee's accrues one hour of paid sick leave.
- Paid sick leave accrues only in hour-unit increments, not in fractions of an hour.
- Accrued sick time is capped at 72 hours; this is a "rolling cap" not calculated on an annual basis.
- Sick leave does not expire; it carries over from year to year.

SECTION VI

Benefits

6.1 Health Insurance

Westside provides employer-paid group health insurance to all full-time and part-time employees. An employee's health coverage starts the first day of the month following his/her date of hire.

6.2 Cash Equivalent

In the event that a full-time or part-time employee already has health insurance, they may waive Westside medical coverage and receive a cash equivalent amount (determined by Westside). The cash equivalent is considered wages and included in total earnings for Form W-2 reporting purposes at year end. Please notify Human Resources if you are interested in waiving medical coverage. Any employee waiving medical coverage must demonstrate annually, in written form, coverage by another health carrier.

6.3 Dental Insurance

Westside provides Employer Paid Group Dental Insurance to all full-time and part-time employees and eligible family members, and registered domestic partners. Employees and eligible dependents are covered in the first day of the month following the employee's start date of employment.

6.4 Vision Care Plan

All full-time and part-time employees are eligible for vision care coverage. Eligible employees are covered on the first day of the month following the employee's start date of employment. The premium for this benefit is paid by Westside.

6.5 Life Insurance/Accidental Death and Dismemberment Insurance

All full-time and part-time employees are eligible for a Life Insurance Policy, which is twice the employee's annual salary. Eligible employees are covered on the first day of the month following the employee's start date of employment. The Life Insurance Policy is cancelled when an employee leaves employment at Westside, their work status is inactive, or their work status is no longer full or part-time.

6.6 Long-Term Disability Insurance

Westside provides long-term disability insurance after six (6) calendar months of continuous service to eligible employees who consistently work 30 hours per week or more.

In order to collect the Long-Term Disability Benefit, the employee must be unable to perform any and every part of his/her normal job duties, and must fully meet all of the requirements for long-term disability. Please refer to the Long-Term disability brochure or contact Human Resources for a full explanation of total and partial long-term disability benefits. Westside pays the cost of the Long-Term Disability Insurance premium.

The Long-Term Disability Policy is canceled when an employee leaves the employment of Westside, the work status is inactive or the work status falls below the 30-hour per week requirement.

6.7 State Disability Insurance (Non Job-Related Illness/Injury)

Employees who are unable to work for seven (7) calendar days or more due to non-work related illness or injury are eligible to apply for State Disability Insurance.

If an employee is hospitalized, he/she will start receiving benefits from the first day of hospitalization.

State Disability payments can be coordinated with the employer's accrued Paid Time Off (PTO) at Westside. Paid Time Off (PTO) will cover the percentage of salary not compensated by State Disability Insurance. The total State Disability Insurance payment and Paid Time Off (PTO) cannot exceed one hundred percent (100%) of an employee's salary. Employees should check with the Human Resources Manager for more information.

6.8 Worker's Compensation (Job-Related Illness or Injury)

State law requires Westside to notify Worker's Compensation Insurance of any concerns of false or fraudulent claims. An employee who is injured while on the job or becomes ill as the result of his/her occupation is eligible for Worker's Compensation benefits. All medical costs incurred as the result of a work related disability are covered by Worker's Compensation benefits as they pay for loss due to time off work.

Worker's Compensation payments may be coordinated with the Westside Paid Time Off payment. Paid Time Off will cover that percentage of salary not compensated by Worker's Compensation Insurance. The total Worker's Compensation payment and Paid Time Off cannot exceed one hundred percent (100%) of an employee's salary.

Upon submission of a medical certification that an employee is able to return to work after a Worker's Compensation leave, the employee under most circumstances will be reinstated to his/her same position held at the time the leave began.

After returning from Worker's Compensation disability leave, if an employee is unable to perform the essential functions of his/her job because of a physical or mental disability, Westside will provide reasonable accommodations consistent under the Americans with Disabilities Act.

Neither Westside nor its insurer will be liable for payment of Worker's Compensation benefits for any injury that arises out of an employee's voluntary participation in any recreational, social, or athletic activity that is not part of the employee's work-related duties.

Worker's Compensation and FMLA/CFRA

Employees who are ill or injured as a result of a work-related incident, and who are eligible for FMLA/CFRA, will be placed on FMLA/CFRA during the time they are disabled and not released to return to work. The leave under these laws runs concurrently, and eligible employees will be on FMLA/CFRA for a maximum of 12 weeks in a 12-month period. During the 12-week time period the employee's health benefits will be paid by Westside.

6.9 Unemployment Compensation

All employees are covered under the California Unemployment Insurance Code.

1. Eligibility for unemployment benefits is determined by the California State Employment Development Department and is based upon criteria established by law. If eligible, the cost of the program is paid by Westside.
2. Upon separation, for any reason, employees may apply for unemployment insurance benefits at the Employment Development Department office closest to his/her home. If an employee relocates out of state, he/she may file an interstate claim for benefits at the unemployment office closest to his/her new address. Any delay in filing a claim may result in a loss of benefits.

6.10 403(b) Retirement Plan

Westside makes available to full-time and part-time staff a Tax Deferred Annuity Plan. The Tax Deferred Annuity Plan allows employees to contribute toward a retirement plan through voluntary payroll deduction.

6.11 Credit Union

All Westside employees are eligible to join the San Francisco Fire Credit Union (SFCU). Payments to SFCU can be made by payroll deductions. Information regarding SFCU is available Human Resources.

6.12 Additional Benefit Fund

After two (2) full years of employment, full and part time employees can participate in the Additional Benefit Fund. The category will be calculated based on years of employment. The benefit will accrue biweekly and will be prorated for part time employees –

The benefit can only be:

1. used to offset the cost of medical, dental and/or vision coverage for eligible dependents; or
2. applied to the employee's 403(b) Tax Deferred Annuity Plan.

Additional Benefit Fund Annual Allocation:

<u>Length of employment</u>	<u>Allocation</u>
0-2 year	\$0
2-3 years	\$1,200
4 years and thereafter	\$1,600

6.13 Cafeteria Plan (Section 125/132 Plan)

The Cafeteria Plan (Sec 125) is a flexible spending account that allows employees to pay for eligible dependent medical and dependent care costs with pre-tax dollars.

The Cafeteria Plan (Sec 132) is a flexible spending account that allows employees to pay for eligible work related transportation costs such as rail, ferry, bus and van pooling. This plan also covers eligible parking expenses.

SECTION VII
Management

7.1 General Rules Regarding Employee Conduct and Duties

Westside management retains the authority to:

- hire, promote, lay off, discipline, and terminate employees at its discretion
- implement and require employees to observe work rules
- to determine the skills, skill levels, and performance standards required by employees
- plan, direct, and control the operation of all work

Management may also implement and maintain a procedure for resolving workplace disputes separate and apart from the procedures otherwise set forth in this handbook.

7.2 Promotions, Transfers and Demotions

Promotions

A promotion is a movement from a position in one classification to a different job classification characterized by a higher level of responsibility and compensation.

Westside encourages promotion from within, and interested employees, along with outside applicants who meet the qualifications, shall be given consideration for job openings as they occur. Westside will select the best qualified person available for vacant positions as determined by management.

Promotion of a Westside employee to a higher level position will be determined by the employee's qualifications. However, the length of employment with Westside may be given consideration when selection is made from among qualified employees. Upon selection, newly promoted employees will begin a new Introductory Period without any loss of benefits. The Introductory Period's length for the new position shall be dependent upon the new position level.

Transfers

A transfer is a lateral movement from one position to another within the same job classification. When an employee makes a lateral transfer, he/she will suffer no loss of accumulated seniority or benefits and does not begin another Introductory Period.

In order to qualify for a transfer, the employee must have completed the Introductory Period in the original program/department, and the employee must meet the requirements for the position for which he/she desires a transfer.

Employee-Initiated Transfers

To initiate a lateral transfer, the employee must submit a Letter of Interest and resume for the desired position to the Human Resources Manager. The employee intending to transfer must also inform his/her current supervisor/manager of the request for a transfer.

Executive-Initiated Transfers

The Chief Executive Officer has the authority to initiate a transfer of any employee if he/she deems it to be in the best interests of Westside and the efficient conduct of business. The employee will retain the same salary, seniority and similar position.

Demotions

A demotion is a movement from a position in one job classification to a position in a different job classification characterized by a lower level of responsibility and compensation. Demotion to a lower level position will be determined by his/her performance in a higher level position.

7.3 Performance Evaluations

Performance evaluations are intended to make an employee aware of his/her progress, areas for improvement, and objectives or goals for future work performance.

Each employee will receive periodic performance reviews conducted by his or her supervisor/manager. The performance evaluation will cover the duties outlined in an employee's job description and will evaluate the quality and quantity of work an employee performs, knowledge of the job, work attitude, and attitude towards others.

The first performance evaluation will take place after the completion of an employee's Introductory Period, i.e., six months for exempt staff and three months for non-exempt and support staff.

Unfavorable Performance Evaluations

An employee whose performance is unfavorable, but not so poor that immediate termination is recommended, must make every effort to improve his/her performance in accordance with the supervisor's recommendations.

The employee will be placed on a special performance review for up to 60 days while he/she works on improving his/her performance. At the end of the special performance review, the employee will be evaluated again. If the improvement is insufficient to warrant retention, he/she will be terminated. NOTE: Any infraction of rules and regulations during this special performance review will result in immediate termination!

Annual Performance Evaluation

The annual performance evaluation will occur 12 months after the official date of hire, but may be conducted more frequently if the supervisor/manager deems it necessary.

Favorable Performance Evaluations

Favorable performance evaluation does not guarantee increases in salary or promotion. Salary increases and promotions are solely within the discretion of Westside.

7.4 Grievance Procedure

A grievance is any dispute involving a claimed violation; misinterpretation; inequitable application of; or non-compliance with a provision of this handbook or the agency regulations and procedures that affect the status or working conditions of employees, including matters of discipline.

All union employees should refer to the Grievance Procedures outlined in the Collective Bargaining Agreement. Westside recognizes the importance of providing a prompt and efficient procedure for resolving grievances fairly and equitably, without fear of prejudice or retaliation for initiating a grievance or participating in its settlement on the part of the person involved. All actions at any stage of the grievance process shall be characterized by fairness, frankness, courtesy and respect for the dignity of each individual involved.

The following procedure provided is to assure the orderly resolution of an employee grievance:

Step 1

Any grievance must first be presented to the Program Manager, who is the individual who immediately assigns, reviews and directs the employee's work. If the grievance concerns a specific incident rather than an ongoing problem, the staff member should raise the issue within seven working days of its occurrence in an attempt to settle the matter.

Step 2

If Step 1 does not resolve the issue, the employee must submit the grievance form to the Division Director. The employee must submit the grievance to the Division Director on the grievance form within seven working days of the Program Manager oral response. The Program Manager will record the response on the grievance form. The grievance form should contain the specific provisions of the Personnel Handbook that the employee believes have been violated.

Step 3

If Step 2 does not resolve the issue, the employee will use the same grievance form to submit the issue to the Human Resource Manager within seven working days of the last step, provided the Human Resource Manager is not the employee's immediate supervisor. The Human Resources Manager will review and discuss the matter with all parties involved and will use the grievance form to notify the employee of his/her decision and rationale within seven working days of being presented with the matter.

Step 4

If Step 3 does not satisfactorily resolve the matter, the same grievance form should be sent to the Chief Executive Officer, or designee, who will review and discuss the matter with all parties involved and will use the grievance form to notify the employee of his/her decision and rationale within seven working days of the date it was submitted.

Step 5

If the issue is not satisfactorily resolved under Step 4, the grievance will be forwarded to the Executive Committee for assignment to the Personnel Committee, as appropriate. The Personnel Committee will review the grievance to determine whether there is merit to the case and to ensure that proper policies and procedures were followed in the handling of the grievance. If the Personnel Committee determines that the grievance may have merit or that proper policies and procedures were not followed, the Committee may reverse a decision of the Chief Executive Officer or designee; direct that further procedural steps be met; or hold a special Personnel Committee meeting, at which time the grievant

and his/her immediate supervisor (or other party involved) will be given an opportunity to present the grievance to the Committee. The Personnel Committee will review all pertinent documents and will permit the grievant to present witnesses necessary to establish the facts of the dispute. Upon conclusion of the meeting, the Committee will issue a decision regarding the resolution of the grievance, and will enter its determination on the grievance form.

Grievances involving suspension or discharge must be filed directly at Step 5 within ten days of the letter of suspension or discharge. Introductory employees cannot grieve a termination. A Program Manager should proceed to Step 2. The Division Director should proceed to Step 3. During the grievance process, the manager of the grievant should provide, coaching, training, counseling, mentoring and to assist the grievant in resolving the grievances.

The same grievance form will be returned to the grievant within seven working days of the final decision of the Personnel Committee. If either party is dissatisfied with the recommendation of the Personnel Committee the grievant may appeal, in writing, to the Westside Board of Directors within seven working days of receipt of the Personnel Committee's decision. The appeal must set forth the basis and the error reached by the Personnel Committee. The Westside Board of Directors will review the appeal, and in its sole discretion, determine whether the Personnel Committee's recommendation should be upheld or if further testimony or other action is required. The Board of Directors determination is final.

7.5 Corrective Action

Situations sometimes arise when an employee's job performance does not meet Westside's standards. The organization has established a system of progressive discipline that includes verbal warnings, written warnings, suspension and termination. The system is not formal and Westside may, at its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to and including termination of employment. Some example include, but are not limed to: an employee's inability to perform his or her job duties, his or her engaging in disruptive behavior; or his or her poor attendance, misconduct, or violation of Westside's policies.

Corrective Action is a method of imposing corrective actions in steps, followed by consequences if the employee does not take the corrective actions to improve performance. If the offense is not terminable then it merits an informal correction and subsequent offenses result in progressively harsher penalties. The goal is always to change the behavior by helping employees understand what they have done wrong.

The four basic steps to Corrective Action include:

- Documented informal counseling
- Performance Plans
- Suspension
- Termination

SECTION VIII
Organization Property

8.1 Organization Property

All furniture, computers, vehicles and other equipment issued to an employee are the property of Westside and must be maintained according to organization rules and regulations.

- All Westside property must be kept clean and is to be used only for work-related purposes.
- Westside reserves the right to inspect all organizational property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence. Employees should have no expectation of privacy with respect to organizational property.
- Organization voice mail and/or electronic mail (e-mail) are to be used for business purposes only. Westside reserves the right to monitor voicemail messages and e-mail messages to ensure compliance with this rule, without notice to the employee, at any time, and not necessarily in the employee's presence. Employees should have no expectation of privacy with respect to voicemail, email or Internet usage.
- Westside may periodically need to assign and/or change "passwords" and personal codes for voice mail, computer, email, cell phone and other equipment issued with passwords. These communication technologies and related storage media and databases are to be used only for organizational business and remain the property of Westside. Westside reserves the right to keep a record of all passwords and codes used and/or may be able to override any such password system, and the use of passwords does not confer any right of privacy upon any employee of the company.
- Prior authorization must be obtained before any organizational property may be removed from the premises.
- For security reasons, employees should not leave personal belongings of value in the workplace. Personal items are subject to inspection and search, with or without notice, with or without, the employee's prior consent.
- Terminated employees should remove any personal items at the time they leave Westside. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee's termination.
- All employees are expected to keep work areas clean and organized. People using common areas such as lunch rooms, meeting areas, and restrooms are expected to keep them sanitary. Please clean up after meals and dispose of trash properly, including recycling.

Any questions or comments around organizational property will be directed to the Operations Manager at 415.431.9000 x 333.

8.2 Electronic Communication Systems Policy

Westside uses various forms of electronic communication systems including but not limited to computers, email, telephones, internet, cell phones, personal digital assistants (PDA's) and other communication devices. All electronic communications, including all software, databases, hardware and digital files remain the sole property of Westside and are to be used only for organization business

and not for any personal use.

8.3 Personal Use of Westside Cell Phones

Cell phones are a valuable tool that will be made available to some employees as Westside deems necessary. Organization cell phones are to be used in business-related and emergency situations. All messages sent, received, or stored on the organization cell phone will be treated as business messages, and therefore Westside has a right to access, review, copy, disclose or delete any messages. Personal messages will be treated the same as other messages. Users can expect no privacy.

Westside understands that events may come up when an employee may need to use our organization provided cell phone. An organization cell phone may be used for personal uses as long as the usage is within the allotted minutes as indicated on his/her cell phone agreement. Employees are responsible for paying for additional time to their plan attributed to personal use.

8.4 Use of Westside and Personal Vehicles While Conducting Organization Business

Employees who are required to drive an organization vehicle or their own vehicles on Westside business will be required to show proof of current valid driving licenses and current effective insurance coverage before the first day of employment. Westside participates in a system that regularly checks state Department of Motor Vehicles (DMV) records of all employees who drive as part of their job.

Westside retains the right to transfer to an alternative position, suspend or terminate an employee whose license is revoked, or who fails to maintain personal automobile insurance coverage or who is uninsurable under the organization's policy.

If an employee receives a citation while driving an organization vehicle (parking, moving, etc.) it is the sole responsibility of the employee to pay for the citation. A copy of the citation and receipt should be submitted to the Operations Manager within fourteen (14) business days of the occurrence. This includes citations received conducting Westside business in organization and personal vehicles.

8.5 Prohibited Use of Cell Phone While Driving

As of July 1, 2008, all persons are prohibited from driving a motor vehicle while using a wireless telephone, unless using a hands-free device. Writing, sending, or reading text-based communication, including text messages, instant messages, and e-mail, on a wireless device or cell phone while driving is also prohibited under this policy. The prohibition would not apply to such a person using a wireless telephone or a mobile service device for emergency purposes. Violating this policy is a violation of law and a violation of Westside rules. Westside is not responsible for any fees incurred as a result of violation of this law while conducting Westside business.

8.6 Equipment and Furniture

Westside equipment or furniture cannot be removed or transported from Westside premises without the prior approval of the Operations Manager. Employees requesting an intra-agency transfer of Westside's equipment or furniture must complete the necessary forms and obtain the approval from the Operations Manager. Use of Westside equipment or furniture for personal purposes or personal gain is prohibited at all times.

8.7 Office Equipment and Supplies

All office equipment, including but not limited to fax machines, mail machines, photo copier and office supplies, shall only be used for Westside official business. Use of these items for personal purposes or personal gain is prohibited.

8.8 Postage/Stationary

Westside will not pay postage for personal US mail. Employees are prohibited from using Westside stationary for personal, non-Westside business.

8.9 Off-Duty Use of Westside Facilities

Employees are prohibited from remaining on Westside premises or making use of organization facilities while not on duty without prior approval from his/her supervisor or manager. Employees are expressly prohibited from using organization facilities or property for personal use.

8.10 Parking on Westside Property

Employees may park their personal vehicles in designated Westside parking areas, if space permits. Employees may not use parking areas specifically designated for customers, vendors, organizational vehicles, or reserved for managers (i.e. white zones).

Westside is not responsible for any loss or damage to employee vehicles or contents while parked on any organization property.

8.11 Solicitation and Distribution of Literature on Westside Property

In order to ensure efficient operation of our business and to prevent disruption to employees, Westside has enacted rules applicable to all employees governing solicitation, distribution of written material, and entry onto the premises and work areas. All employees are expected to comply strictly with these rules. Any employee who has questions concerning the application of these rules should consult with his/her supervisor/manager.

No employee shall solicit or promote support for any cause or organization during his or her working time, or during the working time of the employee or employees at whom such activity is directed.

No employee shall distribute or circulate any written or printed material in work areas during his or her working time, or during the working time of the employee or employees at whom such activity is directed.

Under no circumstances will non-employees be permitted to solicit or to distribute written material for any purpose on organization property.

SECTION IX
Employee Conduct

9.1 Rules of Conduct and their Enforcement

In general, rules of conduct are necessary to:

- Assure a safe, efficient business operation
- Assure compliance with laws
- Protect the well being, safety and rights of each person

When an employee does not adhere to one or more of the policies, procedures and professional standards of conduct, or if the performance is below requirements, discipline will be administered. The purpose of the discipline is not necessarily to punish, but is often to emphasize the necessity that the employee change his/her behavior.

Westside makes every effort to impose discipline in a timely manner. At times, however, the need to investigate an incident fully may require a delay in imposing disciplinary action. In the case of an incident that is considered severe, Westside reserves the right to suspend an employee without pay, pending completion of the investigation and final action.

9.2 Prohibited Conduct

The following conduct is prohibited and will not be tolerated by Westside. This list of prohibited conduct is illustrative only. Other types of conduct including, but not limited to, poor performance or conduct that threatens security, personal safety, employee welfare and organization operations are also prohibited and may be grounds for termination:

- Falsifying employment records, employment information, or other organization records;
- Recording the work time of another employee or allowing any other employee to record your work time, or falsifying any time card, either your own or another employee's;
- Theft and deliberate or careless damage or destruction of any organization property, or the property of any employee or customer;
- Removing or borrowing organization property without prior authorization;
- Unauthorized use of organization equipment, time, materials, or facilities;
- Provoking a fight or fighting during working hours on organization property;
- Participating in horseplay or practical jokes on organization time or on organization premises;
- Carrying firearms or any other dangerous weapons on organization premises at any time;
- Engaging in criminal conduct during the workday, while on Westside premises, and/or conviction of a crime that indicates unfitness for the job that raises a threat to the safety of Westside or its employees, clients or property;
- Causing, creating, or participating in a disruption of any kind during working hours on

organization property;

- Insubordination, including but not limited to, failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management;
- Using abusive language at any time on organization premises;
- Failing to notify a supervisor when unable to report to work;
- Unreported absence of three consecutive scheduled workdays;
- Failing to obtain permission to leave work for any reason during normal working hours;
- Failing to observe working schedules, including rest and lunch periods;
- Failing to provide a physician's certificate when requested or required to do so;
- Sleeping or malingering on the job;
- Making or accepting personal telephone calls, including cell phone calls, of more than three minutes in duration during working hours, except in cases of emergency;
- Working overtime without authorization or refusing to work assigned overtime;
- Wearing disturbing, unprofessional or inappropriate styles of dress or hair while working;
- Violating any safety, health, security or organization policy, rule or procedure;
- Committing a fraudulent act or a breach of trust under any circumstances; and
- Committing of, or involvement in, any act of unlawful harassment of another individual.

This statement of prohibited conduct does not alter the organization's policy of at-will employment. Either the employee or Westside remain free to terminate the employment relationship at any time, for any reason, with or without reason or advance notice. Westside also reserves the right to proceed directly to any form of discipline and/or termination without resorting to any type of warning.

9.3 Outside Employment

Westside expects an employee's best efforts and full loyalty in the performance of your duties, whether as a full-time, part-time or temporary employee. Employment at Westside is a full-time responsibility, nonetheless, employees may engage in outside employment, including self-employment under the following conditions:

1. Such employment shall not be conducted during employee's regular work hours with Westside unless they obtained prior written approval from their supervisor/manager, the Human Resources Manager or the Chief Executive Officer;

2. Such employment shall not be conducted on Westside's premises, or entail use of Westside's property or services, unless they obtain the prior written approval of the Westside Chief Executive Officer;
3. Such employment must not involve a conflict of interest, or is incompatible with the employee's position at Westside as determined by the Board of Directors of Westside.

The employee should consider the impact that outside employment may have on their health and physical endurance. Regardless of any outside work requirements, they will be subject to Westside's scheduling demands and they will be judged by the same performance standards as Westside employees who do not have outside employment, including self-employment. They are required to give the Human Resources Manager or the Chief Executive Officer the name of the outside employer, the type of business and the number of hours to be worked each week before or immediately after they accept or commence such outside employment. Westside will advise the employee in writing of any possible Conflict of Interest that is present.

Westside reserves the right to limit the number of hours employees may work in outside employment or to prohibit outside employment, whenever Westside legally determines that circumstances warrant such action. Even after permission for outside employment has been granted, Westside retains the right to reconsider this decision. If Westside determines that the outside work interferes with your work performance, or other ability to meet Westside requirements, you may be asked to terminate the outside employment if you wish to remain a Westside employee.

Employees may not engage in outside employment while absent from Westside due to illness or injury, or on a leave of absence, including leaves due to work-related injury or illness, unless the employee has received advance written permission from Westside's Human Resources Manager or Chief Executive Officer.

9.4 Conflict of Interest

All employees must avoid situations involving actual or potential conflict of interest. Personal or romantic involvement with a competitor, supplier, or subordinate employee of Westside which impairs an employee's ability to exercise good judgment on behalf of the organization, creates an actual or potential conflict of interest.

An employee involved in any of the types of relationships or situations described in this policy should immediately and fully disclose the relevant circumstances to his or her immediate supervisor, or any other appropriate supervisor, for a determination of whether a potential or actual conflict exists. If an actual or potential conflict is determined, Westside may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

9.5 Protection of Confidential Information

Each employee is responsible for safeguarding the confidential information obtained during employment. This includes, but is not limited to information which is protected by the Health Insurance Portability and Accountability Act ("HIPAA").

The program participants and employees of Westside entrust Westside with important financial, personal and other information. The nature of the relationship requires maintenance of confidentiality.

During the course of your employment, you may also have access to, learn of, or come into possession of proprietary or confidential information that belongs to Westside or Westside's vendors, program participants, and others, including but not limited to information regarding Westside's program participants and their families, financial information, budget information, grant application materials, contracts, marketing and business plans, proprietary software and personal and compensation information. All such information is strictly confidential and may not be disclosed to family members, or to any former employee or employee of Westside who is not entitled to such information, without the written consent of the Human Resources Manager or the Chief Executive Officer. This obligation to safeguard information exists both during employment and after employment ends. If you have any doubt that the information is confidential, it should be resolved by treating the information as confidential. Any questions regarding the confidentiality or non-confidentiality of information should be directed to the Chief Executive Officer.

All writings that contain confidential information prepared by you or that otherwise came into your possession during your employment, are, and will remain, the property of Westside. When requested by Westside or when you leave Westside, you must immediately return to Westside all writings and other tangible things that are in your possession, including any copies. This includes electronic information or data that you may have in your possession or control.

All employees are required to sign a confidentiality agreement that outlines the obligation of this policy, as a condition of hire and continued employment. If you violate Westside's confidential information policy, you will be subject to discipline up to and including immediate termination.

All employees shall protect Westside's confidential or proprietary information against improper use and access and shall not use any confidential or proprietary information outside of the context of the employee's official Westside duties. Employees shall not remove Westside's records or documents from the premises or use such documents or information for personal gain or benefit.

If an employee violates Westside's confidential information policy, you will be subject to discipline up to and including immediate termination.

9.6 Release of Information and Client Confidentiality

Client information can only be released by "court order" or by written consent of the client.

All "court orders and subpoenas" must be submitted immediately to the Chief Executive Officer for processing by the Westside attorney.

The written consent form must be a properly executed document, forwarded to the Chief Executive Officer. Only the Chief Executive Officer or his/her designee has the authority to act upon a written consent form and release any information to attorneys of other individuals who request information based on a release signed by a client.

The above does not include the exchange of patient information between treatment agencies where the "Release of Information Form" has been properly executed.

9.7 Ownership of Intellectual Property

For the purposes of this policy, intellectual property is any document or materials deemed to have been developed during the period of employment and/or consultancy, unless the employee or consultant can provide evidence to the contrary.

Any intellectual property developed by Westside employees during the term of their employment or during any period that they serve as a consultant to Westside solely or jointly with others, which are made with Westside equipment, supplies, facilities, or time, or which relate to the business of Westside or Westside's actual or demonstrated anticipated development, funding, or service activities, or which result from any work performed by an employee for Westside, are intellectual property and shall belong and be assigned to Westside. Westside shall have the right to keep such documents or materials as intellectual property, if Westside so chooses.

As a condition of hire and continued employment, all employees are required to sign a written agreement that outlines the obligations of this policy. A copy of the agreement is in Appendix A of this handbook, and is also available from the Human Resources Manager.

9.8 Acceptance of Outside Speaking Engagements or Personal Appearances

Regarding speaking engagements accepted on behalf of Westside:

- All speaking engagements by employees/volunteers/members who are representing Westside or speaking on behalf Westside must be approved by the Division Director or Chief Executive Officer, in writing, in advance of accepting the invitation.
- Any Honoraria, fee or other gift received by employees who represent Westside at public events is the property of Westside and should be made payable to Westside Community Services.
- Preparation time and time spent representing Westside at such speaking engagements can be counted against the hours compensated by Westside.

Regarding speaking engagements where the employee does not represent Westside:

- Employees who are invited to speak or appear to share their personal philosophies and thoughts, and who are not representing Westside, may accept honoraria, fees or other gifts for their personal use. Such fees /gifts should be made to the individual and not to Westside.
- Preparation time and time spent in personal appearances by employees cannot be substituted for or counted against the number of compensated hours and worked each week for Westside. Employee time sheets must reflect the required number of hours of work without counting hours spent in preparation for or in making personal appearances.
- Westside will not underwrite personal appearances costs. Travel, food, and lodging costs and other expenses will not be paid by Westside when an individual employee is representing themselves.

- Employees who speak but are not representatives of Westside must take all necessary steps to ensure that the appearance is not “on behalf of Westside”.

9.9 Representing Westside Community Services

Under no circumstances should you represent your employment with Westside in such a way that it influences others to engage you or to otherwise do business with you, with respect to outside speaking engagements, when they might not otherwise have done so.

9.10 Punctuality and Attendance

As an employee of Westside, you are expected to be punctual and regular in attendance. Any tardiness or absence causes problems for their fellow employees and their supervisor/manager. When an employee is absent, their assigned work must be performed by others. Below are guidelines around attendance at Westside:

- Employees are expected to report to work as scheduled, on time, and prepared to start work. Employees are also expected to remain at work for their entire work schedule, except for meal periods or when required to leave on authorized business. Late arrival, early departure, or other unanticipated and unapproved absences from scheduled hours are disruptive and must be avoided.
- If they are unable to report for work on any particular day, you must under all but the most extenuating circumstances call your supervisor/manager at least one hour prior to the time you are scheduled to begin working for that day.
- If they call less than two hours before your scheduled time to begin work and do not arrive in time for your assigned shift, you will be considered tardy for that day. In all cases of absence or tardiness, employees must provide their supervisor/manager with an honest reason or explanation. Employees must also inform their supervisor/manager of the expected duration of any absence.
- Any employee out for illness great than three days for themselves or for a family member must provide a doctor’s notice to their supervisor/manager.
- Excessive absenteeism or tardiness that is unexcused will not be tolerated. Westside defines excessive absenteeism as more than three (3) consecutive unexcused days. All employees that are absent for three (3) unexcused consecutive days will be viewed as job abandonment, and will be grounds for termination.
- If they fail to report for work without any notification to their supervisor and their absence continues for a period of three days, Westside will consider that they have abandoned your employment.

For questions regarding punctuality and attendance, contact Human Resources.

9.11 Absenteeism and Tardiness Policy

All employees are expected to report to work as scheduled and to work their scheduled hours and required overtime. The following outlines the company's policy governing absences and tardiness.

Chargeable Absences

Employees will be charged with an absence when they fail to report for their scheduled work hours. Workers who leave early or extend authorized breaks past their official limits by more than 5 minutes will be charged with a partial absence. Absences for which employees will be charged with an occurrence include failures to report for such reasons as personal business, an illness or accident not involving hospitalization, or an emergency other than those officially recognized by the employer, such as weather-related closings. The employer has the right to require workers to submit a doctor's note or undergo a physical examination to verify a claim of illness or injury. Absences of several days' duration will be treated as one occurrence. Two partial absences will be considered one occurrence. Absences that will not result in an occurrence charge include those involving jury or military duty, work-related injuries or illnesses, hospital confinement, and the use of authorized bereavement leave.

Notification Procedures

Employees must notify their supervisor in advance, and in no case later than one hour before their starting time of their inability to report for work as scheduled. If a supervisor cannot be reached, workers should inform the personnel office that they will not be able to show up for work. In providing notification, employees should give a reason for their absence and an estimate of when they will return to work. Supervisors will maintain written records of employees' absences and tardiness, including the reasons given for missing work. Employees absent for three consecutive working days without notifying the employer are subject to termination as voluntary quits.

Discipline for Absenteeism

Once employees have accumulated a total of two occurrences in a one-month period, their supervisor will discuss with them the reasons for their absences and the organization's need for regular attendance. Additional absences will be subject to discipline as follows:

- the third occurrence results in an oral warning;
- the fourth occurrence elicits a written warning;
- the fifth occurrence leads to a three-day suspension; and
- the sixth occurrence leads to termination.

Discipline for Tardiness

Once employees have accumulated a total of four tardy occurrences in a three-month period, their supervisor will discuss with them the reasons for their tardiness and the organization's need for employee to be to work on time. Additional tardiness will be subject to discipline as follows:

- fifth occurrence results in an oral warning;

- sixth occurrence elicits a written warning/performance plan;
- seventh occurrence leads to a three-day suspension; and
- eighth occurrence leads to termination.

Supervisors will provide counseling at each step of this progressive procedure, and will refer employees to outside sources of counseling and assistance for help in dealing with medical, physical, or personal difficulties related to their attendance problems. In dealing with attendance problems—especially those involving an illness or physical or mental incapacity to report for work—the employer will consider all the facts and circumstances, including the employee's overall attendance and performance records, reasons for missing work, and prospects for future improvement and maintenance of an acceptable attendance record. The employer reserves the right to make exceptions to the disciplinary procedures outlined above in the interest of fairness.

9.12 Off-Duty Conduct

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

While employed by Westside, employees are expected to devote their energies to their jobs with the organization. The following types of employment elsewhere are strictly prohibited:

- Additional employment that conflicts with an employee's work schedule, duties and responsibilities at the organization;
- Additional employment that creates a conflict of interest or is incompatible with the employee's position with the organization;
- Additional employment that impairs or has a detrimental effect on the employee's work performance with the organization;
- Additional employment that requires the employee to conduct work or related activities on organization property during the employer's working hours or using organization facilities and/or equipment; and
- Additional employment that directly or indirectly competes with the business or the interests of the organization.

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

9.13 News Media Contacts

Employees may be approached for interviews or comments by the news media. Only contact people designated by the Chief Executive Officer/CEO may comment to news reporters on Westside policy or events relevant to Westside.

9.14 Client Relations

Employees are expected to be polite, courteous, prompt, and attentive to every client. When an employee encounters an uncomfortable situation that he or she does not feel capable of handling, their supervisor or a senior staff member should be called immediately.

Ours is a service business and all of us must remember that our clients always come first. Our clients ultimately pay all of our wages. Remember, while the client is not always right, the client is never wrong.

Clients are to be treated courteously and given proper attention at all times. Never regard a client's question or concern as an interruption or an annoyance. You must respond to inquiries from customers, whether in person or by telephone, promptly and professionally.

Never place a telephone caller on hold for an extended period. Direct incoming calls to the appropriate person and make sure the call is received.

Through your conduct, show your desire to assist the client in obtaining the help he or she needs. If you are unable to help a customer, find someone who can.

All correspondence and documents, whether to clients or others, must be neatly prepared and error-free. Attention to accuracy and detail in all paperwork demonstrates your commitment to those with whom we do business.

Never argue with a client. If a problem develops or if a client remains dissatisfied, ask your supervisor/manager to intervene.

9.15 Non-Fraternization

In order to promote the efficient operation of Westside and to avoid any misunderstandings, complaints of favoritism, ethical conflicts, claims of harassment, and other problems of supervision, security and morale, Westside has a non-fraternization policy that applies both to relationships among employees and to relationships between employees and Westside clients.

Employees are forbidden from dating or pursuing romantic or sexual relationships with employees with whom they have a supervisory (direct or indirect) or direct working relationship. Employees are similarly forbidden from dating or pursuing romantic or sexual relationships with patients or clients of Westside, whether or not the relationship is pursued outside of working hours.

Employees who violate this policy will be subject to discipline, up to and including termination of employment.

9.16 Agency Dress Code

Employees are expected to wear clothing appropriate for the nature of our business and the type of work performed. Clothing should be neat, clean and tasteful. Avoid clothing that can create a safety hazard. Program managers may issue more specific guidelines. Remember that some employees are allergic to the chemicals in perfumes and makeup, so wear these substances with restraint.

9.17 Business Conduct and Ethics

No employee may accept a gift or gratuity from any customer, vendor, supplier, or other person doing business with Westside greater than \$25. Doing so, it may give the appearance of influencing business decisions, transactions or service. Please discuss expenses paid by such persons for business meals or trips with your manager/supervisor in advance.

9.18 Collection of Supervised Licensing / Certification Hours

Westside makes a good faith effort to arrange for supervision required for the purposes of licensure or certification. However, it is the staff member's responsibility to notify us of their request, at which time we will arrange for such supervision if it is available.

While the provision of supervision to registered interns, associates, and the like is desired, the agency recognizes that there are multiple and differing requirements as to how this supervision may be obtained. For example, there is no one type of licensed supervisor who can provide licensing hours to all disciplines.

If Westside initiates the provision of supervision for the purposes of licensure or certification, there is no guarantee that this supervision will be permanent.

9.19 Licensure Policy

New Hires/Rehires

All applicants for positions that require California licensure, registration, certification, or waiver must show proof of possession of the requisite current license or certificate prior to beginning employment with Westside Community Services. A copy of the original current license or certificate must be presented to Human Resources before an employee may be authorized to begin employment. California licensure, registration, certification, or waiver must be verifiable from the primary source in order to be considered valid.

Maintaining Current Licensure or Certification After Employment

Employees are solely responsible for tracking professional requirements and maintaining their licensure, registration, certification, or waiver. Human Resources and management will monitor the status of current employee licenses or certification information, but will not be responsible for notifying employees of the need to renew their status.

Suspension Process

If a copy of the current California licensure, registration, certification or waiver, expires or is not available by the start of an employees' workday, the employee will be placed on administrative suspension without pay effective immediately (**employees may not use PTO during this time, if available**). The manager will retain the employee on suspension for a period of up to 15 days or upon presentation of current California licensure, registration, certification or waiver, whichever comes first. It is the responsibility of the employee to present a copy of the current California licensure, registration, certification or waiver, to Human Resources before returning to work. California licensure, registration, certification or waiver must be verifiable from the primary source in order to be considered valid.

Termination Process

If a copy of the current California licensure, registration, certification or waiver has not been received by Human Resources by the end of the 15 day suspension period, the employee will be terminated. A letter will be mailed to the employee's home address notifying the employee of the termination of his/her employment for failure to present evidence of current California licensure, registration, certification, or waiver.

Managers may not permit an unlicensed or uncertified employee to continue working.

SECTION X

Wages

10.1 Salary Policy and Rates

The Board of Directors sets the individual compensation of the Chief Executive Officer and Chief Financial Officer, including benefits.

The Board of Directors establishes the salary policy for the organization as a whole, including, but not limited to, adjustments to general salary levels based on available revenue.

10.2 Payment of Wages

Pay periods begin on Sunday and end two weeks later on Saturday. A schedule of pay periods and paydays is made available to all employees during employee orientation.

All employees of Westside are paid every other Friday for work performed during the previous two-week pay period. If a regular payday falls on a holiday, employees will be paid on the last day worked before the holiday.

10.3 Payroll Deductions

Deductions are taken from the employee's paycheck for all legally required payments such as Federal and State Income Tax, Social Security and fees, Medicare and State Disability Insurance. Certain other deductions may be made for such things as required insurance premiums and other payments you specifically authorize, such as union dues, credit union deposits, Section 125 (Flex Plans), deposits, charitable campaign contributions, etc. The payroll check stub contains an itemization of all payroll deductions and available Paid Time Off (PTO) leave.

10.4 Overpayments

In the event that an overpayment is made, the employee is expected to pay this money back to Westside. Westside will deduct the money from the employee's first regular paycheck following the discovery of the overpayment. When repayment for the entire overpayment in a lump sum would cause hardship for the affected employee, the employee may discuss a reasonable repayment schedule through the Human Resources Manager.

10.5 Underpayments

All payroll shortages should be discussed with the Human Resources Manager as soon as it is discovered. The Human Resources Manager will review the documentation to correct the shortage and forward it to the Fiscal Department who will make the necessary changes and issue the employee a check to correct the shortage.

10.6 Direct Deposits

Westside offers automatic payroll deposit for its employees. Employees who elect to have his/her pay automatically deposited through the electric transfer of funds option should contact the Human Resources Manager for more information.

The Human Resources Manager should be notified within fifteen (15) days of any changes to an employee's bank account information. Westside will not be responsible for any bank charges an employee incurs as the result of failure to properly notify the Human Resources Manager of any bank errors made by the employee's bank.

10.7 Payroll Advances

Westside will not provide payroll advances or extend credit to employees under any circumstances.

10.8 Bi-Lingual Premium

A non-exempt employee shall be paid a premium on their hourly wage of two (2%) percent for providing culturally and linguistically appropriate services based on the following requirements:

- The employee regularly and consistently uses his or her non-English language for the purpose of providing services to patients, based on his/her job classification in the course of his/her employment;
- The non-English language is a threshold language as defined by Medi-Cal; and
- The employee passes a proficiency exam test in the non-English language and the culture associated with that language. This proficiency test will be both written and oral, and will be created and/or determined by Westside.

Workers who meet the bi-lingual threshold will have the opportunity to meet with their supervisor on a quarterly basis to adjust work load if necessary due to the extra duties associated with translation.

Westside retains the sole discretion to determine if an employee meets the threshold requirements.

10.9 Longevity Pay

Westside shall establish a longevity premium for employees employed with the organization after completion of an initial five (5) years of service, and after each additional five (5) years of service. The premium shall be an additional thirty cent (\$.30) per hour.

Employees who have already worked more than five (5) years for Westside shall receive a thirty cent (\$.30) per hour increase upon ratification of this contract, and any additional premium in five year increments.

This section shall not apply to exempt employees.

10.10 Overtime for Non-Exempt Employees

An employee may be required to work overtime hours to meet program or agency needs.

Exempt employees may have to work beyond their normal schedules as work demands require. No overtime compensation will be paid to exempt employees.

Overtime compensation will be paid to all non-exempt employees in accordance with Federal and State wage and hour laws. Overtime is defined by law as hours worked over eight hours in a workday.

Non-exempt employees who work in excess of 7.5 or 8 hours in a workday are eligible for overtime and will be compensated at the rate of one and one-half times the employee's regular rate of pay. Overtime compensation for hours in excess of twelve (12) hours in one workday will be paid at double the rate of pay. Paid Time Off (PTO), holidays or leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Overtime for purposes of making up for voluntary absences will not be authorized.

All overtime work must have prior written authorization by an employee's immediate supervisor or manager. Employees who work overtime without receiving prior written authorization from his/her supervisor or manager may be subject to disciplinary action.

10.11 Pay for Mandatory Meetings/Training

The employee will be paid at the regular rate of pay for time spent at meetings, lectures and training programs. Any hours in excess of 7.5 or 8 hours (dependent upon regular schedule) or 37.5 or 40 hours in a week will be paid at the appropriate overtime rate, at the hourly rate in effect at the time the overtime work is being performed.

10.12 Makeup Time

Westside allows the use of makeup time when non-exempt employees need time off to tend to personal obligations.

All makeup time must be worked in the same workweek as the time taken off. Employees may not work more than 11 hours in a day or 40 hours in a workweek, depending on their program, as a result of making up time that was or would be lost due to a personal obligation. In such instances, makeup time worked will not be paid at an overtime rate.

Employees may take time off that he/she will make up later in the same workweek, or may work extra hours earlier in the workweek to make up for time that will be taken off later in the workweek.

Makeup time requests must be submitted in writing to an employee's supervisor or manager on the organization provided form. Requests will be considered for approval based on the legitimate business needs of the organization at the time the requests is submitted. A separate written request is required for each occasion the employee requests makeup time.

If an employee requests time that will be made up later in the week, he/she must submit his/her requests at least 24 hours in advance of the desired time off. If he/she requests to work makeup time

first in order to take time off later in the workweek, an employee must submit his/her requests 24 hours before working the makeup time.

If an employee is unable to work the scheduled makeup time for any reason, the employee's supervisor or manager may arrange another day to makeup the time based on scheduling needs. If an employee works makeup time in advance of time he/she plans to take time off, he/she must take the time off, even if he/she no longer needs the time off for any reason. Otherwise, the scheduled makeup time will be deducted from the employee's accrued Paid Time Off (PTO), if applicable.

10.13 Meal and Rest Periods

All nonexempt employees are entitled to periodic rest break periods during their workday. If you are a nonexempt employee, you will be paid for all such break periods and you will not clock out. Your supervisor will advise you of the time and duration of your breaks and you are expected to return to work promptly at the end of any rest break.

Generally, you will be entitled to one (1) 15-minute rest break for every four hours you work (or major fraction thereof, which is defined as two hours). If you work more than six hours and up to 10 hours in a workday, you will receive one rest break during the first half of your shift and one rest break during the second half of your shift. If you work more than 10 hours and up to 14 hours, you will be entitled to one additional paid 15-minute rest break. **Employees may not combine breaks and lunch periods.**

If you work more than five hours in a workday, you are also entitled to an unpaid meal period of at least 30 minutes. If you work more than 10 hours, you are entitled to a second, unpaid meal period of at least 30 minutes. Depending on the circumstances, you may be able to waive your second meal period if you took the first one. You must clock out for your meal period. Your supervisor will advise you of the scheduling of your meal period. You must not perform any work during your meal period, and you must stop working for at least 30 full, consecutive minutes.

All rest breaks and meal periods must be taken away from the regular work area. You may leave the premises for your meal periods.

If for any reason you do not take the applicable rest breaks and/or meal periods, you must notify your supervisor immediately.

SECTION XI
Your Safety and Health at Westside

11.1 Safe Work Places

Westside is committed to providing and maintaining a healthy and safe environment for all its program participants, visitors and employees. This policy requires the active participants of all Westside employees, consultants, volunteers and vendors.

Each employee can help prevent needless accidents by observing the following safety rules:

- Each employees is responsible for the proper care and maintenance of their work area;
- Hazardous conditions at any facility must be immediately brought to the attention of an immediate supervisor/manager, the Operations Manager, or the Chief Executive Officer;
- Whenever there is a actual incident is assaults, threats, or destruction of property, employees are required to notify their immediate supervisor/manager or the Chief Executive Officer;
- Whenever there is a critical incident i.e., assaults, threats, or destruction of property employees are required to notify their immediate supervisor/manager or the Chief Executive Officer;
- Every employee is required to ensure the safety of their clients. Employees must remove clients from unsafe conditions. Clients who are hurt on-site must be immediately referred to the nearest medical facility for medical clearance.
- Injuries on the job, no matter how slight, should be reported immediately to the supervisor/manager or Human Resources Manager, and an Incident Report should be completed.
- The management or cleanup of hazardous materials, i.e., bodily fluids, is to only be attended to by employees trained in universal precautions to assure proper treatment and disposal.

You are required to know and comply with Westside's general safety rules and to follow safe work practices at all times. You are also expected to report immediately to your supervisor/manager or the Human Resources Manager any potential health or safety hazards, and all injuries or accidents.

If you have any questions about these rules, or if you think you have noticed a potential safety problem, you should immediately contact your supervisor/manager, the Operations Manager, or the Human Resources Manager.

Failure to follow these safety rules may be grounds for immediate dismissal.

11.2 Safety and Health

All employees are responsible for their own safety, as well as that of others in the workplace. To help Westside maintain a safe workplace, everyone must be safety conscious at all times. Report all work-related injuries or illnesses immediately to your supervisor/manager or to the Human Resources Manager. In compliance with California Law, and to promote the concept of a safe workplace, Westside maintains an Injury and Illness Prevention program. The Injury and Illness Prevention program is available for review by employees and/or employee representatives in the Human Resources Manager's office.

11.3 Employee Injuries and Illnesses

If an employee or a co-worker are injured while performing job duties for Westside, the injuries must immediately be reported to their supervisor/manager, the Human Resources Manager or the Chief Executive Officer, no matter how minor it appears and even if medical treatment is not required.

If an employee, a co-worker or a program participant requires emergency medical treatment, dial 911 and request ambulance paramedics. Notify the supervisor/manager, the Human Resources Manager or the Operations Manager immediately after seeking medical assistance.

Prior to their return to work, if they are injured, Westside required every employee to obtain a doctor's certification that the injured employee is fit to return to work with or without reasonable accommodations where applicable, and/or is fit to participate in the modified duty program. Information regarding claims for Workers Compensation benefits should be forwarded to the Human Resources Manager.

11.4 Non-Employee Injuries and Accidents

If an employee learns that a program participant, vendor or other visitor has been injured on Westside property, the following procedures must be followed:

- If the injury is an emergency, get medical help and call your supervisor/manager, the Human Resources Manager or the Chief Executive Officer immediately.
- If the injury is a non-emergency and involves a vendor and/or visitor, call your supervisor/manager, the Operations Manager or the Chief Executive Officer as soon as possible to report the accident.
- Handle all non-employee accidents quickly and professionally, without embarrassing the person. Let the Operations Manager and the Insurance Company handle these matters instead of trying to deal with them.
- Employees must submit an Incident Report regardless of the seriousness of the incident

11.5 Ergonomics

Westside is subject to Cal/OSHA ergonomics standards for minimizing workplace repetitive motion injuries. Westside will make necessary adjustments to reduce exposure to ergonomics hazards through modifications to equipment and processes and employee training. The organization encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines.

Westside believes that reduction of ergonomics and risks maintaining an environment of personal safety and well-being is essential to our business. The organization intends to provide appropriate resources to create a risk-free environment.

Any questions about ergonomics, please contact the Operations Manager at 415-431-9000 ext.333.

11.6 Hazardous Materials

In compliance with Proposition 65, Westside will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

11.7 Building Security (Owned and Leased Property)

It is the responsibility of all employees to assure that their work area is secure upon leaving the building at the end of his/her shift, including locking windows, doors and filing cabinets, turning off lights and computer monitor, computer towers or desktop units can be left on. If fan, heaters, or coffee makers are used during business hours, employees are responsible for assuring that these items are unplugged after use and/or at the end of the workday.

11.8 Physical Plant Safety

It is the responsibility of each employee to maintain the worksite in a manner that is clean, neat and attractive and will provide for the safety of clients, employees and visitors. Unsafe conditions are to be reported to your supervisor/manager, the Human Resources Manager or Chief Executive Officer immediately.

11.9 Fire, Earthquakes and Emergencies

If a major fire occurs at Westside, you should notify the local fire department and your supervisor/manager and the Human Resources Manager immediately. If the fire is out of control, evacuate employees, program participants and other non-employees from the facility as quickly as possible. Learn the locations of fire extinguishers and fire exits at Westside locations.

In the event of an earthquake, if possible, guide program participants and other visitors or volunteers to protected locations. After the shaking stops, immediately check for injuries. Learn the location of the first aid kits and flashlights at each program site.

In the event of other emergencies such as flooding or power outages, immediately call your supervisor/manager or the Operations Manager.

In all emergencies, you should use common sense and protect the safety of yourself, your fellow employees, the program participants and other non-employees. Please refer to the Emergency Preparedness manual which is located at every Westside location.

11.10 Violence in the Workplace

Because of increasing violence in the workplace, Westside has adopted the following guidelines to deal with intimidation, harassment, or any other threats of violence that may occur on our premises.

- The employee should treat all other employees and program participants with courtesy and respect at all times. Westside expects all employees to refrain from fighting, horseplay, or any other conduct that might be dangerous to others.
- The employee should not engage in any conduct that threatens, intimidates, or coerces a program participant, vendor, visitor, other members of the public or another employee, at any time, including off duty periods.

- All employees are expressly forbidden from bringing firearms, weapons, or other dangerous or hazardous devices or substance onto Westside premises.
- The employee should report all threats of violence, both direct and indirect, to their supervisor, manager as soon as possible. In making this report, the employee should be as specific and as detailed as possible.
- The employee should report all suspicious individuals or activities to their supervisor/manger, the Operations Manager, or the Human Resource Manager as soon as possible. This includes threats by employees as well as program participants and other non-employees. In making this report you should be as specific and as detailed as possible.
- Westside will promptly and thoroughly investigate all reports of threats of violence and of suspicious individuals or activities. In order to maintain workplace safety and integrity of its investigation, we may suspend employees, either with or without pay pending investigation.
- If our investigation determines that an employee is responsible for threats of violence or any other conduct that is in violation of these guidelines, we will take prompt disciplinary action, up to and including termination for the responsible individual.
- Employees should bring their disputes or differences with other employees to the supervisor/manager or the Human Resource Manager before the situation escalates into potential violence. Westside is eager to assist in the resolution of employee disputes and will not discipline any employee for raising a concern in good faith.

11.11 Crime

The employees' safety is Westside's biggest concern during any crime that may take place at the workplace. For their safety, employees must follow these procedures if a crime occurs while they are working:

1. Try to keep their fellow employees as safe as possible.
2. As soon as possible after the crime is committed, call for any medical help that might be needed.
3. As quickly as possible after the crime is committed and medical help has been called for, contact the supervisor/manager or the Human Resources Manager.
4. Describe the details of the crime in an incident report to be presented to the supervisor or manager and the Human Resources Manager. List the names of all employees at the scene when the crime took place, and get written statements from them with as many details as they can remember about the crime and the persons involved.

Reminder: Do not try to be a "hero" or to stop the crime from being committed. Your safety and the safety of others are much more important to Westside than Westside's property.

SECTION XII

Termination

12.1 Termination of Employment

There are two types of termination: voluntary and involuntary.

Voluntary Termination

Voluntary termination occurs when an employee voluntarily resigns his/her employment at Westside. An employee who voluntarily resigns from his/her position shall submit a letter of resignation as follows:

- Professional Staff – 21 days prior to date of termination
- Mid-level and Support Staff – 14 days prior to the date of termination

Notice of resignation is a professional courtesy so that Westside and the employee can agree to a transition plan. Employees are expected to do the following during this period:

- Complete or bring up to date any outstanding projects, files or assignments.
- Work with their supervisor to transition any responsibilities to other staff.
- Make an appointment with the Human Resource Manager to schedule an exit interview.

If an employee terminates employment without notice, Westside has 72 hours to prepare the final check. However, if an employee gives 72 hours notice or more, Westside will have the final paycheck ready on the last scheduled day of work. All final paychecks will be distributed by manual check. Final paychecks cannot be transferred via the electronic transfer option. The employee will receive payment for unused accrued Paid Time Off (PTO) time, up to the accrued limit of 400 hours. If the employee had been granted written authorization by the Chief Executive Officer to accrue Paid Time Off (PTO) beyond the specified maximum, the employee will be paid the total unused Paid Time Off (PTO) time.

Employees are required to relinquish all Westside property (e.g. pagers, keys, identification cards, etc.) to the Human Resources Manager during the scheduled exit interview.

An employee who resigns from a position at Westside severs all employee related connections of Westside. Former employees cannot enter confidential and client areas of the work site, contact any clients of Westside and cannot use Westside property, i.e. phone, employee, and client roster.

Employees who do not adhere to the above expectations will be ineligible for re-employment with Westside.

Involuntary Termination

All Westside-initiated terminations will be considered involuntary. Employees who are terminated involuntarily are not eligible for rehire. Termination of union employees is subject to the Collective Bargaining Agreement.

Terminated employees should remove any personal items at the time they leave Westside. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee's termination.

12.2 Reduction In Force

Under some circumstances, Westside may occasionally need to restructure or reduce its workforce. Westside has sole authority in determining when a reduction in force is necessary. If a reduction in the workforce is necessary, the procedures governing a reduction in workforce are as follows:

- Affected employees shall be given at least two (2) weeks' written notice prior to layoff or two (2) weeks' pay, in lieu of the two-week notice. No notice will be required for situations considered outside the control of the employer such as fires, natural disasters and acts of God.
- Reduction in force shall be evaluated based on the seniority system within each job classification within each department or program. In determining which employees will be subject to layoff, Westside will take into account the seniority, qualifications and past performance of those involved. Westside shall be the sole judge of the employee's qualifications.

Transfer in Lieu of Layoff

An employee who is about to be laid off may transfer to an unfilled position in another program/department for which the employee is qualified. The employee must submit a letter of interest to fill the vacant position and may be given preference over outside applicants if qualified for the position.

SECTION XIII
Training and Development

13.1 Training and Development Policy

Westside's philosophy is to provide training opportunities for employees to assure competent services. Employees are encouraged and/or required to attend relevant conferences, workshops, seminars and classes. Reimbursement for training is subject to the availability of funding.

13.2 External Employee Education

Some employees may need to attend training programs, seminars, conferences, lectures, meetings, or other outside activities for the benefit of Westside or the individual employees. Attendance at such activities, whether required by the organization or requested by individual employees, requires approval by their immediate supervisor. To obtain approval, any employee wishing to attend an activity must submit a written request detailing all relevant information, including date, hours, location, cost, expenses, and the nature, purpose, and justification for attendance. Attendance at any such event is subject to the following policies on reimbursement and compensation:

- For attendance at events required or authorized by the organization, customary and reasonable expenses will be reimbursed upon submission of proper receipts. Acceptable expenses generally include registration fees, materials, meals, transportation, and parking. Reimbursement policies regarding these expenses should be discussed with the employee's supervisor in advance of registration for such events.
- Employee attendance at authorized outside activities will be considered hours worked for non-exempt employees and will be compensated in accordance with other payroll practices and policies as described elsewhere in this handbook.

This policy does not apply to an employee's voluntary attendance, outside of normal working hours, at formal or informal educational sessions, even if such sessions generally may lead to improved job performance. While Westside generally encourages all employees to improve their knowledge, job skills, and promotional qualifications, such activities do not qualify for reimbursement or compensation under this policy, unless prior written approval is obtained as described previously in this section.

13.3 Essential Learning

Employees may participate in training through an outside vendor at no cost to the employee. Essential Learning provides customized e-learning services to human service organizations and practitioners through a variety of easy to use web-based products and a top-notch course library developed with subject matter experts. These e-learning services are designed to save organizations time and money, keep them in compliance with their training requirements, improve staff performance, help them maintain high quality consumer services and provide easy access to continuing education credits. They are also dedicated to educating the general public about recovery, wellness, mental health and substance use difficulties and clinical topics that affect consumers and family members.

Confirmation of Receipt

I have received my copy of the organization's employee handbook. I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the handbook.

I understand that except for employment at-will status, any and all policies or practices can be changed at any time by the organization. Westside reserves the right to change my hours, wages, and working conditions at any time. I understand and agree that other than the Chief Executive Officer of Westside, no manager, supervisor, or representative of the organization has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; only the Chief Executive Officer has the authority to make any such agreement and then only in writing, signed by the Chief Executive Officer.

I understand and agree that nothing in the employee handbook creates or is intended to create a promise or representation of continued employment and that employment at Westside is employment at-will; employment may be terminated at the will of either the organization or myself. My signature certifies that I understand that the foregoing agreement on at-will status is the sole and entire agreement between Westside and I concerning the duration of my employment and the circumstances under which my employment may be terminated. It supersedes all prior agreements, understandings, and representations concerning my employment with Westside.

Employee's Signature _____

Date _____