

FIRST 5 MONTEREY COUNTY BOARD BRIEFER

MEETING: Regular Commission Meeting – Monday, March 25, 2024

SUBJECT: Executive Director Report by Strategic Plan Priorities

POSSIBLE ACTION:

No action to be taken.

Commissioner Recusals: None

SUMMARY/DISCUSSION:

Organized in alignment with our new Strategic Plan Priorities:

a. Priority A: Ensure those who First 5 serves, young children and families furthest from opportunity and most impacted by systems failures, are at the center of First 5's work.

The REDI/Community Engagement to Power work is being infused throughout all our efforts. Specific activities are identified below.

- F5MC Director of Racial Equity and Strategic Partnerships Rosemary Soto is continuing collaboration with the Health Department (Public Health Nursing – PHN) to implement the grant received from DHCS for Innovations 2.0 that will support infusion of local context and early childhood diversity tenets into training for Motivational Interviewing (MI) and Facilitating Attuned Interactions (FAN). <https://diversityinformedtenets.org/>
- Coordination to implement community listening sessions for Uplift Central Coast continues. Two sessions have been held thus far: one in Greenfield and one in Salinas. Two additional ones are planned: one in Pajaro and one in Marina/Seaside. All are focusing on populations furthest from opportunity.

b. Priority B: Elevate early childhood as a priority and advocate for what families need to thrive.

- Please review the Policy, Advocacy, and Communications Report (Item 2) for timely information surrounding state and local policy topics.
- The Children's Council/Bright Beginnings and First 5 Annual Report to the Board of Supervisors took place on March 12th. Special thanks to Commissioners Medina and Reyes- Becerra for their participation in the presentation. All of the Board of Supervisors made supportive comments about the work and impact of First 5.
- ED Rodd, Nina Alcaraz, Rosemary Soto and Carlos Vega are at the First 5 California Summit: Stronger Starts 25 years of First 5 this week. ED Rodd was asked to open the session with the land acknowledgement and F5MC will be presenting on two panels. One panel focused on IFECMH and another on lessons learned thus far related to connecting our Funded Partners to Medi-Cal funding streams. <https://whova.com/web/ByqAXsgt5P9d9fYm1KeWVBHXZYqjdL3P5Z2IE-126jI%3D/>

c. Priority C: Make connections and enhance family access to integrated and collaborative services.

- The Strong Start Partnership and the Learning Groups continue holding regular meetings to support cross-communication and coordination.

d. Priority D: Build capacity with service providers, administrators, and families as they support young children.

- March has been a month full of capacity building. Between in-person AND on-line IFECMH trainings; CCECAN parent power events, and collaborations with COLIBRI and SIEDI around child care we have had our own version of March madness!

e. Priority E: Learn together with partners and community to continuously improve the programs and systems serving families.

- The transition between Persimmony and Apricot 360 is in full swing. The goal is to have the transition complete by the end of the calendar year with Funded Partners beginning entering data in by FY24/25. Funded Partners have been included in the selection, development and design of the new system and due to the extra workload related to this transfer, we did not hold several learning groups or managers' meetings this month.

FINANCIAL IMPLICATIONS:

There are no immediate financial implications from this discussion.

Francine Rodd, Executive Director

FIRST 5 MONTEREY COUNTY BOARD BRIEFER

MEETING: Regular Commission Meeting – Monday, March 25, 2024

SUBJECT: Policy, Advocacy, and Communications Team Monthly Report

POSSIBLE ACTION:

No action to be taken.

Commissioner Recusals: None

SUMMARY/DISCUSSION:

STATE:

- **Budget and Legislation:**

- **Assemblymember Gail Pellerin support for \$100 million state general fund request:** Assemblymember Gail Pellerin sent a letter to legislative budget leaders in support of the one-time \$100M funding request for First 5s. The F5 Association is refining advocacy plans and will have talking points and action items for us shortly. Please see the attached letter (Item 2a).
- **AB 2982 (Gomez-Reyes): Bright Beginnings Act - Prenatal-to-3 statewide systems workgroup:** This is a bill that will establish a statewide Prenatal-to-Three Workgroup to craft recommendations for a 10-year comprehensive, equity-focused prenatal-to-three system policy agenda. We have sent a letter of support. The F5 Association will be sending along talking points shortly. Please see the attached fact sheet (Item 2b).
- **Assemblymember Boerner supporting Continuous Medi-Cal enrollment:** Assemblymember Boerner has submitted a letter to legislative budget leaders for the inclusion of multiyear continuous Medi-Cal coverage protection for children 0 to 5 in the state budget.
- All of these documents and support letters have been shared with the county and will be shared with our legislative delegation.

- **Presentations**

- **Catalyst California - Birth to 12th grade Water Cooler Conference, April 24:** Staff was invited to present at the Catalyst California annual conference for a panel discussion titled - Transformation through Community Shared Power and Partnership. The intent is to highlight examples of authentic partnership with families and communities, where families and community members are taking the lead by being part of the decision making, as well as co-designing and/or co-implementing programs. The discussion will highlight our work through the Central Coast Early Childhood Advocacy Network.
- **All in For Kids – Community Power, April 25:** As part of their inclusion in the All in For Kids Grant, staff will present to a variety of Bay Area Funders and organizations on the work of the Central Coast Early Childhood Advocacy Network.

LOCAL:

Child Care discussions:

- **COLBRI:** F5MC is working in partnership with Building Healthy Communities and Bright Beginnings to bring together community organizations to advocate for child care in the community. The last coordinating meeting will be held on March 20th. At that meeting, the group will decide next steps together.

Central Coast Early Childhood Advocacy Network (CCECAN):

- **Transforming Child Care with Dignity, Power, Justice and Love – A Conversation with Parent Voices CA, March 19th 5:30-7p:** CCECAN is hosting a conversation with Parent Voices CA to discuss how we can collectively advocate for child care justice in CA. In the conversation we will build relationships between our two organizations, build knowledge about key state policy change proposals that will improve child care affordability, accessibility and quality and learn about upcoming advocacy opportunities.
- **Policy Learning Community, April 8, April 22, May 6 5:30-7p:** CCECAN is hosting the annual Policy Learning Community bringing together parents and caregivers to learn how to change state policy and strengthen our collective voice. Participants will learn about how a bill becomes a law, the state budget process, strengthen leadership and advocacy skills and meet with state legislators. Currently, there are over 30 people registered. Registration deadline closes on April 1st. Participants can register here: <https://bit.ly/494fIH1>.

COMMUNICATIONS:

- **Hartnell Photoshoot:** The photoshoot was a success, and we will share some of the pictures from the event at the Commission meeting.

FINANCIAL IMPLICATIONS:

There are no immediate financial implications to this discussion.

Nina Alcaraz, Director of Policy, Advocacy, and Communications



STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0028
(916) 319-2028
FAX (916) 319-2128

DISTRICT OFFICES
3150 ALMADEN EXPRESSWAY, SUITE 252
SAN JOSE, CA 95118
(408) 264-2848

701 OCEAN STREET, ROOM 318B
SANTA CRUZ, CA 95060
(831) 425-1503

17555 PEAK AVENUE, SUITE 100
MORGAN HILL, CA 95037
(408) 659-3127

March 7, 2024

The Honorable Jesse Gabriel
Chair, Assembly Budget Committee
1020 O Street, Suite 8230
Sacramento, CA 95814

The Honorable Scott Weiner
Chair, Senate Budget Committee
1020 O Street, Suite 502
Sacramento, CA 95814

The Honorable Dr. Corey Jackson
Chair, Assembly Budget Subcommittee 2
1020 N Street, Suite 6120
Sacramento, CA 95814

The Honorable Caroline Menjivar
Chair, Senate Budget Subcommittee 3
1020 N Street, Suite 6720
Sacramento, CA 95814

RE: Maintaining Critical Services for California's Youngest Children

Dear Chairs Gabriel, Jackson, Weiner, and Menjivar:

I write to respectfully request your support for a state budget allocation of \$100 million to ensure that local programs serving California's babies, toddlers, and preschoolers stay intact. This one-time funding request would be allocated to First 5 programs throughout the state and focus on the highest priority areas including:

- Family strengthening programs such as family resource centers, fatherhood programs and home visiting;
- Infant and early childhood mental health services for young children and their caregivers, and workforce training; and
- Child care and early learning supports such as provider coaching, mentoring, and stipends.

For 25 years, local First 5 programs in every county have supported the healthy development and school readiness of millions of California children. Already declining tobacco tax revenues that fund First 5 programs have been dramatically slashed since Proposition 31 (the flavored tobacco ban) was implemented last year. Tobacco tax revenue projections estimate **First 5s will need to cut \$133M** in early childhood community investments over the next two fiscal years and **\$426.8M** in the next five fiscal years. The need is urgent— more than 42% of First 5s have already made program cuts this year and 60% are planning on program cuts in 2024-25.

Without a short term, stop-gap investment from the state, programs serving tens of thousands of low-income children and children of color will end. California's babies, toddlers, and preschoolers should not bear the impact of the flavored tobacco ban in the form of fewer services and opportunities for healthy development.

Local First 5s make up a statewide, 58-county network of early childhood service providers, case managers, grant makers, program coordinators, trusted messengers, researchers, advocates, and effective public stewards of state and local funding. Together this network impacts the lives of more than 1 million kids, families and caregivers each year.

In addition to community program cuts, operational reduction in this network mean First 5s cannot coordinate local early childhood services like home visiting or serve as contract managers for CalAIM (California Advancing and Innovating Medi-Cal) community partners.

Thank you for your consideration of this request. If you have any questions, please contact my Legislative Director, Charmaine Mills, at Charmaine.Mills@asm.ca.gov.

Sincerely,



GAIL PELLERIN
ASSEMBLYMEMBER, 28TH DISTRICT



AB 2982 (Reyes): Bright Beginnings Act

SUMMARY

AB 2982 establishes a statewide Prenatal-to-Three Workgroup to craft recommendations for a 10-year comprehensive, equity-focused prenatal-to-three system policy agenda.

BACKGROUND

California has made important strides in supporting young children and their families. However, significant gaps remain, and it is critical that we comprehensively address the needs of California's infants and toddlers and their families.

Early childhood services are inequitably provided throughout the state by a patchwork of providers. Some services are Medi-Cal eligible, but with few available providers, and others are administered by counties only if resources are available. There is a need for a systemic approach that focuses on the needs of infants and toddlers, ensures access to services regardless of where children live in the state, and uplifts the strengths of all communities, cultures and languages given that 75% of our state's 0-3 population are children of color.

There is an opportunity to tailor services to communities, while ensuring equity in the services available to children across the state.

THIS BILL

AB 2982 would help California move towards more effective, universal, and equity-focused systems and services for infants and toddlers.

The bill would establish a 12-member working group to review current policies and practices at the state and local level related to infants, toddlers, and their families and craft recommendations for improvements. The working group would be responsible for reviewing and creating recommendations that focus on the following:

- 1) Early childhood systems, including the local First 5 infrastructure;
- 2) System building, including financing, data and the unique needs of children of color;
- 3) Partnership with state agencies to ensure policy and program alignment.

The workgroup shall submit its recommendations to the Administration and to the Legislature by January 31, 2026.

SUPPORT

First 5 Association of California (Sponsor)

CONTACT

Marina Espinoza, Legislative Director
Marina.espinoza@asm.ca.gov
(916) 319-2050



REGULAR COMMISSION MEETING MINUTES

Monday, February 26, 2024 at 9:00 a.m.

First 5 Monterey County (F5MC) ♦ 1125 Baldwin Street ♦ Salinas, CA

Call to Order: Chair Lopez called the meeting to order at 9:03 a.m.

Pledge of Allegiance: Commissioner Lewis led the Pledge of Allegiance.

Roll Call: A legal quorum was present.

Commissioners present: Chris Lopez (Chair), Caryn Lewis (Vice-Chair), Katy Eckert, Monica Lal, Lori Medina, and Clarisa Reyes-Becerra.

Commissioners absent: Cristina Sotelo (Secretary)

Staff in attendance: Francine Rodd, *Executive Director*; Sonja Koehler, *Bright Beginnings Director*; Cristina De Orta, *Program Support*; Rosemary Soto, *Director of Racial Equity and Strategic Partnerships*; Carlos Vera, *Data and Evaluation Specialist*; Jenn Rigney, *Director of Evaluation and Learning*; and Joanna Jensen, *Administrative Manager* (Recorder)

Additions or Corrections to the Agenda: None.

Public Comment Period: *Members of the audience desiring to address the Commission may do so during this time. Public comments on items not already on the agenda will be accepted. Protocol for action includes staff presentations, questions from the Commission, public input, deliberation, and voting/referral by the Commission.*

No public comments were made.

Information Items: *These are information items, no action to be taken by the Commission.*

1. Executive Director Report by Strategy - Francine Rodd, Executive Director

ED Rodd reviewed highlights of the Board Briefer for Item 1.

Action Items: *Protocol for action items includes Staff presentations, questions from the Commission, public input, deliberation, and voting/referral by the Commission.*

2. First 5 California Annual Report for FY 2022/23 – Francine Rodd, Executive Director

ACTION:

- a. CONDUCTED Public Hearing – Chair Lopez opened the Public Hearing. No comments were made. Chair Lopez closed the Public Hearing.
- b. A motion was made by Commissioner Reyes-Becerra and seconded by Commissioner Lewis to ACCEPT. The Commissioners unanimously ACCEPTED the First 5 California Annual Report for FY 2022/23.

Consent Agenda: *Items on the consent calendar are to be considered routine and will be enacted by one motion followed by a vote. There will be no separate discussion of these items unless the Commission, audience, or staff request specific items be removed from the consent calendar for separate discussion and action. Any agenda item removed will be voted upon following the motion to approve the consent calendar.*

3. January 22, 2023 Regular Commission Meeting Minutes – APPROVED

4. **CORRECTION: December 4, 2023 Regular Commission Meeting Minutes - APPROVED**
5. **Bright Beginnings Report – ACCEPTED**
6. **Policy, Advocacy, and Communications Team Monthly Report – ACCEPTED**
7. **Consideration of Compensation for Executive Director – APPROVED** a lump sum merit payment of 2.5% of the Executive Director’s actual wages earned during the review period, as allowed in the current Policy Manual under Article 3, Section 3.

ACTION: A motion was made by Commissioner Reyes-Becerra and seconded by Commissioner Eckert to Approve the Consent Agenda. The motion was unanimously approved.

Commissioner Comments/Announcements – *All Commissioners*

Receive Commissioner reports/updates on items relevant to early childhood development.

Commissioner Medina – On Thursday, February 29th Supervisor Wendy Root Askew’s office is hosting a Town Hall Meeting to gather community input on the project to re-envision the Department of Social Services building in Seaside.

Commissioner Lal – The California Chamber of Commerce has created two additional seats for one year for small and midsize chambers. Commissioner Lal has been appointed to one of the seats.

Commissioner Eckert –

- On Thursday, February 29th, the Behavioral Health Commission will be presented information on Prop 1.
- Monterey County Health Department is working on a Bridge Housing project at the old Pueblo Del Mar complex that would provide wrap around services for individuals who are unhoused or at the risk of being unhoused and are involved in the Behavioral Health System. The first cohort of individuals accepted will be those involved in supporting reunification of children in the foster care system with their families.

Commissioner Lewis – Expressed appreciation for the work staff, J. Rigney and C. Vera, did to move the School Readiness Assessment forward to the Community Readiness Assessment.

Chair Lopez – Shared that he was pleased to see the completion of a project to bring street lights to San Lorenzo. As a community far from opportunity, it has not had the basic necessities including street lights. It now has a total of 32 streetlights (more than double what was expected). He urged staff to stay vigilant advocating for the needs of community and continuing to have faith that we will succeed. .

Adjournment: Chair Lopez adjourned the meeting at 10:01 a.m.



Access to Quality Early Care & Learning

Planning & Advocacy (See also Cross-Cutting Strategies):

- Ongoing participation in the Regions Rise Together (RRT) inclusive economic development initiative:
 - Director and Coordinator participated in the monthly Community Leadership and Power Committee meetings to support community advocacy for child care. Committee is looking ahead to further collaboration beyond the RRT Blueprint through ongoing funding from Irvine Foundation. Director is supporting planning and completion of grant application.
 - Director reviewed priorities for the Care Committee during quarterly full RRT Collaborative meeting. Drafted briefer to make the case for increased investment in child care, with key data points including supply, demand for child care and gap in funding. (Briefer in review by Committee and UCSC Institute for Social Transformation.)
- Participated in following spaces to maintain presence of Bright Beginnings and need for more investment in child care specifically: Salinas Valley Chamber Legislative Breakfast; MBEP Community Session on the report: [Building an Inclusive Economy in the Monterey Bay Region](#).

Early Learning System Support:

- Co-chairing Apprenticeship Committee. Meeting informally with co-chair while Hartnell program coordinator (Hartnell) is on medical leave, to address immediate employer needs. [Focus of BB support is fund development, increasing enrollment into program and technical assistance for wrap around program supports (e.g., reflective practice, mentoring, etc.). Co-chair Tammy Boates, instructor at Hartnell, focuses on curriculum development.]
- Maintained connection with Paul Farmer at Monterey County Business Council, which has been awarded contract to coordinate the Small Business Development Council for Monterey and San Benito Counties and is liaison for the Nurture family child care home licensing program. Next cohort to launch in May.
- Due to competing priorities of staff, February and March issues of the Early Care & Education Digest combined, to be published by March 16, 2024.

Family Resilience through Social and Emotional Well-being

- Maternal Mental Health Task Force:
 - Held regular Task Force meeting February 28 with presentation from Birth Network Monterey County.
 - Published November issue of the February [Maternal Mental Health Newsletter](#). Next Task Force meeting scheduled for March 27, 2024 in person - the first time since February 2020!
 - Supported various action committees: Doula Network & MMH Awareness Committee.
 - Preparing logistics and communications for the 2024 Maternal Mental Health Forum, March 19-20 at Hartnell's Soledad Campus - [flyer here](#) - open to community and interpreted Spanish/English. English only available virtually ([register here](#)), and partner agencies at

Parenting Connections and County Behavioral Health viewing internally. Thank you, Natividad Foundation for sponsoring.

- Submitted grant application to Kaiser Permanente Central Coast Community Health to support the Task Force's expanding work. If awarded, funding for next fiscal year.



Cross Cutting Strategies and Collective Impact Support

Community Outreach, Inclusion & Advocacy (COIA):

- Ongoing support of the Mamas de Salinas Abogan to build advocacy skills and to integrate into various project work (e.g., COLIBRI, Regions Rise Together, Maternal Mental Health Task Force, Parenting Connections Moms & Baby Circles). One Mama provided written public comment to Board of Supervisors related to the Bright Beginnings Annual Report. Thank you!
- Staff supported implementation of Uplift listening Sessions with F5MC, in Salinas @Sherwood Hall - March 6, 2024.
- Supporting coordination of the COLIBRI grassroots child care advocacy campaign co-design series:
 - COIA Coordinator leads project management
 - COIA Coord and Director participate on the core catalyzing team with Mamas de Salinas Abogan, First 5 Monterey County, Central Coast Early Childhood Advocacy Network, and Building Healthy Communities.
 - Held second collaborative co-design session on February 21. Final co-design session scheduled for March 20.
- Cultivation of relationships within the Initiative by attending: Monterey County Immigration Services Network of Empowerment (CISNE), South County Organizations & Resources (SCORE), GUSD Community Collaborative, Bright Futures Steering Partners, F5MC Commission, and Children's Council General Assembly and Executive Committee; Community Alliance for Safety and Peace (biweekly); County of Monterey Board of Supervisors.

Backbone:

- Presented Bright Beginnings Annual Report FY 2022-2023 to Board of Supervisors on March 12. Slide deck w [talking points here](#). Find the approved [report here](#).
- Conducted 3 weekly full team work sessions, frequent one-on-ones between individual team members for coordination and mentorship, and regular meetings between BB Director and F5 staff to coordinate administratively (roughly monthly with Controller, biweekly with ED/Bright Beginnings Co-Chair, weekly with Admin Manager, biweekly with PAC Director).
- Meet with new Bright Futures Director Tony Amezcua to support onboarding process. Steering Partner meeting held on March 15, with a backbone-to-backbone meeting following.
- Published 14 social media posts, sharing relevant resources related to all strategy-aligned projects and from partners of the Initiative.

Monterey County Children & Families Commission

ITEM 5

Balance Sheet

As of December 31, 2023

Dec 31, 23

ASSETS

Current Assets

Checking/Savings

1025 · Bank of America - Checking 7370	2,323,128.97
1030 · Trust Fund - Mo Co Treasurer	5,519,352.02
1040 · Petty Cash	150.00

Total Checking/Savings 7,842,630.99

Other Current Assets

1099 · Community Foundation Fund	183,339.26
1100 · Prepaid Expense	
1101 · Prepaid Insurance	6,222.00
1100 · Prepaid Expense - Other	21,041.00

Total 1100 · Prepaid Expense 27,263.00

1200 · Accounts Receivable 608,322.21

Total Other Current Assets 818,924.47

Total Current Assets 8,661,555.46

Fixed Assets

1300 · Capitalized Assets

1301 · Communications System	7,634.83
1303 · Media Equipment	14,556.37
1304 · Office Equipment	9,686.64
1305 · Office Furniture	30,001.80
1306 · Website	14,250.00

Total 1300 · Capitalized Assets 76,129.64

Total Fixed Assets 76,129.64

TOTAL ASSETS 8,737,685.10

LIABILITIES & EQUITY

Liabilities

Current Liabilities

Accounts Payable

2000 · Accounts Payable 572,292.69

Total Accounts Payable 572,292.69

Other Current Liabilities

2100 · Payroll Liabilities

 2145 · Workers Compensation Liability 1,654.83

Total 2100 · Payroll Liabilities 1,654.83

2230 · Capital Lease - Copier 807.22

2250 · Long-Term Accrued Vacation 142,433.85

Total Other Current Liabilities 144,895.90

Total Current Liabilities 717,188.59

Total Liabilities 717,188.59

Equity

3001 · Fund Balance 7,280,406.33

3010 · Investment in Fixed Assets 807.22

3200 · Amount Provided - L/T Debt (143,241.07)

3306 · Accumulated Depreciation 75,322.42

Net Income 807,201.61

Total Equity 8,020,496.51

TOTAL LIABILITIES & EQUITY 8,737,685.10

Monterey County Children & Families Commission

Income Expense: By Month

ITEM 5

October through December 2023

	Oct 23	Nov 23	Dec 23	TOTAL
Ordinary Income/Expense				
Income				
4000 · Collections from State of CA	260,839.88	0.00	589,723.40	850,563.28
4100 · Grants				
4120 · F5CA - IMPACT	0.00	0.00	47,122.19	47,122.19
4121 · F5CA - HV	3,910.44	3,628.95	6,005.40	13,544.79
4130 · Packard Foundation	0.00	0.00	150,000.00	150,000.00
4150 · Mo Co Health Dept - Bright Beg.	0.00	150,000.00	350,000.00	500,000.00
4151 · Bright Beg. Grants - Other	0.00	0.00	55,143.00	55,143.00
4161 · MC DSS - Home Visiting Grant	178,983.00	57,778.00	60,828.00	297,589.00
4170 · Bay Area/Other Funders				
4170.1 · All in for Kids Grant	0.00	200,000.00	0.00	200,000.00
4170 · Bay Area/Other Funders - Other	2,000.00	103,000.00	33,600.00	138,600.00
Total 4170 · Bay Area/Other Funders	2,000.00	303,000.00	33,600.00	338,600.00
Total 4100 · Grants	184,893.44	514,406.95	702,698.59	1,401,998.98
4200 · Interest Income	0.00	0.00	26,599.16	26,599.16
4201 · CF Fund - Interest Income	0.00	0.00	16,000.20	16,000.20
4400 · Leveraging Income	6,195.00	0.00	0.00	6,195.00
4900 · Uncategorized Income	27.91	69.90	52.84	150.65
Total Income	451,956.23	514,476.85	1,335,074.19	2,301,507.27
Gross Profit	451,956.23	514,476.85	1,335,074.19	2,301,507.27
Expense				
5000 · ADMINISTRATIVE				
5105 · Bank&Payroll Srvs Charge	271.00	262.50	265.00	798.50
5106 · CF Fund Service Charges	0.00	0.00	441.99	441.99
5110 · Building Expense	430.98	113.93	185.16	730.07
5115 · Capital Outlay	807.22	0.00	0.00	807.22
5120 · Computer Software/Hardware	0.00	1,122.08	1,288.79	2,410.87
5121 · Computer/Website/Net Support	2,620.00	2,663.86	2,641.93	7,925.79
5122 · Equipment Maint/Copier Charges	255.42	0.00	0.00	255.42
5123 · Equipment Lease	143.49	0.00	0.00	143.49
5135 · Janitorial Service	2,950.00	0.00	950.00	3,900.00
5140 · Meeting Expenses - (Admin)	0.00	233.86	77.00	310.86
5145 · Mileage	0.00	68.36	29.58	97.94
5150 · Office Expense	55.00	262.47	64.82	382.29
5160 · Payroll Expenses	166,229.26	158,726.23	156,583.88	481,539.37
5165 · Payroll Transfer-Specific Prog	(7,309.69)	(7,179.20)	(194,383.78)	(208,872.67)
5170 · Postage / Shipping	0.00	0.00	227.44	227.44
5180 · Professional Services				
5180.2 · Legal	132.50	132.50	0.00	265.00
5180.3 · Other Professional Services	375.00	0.00	9,800.00	10,175.00
5185 · Rent/Office Lease Payments	4,837.09	4,837.09	0.00	9,674.18
5190 · Subs.\Dues\Pub. - Organization	0.00	689.00	59.50	748.50
5195 · Telephone & Internet	696.25	1,147.96	928.14	2,772.35
5196 · Train\Conf\Memberships - Indv	0.00	2,321.65	620.00	2,941.65

Monterey County Children & Families Commission

Income Expense: By Month

ITEM 5

October through December 2023

	Oct 23	Nov 23	Dec 23	TOTAL
5199 · Utilities	469.60	597.46	833.68	1,900.74
Total 5000 · ADMINISTRATIVE	172,963.12	165,999.75	-19,386.87	319,576.00
5600 · PROGRAM & SERVICES				
5605 · Race, Equity, Diversity, & Incl				
5605.1 · REDI - Technical Assitance	0.00	0.00	15,040.00	15,040.00
5605.2 · REDI - Meeting & Collab Exp	0.00	278.53	0.00	278.53
Total 5605 · Race, Equity, Diversity, & Incl	0.00	278.53	15,040.00	15,318.53
5610 · Champion Early Childhood				
5610.11 · P/A - Technical Assistance	4,225.00	0.00	3,487.50	7,712.50
5610.12 · P/A - Events & Training	0.00	-333.09	2,563.40	2,230.31
5610.13 · P/A - ODC	-45.71	138.37	13.33	105.99
5610.14 · P/A /C - Salary & Benefits	0.00	0.00	63,928.45	63,928.45
5610.32 · Community Meeting Expenses	0.00	86.21	0.00	86.21
5610.33 · Media	0.00	734.99	929.05	1,664.04
5610.35 · Translation/Interpretation	0.00	150.00	0.00	150.00
5610.36 · Website Consulting	100.00	100.00	100.00	300.00
Total 5610 · Champion Early Childhood	4,279.29	876.48	71,021.73	76,177.50
5615 · Strengthen Connections				
5615.1 · SC - Services				
5615.11 · Care Coordination	87,710.00	98,310.75	100,821.60	286,842.35
5615.12 · F5MC Funded Home Visiting	13,050.00	18,330.71	20,276.40	51,657.11
5615.13 · DSS Funded Home Visiting	55,788.49	46,743.46	51,347.51	153,879.46
5615.14 · CCAH Funded Home Visiting	6,546.00	8,340.00	21,131.00	36,017.00
Total 5615.1 · SC - Services	163,094.49	171,724.92	193,576.51	528,395.92
5615.2 · SC - Systems				
5615.21 · SC - Systems Salaries & Benefit	0.00	0.00	31,440.75	31,440.75
5620.5 · Sustainability/Leveraging TA	14,100.00	4,506.25	5,606.25	24,212.50
5646 · F5CA Funded HVP	3,910.44	3,628.95	6,005.40	13,544.79
Total 5615.2 · SC - Systems	18,010.44	8,135.20	43,052.40	69,198.04
Total 5615 · Strengthen Connections	181,104.93	179,860.12	236,628.91	597,593.96
5630 · Build Capacity				
5630.10 · FP & Community Capacity Blding	137.44	1,877.50	220.00	2,234.94
5630.4 · IMPACT Project	0.00	0.00	41,577.86	41,577.86
Total 5630 · Build Capacity	137.44	1,877.50	41,797.86	43,812.80
5620.3 · Bright Beginnings				
5620.37 · BB - Salaries/Wages/Bennies	0.00	0.00	89,751.20	89,751.20
5620.31 · Mutually Reinforcing Activities	6,012.50	11,538.13	9,904.81	27,455.44
5620.33 · Continuous Communication	0.00	187.18	59.50	246.68
5620.34 · Backbone/Infrastructure Support	2,495.59	2,322.07	915.00	5,732.66
5620.36 · Collective Impact/Capacity Bld	0.00	939.52	81.02	1,020.54
Total 5620.3 · Bright Beginnings	8,508.09	14,986.90	100,711.53	124,206.52
5660 · Staff Reflective Practice	2,310.00	2,305.00	2,310.00	6,925.00
5650 · Funding Process	0.00	212.00	0.00	212.00
Total 5600 · PROGRAM & SERVICES	196,339.75	200,396.53	467,510.03	864,246.31
6000 · EVALUATE IMPACT				

Monterey County Children & Families Commission

Income Expense: By Month

ITEM 5

October through December 2023

	Oct 23	Nov 23	Dec 23	TOTAL
6010 · Evaluation Software	4,949.00	4,949.00	24,926.00	34,824.00
6050 · Evaluation - ODC	0.00	50.00	25.00	75.00
6070 · Eval. Consults - SSRA & Outcome	6,693.75	0.00	0.00	6,693.75
6480 · BB Program Specific Evaluation	1,495.20	2,292.00	0.00	3,787.20
Total 6000 · EVALUATE IMPACT	13,137.95	7,291.00	24,951.00	45,379.95
Total Expense	382,440.82	373,687.28	473,074.16	1,229,202.26
Net Ordinary Income	69,515.41	140,789.57	862,000.03	1,072,305.01
Net Income	69,515.41	140,789.57	862,000.03	1,072,305.01

FIRST 5 MONTEREY COUNTY BOARD BRIEFER

MEETING: Regular Commission Meeting – Monday, March 25, 2024

SUBJECT: F5MC Employee Handbook Update

POSSIBLE ACTIONS:

ADOPT Updated version of the F5MC Employee Handbook effective as of March 25, 2024.

SUMMARY:

The Commission last adopted updates to the Employee Handbook on December 4, 2023.

This proposed amendment to the Employee Handbook has our HR legal counsel recommended changes to be consistent with current laws as well as some grammatical/language changes for clarification purposes. An additional review of content with a focus on REDI will be conducted later in the year as part of the operations alignment with the Strategic Plan. Attached for your review is a “red line” copy of the updated Employee Handbook (Item 6a), which shows the proposed immediately required legal updates for your review.

- Added Employee Right under National Labor Relations Act
- Updated Accommodation Language
- Updated Confidentiality Language
- Updated Conflict of Interest Language
- Updated Drug- and Alcohol-Free Workplace Policy Language
- Updated Prohibited Conduct Language
- Updated Use of Information and Communication Systems Language including additional language regarding Social Media
- Updated Personal Cell Phone, Computers, and Other Devices Language
- Updated Timekeeping and Meal Period Language
- Updated Expense Reimbursement Language
- Updated Sick Leave Language
- Updated Pregnancy Disability Leave Language
- Updated Supplemental Pay Language
- Updated Workers’ Compensation Medical Leaved Language
- Updated Bereavement Leave Language
- Added Reproductive Loss Leave
- Updated Domestic Violence, Sexual Assault, and Stalking Leave Language
- Updated Crime Victims Leave Language
- Updated Acknowledgement of Receipt of Employee Handbook Language

FINANCIAL IMPLICATIONS:

There are no immediate financial implications regarding the adoption of the proposed updates.

Joanna Jensen, Administrative Manager



EMPLOYEE HANDBOOK

~~December 2023~~ March 2024

This Employee Handbook replaces and supersedes all prior First 5 Monterey County Employee Handbooks

Table of Contents

Welcome	5
Agency Background	5
Vision and Mission	5
Purpose and Values	5
Handbook Use and Purpose.....	6
EMPLOYMENT PRACTICES	8
Employment At-Will	8
Employee Rights Under the National Labor Relations Act.....	8
Equal Employment Opportunity	9
Harassment, Discrimination, and Retaliation Prevention Policy	10
Diversity, Equity, and Inclusion Policy	14
Whistleblower Protection Act.....	15
Work Eligibility	17
Employment of Relatives.....	18
Position Descriptions	18
Job Duties	18
Employment Classifications.....	18
Employment Categories	18
Introductory	18
Regular Full-Time.....	19
Regular Part-Time, Benefits Eligible.....	19
Part-Time, Benefits Ineligible.....	19
Temporary.....	19
On-Call.....	20
Volunteers and Interns	20
Orientation.....	20
Performance Management System	21
Employee Information.....	22
Employment Separation	23
EMPLOYEE CONDUCT	25
Code of Conduct	25
Open Communication Policy	25
Problem Solving	25
Confidentiality.....	26
Conflicts of Interest.....	27
Attendance and Punctuality.....	28
Abusive Behavior	28

Workplace Violence.....28

Drug- and Alcohol-Free Workplace Policy30

Inspection.....31

Examples of Prohibited Conduct32

Smoking33

Gifts and Gratuities.....34

Use of Information and Communication System34

Media Requests37

Safety Rules.....37

Security38

WORKTIME & PAY PRACTICES39

Work Schedules39

Timekeeping (Non-Exempt).....39

Rest and Meal Periods (Non-Exempt)40

Pay Periods and Pay Days41

Overtime Pay (Non-Exempt).....41

Expense Reimbursement42

Meetings & Training Time Pay (Non-Exempt).....44

Travel Time Pay (Non-Exempt)44

Pay Corrections.....44

Pay Deductions44

Wage Garnishments.....45

BENEFITS46

Vacation46

Accrual46

Healthy Workplace, Healthy Family Act Paid Sick Leave.....47

Non-HWHFA F5MC-Provided Paid Sick Leave49

Paid Holidays50

Professional Development Assistance.....50

Legally Mandated Benefit Programs.....52

F5MC-Provided Health and Welfare Benefits54

F5MC-Provided Retirement Plan55

Life Insurance.....55

Flexible Benefits Plan (Cafeteria Plan).....56

LEAVES OF ABSENCE57

Guidelines That Apply to All LOAs.....57

Types of LOA58

Pregnancy Disability Leave (PDL)58

Lactation Accommodation60

California Family and Medical Leave61

ITEM 6a

Medical Disability Leave (MDL)	64
Workers' Compensation Medical Leave	67
Personal Leave	68
Bereavement Leave	68
Reproductive Loss Leave	68
Jury Duty Leave	69
School Discipline Leave	69
Military Leave	70
Emergency Duty Leave	70
Voting Time Off	70
Domestic Violence, Sexual Assault, and Stalking Leave	70
Crime Victims Leave	71
Summary Chart of LOA's.....	72
APPENDIX A - Federal Family and Medical Leave Act.....	75
APPENDIX B - Remote Work Policy.....	74
ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK	78
ACKNOWLEDGEMENT OF RECEIPT OF HARASSMENT, DISCRIMINATION, AND RETALIATION PREVENTION POLICY	80
ACKNOWLEDGMENT OF RECEIPT OF DRUG- AND ALCOHOL-FREE WORKPLACE POLICY	81

Welcome

It is our pleasure to welcome you as an Employee to *First 5 Monterey County*. Through the efforts of our Employees, First 5 Monterey County (F5MC) has established itself as a crucial partner in [the](#) support of children and families in our community and we are excited to have you join our team.

This Handbook contains important information that you need to know including a summary of our employment policies, benefits, and work expectations. We encourage you to use it as a reference throughout your employment with us. If there is anything you need, just speak with any of the management staff.

Congratulations on becoming part of our team!

Agency Background

In 1998 California voters passed Proposition 10, adding a 50-cent per-pack tax on tobacco products to support programs for children from the prenatal stage through age 5. The State First 5 California Commission retains 20% of those revenues for statewide programs and administration. The remaining 80% is distributed among the 58 counties based upon the number of births in each county. Each First 5 has the responsibility to support programs that meet the needs of its local community.

F5MC, also known as Monterey County Children and Families Commission, is an independent public agency that was established by the Monterey County Board of Supervisors on December 8, 1998.

F5MC supports community partnerships and programs that enhance the lives of children from the prenatal stages through age 5 and their families. F5MC is led by seven commissioners appointed by the County Board of Supervisors. The seven members are representative of the major entities that support children ages [from the prenatal stage through age -5](#).

Vision and Mission

Vision: The wellbeing of all young children and families is nurtured by responsive services, just and equitable systems, and safe and welcoming environments.

Mission: First 5 Monterey County enriches the lives of children, ages prenatal through 5, and their families by elevating early childhood as a priority, strengthening connections, and advancing quality within a whole system of care and support.

Purpose and Values

At F5MC, our goal is to leave a positive, lasting impression with the community and organizations with whom we partner. We accomplish this through caring and professional Employees who strive to provide exceptional support by not only meeting, but also exceeding the expectations of our funded partners, stakeholders, institutions, and community members.

What we say to our partners, how we say it, and how we care for them are the basic building blocks to exceptional support. This requires a committed, team approach. The primary tools in accomplishing this are knowledge of your job, our organization, and positive strengths-based interactions.

Our values guide not only how First 5 Monterey County works, but also determine which projects and programs we choose to prioritize, who we work with, and what we work for:

Equity • Trust • Healing • Connection • Prevention

Equity: F5MC believes that all young children deserve to be well and well-cared for; that all families should have what they need to nurture their children; and that all people deserve to have a role in making decisions that impact their lives.

Trust: When relationships of trust are built within and between children, families, providers, systems, and communities, children and families thrive.

Healing: We must acknowledge places where trauma or harm has or continues to happen. Only from there can we engage in a process of repair and healing.

Connection: A whole child, whole family, whole systems approach makes connections across the full range of factors comprising and influencing children's and families' experiences to ensure their holistic wellbeing.

Prevention: We emphasize prevention because we know that addressing challenges before they start is more effective and also more time and cost efficient.

Handbook Use and Purpose

One of F5MC's objectives is to provide a work environment that is conducive to both personal and professional growth. This Handbook is designed to help Employees familiarize themselves with important information about F5MC as well as information regarding policies, procedures, practices, and responsibilities. The policies contained in this Employee Handbook apply to all Employees and supersede all previously communicated policies, procedures, practices, and responsibilities. This Handbook does not create a contract expressed, or implied, nor does it guarantee employment for any specific length of time. Although we hope that the employment relationship will be rewarding for you and F5MC, either F5MC or you can end the employment relationship at any time, with or without cause, and with or without prior notice.

No Employee Handbook can anticipate every circumstance or question about policy. As F5MC continues to mature and state and federal mandates change, the need may arise to change policies described in the Handbook. F5MC, therefore, reserves the right to revise, supplement, or rescind any policies or any portion of the Handbook, other than the Policy of At-Will employment, as is deemed appropriate by F5MC at its sole discretion. Employees will be notified of revisions and updates to these policies in advance and in writing.

The policies in this Employee Handbook are adopted to promote the legitimate and substantial business interests of F5MC. They are not intended to interfere with or burden employees' right to participate in concerted activity, such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act (NLRA). If any employee believes any of F5MC's policies contained in this Employee Handbook would interfere with any employee's protected rights under the NLRA, the employee is encouraged—but not required—to contact the Executive Director or the Administrative Manager so that they can explain the policy's purpose and F5MC's desire to not interfere with employees' protected rights.

ITEM 6a

All Employees must read this complete Handbook; seek necessary clarification; fill out the signature pages acknowledging receipt and understanding of this Handbook, F5MC's Harassment, Discrimination, and Retaliation Prevention Policy, and F5MC's Drug- and Alcohol-Free Workplace Policy; and return the signature pages to the Administrative Manager. Employees need to comply with all provisions of the Handbook. Current laws will be upheld and followed in all circumstances.

Understandably, Employees will have questions throughout the course of employment. F5MC encourages every Employee to ask questions of the Administrative Manager. If the Administrative Manager is unable to answer your questions at that moment, they will find the answer and get back to you.

Section

1

EMPLOYMENT PRACTICES

Employment At-Will

F5MC values its staff and makes every effort to retain good Employees. All employment with F5MC is At-Will at-will. It is not for any specified period and can be terminated by either the Employee or F5MC at any time with or without any particular reason or cause and without advance notice as allowed by law. Nothing contained in this Handbook (or any other document) is intended to, or should be construed to, alter the aAt-wWill relationship between F5MC and its Employees. Similarly, no statement by any manager, supervisor, or other F5MC Employee can alter the aAt-wWill relationship between F5MC and its Employees.

Although other terms, conditions, and benefits of employment with F5MC may change, or be eliminated or added to, from time to time, the aAt-wWill relationship of employment is one aspect that cannot be changed except by an express agreement in writing with the F5MC Commission, signed by the Chair of the Commission on behalf of the entire Commission, and by the Employee or the Employee's representative.

This policy is not intended to interfere with any Employee's rights to participate in concerted activity such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act.

Employee Rights Under the National Labor Relations Act

Section 7 of the National Labor Relations Act ("the Act") guarantees employees the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, as well as the right to refrain from any or all such activities. Section 8(a)(1) of the act makes it an unfair labor practice for an employer to interfere with, restrain or coerce employees in the exercise of the rights guaranteed in Section 7 of the Act.

Nothing in this Employee Handbook will be interpreted, applied, or enforced to interfere with, restrain or coerce employees in the exercise of their rights under Section 7 of the National Labor Relations Act. To the extent that you are an employee covered by the Act, nothing in this

Employee Handbook prevents you from:

- a) Organizing a union to negotiate with F5MC concerning your wages, hours, and other terms and conditions of employment.
- b) Forming, joining, or assisting a union, such as by sharing employee contact information; talking about or soliciting for a union during nonwork time, such as before or after work or during break times; or distributing union literature during nonwork time, in nonwork areas.
- c) Discussing wages and other working conditions with co-workers or a union.
- d) Taking action with one or more co-workers to improve working conditions by, among other means, raising work-related complaints directly with F5MC or with a government agency, or seeking help from a union; striking and picketing, depending on its purpose and means.
- e) Wearing union hats, buttons, t-shirts, and pins in the workplace.
- f) Choosing not to engage in any of these activities.

Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at F5MC are based on merit, qualifications, and abilities. Employment practices will not be influenced or affected by an applicant's or Employee's race (including traits historically associated with race such as hair texture and protective hairstyles), color, religion (including religious dress or grooming), national origin, ethnicity, ancestry, citizenship, physical disability, mental disability, marital status, registered domestic partner status, sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity (defined as each person's internal understanding of their gender, or the perception of a person's gender identity, which may include male, female, a combination of male and female, neither male nor female, a gender different from the person's sex assigned at birth, or transgender), gender expression (a person's gender-related appearance or behavior, or the perception of such appearance or behavior, whether or not stereotypically associated with the person's sex assigned at birth), age, sexual orientation, legally protected medical condition, family responsibility, genetic information, military or veteran status, reproductive health decision making (including, but not limited to, a decision to use or access a particular drug, device, product, or medical service for reproductive health)~~having taken a protected leave~~, or any other basis protected by law, or based on a perception that an individual has any of these characteristics, or based on a perception that an individual is associated with a person who has, or is perceived to have, any of these characteristics, or any other basis protected by federal, state or local law or ordinance or regulation. This policy shall apply to all Employees and applicants for employment, and extends to all phases of employment, including recruitment, hiring selection, job assignment, corrective action, training, promotion, discharge, layoff, rehiring, compensation, and benefits.

To further our society's commitment to end discrimination against qualified disabled individuals, as defined under state and federal laws, no program or activity administered by F5MC shall exclude any individual by reason of their qualified disability from participation, deny benefits to, or be subject to discrimination.

F5MC will reasonably accommodate employees and applicants with disabilities if the person is otherwise qualified to perform all of the essential functions of the position safely. To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, F5MC will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee, unless undue hardship would result. Therefore, if you feel you need a reasonable accommodation to perform the essential functions of your job, contact the Administrative Manager to begin an interactive process to identify and evaluate possible

accommodations F5MC provides accommodation to ~~the disabled people with disabilities~~ to the full extent required by law. Requests for accommodation should be made in writing to the Administrative Manager of F5MC and may require medical certification of both the disability and the need for accommodation. Keep in mind that F5MC can only seek to accommodate the known physical or mental limitations of an otherwise qualified disabled individual. Therefore, it is the Employee's responsibility to inform F5MC if they are in need of an accommodation.

~~F5MC may be unable to provide an accommodation for reasons including, but not limited to, the following:~~

- ~~• the accommodation does not enable the disabled Employee to sufficiently perform the essential functions of the job; or~~
- ~~• the accommodation poses a significant risk of substantial harm to the Employee or others; or~~
- ~~• the accommodation requires that F5MC violate safety laws, rules, regulations, or orders under the California Occupational Safety and Health Act or other state or federal laws; or~~
- ~~• the accommodation otherwise creates an undue hardship on F5MC.~~

F5MC is committed to not discriminating against any Employee or applicant because they are related to or associated with a person with a disability. Every Employee of F5MC must show respect for the individual dignity of all Employees.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the Administrative Manager and request such an accommodation. F5MC and the applicant or employee will engage in an interactive process to identify and evaluate possible accommodations. If an accommodation is identified that is reasonable and will not impose an undue hardship, F5MC will make the accommodation. Regardless of whether the request is granted, F5MC will not retaliate against any employee or applicant who requests an accommodation.

This policy governs all aspects of employment including selection, job assignment, compensation, corrective action, termination, and access to benefits and training.

If Employees have questions or concerns about any type of unlawful discrimination in the workplace or believe they have been subjected to any form of unlawful discrimination, they are encouraged to bring these issues to the attention of the Administrative Manager or Executive Director. Management will promptly investigate all claims of discrimination in accordance with F5MC's Harassment, Discrimination, and Retaliation Prevention Policy.

Adverse action will not be taken against any Employee as a consequence of that Employee having reported a claim of discrimination or having participated in the investigation of a violation of this policy. All Employees can raise concerns and make reports without fear of reprisal.

Any Employee found to be engaging in any type of unlawful discrimination will be subject to corrective action, up to and including termination of employment.

Harassment, Discrimination, and Retaliation Prevention Policy

F5MC is committed to providing all of its Employees with a workplace free of harassment, discrimination, and retaliation. The purpose of this policy is to promote equal employment opportunity

to succeed in the workplace; to prevent, deter, and remediate unlawful harassment, discrimination, and retaliation in the workplace; and to assist all persons in understanding their rights, duties, and obligations in this regard.

F5MC maintains a strict policy prohibiting harassment and discrimination on the basis of the following protected categories: race (including traits historically associated with race such as hair texture and protective hairstyles), color, religion (including religious dress or grooming), national origin, ethnicity, ancestry, citizenship, physical disability, mental disability, marital status, registered domestic partner status, sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity (defined as each person's internal understanding of their gender, or the perception of a person's gender identity, which may include male, female, a combination of male and female, neither male nor female, a gender different from the person's sex assigned at birth, or transgender), gender expression (a person's gender-related appearance or behavior, or the perception of such appearance or behavior, whether or not stereotypically associated with the person's sex assigned at birth), age, sexual orientation, legally protected medical condition, family responsibility, genetic information, military or veteran status, reproductive health decision making (including, but not limited to, a decision to use or access a particular drug, device, product, or medical service for reproductive health) having taken a protected leave, or any other basis protected by law, or based on a perception that an individual has any of these characteristics, or based on a perception that an individual is associated with a person who has, or is perceived to have, any of these characteristics, or any other basis protected by federal, state or local law or ordinance or regulation.

This policy applies to all Employees and applicants for employment, and extends to all phases of employment, including recruitment, hiring selection, job assignment, corrective action, training, promotion, discharge, layoff, rehiring, compensation, and benefits. This policy and the prohibition of harassment, discrimination, and retaliation also applies to all persons involved in the operation of F5MC, including funded partners, stakeholders, community members, including principals, managers, supervisors, and co-workers, paid and unpaid interns, volunteers, independent contractors, vendors of F5MC, anyone who interacts with Employees for business purposes or any other third party with whom Employees may come into contact. F5MC maintains a “zero tolerance” policy for harassment, discrimination, and retaliation. Thus, no Employee is expected to tolerate or exhibit any conduct prohibited by this policy.

F5MC also prohibits abusive and hostile conduct in the workplace, which is conduct undertaken with malice that a reasonable person would find hostile, offensive, and unrelated to F5MC's legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal, or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance.

This policy also prohibits discrimination and harassment in the form of sexual favoritism, which occurs when individuals are qualified for but are denied an employment opportunity or benefit because the person who received the employment opportunity or benefit submitted to sexual advances or requests, and the person denied the same benefit or opportunity did not. Favoritism or preferential treatment in the terms and conditions of employment on the basis of sexual conduct, sexual attraction, appearance, and/or physical characteristics or attributes is also prohibited.

This policy also prohibits harassment and discrimination in the form of sex stereotyping. As used in this policy, the term “sex stereotype” means an assumption about a person's appearance or behavior, or about an individual's ability or inability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual's sex.

This policy also prohibits discrimination and harassment against an individual who is transitioning, has transitioned, or is perceived to be transitioning. “Transitioning” in this context refers to a process some transgender people go through to begin living as the gender with which they identify, rather than the sex assigned to them at birth. [This process may include, but is not limited to, changes in name and pronoun usage, facility usage, participation in employer-sponsored activities \(e.g. sports teams, team-building projects, or volunteering\), or undergoing hormone therapy, surgeries, or other medical procedures.](#)

This policy also prohibits retaliation of any kind against individuals who file complaints or who assist in F5MC’s investigation of a discrimination or harassment complaint.

Harassment Defined

Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive, or hostile working environment or that interferes with an Employee’s work performance. Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature which (1) has been made either explicitly or implicitly a term or condition of an individual’s employment, (2) is used as a basis for employment decisions such as promotions and benefits affecting such individual, or (3) substantially interferes with an individual’s work performance or creates an intimidating, hostile, or offensive working environment.

Harassing conduct can take many forms, but the most common forms may include, but are not limited to, the following:

- Verbal harassment such as: slurs; vulgar or derogatory comments; jokes; epithets; negative stereotyping; unwelcome remarks about an individual’s body, color, physical characteristics, appearance, or talents; references to women as “honey,” “doll,” “sweetheart,” or the like; questions about a person’s sexual practices; or patronizing terms or remarks based on a or any other protected characteristic listed in this policy.
- Physical harassment such as: inappropriate gestures, staring at a person’s body, leering, whistling, assault, impeding or blocking movement, or any unwanted physical contact or interference with normal work, including touching, pinching, brushing the body, unwelcome physical contact, and threatening, intimidating or hostile acts that relate to a protected characteristic listed in this policy.
- Visual forms of harassment such as: derogatory cartoons, calendars, pictures, invitations, notes, letters or drawings; suggestive or obscene posters placed on walls, bulletin boards, or elsewhere on F5MC premises or circulated in the workplace; displaying offensive, derogatory, obscene or sexually suggestive objects, emails, computer graphics or images, also such actions as making sexual or obscene gestures, written communications of a sexual nature distributed in hard copy or via a computer network, and any other written or graphic material that denigrates or shows hostility or aversion toward an individual because of a protected characteristic listed in this policy.
- Sexual favors such as: unwanted sexual advances which condition an employment benefit upon an exchange of sexual favors, threats or demands to submit to sexual requests as a condition of continued employment, offering employment benefits in exchange for sexual favors or to avoid some other loss, and retaliating or threatening retaliation because of a negative response to sexual advances, or retaliation for having reported or threatened to report harassment.

Sexually harassing conduct may be either “quid pro quo” or “hostile work environment” sexual harassment:

- “Quid pro quo” (Latin for “this for that”) sexual harassment is characterized by explicit or implicit conditioning of a job or promotion on an applicant or Employee’s submission to sexual advances or other conduct based on sex.
- “Hostile work environment” sexual harassment occurs when unwelcome comments or conduct based on sex unreasonably interfere with an Employee’s work performance or create an intimidating, hostile, or offensive work environment.

Sexual harassment need not be motivated by sexual desire. Sexual harassment can occur between any individuals, including harassment of women by men, of men by women, and same-sex and gender-based harassment. Harassers can be a superior, a subordinate, a co-worker, or anyone in the workplace, including paid or unpaid interns, independent contractors, volunteers, visitors, business partners, vendors, suppliers, and others doing business with F5MC.

Reporting and Investigating Harassing, Discriminatory, and/or Retaliatory Conduct

Anyone who believes that the comments, gestures, or conduct of any co-worker, supervisor, manager, independent contractor, vendor, paid or unpaid intern, visitor, or other third party doing business with F5MC are harassing, discriminatory, retaliatory, or otherwise constitute misconduct in violation of this policy, is required to report the offending behavior immediately, preferably in writing to the Executive Director, the Administrative Manager, or the Chair of the Finance/Personnel Committee. Any harassing conduct, even a single incident, should be reported in accordance with this policy, so that any violation of this policy can be corrected promptly.

The Employee’s report may be verbal or written and should include details of the incident or incidents, names of the individuals involved, and names of any witnesses. No adverse action will be taken against an Employee who makes a report or cooperates in the investigation of a report of harassment, discrimination, or retaliation. It is the responsibility of each Employee to promptly report any violation or suspected violation of this policy to a supervisor or the Executive Director. Managers, supervisors, and Employees who receive complaint(s) of harassment, discrimination, or retaliation must immediately report such complaint(s) to the Executive Director, the Administrative Manager, or the Chair of the Finance/Personnel Committee so the complaint can be investigated in accordance with this policy.

F5MC’s policy is to have a qualified individual conduct a prompt, fair, objective, and thorough investigation of the complaint, and to provide all parties with appropriate due process. F5MC will document and track the investigation to ensure reasonable progress. F5MC will protect the confidentiality of the harassment allegations to the extent practicable. However, F5MC cannot guarantee complete confidentiality, since it cannot conduct an investigation without revealing certain information to the alleged harasser and potential witnesses.

At the conclusion of its investigation, F5MC or its designee will evaluate whether harassment, discrimination, or retaliation in violation of this policy has occurred based on the evidence collected. F5MC or its designee will look at the totality of the circumstances, including the nature of the conduct and the context in which it occurred, and will determine appropriate options for remedial actions and resolutions where necessary. F5MC will, as promptly as possible, communicate its findings, including the remedial action (if any) to be taken, to the accused and to the complainant, and, when appropriate, to any other person who is directly concerned.

If F5MC determines that harassment, discrimination, or retaliation in violation of this policy has occurred, F5MC will take remedial action commensurate with the severity of the offense. This action may include corrective action against the accused, up to and including termination of employment. Steps will be taken, as necessary, to prevent any further harassment, discrimination, or retaliation.

No Retaliation

F5MC strictly prohibits retaliation against any person by another Employee or by F5MC for using this complaint procedure, reporting harassment, discrimination, retaliation, or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding or hearing conducted by F5MC or a governmental enforcement agency.

F5MC does not consider conduct in violation of this policy to be within the course and scope of employment and does not sanction such conduct on the part of any Employee, including management Employees.

Additional Enforcement Information

F5MC encourages Employees to report any instances of harassment, discrimination, or retaliation forbidden by this policy immediately so that complaints can be resolved. In addition to F5MC's internal complaint procedure, be aware that the Federal Equal Employment Opportunity Commission (EEOC) and the California Civil Rights Department (CRD) investigate and prosecute complaints of unlawful discrimination and harassment in employment, and Employees may file a complaint with the EEOC or CRD. The law prohibits any Employer from retaliating against any Employee for filing a charge with the EEOC or CRD, or for cooperating in any manner with the EEOC or CRD in its investigation of the charge. [Additionally, employees may access the CRD's sexual harassment online training courses at https://calcivilrights.ca.gov/shpt/.](https://calcivilrights.ca.gov/shpt/)

Below is the contact information:

☒ California email: <https://ccrs.calcivilrights.ca.gov>

TEL California phone: 1-800-884-1684

☒ Federal email: www.eeoc.gov

TEL Federal phone: 1-415-625-5600

If you have any questions concerning this policy, please feel free to contact the Administrative Manager.

Diversity, Equity, and Inclusion Policy

F5MC centers race, equity, diversity, and inclusion (REDIness) in its programs and is committed to fostering, cultivating, and preserving a culture of diversity, equity, and inclusion.

Our human capital is the most valuable asset we have. The collective sum of the individual life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities, and talent that our Employees invest in their work represents a significant part of not only our culture, but our reputation and the agency's achievement as well.

We embrace and encourage our Employees' differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other

characteristics that make our Employees unique.

F5MC diversity initiatives are applicable—but not limited—to our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; and the ongoing development of a work environment built on the premise of diversity and equity that encourages and enforces:

- Respectful communication and cooperation between all Employees.
- Practicing and encouraging transparent communication in all interactions.
- Teamwork and Employee participation, that supports the representation of all groups and Employee perspectives.
- Employer and Employee contributions to the communities we serve to promote a greater understanding and respect for equity, diversity, and inclusion.

All Employees of F5MC have a responsibility to treat others with dignity and respect at all times. All Employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other agency-sponsored and participative events. All Employees will have opportunities to attend Equity, Diversity, and Inclusion trainings to enhance their knowledge to fulfill this responsibility.

Any Employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action.

Employees who believe they have been subjected to any kind of discrimination that conflicts with the agency's diversity policy and initiatives should seek assistance from the Executive Director, the Administrative Manager, or the Chair of the Finance/Personnel Committee.

Whistleblower Protection Act

F5MC is committed to lawful and ethical behavior in all of its activities and requires its Commissioners, Committee Members, officers, directors, Employees, interns, and volunteers to act in accordance with all applicable laws, regulations, and policies and to observe high standards of business and personal ethics in the conduct of their duties and responsibilities.

The objective of F5MC's Whistleblower Policy is to establish policies and procedures to:

- Prevent or detect and correct improper activities; and
- Encourage each F5MC Commissioner, Committee Member, officer, director, Employee, intern, or volunteer (hereafter referred as "reporting individual") with credible information on illegal practices or violations of F5MC's policies to report said activity; and
- Protect reporting individuals from retaliatory action.

"Whistleblower" Defined

A "whistleblower" is an Employee who discloses information to a government or law enforcement agency, F5MC's Executive Director or Chair of the Commission, a person with authority over the Employee, or to another Employee with authority to investigate, discover, or correct the noncompliance; or who provides information to or testifies before a public body conducting an investigation, hearing, or inquiry. An Employee is a "whistleblower" only if the Employee has reasonable cause to believe the information discloses a violation of a state or federal statute, a violation or noncompliance with a local, state, or federal statute, rule, or

regulation, or unsafe working conditions or work practices in the Employee's employment or place of employment.

A "whistleblower" can also be an Employee who refuses to participate in an activity that would result in a violation of or noncompliance with a local, state, or federal statute, rule, or regulation.

Reporting Responsibility

Each reporting individual has an obligation to report what the reporting individual has reasonable cause to believe is a violation of state or federal statute or a violation of or noncompliance with a local, state, or federal rule or regulation, or a violation of a F5MC policy or any questionable accounting or auditing matter by F5MC, its Commissioners, Committee Members, officers, directors, Employees, interns, volunteers, agents, or other representatives.

If an Employee has knowledge of or a reasonable belief that F5MC has engaged in any violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility, the Employee is to contact the Executive Director or Chair of the Finance/Personnel Committee. Concerns may be submitted anonymously. Because it is impossible to seek additional information from a reporting individual about anonymous reports, it is essential that such reports contain as much specific information as possible.

The types of concerns that should be reported include, for purposes of illustration and without being limited hereto, the following:

- Providing false or misleading information on F5MC's financial documents, reports, tax returns or other public documents; or
- Providing false information to or withholding material information from F5MC's auditors, accountants, lawyers, directors, or other representatives responsible for ensuring F5MC compliance with fiscal and legal responsibilities; or
- Embezzlement, private benefit, or misappropriation of funds; or
- Corruption, malfeasance, bribery, theft of government property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of government property, willful omission to perform duty; or
- Conduct that is economically wasteful, involves gross misconduct, incompetency, or inefficiency; or
- Material violation of F5MC policy; or
- Violation of Federal, California, or local laws, rules, or regulations; or
- Facilitation or concealing any of the above or similar actions.

Reports of violations or suspected violations under this policy will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Employees must exercise sound judgment to avoid baseless allegations. An Employee who intentionally files a false report of wrongdoing may be subject to discipline, up to and including termination of employment.

An Employee who has information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility, may also call the California State Attorney

General's Whistleblower Hotline at 1-800-952-5225. An Employee may also report unsafe working conditions by calling the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) at 1-800-321-6742.

Investigation and Confidentiality

All reports of suspected illegal and dishonest activities will be promptly submitted to the Executive Director, Administrative Manager, or the Chair of the Finance/Personnel Committee who are responsible for investigating and coordinating corrective action. The whistleblower is not responsible for investigating the reported activity or for determining fault or corrective measures; F5MC and/or its designees are charged with these responsibilities.

F5MC will safeguard the whistleblower's identity and privacy to the extent possible. However, the whistleblower's identity may have to be disclosed as necessary to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense.

Employees with any questions regarding this policy should contact the Executive Director or the Chair of the Finance/Personnel Committee.

No Retaliation

This Whistleblower Policy is intended to encourage and enable officers, directors, Employees, interns, and volunteers to report serious concerns about F5MC's compliance with applicable laws and policies without concern of retaliation for making such reports.

This policy is also intended to protect reporting individuals from retaliation for disclosing information to government or law enforcement agencies that the reporting individual has reasonable cause to believe constitutes a violation of state or federal statute, or a violation of or noncompliance with a local, state, or federal rule or regulation.

With this goal in mind, all reporting individuals who, in good faith, and with reasonable cause, report a concern or disclose information, shall be protected from retaliation, and shall not be threatened, discriminated against or otherwise subject to an adverse employment action as a result of such report or disclosure. A good faith report, concern or complaint is fully protected by this Whistleblower Policy, even if the conduct or activity reported is, after investigation, not substantiated.

Work Eligibility

F5MC is committed to full compliance with federal immigration laws and will not unlawfully discriminate based on citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new Employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Required documentation must be presented within 3 days of a new Employee's first day of work. Failure to present documentation within 3 days will preclude the Employee from returning to work without the required documentation.

Former Employees who are rehired must also complete the form if they have not completed an I-9 with F5MC within the past 3 years, or if their previous I-9 is no longer valid. Employees may raise questions or complaints about immigration law compliance without fear of reprisal by F5MC.

Employment of Relatives

F5MC is aware that relatives of Employees or Commissioners may occasionally seek employment with F5MC. In the interest of avoiding conflicts of interest, or appearances of conflicts, current Employees may not interview or make employment-related decisions with respect to relatives who seek employment with F5MC and may not supervise relatives under any circumstances.

Position Descriptions

A current position description is provided to candidates during the selection process and provided to every Employee during their orientation process. Position descriptions are also available at the request of the Employee. These descriptions are not designed to spell out every duty and task associated with employment; all Employees are expected to fulfill both essential and secondary job duties and requirements. Position descriptions will change over time, in part or wholly, as the organization evolves and responds to the needs of children and families in our county. Employees are encouraged to share with their supervisor if any significant changes in job functions occur. The Employee's supervisor will discuss any changes to the position description with the Employee prior to implementing. F5MC reserves the right to modify, supplement, or revise any position description at any time, for any reason, at F5MC's sole discretion.

Job Duties

While each job at F5MC has most of its duties detailed in a position description, Employees may be required to work on special assignments in addition to normal job duties. F5MC reserves the right to change job responsibilities, transfer job positions, or assign additional job duties at any time.

Additionally, F5MC reserves the right to periodically review and edit position descriptions and job duties to fulfill changing Agency needs.

Employment Classifications

Employees are placed into a classification based on position description and applicable wage/hour laws. Employment classifications determine an Employee's employment status and benefits eligibility. These classifications do not guarantee employment for any specified period as all F5MC Employees are at-will. Every position at F5MC is designated as either Non-Exempt or Exempt from federal and state wage and hour laws. Employees in Non-Exempt positions are paid on an hourly basis and are entitled to overtime pay as specified by federal and state law. Employees in Exempt positions are excluded from overtime and other specific provisions of federal and state wage and hour laws and are paid a salary to compensate them for all work performed. Each Employee will be told of the Exempt or Non-Exempt status of the job when offered a position.

Employment Categories

All employment at F5MC is employment at-will. In addition to the above classifications, each Employee belongs to one of the following employment categories which determine employment status and benefit eligibility:

Introductory

The initial 180 days of employment for newly hired, promoted, or transferred Employees is a time for management and the new Employee to closely evaluate the compatibility, abilities,

interest, and fit in the position (the “Introductory Period”). The Introductory Period is intended to give the new Employee the opportunity to demonstrate their ability to achieve a satisfactory level of performance, get acquainted with their supervisor(s) and fellow Employees, familiarize themselves with F5MC in general, and to determine whether the new position meets their expectations. This period is also used to evaluate the Employee’s capabilities, work habits, and overall performance. At the successful completion of the Introductory Period, the Employee and supervisor will review progress to-date and set goals for the remainder of the year.

Successful completion of the Introductory Period does not guarantee continued employment. All employment is ~~at-will~~, meaning the Employee or F5MC can end employment for any reason and at any time, both during and after the Introductory Period. (See Employment At-Will policy).

If F5MC determines that the designated Introductory Period does not allow sufficient time to thoroughly evaluate the Employee’s performance, the Introductory Period may be extended one or more times at F5MC’s discretion. This will not affect eligibility waiting periods for F5MC-provided benefits.

Regular Full-Time

Regular Full-Time Employees are hourly Non-Exempt or salaried Exempt Employees who are regularly scheduled to work at least 37.5 hours per week. These Employees are entitled to receive all legally mandated benefits (such as Workers’ Compensation, State Disability, Unemployment, Social Security, Paid Family Leave, and Healthy Workplace, Healthy Family Act of 2014 Paid Sick Leave) and are also eligible for F5MC-provided health and welfare benefits subject to benefit plan terms and conditions.

Regular Part-Time, Benefits Eligible

Regular Part-Time, benefits eligible Employees are hourly Non-Exempt or salaried Exempt Employees who are regularly scheduled to work at least 30 hours per week. These Employees are entitled to receive all legally mandated benefits (such as Workers’ Compensation, State Disability, Unemployment, Social Security, Paid Family Leave, and Healthy Workplace, Healthy Family Act Paid Sick Leave), and are also eligible for F5MC-provided health and welfare benefits subject to benefit terms and conditions.

Part-Time, Benefits Ineligible

Part-Time benefits ineligible Employees are hourly Non-Exempt Employees or Exempt Employees who are regularly scheduled to work less than 30 hours per week. These Employees are entitled to receive all legally mandated benefits (such as Workers’ Compensation, State Disability, Unemployment, Social Security, Paid Family Leave, and Healthy Workplace, Healthy Family Act Paid Sick Leave), but are not eligible for F5MC provided health and welfare benefits and other benefits outlined in this Handbook. If Part-Time (< 30 hours) status is changed to Regular Full-Time or Part-Time ≥ 30 hours status, days worked in the Part-Time < 30 hours position will be recognized toward fulfillment of eligibility waiting periods for the F5MC-provided retirement plan, subject to benefit terms and conditions.

Temporary

Temporary Employees are generally Non-Exempt Employees who are hired directly by F5MC on a part-time or full-time basis for a specific period. They may be hired as interim replacements to temporarily supplement the work force, to assist in the completion of a specific project, or to

provide additional support services during the busy season.

Employment assignments in this category are of a limited duration. Although a temporary position has an established length of time, there is no guarantee that if an Employee is hired to perform a temporary position, the Employee will be retained throughout the entire period of the assignment. Employment beyond any initially stated period does not imply a change in employment status. Temporary Employees retain such status unless and until notified in writing of a change to a different employment status. These Employees are entitled to receive all legally mandated benefits (such as Workers' Compensation, State Disability, Unemployment, Social Security, Paid Family Leave, and Healthy Workplace, Healthy Family Act of 2014 Paid Sick Leave), but are not eligible for F5MC-provided health and welfare benefits and other benefits outlined in this Handbook. If a temporary Employee is changed to Regular status, hours worked in the temporary position will be recognized toward fulfillment of eligibility waiting periods for the F5MC-provided retirement plan, subject to benefit terms and conditions.

On-Call

On-Call Employees are generally Non-Exempt Employees who are not required or scheduled to work a specified number of hours in any given workweek, but who are scheduled to work on an as-needed basis. These Employees are entitled to receive all legally mandated benefits (such as Workers' Compensation, State Disability, Unemployment, Social Security, Paid Family Leave, and Healthy Workplace, Healthy Family Act of 2014 Paid Sick Leave), but are not eligible for F5MC-provided health and welfare benefits and other benefits outlined in this Handbook. If an On-Call Employee is changed to Regular status, hours worked in the On-Call position will not be recognized toward fulfillment of eligibility waiting periods for applicable F5MC-provided benefits.

Volunteers and Interns

Volunteers are non-paid individuals who support various F5MC events throughout the year for public service or humanitarian objectives without contemplation of pay. They receive no pay or benefits; they are not employed by F5MC. Volunteer activities are monitored by paid staff. If a volunteer is hired into a regular status position, hours worked in the volunteer position will not be recognized towards fulfillment of eligibility waiting periods for applicable F5MC-provided benefits.

Interns are typically non-paid individuals who receive vocational education and training while interning at F5MC. Interns do not replace normal Employees and work under the close supervision of F5MC staff. They receive no benefits and are not employed by F5MC. While interns are generally unpaid, they may receive a stipend or an internship-related expense reimbursement depending upon the nature of the internship. Interns are not entitled to a regular status position upon completion of the internship. If an intern is hired into a regular status position, hours worked in the intern position will not be recognized towards fulfillment of eligibility waiting periods for applicable F5MC-provided benefits.

Orientation

Within the first week of employment with F5MC, new Employees will receive an Agency orientation briefing. All Employees are responsible for understanding and complying with all policies and procedures discussed in the orientation sessions and in this Handbook. Employees are encouraged to ask questions during the orientation and at any time during employment at F5MC. Other Employees may also be responsible for orienting new Employees to their specific work area, job duties, and responsibilities.

Performance Management System

Effective communication is critical to the success of F5MC; Employees need to know what is expected of them if we are to carry out our strategic plan and achieve our mission. Supervisors are expected to provide ongoing, timely feedback and coaching to their staff so that Employees know how they are doing and any performance issues that can be addressed in a timely manner. Employees are expected to engage in dialogue with their supervisor to ensure a clear understanding of performance expectations and to identify any areas needing improvement.

Typically, each Employee's performance will be formally evaluated at the end of the Introductory Period, and thereafter on an annual basis, but evaluations may be conducted more or less frequently. As part of this process, the Employee and their supervisor will assess and discuss accomplishments and set new performance goals for the upcoming year. Performance evaluation guidelines are provided for supervisors and Employees to follow during the process. It is important to note that the focus of the performance appraisal meeting is to evaluate ~~your~~ the Employee's performance during the recent review period and to discuss ~~your~~ the Employee's ability and desire to meet and exceed expected standards of performance going forward. Adjustments in pay are not guaranteed and are based on an established 6-step pay schedule. An Employee will be eligible for advancement to any higher step in their salary range upon completion each year of continuous service in a Regular Full- Time or Regular Part-Time position. Step advancement shall be based upon satisfactory performance and recognition of solid job performance and hence, would be tied to the results of the Employee's annual performance evaluation. The salary range lists 6 steps in approximately 5% increments. Withholding of step advancement shall not change the step eligible date.

Employees who have reached the top of the salary range for their job classification level are not eligible for further merit increases but may receive a lump sum merit payment if rated 3.5 or higher (between "Above Standard/Fully Competent" and "Superior/Exceptional"). The amount of the lump sum payment is discretionary and will not exceed 2.5% of the current annual salary of the Employee. The amount of the lump sum payment for staff is determined by the Executive Director. The amount of the lump sum payment for the Executive Director is determined by the Commission.

Satisfactory performance evaluations do not guarantee increases in salary or promotions, and are not guarantees of continued employment, as your employment with F5MC is always "at-will".

Disciplinary Procedures

Although the Employee and F5MC can each terminate the employment relationship at-will, at any time, with or without cause or notice, F5MC may exercise its discretion to use one or more of the following disciplinary measures:

1. Counseling: Counseling is an informal process through which job performance problems and resolutions to these problems are discussed with the Employee and the Employee is informed of the consequences if such corrective action is not ~~made~~ taken.
2. Warning: A warning is a formal statement, either oral or written, of performance deficiencies and the expected corrective action to be made by the Employee. A copy of the formal warning will be given to the Employee and put into the Employee's personnel file.
3. Suspension: A suspension takes place when an Employee is temporarily relieved from work, without pay, for a specified period.
4. Discharge: Discharge takes place when an Employee is dismissed/terminated from employment with F5MC.

F5MC reserves the right to proceed directly to a written warning, suspension, or termination without resort to prior disciplinary steps, at F5MC's sole discretion. This policy does not alter or modify F5MC's at-will policy, which allows Employees to resign or be terminated at any time, with or without cause or advance notice.

The primary objective of any disciplinary action is to improve job performance. Actions by an Employee that are inappropriate for the workplace, are a hindrance to effective job performance, constitute unacceptable job performance, or violate F5MC policy may be cause for disciplinary action.

F5MC believes in the principle that Employees should be given the opportunity to demonstrate their abilities and continually improve their job performance. Where job performance problems exist, Employees will usually be informed of these deficiencies and provided an opportunity to improve performance. When F5MC determines that an Employee is a candidate for improvement, the Agency will inform the Employee what performance improvements are required. F5MC's efforts to work with Employees to improve performance do not change F5MC's policy of ~~a~~At-will employment. F5MC may take disciplinary action including Employee counseling, verbal warning, written warning, suspension, or termination of employment, for any reason, and with or without going through progressive disciplinary steps. F5MC reserves the right to terminate any Employee's employment at any time, with or without cause or notice. All involuntary terminations require review of the Executive Director and a report to the Finance/Personnel Committee of F5MC.

Employee Information

F5MC handles Employee's private information with care. Only those who have a legal right or justifiable need to know have access to personnel files.

Requests for Verification of Employment

F5MC is careful to ensure the accuracy of information provided to individuals outside our organization regarding current or former Employees. Any inquiries that are received, either by telephone or in writing, regarding a present or past Employee, must be referred to the Administrative Manager or Controller for proper handling. No employment or personnel information, other than a verification of dates of employment, wage, and title will be given out to a third party without prior written consent/authorization by the Employee.

Access to Personnel Files

Personnel files are the property of F5MC and access to the information they contain is restricted. Generally, only members of F5MC management, who have a legitimate reason to review information in another Employee's personnel file, are allowed to do so.

Upon reasonable written notice, current Employees and former Employees may review and request a copy of their own personnel records relating to the Employee's own performance or to any grievance concerning the Employee that is in the Employee's own personnel file, as well as the Employee's payroll records and itemized wage statements, documents that the Employee personally signed, or any other document for which the law allows inspection or copying.

Any request for information contained in personnel files must be directed to the Administrative Manager or Controller. Only the Administrative Manager, Controller, or the Executive Director is authorized to release information about current or former Employees. F5MC will cooperate with requests from authorized law enforcement, or local, state, or federal agencies conducting official investigations and as otherwise legally required.

Personal Information Changes

It is important that personnel files contain up-to-date information regarding each Employee. It is the Employee's responsibility to promptly notify F5MC of any changes in important information such as: name, address, telephone number, marital status, domestic partnership, number of dependents, and/or person(s) to be notified in case of an emergency. If Employees want to make changes to health and welfare plans, the Administrative Manager must be notified of the qualifying event(s) within 30 days, otherwise the Employee will have to wait until the next open enrollment period.

Employment Separation

Upon separation, all F5MC property, including keys, handbooks, manuals, and other F5MC items and documents, must be returned. Management may schedule an exit interview as part of your separation from F5MC. This interview allows the Employee to communicate personal views on the work experience with the organization including the job requirements, general operations, and training needs. Below are the various ways in which employment separates.

Termination/Dismissal

A termination or dismissal is an involuntary employment separation initiated by F5MC either during or after the introductory period.

Layoff/Reduction in Force (RIF)

As a result of reorganization, funding changes, or other unforeseen circumstances, F5MC may need to restructure or reduce its workforce. A layoff or RIF is an involuntary employment separation initiated by F5MC. In determining which Employees will be subject to a restructure or reduction, F5MC may ~~take into account~~ *consider*, among other things, operational requirements, the skills, productivity, ability, and past performance of those involved and each Employee's length of service, all at F5MC's discretion.

Resignation

Resignation is defined as employment separation initiated by an Employee who chooses to leave F5MC voluntarily. Resigning Employees are requested to submit a written Notice of Resignation and are asked, but not required, to give no less than two weeks' notice.

Managers, supervisors, and Employees in key positions are asked, but not required, to provide four weeks written notice of their intention to resign employment. This advance notice does not include accrued vacation or any other compensated or non-compensated time off. Circumstances may exist where F5MC, in its sole and absolute discretion, may exercise its right to accept a resignation immediately or to accelerate the final date of employment.

In another separation circumstance, if an Employee fails to report to work for two consecutive work shifts without proper notification, the Employee is considered to have abandoned the job and to have voluntarily resigned from F5MC.

Retirement

Retirement is defined as an Employee initiated voluntary retirement from active employment. Retiring Employees are asked, but not required, to provide the same notification as Employees who voluntarily resign.

Employment at F5MC is for no specified time, regardless of the length of service of the Employee. F5MC is an "at-will" employer, and either F5MC or the Employee has the right to

end ~~our~~ the relationship at any time, with or without notice, for any reason not prohibited by law.

Section

2

EMPLOYEE CONDUCT

Code of Conduct

Employees have an obligation to act ethically, with integrity and professionalism, in all F5MC activities.

Employees are responsible for reporting any activity by any other Employee, subcontractor, funded partner, supplier, or vendor that appears to violate applicable laws, rules, or regulations. To report a suspected violation or to obtain guidance on an ethics or compliance issue, contact the Administrative Manager, the Executive Director, or the Chair of the Finance/Personnel Committee.

Employees with managerial and supervisory responsibilities have an obligation to encourage a work environment in which concerns can be raised and openly discussed without fear of retribution or reprisal and are expected to engage in regular communication with those they supervise.

Open Communication Policy

F5MC functions in a manner to support open, honest, direct communication, and a positive workplace for all Employees. Input and constructive and respectful criticism related to the overall operations and programs of F5MC is encouraged and welcomed from all Employees. All input will be considered and can be presented without fear of personal recrimination.

This policy is not intended to interfere with any Employee's rights to participate in concerted activity such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act.

Problem Solving

In any workplace, there are bound to be concerns that arise in the course of employment.

All Employees have access to F5MC's problem solving procedures outlined below. Efforts will be made to provide Employees with the opportunity to raise concerns or problems in confidence. F5MC attempts to resolve concerns and problems as quickly as possible. There are three main steps in the problem-solving procedure, and most concerns and problems will be resolved during one of these steps:

1. If the conflict is with a co-worker, attempt to resolve the issue between yourselves first. Direct communication is usually best. If you are not comfortable discussing the issue with your co-worker, or if after discussion, the problem or complaint is not resolved, and you wish further review, go to Step 2. Additionally, if your issue is concerning concerns working conditions, the interpretation or application of policies and procedures, or any other matter related to your

employment, you can skip this step and go to Step 2.

2. Discuss problems, concerns, or complaints with your supervisor and ~~make an attempt~~try to resolve the situation at this level. If after discussion, the problem or concern is not resolved to your satisfaction, and you wish further review, go to Step 3.
3. Discuss the problem, concern, or complaint with the Executive Director, who will work with all concerned to achieve a resolution of the concern, problem, or complaint. F5MC will make good faith efforts to resolve concerns, although some concerns may not be resolved in the manner preferred by the Employee who raised the concern.

In the event that the problem or complaint involves a funded partner, stakeholder, community member, vendor, or supplier, immediately advise the Executive Director and the concern will be addressed with the input of the Executive Director.

The problem-solving procedure outlined here is intended to encourage mature, open communication and improve working conditions. F5MC encourages all problems and concerns to be handled according to this policy. However, F5MC recognizes that there may be times when you are not comfortable talking with your supervisor. If at any time, you feel uncomfortable discussing a problem, concern, or complaint with your supervisor, please address your concerns or problems with the Executive Director. Also, complaints of harassment, discrimination, and retaliation are handled under the Prohibited Harassment, Discrimination and Retaliation Prevention Policy and must be immediately directed to the Administrative Manager, the Executive Director, or the Chair of the Finance/Personnel Committee.

These problem-solving procedures do not alter the “~~a~~At-will” nature of your employment with F5MC, and either you or F5MC can terminate the employment relationship at any time without using or completing F5MC’s problem solving procedures.

This policy is not intended to interfere with any Employee’s rights to participate in concerted activity such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act.

Confidentiality

The Confidentiality policy in the Handbook are intended to promote the legitimate and substantial business interests of F5MC including protecting employee privacy, protecting F5MC’s trade secrets, intellectual property, proprietary information and property, and ensuring employees’ outside and personal interests do not conflict with the interests of F5MC’s clients and business interests. This policy is not intended to interfere with or burden employees’ rights to participate in concerted activity, such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act (NLRA). If any employee believes this policy or any of F5MC’s policies contained in this Handbook would interfere with any employee’s protected rights under the NLRA, the employee is encouraged—but not required—to contact the Executive Director or the Administrative Manager so that they can explain the policy’s purpose and the F5MC’s desire to not interfere with employees’ protected rights.

During the course of employment with F5MC, Employees may have access to non-public information. This type of information includes, but is not limited to, the following (whether or not reduced to writing): Employee lists and Employee information (including Employee contact information such as email addresses, phone numbers, cell numbers, addresses, and protected health information), records, information relating to funded partners, stakeholders, community members, vendors or suppliers, and the clientele served (hereafter referred as “Confidential Information”). All such Confidential Information is

the sole property of F5MC and during the term of employment and at all times thereafter, Employees may not use or disclose, or induce or assist in the disclosure or use of, any Confidential Information for any purpose other than to benefit or promote F5MC business. Employees shall not disclose any confidential or proprietary information, directly or indirectly, or use ~~them~~ in any way, either during the term of their employment or at any time thereafter, except as required in the course of the employment with F5MC.

~~This policy is not intended to interfere with any Employee's rights to participate in concerted activity such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act.~~

Conflicts of Interest

This Conflict of Interest policy is intended to promote the legitimate and substantial business interests of F5MC including protecting F5MC's trade secrets, intellectual property, proprietary information, and property, and ensuring employees' outside and personal interests do not conflict with the interests of F5MC's community members and business interests. This policy is not intended to interfere with or burden employees' rights to participate in concerted activity, such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act (NLRA). If any employee believes this policy or any of the F5MC's policies contained in this Employee Handbook would interfere with any employee's protected rights under the NLRA, the employee is encouraged—but not required—to contact Executive Director or the Administrative Manager so that they can explain the policy's purpose and the F5MC's desire to not interfere with employees' protected rights.

While you are working at F5MC, it is important that you devote your best efforts and attention to the performance of your job, that you use good judgment, conduct yourself with integrity, and adhere to the highest ethical standards and principles of loyalty. Employees are, therefore, required to devote all of their productive time, ability, and attention to the business of F5MC during scheduled working hours.

As a general rule, provided Employees can effectively perform their position and supplemental employment does not constitute a conflict of interest, F5MC does not object to outside employment. However, as an independent public agency, F5MC Employees must avoid situations that create an actual or potential conflict of interest between their personal interests and those of F5MC. A conflict of interest exists when an Employee's loyalties or actions are divided between the interests of F5MC and those of another entity or person, such as a community partner, professional colleague, competitor, or any others doing business with F5MC. Both the fact and the appearance of a conflict of interest should be avoided.

Because F5MC is a public agency, F5MC Employees are prohibited by law from engaging in supplemental employment that involves:

1. The use of F5MC time, facilities, equipment, supplies, or influence of F5MC; or
2. Receipt or acceptance of money or other benefit for work that the Employee would normally perform in the regular course of the Employee's employment with F5MC; or
3. Work that may later be subject to review, control, or audit by F5MC; or
4. Time demands that adversely impact the Employee's ability to satisfactorily perform the Employees' job at F5MC.

Employees are required to disclose any potential conflict of interest to the Executive Director. Employees need to inform the Executive Director when they are seeking or plan to engage in activities or other conduct described in this policy so that a determination can be made if a conflict of interest exists between the

Employee's employment with F5MC and the outside employment or activity. The Executive Director will determine, in the Executive Director's sole discretion, whether an activity constitutes a prohibited conflict of interest.

Failure to adhere to this Conflicts of Interest policy may result in disciplinary action up to and including termination of employment. An appeal of the determination of the Executive Director may be made in writing, within 2 weeks of Employee's receipt of determination, to the Chair of the Finance/Personnel Committee (with a copy to the Executive Director).

~~Nothing in the policy is intended to interfere with any Employee's rights to participate in concerted activity such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act, or the rights of public Employees.~~

Please refer to F5MC's Policy Manual, Article VIII for further information and instructions.

Attendance and Punctuality

Regular attendance and punctuality are essential functions of each Employee's job with F5MC. Employees are expected to arrive at work at their regularly scheduled time, and to work their full weekly schedule. To maintain a safe and productive work environment, F5MC expects Employees to be reliable and punctual in reporting for work. Employees should remain at their workstations, except for breaks and lunch, unless performing work-related duties.

Employees who are unable to report for work for any reason must notify their immediate supervisor prior to the start of their regularly scheduled start time. If advance notice is not possible, employees should inform their supervisor as early as feasible. Employees must also keep their supervisor informed about the expected duration of the time away from work. In general, all Employees are required to be responsible and demonstrate respect for fellow Employees by establishing a record of punctuality and regular attendance. Regular attendance and promptness are considered part of each Employee's essential job functions, and these are factors considered in evaluating overall job performance.

Legally protected absences, including the use of paid sick leave pursuant to the Healthy Workplace, Healthy Family Act, are excluded from this policy.

Abusive Behavior

F5MC will not tolerate abusive language, abusive conduct, or any physical assault towards other Employees, volunteers, interns, funded partners, stakeholders, community members, vendors, or suppliers by an Employee.

Abusive conduct includes, but is not limited to, conduct undertaken with malice that a reasonable person would find hostile, offensive, and unrelated to F5MC's legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal, or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance.

Any behavior perceived as abusive may be grounds for disciplinary action up to and including immediate termination.

Workplace Violence

ITEM 6a

F5MC is committed to providing a safe, violence-free workplace and strictly prohibits Employees, funded partners, vendors, suppliers, visitors, or anyone else on F5MC premises or engaging in F5MC-related activity from behaving in a violent or threatening manner. As part of this policy, F5MC seeks to prevent workplace violence before it begins and reserves the right to deal with behavior that suggests a propensity towards violence even though no actual violent behavior has occurred.

F5MC's policy provides "zero tolerance" for actual or threatened violence against co-workers, volunteers, interns, funded partners, vendors, suppliers, visitors, or any other persons on F5MC premises or attending F5MC business-related activities. Employees are required to immediately report to the Administrative Manager any incident involving a threat of violence or act of violence, or any violation of this policy, immediately. This reporting requirement should also be followed if the Employee has been the victim of a threat of violence or act of violence by a non-work related individual and the Employee believes the individual might show up at the worksite to threaten or harm them or others.

Workplace violence that is strictly prohibited includes, but is not limited to:

- Behavior that suggests a propensity toward violence. This can include belligerent speech, excessive arguing or swearing, or a demonstrated pattern of refusal to follow F5MC policies and procedures; and threats of any kind (including those that are meant as "humorous" or a "joke"); or
- Threatening or violent behavior and/or gestures, such as intimidation of or attempts to instill fear in others; or
- Harassing or threatening phone calls; or
- Surveillance; or stalking; or
- Theft or sabotage of F5MC property, defacing F5MC property or effecting physical damage to the facilities; or
- Bringing weapons or firearms of any kind on F5MC premises, in F5MC parking lots, or while conducting F5MC business; or
- Any conduct resulting in a conviction under any criminal code provision relating to violence or threats of violence, which could adversely affect F5MC's legitimate business interests.

If Employees observe or become aware of such actions or behavior by an Employee, volunteer, intern, funded partners, vendor, supplier, visitor, or anyone else, the Employee is required to notify the Administrative Manager immediately, and/or call the Police/911, as appropriate. Further, the Employee should notify the Administrative Manager if any restraining order is in effect, or if a potentially violent non-work-related situation exists which could result in violence in the workplace. Please refer to F5MC's Illness and Injury Prevention Policy

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, F5MC will inform the reporting individual of the results of the investigation. To the extent practicable, F5MC will maintain the confidentiality of the reporting Employee and of the investigation but may need to disclose results in appropriate circumstances in order to protect individual safety. F5MC will not tolerate retaliation against any Employee who reports workplace violence.

Once a threat has been substantiated, F5MC will take appropriate corrective action. The appropriate corrective action will depend on the particular facts but may include written or oral warnings, and reassignment of responsibilities, suspension, or termination at F5MC's discretion. Additionally, actions may be needed to prevent a threat from being carried out, a violent act from occurring, or a life-

threatening situation from developing. No existing policy or procedure of F5MC should be interpreted in a manner that prevents the making of these necessary decisions. If the violent behavior is that of a non-Employee, F5MC will take appropriate protective action in an attempt to ensure that the F5MC workplace is safe.

Drug- and Alcohol-Free Workplace Policy

Purpose

F5MC has a vital interest in maintaining safe, efficient, and healthy working conditions for its Employees, and is therefore committed to providing a drug- and alcohol-free workplace. Any Employee who performs work while under the influence of drugs or alcohol runs the risks of endangering their own safety and the safety of others, destruction of or damage to personal or F5MC property, and a loss of productivity and workplace morale.

Prohibited Conduct

F5MC strictly prohibits the unlawful manufacture, distribution, dispensation, possession, use, sale or attempted sale, or purchase of alcohol, drugs, including marijuana used recreationally or medically, or controlled substances while on duty, at F5MC events, or on F5MC property.

“Controlled substance” means those substances defined as such by the federal Controlled Substances Act, and includes marijuana, even if medically prescribed or used for recreational purposes. “Illegal drug” means any drug or intoxicant that is not legally obtainable, as well as any drug or intoxicant that is legally obtainable but was obtained illegally or being used, sold, or distributed in an unlawful manner.

Legally prescribed medications, other than marijuana, are excluded from this rule and permitted only to the extent that the use of such medications does not adversely affect the Employee’s work ability, job performance, or the safety of that individual or others. It is the Employee’s responsibility to use appropriate personnel procedures (e.g., call in sick, request a leave of absence) when impaired or likely to be impaired by a legally prescribed medication or over-the-counter medication. In reporting such use, you must not identify the medication or specify the reasons why you are taking the medication. F5MC may, in its sole discretion, determine that an Employee’s use of a legally prescribed drug poses a threat to the Employee’s own safety, the safety of the public or the safety of co-workers, or impairs the Employee’s job performance. In that event, the Employee may be suspended from work in order to determine if the use of such medication limits the Employee’s ability to safely perform the essential functions of the Employee’s job.

F5MC may enter into federal or state contracts, and therefore must comply with the requirements of the California Drug-Free Workplace Act of 1990 (the “Act”). Pursuant to the Act, all Employees are required to notify F5MC of any conviction under a criminal drug statute for a violation occurring in the workplace or during any F5MC-related activity or event within 5 days after any such conviction. F5MC will notify any state or federal agency with which it has a contract of any Employee who has been convicted under a criminal drug statute for a violation occurring in the workplace or while engaged in any work-related activity.

F5MC will encourage and reasonably accommodate employees with alcohol or drug dependencies to seek treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave. F5MC is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug or alcohol use, nor is F5MC obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person’s job performance remains impaired as a result of dependency. All information received by F5MC through the

drug-free workplace program is confidential. Access to this confidential information is limited to those who have a legitimate need to know in compliance with applicable laws.

Any violation of this policy may result in disciplinary action, up to and including termination of employment.

Policy Enforcement

As a condition of continued employment with F5MC, all F5MC Employees must comply with this policy and agree to maintain a drug- and alcohol-free workplace.

In order to promote a safe, productive, and efficient workplace, F5MC reserves the right to inspect desks, boxes, packages, lunchboxes, purses, briefcases, backpacks, containers, and other objects brought onto F5MC property that might conceal alcohol and/or controlled substances or illegal drugs. Any personal item inspection or search will be conducted as a self-search in the presence of a F5MC observer, such as a supervisor. Inspections and searches of F5MC property may be performed without the Employee being present. Failure to fully cooperate with a requested inspection may result in disciplinary action, including but not limited to, immediate termination of employment.

Law enforcement officials will be informed whenever illegal drugs or controlled substances are found in the possession of any Employee during working time or on agency premises. F5MC reserves the right upon reasonable suspicion to search all areas of F5MC including, but not limited to, offices, work areas, desks, and common areas.

Drug-Free Awareness Program

In order to promote a safe workplace environment, F5MC ~~has established a drug-free awareness program to inform~~ Employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) F5MC's policy of maintaining a drug-free workplace;
- (3) Available drug counseling, rehabilitation and Employee assistance programs; and
- (4) The repercussions for drug abuse violations in the workplace.

Information and resources regarding F5MC's drug-free awareness ~~is are program are~~ available from the Administrative Manager.

Inspection

It is F5MC's intent to maintain a workplace that is free of alcohol, drugs, and other harmful materials. It is also F5MC's intent to protect against the unauthorized removal of its property and to ensure F5MC has access at all times to F5MC property, records, documents, and files. As a result, F5MC reserves the right to inspect Employees and their lockers, desks, workstations, F5MC vehicles, personal vehicles and other items brought to the worksite including, but not limited to, packages, lunch boxes, containers, personal effects, purses, briefcases, and other articles located on F5MC property that might conceal alcohol, illegal drugs, and/or other inappropriate materials. These inspections may be conducted at the discretion of F5MC, with or without advance notice or consent.

Employee entry on F5MC property constitutes consent to inspections, and Employees who fail to cooperate in any inspection may be subject to disciplinary action, up to and including possible termination.

Examples of Prohibited Conduct

F5MC's Prohibited Conduct policy are intended to promote the legitimate and substantial business interests of F5MC including compliance with California and federal laws including laws prohibiting harassment, discrimination, retaliation and abusive conduct, clearly communicating to employees and others the workplace rules concerning behaving cooperatively, respectfully, professionally, and ethically, to promote a safe and efficient workplace for all employees, to comply with conflict of interest laws, and protect the safety, interests, and property of community members, employees, and others served by F5MC. This policy is not intended to interfere with or burden employees' right to participate in concerted activity, such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act (NLRA). If any employee believes this policy or any of F5MC's policies contained in this Employee Handbook would interfere with any employee's protected rights under the NLRA, the employee is encouraged—but not required—to contact Executive Director or the Administrative Manager so that they can explain the policy's purpose and F5MC's desire to not interfere with employees' protected rights.

By accepting employment with F5MC, Employees have a responsibility to F5MC and to their co-workers to adhere to certain rules of behavior and conduct. Listed below are examples of prohibited conduct, constituting grounds for disciplinary action, including but not limited to immediate termination of employment. It must be stressed that this is not a complete list of prohibited conduct. Employees should be aware that conduct not specifically listed below but which adversely affects or is otherwise detrimental to the interests of F5MC, other Employees, or people with whom F5MC does business, may also result in disciplinary action.

The following list is not all-inclusive, but represents conduct that F5MC will not tolerate and may result in disciplinary action, up to and including immediate termination of employment:

- Willful or negligent damage, destruction, or defacement of property of F5MC, funded partners, or the property of others.
- Falsification of timekeeping records, accounting, or other financial documents, or any other F5MC documents.
- Excessive absenteeism or tardiness or an unacceptable pattern of absences, or unauthorized absence from your workstation during the workday, except that F5MC will not consider absences that are protected by law or regulation, such as use of the Paid Sick Leave under the Healthy Workplace, Healthy Family policy.
- Failure to follow instructions, established operating procedures, or assigned tasks, insubordination, or general disregard for authority. Including but not limited to refusing to perform a work-related duty when directly instructed to do so by a supervisor or member of management.
- Walking off the job without supervisory approval.
- Substandard job performance.
- Unauthorized use or disclosure of F5MC's or its funded partners' confidential information.
- Physical, visual, or verbal conduct that may be abusive, threatening, obscene, discriminatory, harassing, intimidating, harmful or intentionally disruptive to co-workers, interns, volunteers, funded partners, stakeholders, community members, vendors or suppliers, or other persons doing business with or who have contact with F5MC.
- Committing or involvement in any act of unlawful harassment, discrimination, or abusive

conduct in violation of F5MC’s Harassment, Discrimination, and Retaliation Prevention Policy.

- Behavior detrimental to the safety, security, health or welfare of Employees, funded partners, stakeholders, community members, vendors/suppliers, or operations.
- Theft, including but not limited to unauthorized possession, removal, or use of property, records, and/or funds of F5MC, F5MC partners, F5MC Employees, or others without prior permission.
- Theft of F5MC work time during the workday through excessive personal calls, conversations, internet use, personal cell phone calls, texting, or personal use of social media. Work time does not include rest breaks or meal breaks.
- Possession of firearms, explosives, weapons, or any other dangerous materials of any kind while on F5MC premises, in F5MC parking lots, or otherwise on duty.
- Unauthorized or unlawful use, sale, transfer, manufacture, or possession of drugs or controlled substances.
- Possession or consumption of illegal drugs, or legally prescribed drugs that impair the Employee’s ability to perform the Employee’s job, possession, or consumption of alcohol in violation of F5MC’s Drug and Alcohol-Free Workplace policy, or any other violation of F5MC’s Drug- and Alcohol-Free Workplace policy.
- Failure to work cooperatively and professionally with co-workers, funded partners, stakeholders, community members, vendors, suppliers, and the public.
- Conduct that violates any F5MC policy or guideline.
- Refusal to cooperate with any F5MC investigation.

These are examples of unacceptable conduct. You are expected to use common sense; any failure to adhere to a policy in this Employee Handbook is also a violation and may involve disciplinary action up to and including termination. This statement of prohibited conduct does not alter F5MC’s Policy of At-Will employment, meaning you and F5MC each remain free to terminate the employment relationship at any time, with or without reason or advance notice, and with or without cause.

~~This policy is not intended to interfere with Employees’ right to participate in concerted activity such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act.~~

Smoking

For health, safety, and business considerations, Employees are discouraged from smoking cigarettes and e-cigarettes. Secondhand smoke can be harmful to nonsmokers as well as smokers. Smoking is not permitted in F5MC buildings and/or while conducting F5MC business regardless of location.

Employees who wish to smoke may do so in designated outside areas at F5MC facility or on job sites, on breaks, away from the doorway and not in view of funded partners, community members, vendors, suppliers, or any guests who visit F5MC.

F5MC expects smokers to be courteous and conscientious about the effect their smoking may have on others. Smokers are expected to safely discard cigarette butts, so they do not have to be seen or handled by anyone else. Smokers are also expected to take steps to eliminate the smells associated with smoking before returning to the workplace.

The term “smoking” as used in this policy includes the use of any tobacco product and use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, and the use of any oral

smoking device for the purpose of circumventing the prohibition of smoking.

Gifts and Gratuities

F5MC Employees are not permitted to accept gifts or gratuities with a value of \$50 or more from the public, including vendors or Funded Partners. A formal procedure must be followed to accept any donation of money or other items. F5MC Employees must avoid situations that create an actual or potential conflict of interest between their personal interests and those of F5MC. Questions pertaining to the handling of donations should be addressed to the Controller.

Use of Information and Communication System

This Use of Information and Communication System policy is intended to promote the legitimate and substantial business interests of F5MC including protecting and preserving F5MC's computer resources and communicating acceptable use of F5MC's computer resources. This Use of Information and Communication System policy is not intended to interfere with or burden employees' right to participate in concerted activity, such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act (NLRA). If any employee believes this policy or any of F5MC's policies contained in this Handbook would interfere with any employee's protected rights under the NLRA, the employee is encouraged—but not required—to contact the Executive Director or the Administrative Manager so that they can explain the policy's purpose and F5MC's desire to not interfere with employees' protected rights.

F5MC Employees are permitted to use F5MC's phones, voicemail, electronic mail (email), computers, networking sites, software, and internet access (hereafter referred to "Information & Communication System") to communicate with others for business purposes. F5MC uses bulletin boards, mailboxes, memoranda, email, and meetings to communicate important information to Employees on a regular basis. Each Employee is responsible for reading posted or distributed information on a timely basis.

Nothing in this policy is intended to limit the ability of Employees to discuss with other Employees the terms and conditions of *their own* employment including such topics as wages, job performance, working conditions, workload, supervisors, or staffing.

Employees may not install, copy, stream, or download software onto F5MC computers or other electronic media unless authorized to do so by the Administrative Manager or Controller. F5MC's Information & Communication System, including hardware, software, equipment, and the data stored in the system are, and remain at all times, the property of F5MC whether such systems are located in your home, at a remote location, or in the office. As such, all messages created, sent, received, or stored in the system, as well as all information and materials downloaded into F5MC's Information & Communication System, are and remain the property of F5MC and are subject to inspection at any time. Since all the information/hardware/software utilized contained in F5MC's Information & Communication Systems belongs to F5MC, including email sent to or received by F5MC computers or transmitted via F5MC's servers and networks, Employees have no expectation or right of privacy in equipment, electronic communications, or ~~the~~any information contained in such Information & Communication System.

F5MC may monitor and/or search the contents of all voicemails, computer files, and electronic communications (including email) to promote the administration of F5MC's operations and policies or for any other business reason. F5MC maintains the right, but not the duty, to access and monitor any and all of the aspects of its phone system and computer system, including, but not limited to, monitoring voicemail, monitoring sites visited by Employees on the internet including chat groups and news groups, reviewing material downloaded or uploaded by users to the internet, and reviewing email sent and received by users.

Employees are required to provide the Administrative Manager with all passwords to all office provided computer systems, voicemail, email, phones, tablets, and accounts used for work, which will be maintained on

file by the Administrative Manager because an Employee's system may need to be accessed by F5MC when ~~you are~~ absent. Any changes in passwords to computer systems, voicemail, email, or any accounts used for F5MC work must be reported immediately to the Administrative Manager. F5MC reserves the right to override personal passwords at its sole discretion. ~~All electronic communication systems owned by F5MC may be subject to regular monitoring, and Employees have no right or expectation of privacy in such equipment and electronic communications.~~

F5MC's Information and Communication System should not be used for personal or any other use that is non-work related, or that does not serve F5MC's business needs. Further, only authorized Employees may communicate on the internet on behalf of F5MC. Employees are required to demonstrate professionalism in all communications, including voicemail and email. Voicemail, email, and the internet may not be used for any illegal purpose, violation of F5MC's policies, to solicit others for commercial ventures, or for personal or pecuniary gain.

While it is impossible to identify every standard and rule applicable to the use of F5MC's Information and Communication System, messages and downloaded data may not contain content that may reasonably be considered harassing, abusive, pornographic, or disruptive. Prohibited content would, for example, include sexual comments or images, racial slurs, or any comments that would offend someone on the basis of sex, race, color, religion, gender, gender identity, gender expression, age, mental or physical disability, medical condition, national origin, ancestry, citizenship, marital status, military or veteran status, sexual orientation, pregnancy, childbirth, or related medical conditions, perceived pregnancy, genetic characteristics, any other characteristic identified as a protected characteristic in this Handbook, or any other characteristic protected under federal or California law. Employees must not send or post messages or material that are abusive and which a reasonable person would find hostile, abusive, and unrelated to F5MC's legitimate business interests.

F5MC reserves the right and the ability to enforce this policy and to monitor compliance with its terms. F5MC may retrieve any messages composed, sent, received, or downloaded on computers, phones, tablets, and any other device or equipment. Please note that even when a message is deleted or erased, it is still possible to recreate the message; therefore, ultimate privacy of messages cannot be ensured to anyone. Further, F5MC reserves the right to monitor, at any time, your internet usage including the Websites that you have accessed, and any information that you may have downloaded. While voicemail, email, and internet may accommodate the use of passwords for security, confidentiality cannot be guaranteed.

Someone other than the recipient may review messages and downloaded data. Please also note that opening attachments or otherwise accessing material from unknown sources creates a significant risk of harm to F5MC's Information and Communication System.

If an Employee abuses these information and communication systems, the Employee may be subject to disciplinary action, up to and including termination, as well as civil and criminal liability.

Employees learning of any misuse of these systems, or violation of this policy, shall notify the Executive Director or Administrative Manager immediately. Failure to report such misuse or violation of this policy may result in discipline, up to and including termination of employment.

Use of the phone, computer and/or other electronics systems constitutes consent by the user to all of the terms and conditions of this policy.

~~This policy is not intended to interfere with Employees' right to participate in concerted activity such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act.~~

Disclaimer of Liability for Use of the Internet

F5MC is not responsible for material viewed or downloaded by users from the internet. The internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an email address on the internet may lead to receipt of unsolicited email containing offensive content. The internet is accessed at your own risk.

Virus Detection

Files obtained from sources outside F5MC, including disks brought from home; files downloaded from the internet, newsgroups, bulletin boards, or other online services and files attached to email; may contain dangerous computer viruses that may damage F5MC's computer network. Employees should never download files from the internet, accept email attachments from outsiders, or use disks from non-agency sources, without first scanning the material with F5MC-approved virus checking software. If you suspect that a virus has been introduced into F5MC's network, notify the Administrative Manager immediately.

Social Media

This Social Media policy is intended to promote the legitimate and substantial business interests of F5MC including protecting and preserving F5MC's computer resources, protecting employee privacy and communicating acceptable use of F5MC's computer resources. This Social Media policy is not intended to interfere with or burden employees' rights to participate in concerted activity, such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act (NLRA). If any employee believes this policy or any of F5MC's policies contained in this Handbook would interfere with any employee's protected rights under the NLRA, the employee is encouraged—but not required—to contact the Executive Director or the Administrative Manager so that they can explain the policy's purpose and F5MC's desire to not interfere with employees' protected rights.

F5MC may use social media for defined business purposes. Use of internet-based social media programs, such as Facebook, Instagram, LinkedIn, and ~~Twitter~~X, may be used only as authorized by F5MC to perform job duties in furtherance of F5MC's goals. Any authorization is limited to business purposes; personal use of social media during work hours or on F5MC's equipment is prohibited.

Employees engaging in social networking and blogging must always comply with F5MC's policies, including the Prohibited Conduct and Harassment, Discrimination, and Retaliation Prevention policies. This includes social networking and blogging for both F5MC business purposes (with express permission from your supervisor) and personal reasons (on your own time, using your own equipment). Employees should keep in mind that social media sites are often public and must not send or post messages or material that are abusive and which a reasonable person would find hostile, abusive, and unrelated to F5MC's legitimate business interests. However, this policy is not intended to limit Employee discussions and activities involving wages, hours, and working conditions. Employees are not to provide usernames or passwords for personal social media accounts to F5MC.

This policy is not intended to interfere with any Employee's right to participate in concerted activity such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act.

Telephone Use

Incoming business phone calls are an important and essential part of F5MC's business. If your job requires you to answer the phone, remember that the caller's entire impression of F5MC will be based on how you sound. Smile. Be courteous and friendly, and whenever possible, refer to the caller by name.

Personal phone calls placed or received on F5MC phones should only be made on a necessary basis to ensure that F5MC's funded partners, stakeholders, and community partners can effectively communicate with F5MC.

Should circumstances require that you place a long-distance or toll call, reimbursement for the call must be made within 7 days of receipt of an invoice. Inform the Finance Department of the number and duration of your call. Please be aware that any call made outside of the Salinas area is a toll call.

Personal Cell Phones, Computers, and Other Devices

The use of personal cell phones can be a problem at work if not managed properly. Incoming calls, text messages, and checking social media while you are working are distracting and disruptive to you and those around you. *F5MC expects Employees to manage these interruptions and keep them to a minimum.*

Hourly employees are prohibited from using personal cell phones, computers, and other electronic media for business-related purposes during non-working hours without advanced authorization and approval from F5MC. Employees who are authorized to use their personal cell phones for F5MC business reasons will be reimbursed a reasonable amount for the business use of the personal cell phone. If you determine that the agreed-upon cell phone reimbursement provided to you by F5MC for your use of your personal cell phone for business purposes does not adequately reimburse you for your business use of your personal cell phone, you are required to inform your supervisor or the Executive Director so your cell phone use and reimbursement can be reviewed and adjusted as necessary.

Personal cell phones, computers, and other electronic devices used for business purposes may be accessed by F5MC as needed for business related communications.

~~**Employees will be reimbursed for reasonable uses of personal devices for F5MC business.**~~

Mail and Postage Use

Personal packages and mail order catalogues may be sent to the work location. If use of this benefit becomes excessive, management will discuss alternate solutions.

The use of agency-paid postage for personal mail is not permitted.

Media Requests

Should you receive a request from the media, please refer the individual directly to the Executive Director. This includes requests to issue a press release or requests for a media interview.

Safety Rules

F5MC is concerned with the health and safety of every Employee. Each Employee is required to work in a safe manner, to use good judgment and common sense in matters of safety, to observe all safety rules published and posted in various areas and to follow all federal and state OSHA regulations. Each Employee is

also required to review F5MC's Injury and Illness Prevention Program ("IIPP") and follow all guidelines.

F5MC is obliged to comply with all State and Federal regulations including the Occupational Safety and Health Act of 1970, as amended, in regard to safe and healthy ~~ful~~ working conditions. Any dangerous working conditions should be reported to the Executive Director or Administrative Manager immediately. A situation posing immediate hazard to safety may require personal action, such as wiping up a spill in the hallway, using appropriate precautions.

Accidents and Injuries

All vehicle accidents, personal injuries to the public while in F5MC facilities, personal injuries to Employees during working hours, or damage to personal or F5MC property must be reported promptly (within 24 hours) to your supervisor or the Administrative Manager. One or more accident report forms will need to be completed. Needed medical treatment for work-related injuries may be obtained from F5MC's Workers' Compensation medical clinic. Please refer to F5MC's Workers' Compensation Insurance policy within Section 4 of this Handbook for more information.

Security

Employees are expected to protect the assets of F5MC and fellow Employees, funded partners, stakeholders, community members, and visitors whenever possible. While no one expects you to be an expert in security, your awareness and assistance will be a tremendous asset to this effort. Please report any suspicious or illegal behavior to the Administrative Manager immediately. If a thief ever confronts you, give that person everything they want because you and your safety are more important than anything the thief may take.

In case of emergency, dial "911".

Section

3

WORKTIME & PAY PRACTICES

Work Schedules

Full-Time, Non-Exempt Employees are generally scheduled for five 7.5-hour shifts each week. Start time is generally 8:30 a.m., with a one-hour meal break, and ending time is generally 5:00 p.m. However, F5MC will consider an alternative start and end time when the requested change does not interfere with business staffing needs or the performance of the individual or the team. Requests for an alternative start and end time must be approved by the Employee's supervisor and the Executive Director. F5MC reserves the right to change, modify, or amend work schedules as necessary to meet its ongoing business needs.

Exempt Employees are expected to work F5MC's regular business hours unless an Alternative Schedule is approved.

All Non-Exempt Employees are paid according to hours worked. Employees in positions that are considered "Exempt" from California and FLSA Wage and Hour Guidelines are expected to work whatever number of hours it takes to effectively accomplish the responsibilities of the job and meet agreed-upon performance goals. Exempt Employees are paid on a salary basis in accordance with applicable law and are not eligible for overtime pay.

All Employees are entitled to and will be provided with at least 1 day [off-of rest](#) each workweek.

Timekeeping (Non-Exempt)

Accurately recording time worked is the responsibility of every Non-Exempt Employee. Federal and State laws require F5MC to keep an accurate record of time worked in order to calculate pay and benefits.

All Non-Exempt Employees must accurately record the time that they actually work. Employees must clock in and out at the beginning and end of their shift, clock out when going on their meal period, and clock back in after the meal period. The time that Employees clock-in and clock-out will serve as a permanent record of time worked. Employees are not permitted to work off the clock.

No Employee is permitted to clock in or out for another Employee, and such an offense will be grounds for disciplinary action, up to and including termination of employment.

[When an Employeesyou signs off on your a time records, by that signature the youEmployee isare acknowledging, in writing, that all meal and rest periods to which the Employeeyou werewas entitled were provided to youthe Employee to take during that pay period.](#)

Errors in timekeeping must be reported immediately to the Controller and corrected in the same pay period in which the error occurred. Repeated failure to report the beginning or ending of a shift and/or meal periods according to F5MC's policy may result in disciplinary action, up to and including termination of employment.

Rest and Meal Periods (Non-Exempt)

Rest Periods

Non-Exempt Employees, who work at least 3½ hours in a workday, will receive a paid rest period of 10 consecutive, uninterrupted minutes for each 4 hours of work, or major fraction thereof. Pursuant to this policy, Employees who work more than 6 hours in a workday are provided a second paid rest period of at least 10 consecutive, uninterrupted minutes.

Employees who work more than 10 hours in a workday are provided with a third paid rest period of at least 10 consecutive, uninterrupted minutes. To the extent possible, rest breaks are to be taken in the middle of the 4-hour work period. Paid rest periods may not be combined or added to meal periods or used to make up for reporting to work late or to leave early.

Supervisors have the discretion to ask an Employee to take a later rest period as necessary to meet staffing requirements. Rest periods are intended to provide Employees an opportunity for rest and relaxation and are always provided to Employees. Accordingly, Employees are entirely relieved from duty during their rest periods. Rest periods should be enjoyed away from Employee work areas, and Employees are not permitted to perform any duties during rest periods.

Employees are free to leave the premises during rest periods. Employees who have been approved and authorized to work remotely are completely relieved from duty during rest periods and may not perform any work during rest periods. If, due to an emergency, an Employee is required to work through a rest period or to take a rest period of less than 10 minutes, the Employee must immediately notify the Employee's supervisor.

All Non-Exempt Employees are required to comply with this rest period provision. Violations of this policy may result in disciplinary action, up to and including possible termination of employment.

Meal Periods

Non-Exempt Employees who work more than 4 hours and 59 minutes in a workday will receive an unpaid, off-duty meal period of at least 30 minutes which must begin before completing 5 hours of work in a workday. Any Employee who works no more than 6 hours in a workday may waive the Employee's meal period by mutual consent of F5MC and the Employee. Non-Exempt Employees who work more than 10 hours in a workday will be provided with a second unpaid, off-duty meal period of at least 30 minutes, which must begin before completing 10 hours of work in a workday. Any Employee who works more than 10 hours but fewer than 12 hours in a workday may waive the Employee's second meal period by mutual consent of F5MC and the Employee, so long as the Employee did not waive the first meal period of the workday.

~~Non-Exempt Employees are responsible for monitoring their own time and insuring they take the off-duty meal period(s) of at least 30 minutes as mandated by law.~~

Meal periods are intended to provide Employees with an opportunity for rest and relaxation and are always provided to Employees. Accordingly, meal break(s) should be taken intentionally to break up the workday, should be enjoyed away from the Employee work areas, and Employees should not perform any duties during meal periods. Employees are entirely relieved from duty

during their meal period(s) and, if applicable, employees may leave F5MC's premises during meal periods.

Choosing to take less than the scheduled meal period, choosing to work more than 4 hours and 59 minutes continuously (if working more than 6 hours in a workday), and/or causing overtime pay as a result of choosing to take less than the scheduled meal period, will subject the Employee to disciplinary action, up to and including termination of employment.

Employees are required to inform their supervisor and the Controller immediately, via email, if they miss a meal period, or if their meal period is interrupted, on the day the meal period is missed or interrupted.

All Non-Exempt Employees are required to record actual time out when leaving to take a meal period and actual time in upon returning to work so as to record meal periods taken. If, due to an emergency, an employee is required to work through a meal period, take a late meal period, or return to duty before the employee has taken at least a thirty (30) minute meal period, the employee must immediately notify the employee's supervisor in writing the day the meal period is missed or late.

Pay Periods and Pay Days

All Employees are paid every 2 weeks on Friday. Non-Exempt Employees' paychecks will include earnings for all work performed and documented via a timecard through the end of the pay period ending the previous Saturday. Exempt Employees' paychecks will include earnings for all work performed in accordance with pre-established monthly salaries. If a payday falls on a holiday, then Employees will be paid the day before the holiday to ensure that Employees are paid within 7 calendar days of the end of the payroll period.

Overtime Pay (Non-Exempt)

When operation requirements or other needs cannot be met during regular working hours, Employees in Non-Exempt positions will be assigned or given the opportunity to volunteer for overtime work assignments. All overtime work must receive prior authorization from supervisor(s).

As required by law, overtime pay is based on actual hours worked. Time paid on vacation, sick, or any leave of absence will not be considered "hours worked" for purposes of performing overtime calculations. Overtime is paid to Employees in Non-Exempt positions according to State and Federal regulations, which are subject to change. The current overtime rate is posted and can be requested from the Administrative Manager or Controller. Currently, overtime is computed as outlined below:

<i>Daily:</i>	Up to 8 hours –	8 to	straight time
	12 hours -	Over 12	time and one-half
	hours –		double time
<i>Weekly:</i>	Up to 40 hours –		straight time
	Over 40 hours –		time and one-half

The workweek at F5MC begins at 12:00 a.m. on Sunday and ends seven consecutive days later on Saturday at 11:59 p.m.

Bilingual Pay Allowance

An additional amount of \$60 per pay period is offered to Regular Full-Time Employees who have

successfully completed their first 30 days of employment with F5MC and when the Employee uses their bilingual skills on a regular and frequent basis. Regular and frequent basis shall mean using the skill at least once a day or an average of twenty-five percent (25%) of the time. Bilingual skills shall include written translation, answering phone calls, and speaking or corresponding with community members in Spanish. To be eligible for bilingual pay allowance, the Employee must demonstrate a language proficiency of job-related terminology. Bilingual pay allowance will be provided at the discretion of the Executive Director.

Expense Reimbursement

F5MC reimburses Employees for expenses related to business activity as required by law. Whether Employees are reimbursed for business expenses or a F5MC credit card paid directly by F5MC is used, Employees are required to follow the procedures outlined in the F5MC Procedures Manual.

Non-managerial and non-supervisory Employees are required to have their supervisor's written authorization prior to incurring an expense on behalf of F5MC.

After an approved expense has been incurred, or when approved travel is completed, expense reports should be completed and submitted within 15 days. [Employees are required to limit business expenses to reasonable amounts. Business expenses generally must be approved in advance. The following are examples of business expenses that may arise and the policies and procedures that employees must follow. For questions on this policy, please speak with your supervisor.](#)

Use of Personal Automobiles

Employees who use their own automobiles for travel on authorized Agency business will be reimbursed for mileage at the rate established by the IRS as of the date of travel. Mileage forms are completed on a monthly basis and must be reviewed and approved by the Finance Department. Employees must have prior approval for the use of personal vehicles and must carry, at their own expense, the minimum insurance for property damage and public liability. Proof of car insurance and possession of a valid Driver's License is required prior to use of your personal vehicle to conduct F5MC business.

F5MC's insurance policy also covers use of personal vehicles in the performance of job duties; however, this coverage is considered secondary to the Employee's insurance. It is the Employee's responsibility to pay fines for parking citations, towing fees, or moving violations while using your personal vehicle on F5MC business.

If you are involved in an accident while traveling on business, you are required to inform the Administrative Manager within 24 hours. In addition, if applicable, you are required to provide F5MC a police report describing the accident. Vehicles owned, leased, or rented by F5MC may not be used for personal use without prior approval.

Employees authorized to rent vehicles for use in conducting F5MC business, must possess a current, valid driver's license and an acceptable driving record. A valid driver's license must be in your possession while operating a vehicle off or on F5MC property. It is the responsibility of every Employee to drive safely and obey all traffic, vehicle safety, and parking laws and regulations.

Trips to and from work constitute a normal commute and are not reimbursable.

Business Travel

Prior to commencing business travel, Employees must submit an itinerary including destination, nature of business, and estimated length of time away. Overnight travel requires pre-approval by the Executive Director or Controller.

Reimbursement for lodging/meals will be at the actual total cost up to the maximum daily amount allowed by the then-current U.S. General Services Administration (GSA) Domestic Per Diem Rates. Exceptions may be approved by Executive Director or Controller as appropriate. Alcohol purchases will not be reimbursed. When an Employee travels with a companion(s) or adds vacation days onto the beginning or end of a business trip, lodging costs shall be reimbursed at the single rate plus tax, or actual cost, whichever is less (not to exceed the maximums noted above), for each night of business travel. Additional days or costs before or after the business/conference will not be reimbursed.

Other incidental expenses including, but not necessarily limited to, business-related long- distance telephone calls, baggage handling charges, bridge tolls, parking fees, gratuities, and taxis shall be reimbursed at cost, based upon supporting documentation. For parking meter charges, public transportation, baggage handling, tips, and bridge tolls, where documentation is unavailable, payment will be made based upon reasonable costs and within per diems.

Employees are expected to limit expenses to reasonable amounts, and receipts for all individual expenses must accompany a Request for Services & Payment Form or a completed Travel Request/Claim Form.

Required Training

F5MC may require training for all Employees, or categories of Employees, in order to accomplish the goals and objectives of F5MC. Training will usually be offered during regular work hours; however, there may be times when required training is held outside of regular work hours. All fees and expenses for required training will be either paid up front by F5MC or fully reimbursed.

Types of training may include:

- Seminars, workshops, and symposia focused on children ages 0-5 and their families, First 5 practices, support of F5MC funded partners or First 5 sponsored training to increase knowledge of work-related procedures or funded initiatives.
- Skill building courses or workshops to increase your skill level in areas directly related to your current position.

Classes, Conferences, Seminars, and Workshops

Employees are encouraged to continue formal training through attendance and participation in approved classes, conferences, seminars, and workshops that are directly related to their job and responsibilities with F5MC and its operations, activities, and objectives.

Where attendance is required or authorized by F5MC, the Employee is required to fill out and submit for prior approval a Request for Services & Payment Form or a Travel Request/Claim Form with Actual and estimated costs for all expected expenses. Customary and reasonable expenses will be reimbursed upon submission of proper receipts and cover registration fees, meals, lodging, transportation, and parking.

Professional Association Memberships and Meetings

With prior authorization, F5MC will reimburse memberships in professional associations in a job-related professional organization. Requests must be made in writing to the Executive Director or Controller for approval.

Employees may request to attend professional association meetings on a monthly, quarterly, or annual basis. Meeting fees, as well as expenses for meals, lodging, and travel will be reimbursed to the extent they are pre-approved in accordance with current guidelines and budgeted Agency expenses. You are encouraged to invite other interested Employees to appropriate association functions. F5MC expects attending Employees to model the highest levels of professionalism and to spread the word with other attendees about the positive outcomes F5MC programs have had on the community.

Meetings & Training Time Pay (Non-Exempt)

Time spent at training may or may not be paid, depending on whether or not it is directly related to the Employee's job as solely determined by F5MC. Training will be considered for approval if it aids the Employee in performing the present job more effectively, as distinguished from training for another labor skill.

Time spent attending training programs, workshops, and meetings is counted and paid as hours worked if:

- The Employee is required to attend lectures, work courses, or Employer-sponsored training programs that are directly related to the job; or
- The Employee is led to believe that present working conditions or continuation of employment would be adversely affected by nonattendance; or
- Training is directly related to the job if it is designed to help the Employee perform the job more effectively, as distinguished from training for another job.

Travel Time Pay (Non-Exempt)

If you are required to travel as part of your job, you will be paid for all travel time at your applicable wage rate at the time of travel. Travel time includes time driving or being driven on F5MC business, as well as time spent at the airport and flying on F5MC business. For example, if you are required to fly for F5MC business, travel time typically begins when you leave the workplace to go to the airport, and typically ends after you check in at the hotel upon arriving at your destination. Any time your travel includes leaving from or returning to your personal residence, your normal commute time should be deducted from the total travel time reported.

Pay Corrections

F5MC takes all reasonable steps to assure that Employees receive the correct amount of pay in each paycheck and that Employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the paycheck amount, Employees must promptly bring the discrepancy to the attention of the Finance Department so that corrections can be made as quickly as possible. Once underpayments or overpayments are identified, they will be corrected in the next regular paycheck.

Pay Deductions

F5MC is required by law to make certain deductions from your paycheck. Among these are applicable

Federal and State taxes. If you have questions concerning why deductions were made, or how they were calculated, the Finance Department can assist you.

Wage Garnishments

Garnishment of wages results when an unpaid creditor or tax authority has taken the matter to court. A garnishment is legal permission for creditors to collect part of an Employee's pay directly from F5MC. Although F5MC does not wish to become involved in Employees private matters, we are compelled by law to administer the court's orders. All new Employees are reported to the EDD as required by law. If F5MC receives a notice of pending garnishment or wage assignment for a child support obligor, or for any other creditor to collect pay from you, we will notify you of such notice and we will comply with the law by garnishing your wages according to instruction from EDD. Employees are strongly encouraged to work out financial problems before this situation occurs.

Section

4

BENEFITS

Vacation

Vacation time off with pay is available to Regular Full-Time Employees and Regular Part-Time Employees who are regularly scheduled to work 30 or more hours each week, to provide opportunities for rest, relaxation, and personal pursuits. F5MC recognizes the value of time away from work responsibilities and encourages Employees to use all accrued vacation benefits on a timely basis. When approved, accrued vacation time can be taken after 30 days of employment.

Accrual

The amount of paid vacation time an Employee earns each year increases with the length of employment as shown in the following schedule, based on 37.5 hours worked per week.

Length of Service	Days accrued/year
Date of hire – 12 months	15 days
13 - 36 months	20 days
37 months or more	25 days

Vacation accrues and is paid based upon actual hours worked. Time off while on vacation or leave of absence shall not be considered hours worked for purposes of vacation accrual or determining whether an Employee works overtime.

Temporary, On-Call, and Part-Time Employees regularly scheduled less than 30 hours each week are not eligible for paid vacation benefits. Regular Part-Time Employees who are regularly scheduled to work 30 or more hours each week will receive a prorated amount of vacation hours based on regularly scheduled work hours. Please see the Controller for specific amounts.

Requesting and Taking Vacation

Employees may request to use earned and available vacation after 30 days of employment. Vacation leave shall be scheduled at times that will not cause serious disruption or interference with F5MC's scheduled work or programs/services.

To request vacation of 4 days or less, the Employee needs to email their Supervisor, cc'ing the Controller, for prior approval. Requests should be emailed as far in advance as possible to allow Staff to arrange coverage. To take a vacation that will result in the Employee being "out of office"

for 5 or more consecutive days (including Paid Holidays), the Employee needs to fill out a “Request for Leave” Form at least 14 days prior to the requested time off. The exception to this policy is the Winter Rest period. A “Request for Leave” Form is not needed if the Employee is only taking those days off work. If additional days are being taken, on either side of the Winter Rest, a “Request for Leave” Form needs to be completed so that the supervisor can appropriately plan.

All vacation requests will be considered based on a number of factors, including business needs and staffing requirements. Vacation is paid at your base pay rate at the time it is taken. Vacation may not be used in advance of accrual.

Capping Vacation

Unused vacation may be carried forward to the next year; however, the maximum amount of accrued vacation that Employees may have at any one time is 2 times the Employee’s annual rate of accrual. Maximum accruals: 0-12 months: 225 hours; 13-36 months: 300 hours; 37+ months: 375 hours. Once the maximum accrual amount has been reached, no additional vacation will be earned until previously accrued vacation time is used. ~~You Employees~~ will not ~~be given~~ receive retroactive credit for any period of time in which ~~you the Employee~~ did not accrue vacation because ~~you they~~ were at the maximum. At each calendar year-end, unused vacation at or below the maximum accrual amount will carry over to the subsequent year.

Emergency Donation of Vacation

For specific occasions, and subject to approval from the Executive Director, you may donate vacation hours to another Employee who has a serious personal situation (e.g., *floods, fire, illness, etc.*), and therefore needs to take time off and does not have sufficient vacation time banked.

The value of the donated hours will be converted into the hourly rate for the receiving Employee and the correct number of hours credited to the receiving Employee’s vacation bank. A receiving Employee may not convert leave received under this plan into cash in lieu of using the leave. Donating Employees must retain a vacation balance of at least 37.5 hours after the donation.

Upon Separation

Upon separation of employment, Employees will be paid for all accrued, but unused vacation earned through the last day of work at their regular base rate, based on the current earning schedule.

Healthy Workplace, Healthy Family Act Paid Sick Leave

All F5MC Employees, including all Part-Time, Temporary, and On-Call Employees, who have worked in the state of California for the same employer for 30 or more days within a year are eligible for paid sick leave benefits pursuant to the California Healthy Workplace, Healthy Family Act of 2014 (HWHFA). ~~ED~~ [The Executive Director](#) can give an exemption if needed.

Sick Leave Allotment and Carryover

Eligible Employees will receive 40 hours [or 5 days](#) of paid [HWHFA](#) sick leave benefits, and an additional 40 hours [or 5 days](#) of paid sick leave benefits on January 1 of each subsequent year in which the Employee is employed by F5MC.

HWHFA sick leave provided under this policy does not carry over from year to year. If an

Employee does not use all 40 hours [or 5 days](#) of paid sick leave by December 31st of each year, the unused hours will not carry over to the next year. Instead, the Employee's bank of HWHFA sick leave benefits will zero out and the Employee will receive a new allotment of 40 hours [or 5 days](#) of paid sick leave benefits in their bank on January 1 of each year.

Use of HWHFA Sick Leave

HWHFA paid sick leave provided under this policy can be used by eligible Employees after their 30th day of employment and can be used in minimum increments of 1 hour. Employees may use sick leave benefits under this policy for an absence due to diagnosis, care, or treatment of an existing health condition or preventative care for the Employee or the following family members:

- The Employee's biological, adopted, or foster child, stepchild, legal ward, or a child to whom the Employee stands *in loco parentis*, regardless of the child's age or dependency status; or
- [The Employee or the Employee's spouse's or registered domestic partner's biological, adoptive, or foster parent, stepparent, or legal guardian, or a person who stood *in loco parentis* when the Employee was a minor child; or](#)
- [A designated person, defined as a person identified by the employee at the time the employee requests paid sick days. An employee may use paid sick leave to care for one designated person per 12-month period; or](#)
- The Employee's spouse, registered domestic partner, grandparent, grandchild, or sibling.

Paid sick leave under this policy can also be used by an Employee who is a victim of domestic violence, sexual assault, or stalking to obtain treatment or counseling, engage in safety planning, or as otherwise provided under the law.

Separation of Employment

Unused sick leave benefits provided pursuant to this policy will not be paid to Employees upon separation of employment. However, if an Employee is rehired at F5MC within 12 months from the date of separation, previously accrued and unused HWHFA paid sick leave shall be reinstated.

Notice and Records

If the need for paid sick leave is foreseeable, the Employee shall provide reasonable advance notification to the Employee's Supervisor prior to the absence. If the need for paid sick leave is unforeseeable, the Employee shall provide notice of the need for the leave as soon as practicable.

The amount of paid sick leave available for use under the Healthy Workplace, Healthy Family Act of 2014 will appear on an Employee's paycheck stub.

Non-Discrimination

F5MC will not deny an Employee the right to use accrued sick days under this policy, or discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an Employee for using accrued sick days or exercising or attempting to exercise the rights provided by the HWHFA.

Coordination of HWHFA Sick Leave with F5MC-Provided

Sick Leave Benefits

In addition to receiving 40 hours or 5 days of paid sick leave benefits under the HWHFA, Regular Full-Time and Regular Part-Time Benefit-Eligible Employees will also receive additional paid sick leave benefits under F5MC's Non-HWHFA Sick Leave policy, ~~discussed below~~.

Non-HWHFA F5MC-Provided Paid Sick Leave

Separate and apart from, and in addition to, paid sick leave benefits pursuant to the HWHFA, non-HWHFA F5MC-provided Paid Sick Leave is available to all Regular Full-time and Part-time Benefit-Eligible Employees in order to minimize the economic hardships that may result from an unexpected short-term illness or injury. **All references to paid sick leave under this specific policy refer to F5MC-provided paid sick leave only.**

Accrual

Non-HWHFA sick leave accrual is based on a full-time calculation of 1950 hours worked per year with an accrual rate of 59 hours of sick leave benefits per year. This equates to an accrual of .03026 per hour and will be calculated only on hours actually worked. New Employees shall accrue sick leave from the first day of employment but are not eligible for sick leave pay under this policy until they have completed 30 days from the first day of employment. The Executive Director, at their discretion, may allow the Employee to use the time prior to the 30th day of employment in special circumstances.

Unused non-HWHFA sick leave may be accrued up to a maximum of 180 hours. Once the maximum accrual amount has been reached, no additional sick leave will be earned until previously accrued sick leave is used. You will not be given retroactive credit for any period of time in which you did not accrue sick leave because you were at the maximum.

Use of F5MC-Provided Paid Sick Leave Benefits

Employees may use sick leave benefits under this policy for an absence due to diagnosis, care, or treatment of an existing health condition; ~~or~~ preventative care for the Employee; ~~or~~ the following family members:

- The Employee's biological, adopted, or foster child, stepchild, legal ward, or a child to whom the Employee stands *in loco parentis*, regardless of the child's age or dependency status; ~~or~~
- The Employee or the Employee's spouse's or registered domestic partner's biological, adoptive, or foster parent, stepparent, or legal guardian, or a person who stood *in loco parentis* when the Employee was a minor child; ~~or~~
- The Employee's spouse, registered domestic partner, grandparent, grandchild, or sibling; ~~or~~
- When living in the household of the Employee, a sibling-in-law, or "designated person". A "designated person" is defined as a person identified by the Employee at the time the Employee requests to use paid sick time. Employees are permitted one "designated person" per 12-month period for paid sick leave usage.

Paid sick leave under this policy can also be used by an Employee who is a victim of domestic

violence, sexual assault, or stalking to obtain treatment or counseling, engage in safety planning, or as otherwise provided under the law.

Sick leave under this policy cannot be used in lieu of vacation time.

If you are unable to come to work because of illness, you must notify the office and/or your supervisor before the start of the workday. Sick leave benefits are designed only to assist you when work is missed due to an actual illness or injury and benefits are not available or payable for any other reason. No sick leave benefits are paid upon separation of employment for any reason, including retirement.

Paid Holidays

Paid Holidays are available to all Regular Full-Time and Regular Part-Time Employees who are regularly scheduled to work 30+ hours a week. Eligible Employees will receive holiday pay at their regular rate of pay (as of the date of the holiday) multiplied by the number of hours that would have otherwise been worked on that day.

F5MC recognizes the following holidays:

New Year's Day	Martin Luther King Day
President's Day	Cesar Chavez Day
Memorial Day	Independence Day
Labor Day	Veteran's Day
Thanksgiving Day	

If a holiday falls on a weekend, it will normally be observed on the Friday before or the Monday after the holiday.

Winter Rest: F5MC will be closed on the 5 weekdays from December 25th through December 31st. These are paid days off for all Employees eligible for holiday pay. A holiday and agency closure schedule will be provided to Employees at the beginning of each calendar year.

If a recognized holiday falls during an eligible Employee's paid absence (VAC/SICK), the day will be counted as holiday pay. Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

Professional Development Assistance

F5MC provides a number of professional development programs that encourage Employees to advance their careers. All programs have some level of reimbursement for eligible Employees.

Requests for any type of professional development must be in writing, using the Professional Development Assistance form. Specific procedures are detailed on the form. All requests must be initially submitted to your supervisor at least 1 month prior to the event or program start date. Approval shall be at the discretion of the Executive Director and will be evaluated relative to the needs of F5MC and budget/operations considerations.

Note: If there are changes in your event or program start date, your supervisor must be informed immediately in order to maintain smooth work operations.

Eligibility

To be eligible for Professional Development Assistance Employees must:

- Be employed for at least 1 year in a benefited position; and
- Be considered in good standing; and
- Receive approval from the Executive Director at least 10 days in advance of the beginning of the training; and
- Be on the active Employee payroll upon completion of the training or course.

Note: Participation may be restricted due to annual budget limitations. In situations where an Employee is interested in changing their career direction within F5MC, management will review the request and make a decision about reimbursement on an individual case by case basis.

Degree/Certification Programs

As part of its Professional Development Assistance program, F5MC may provide tuition assistance for Employees who voluntarily enroll in an accredited degree or certification program that enhances the Employee's career within F5MC.

Regular Full-Time Employees will be eligible for reimbursement and Regular Part-Time benefited Employees will be eligible for reimbursement on a pro-rated basis, contingent upon pre-approval from the Executive Director and available agency budget. Tuition assistance may be provided up to 100%, depending on your grades, and includes tuition, registration, and may include required books.

To apply for tuition reimbursement under this program you must:

1. Complete the *Application for Professional Development Assistance Form* and obtain approval from the Executive Director *prior* to registering for a class. If you are planning to enroll in a degree program, approval may be given for the degree program in total. In this case, you will not have to obtain approval for each course prior to enrollment.
2. Enroll in the course and pay the tuition, registration, required books, and application fees yourself.
3. With the Executive Director's prior approval and upon completion of the course, submit your grade(s) and the receipts for course(s) fees. Reimbursement will only be considered for approved course(s) where a grade of B or better has been earned. Courses where a grade of C, D, F, an incomplete, or a pass/fail were earned are not eligible for reimbursement.

You must be employed by F5MC in a benefited position at the time the request is submitted and at the time of reimbursement, to receive reimbursement for course(s) fees.

In some cases, there may be conflicts between school schedules and work schedules. The needs of your job will take precedence, although F5MC will try to accommodate changes to your schedule when possible.

Legally Mandated Benefit Programs

There are a number of benefit programs required by law to be provided to all Employees. These programs include: Social Security Benefits; California State Disability Insurance (SDI); California State Paid Family Leave Insurance (PFLI); Workers' Compensation (WC); Unemployment Insurance (UI), and Family and Medical Leave as per the Family and Medical Leave Act of 1993, as amended (FMLA).

Social Security Benefits

Employees of F5MC are covered under the provisions of the Federal Social Security Law (FICA). Social Security benefits are administered by the Social Security Administration and can provide some retirement income. There is a deduction from the Employee's wages for social security taxes and an Employer contribution which F5MC pays according to Federal regulations. The total contribution by you and F5MC is credited toward your Social Security benefits, which may be available at the time Employees are eligible to retire. In addition, disability and survivors' benefits are financed through Social Security deductions.

California State Disability Insurance (SDI) and Paid Family Leave Insurance (PFLI)

SDI is a partial wage-replacement insurance plan in California that provides short-term benefits to Employees who suffer a loss of wages when unable to work due to a non-work-related illness or injury, or when medically disabled due to pregnancy or childbirth. PFLI is a partial wage-replacement insurance plan in California for Employees in specific circumstances who choose not to work in order to care for a seriously ill family member or to bond with a new minor child. A small percentage, based on a rate and amount calculated by the California Employee Development Department (EDD), of the Employee's wages is deducted each pay period for both of these insurances.

The Employee is responsible for filing any claim and other forms promptly and accurately with the EDD. The determination of benefits is solely up to the EDD. Additional information can be obtained from the local EDD office or the EDD website: <http://www.edd.ca.gov>.

Because SDI & PFLI benefits do not entirely replace wages that are lost during a covered absence, Employees should contact the Administrative Manager to determine whether you are also eligible for other payments and how they might integrate with each other. SDI and PFLI are wage replacement programs and do not guarantee the right to take time off from your job.

Workers' Compensation Insurance (WC)

F5MC carries workers' compensation insurance as required by law to protect Employees who are injured on the job. Workers' Compensation is a no-fault insurance system that provides coverage for any death, specific or cumulative physical or mental injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, Workers' Compensation Insurance provides benefits after a short waiting period or, if you are hospitalized, immediately. The cost of this coverage is paid by F5MC. You must immediately report any on-the-job injury to your supervisor, regardless of how minor the injury may seem. In most cases, F5MC will return an injured Employee to work as soon as possible on modified or light-duty status until the time that a physician's release to return to regular work is obtained. Questions concerning our workers' compensation coverage should be directed to the Administrative

Manager.

Abusing the System

Neither F5MC nor the insurance carrier will be liable for the payment of Workers' Compensation benefits for injuries that occur during your voluntary participation in any off-duty recreational, social, or athletic activity sponsored by F5MC.

All Employees should be aware that new anti-fraud laws state that any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying Workers' Compensation benefits or payments is guilty of a felony.

Unemployment Insurance (UI)

Unemployment Insurance is a partial wage-replacement insurance plan in California that provides short-term benefits to eligible workers who lose their jobs or have a reduction in their regularly scheduled hours through no fault of their own or who meet other qualifying criteria.

If your employment separates with F5MC, you may be eligible to receive Unemployment Insurance. UI is fully paid by F5MC and is administered by the State of California. In most cases, you must file a claim in order to collect this benefit. Eligibility for benefits is determined by the California Employment Development Department (EDD). For a brochure, please contact the Administrative Manager.

Federal Family and Medical Leave Act (FMLA)

If F5MC and F5MC's Employees meet the requirements, then Employees would be eligible to receive benefits under the federal Family and Medical Leave Act (FMLA). F5MC does meet the requirements as a public entity, however, for an Employee to be eligible to receive FMLA benefits, the Employee must work at a location with 50 or more Employees within a 75-mile radius, have been employed by F5MC for at least 12 months, and have worked at least 1,250 hours for F5MC during the previous 12 months. At this time, F5MC Employees are not eligible for FMLA benefits because F5MC Employees do not work at a location with 50 or more Employees within a 75-mile radius. F5MC is required to provide information on FMLA even though Employees are not eligible. See Appendix A for an overview of the FMLA.

If you have any questions regarding the FMLA, please contact the Administrative Manager. Also, see the California Family Rights Act policy below for information on family and medical leave provided under the California Family Rights Act.

Benefits Continuation (COBRA/Cal COBRA)

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives you and your qualified beneficiaries the opportunity to elect to continue health insurance coverage under F5MC's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation; separation of employment; death of an Employee; reduction in an Employee's hours; leave of absence; and a dependent child no longer meeting eligibility requirements. While there is no change for the Employee, an Employee's divorce or legal separation is a qualifying event for the Employee's spouse. Employees who experience a qualifying event must provide written notice within 60 days after the qualifying event occurs to the Administrative

Manager. This written notice must include the name of the Employee, the type of qualifying event, the date of the qualifying event, the name of the insurance plan, and the names of the individual(s) eligible for COBRA.

Under Cal COBRA, the eligible Employee or beneficiary pays the full cost of coverage at F5MC's group rates plus an administration fee.

F5MC provides each eligible Employee with a written notice describing rights granted under COBRA when you become eligible for coverage under F5MC's health insurance plan. The notice contains important information about your rights to elect continued coverage and obligations.

F5MC-Provided Health and Welfare Benefits

These benefits are not required by law. F5MC provides medical, dental, vision, and life insurance coverage for ~~its~~ eligible Regular Full-Time or Regular Part-Time Employees and their families. Below is general information about the health benefits F5MC provides.

Eligibility

Subject to plan qualifications, terms, and conditions, an Employee is eligible for health benefits if they are a Regular Full-Time or Regular Part-Time Benefits Eligible Employee, and are regularly scheduled to work 30 or more hours each week. If you choose to waive health insurance, F5MC will ask you to sign a waiver stating such. Employee benefits become available to you on the first of the month after the first day of employment. The Administrative Manager will review the details of each benefit and enroll prior to eligibility.

You may enroll the following dependents in the plan(s) you elect:

Eligible spouse: Must be legally married to you in order to be eligible for coverage. A Marriage Certificate ~~is~~ may be required for proof of eligibility.

Eligible dependent children: Includes children born to you, stepchildren, and adopted children. The Patient Protection and Affordable Care Act currently extends health care coverage for children under their parent's health plan up to the age of 26.

Eligible domestic partner: Must be in a legally recognized domestic partnership in order to be eligible for coverage. A Declaration of Domestic Partnership, filed with the California Secretary of State, is required for proof of eligibility.

Contributing to Your Benefits

F5MC's share of premiums is determined each year prior to each Open Enrollment period. F5MC's share of the costs of benefits for Regular Part-Time Employees will be pro-rated to the average percentage of time the Employee is regularly scheduled to work based on 37.5 hours per week.

F5MC reserves the right to change health, vision, and dental insurance plans and benefits under those plans, to change the Employer share of premium payments for the plans, with or without notice, consistent with any legal obligations it may have.

Making Changes

You may change your health elections once a year, during the annual open enrollment period. The other time you may make a health care change is if one of the following qualifying events occurs:

- A change in legal marital status (i.e., marriage, divorce, death, legal separation, or annulment).
- A change in registered domestic partner status.
- A change in the number of dependents (i.e., birth, death, adoption or placement for adoption, or child ages out of dependent status).
- A change in your own or your spouse's employment status or Employer provided coverage.
- A change in dependent eligibility.
- A change in residence that is outside the carrier's network.
- Receipt of a judgment, decree, or order to provide coverage.

Coverage changes must be directly related to the qualifying event and must be submitted to the Administrative Manager within 30 days of the event.

F5MC-Provided Retirement Plan

F5MC offers a 457(b) retirement plan to eligible participants. This plan is designed to help Employees meet financial needs during retirement years. There are two types of contributions to the plan. One is an F5MC provided contribution of 7% of your annual base salary; and the other is an *optional* contribution you invest, via a payroll deduction.

Employees are eligible to enter the 457(b) plans once all of the following criteria have been met:

- Employee is a minimum of 21 years old.
- Employee has completed 1,000 hours of service (based on date of hire into a Benefits Eligible position).
- Employee is classified as a Regular Full-Time Employee or a Regular Part-Time, Benefits Eligible Employee.

Additional information will be given to you as you become eligible, and the Administrative Manager can answer any questions you may have about this plan.

Life Insurance

Currently, F5MC pays 100% of the premium for a life insurance policy for Regular Full-Time Employees. All Regular Employees who work 30 hours or more per week are provided with life insurance coverage, which provides for a one-time payment in the amount of the annual salary of the Employee, up to a maximum of fifty thousand dollars (\$50,000.00). F5MC's share of the costs of benefits for Regular Part-Time Employees will be pro-rated to the average percentage of time the Employee is regularly scheduled to work based on 37.5 hours per week.

Flexible Benefits Plan (Cafeteria Plan)

The following benefit plans and policies are available for election to eligible Employees (all Regular Full- Time and Regular Part-Time Employees who are regularly scheduled for at least 30 hours each week) on the first of the month after the first day of employment. The purpose of the Plan is to provide eligible Employees the opportunity to voluntarily apply for supplemental AFLAC policies with pre-tax dollars, instead of as after-tax income. Pre-taxing premiums through payroll deduction provides a potential tax savings to Employees. Premiums for elected plans will be deducted from each paycheck.

The following are a sample of the plans currently offered:

- Cancer Protection Insurance
- Accidental/Sickness Insurance
- Hospital Confinement Indemnity Insurance
- Specified Health Event Insurance
- Hospital Intensive Care

Eligible Employees will have two opportunities to enroll in these programs. The first opportunity will be when you first become eligible for medical benefits. The second will be at the start of every new plan year. If interested in enrolling, a one-on-one enrollment meeting will be set up for you and F5MC's insurance representative, so you are able to learn more about the programs that are offered.

If you have any questions regarding the Flexible Benefits Plan provided pursuant to this policy, please contact the Administrative Manager.

Section

5

LEAVES OF ABSENCE

F5MC recognizes that Employees may need to take a Leave Of Absence (LOA) from work for a variety of reasons.

Guidelines That Apply to All LOAs

Compensation & State Benefits during a LOA

Most LOAs are unpaid, therefore, if an Employee has vacation or sick pay available or qualifies for an insurance payout of some type, (i.e. State Disability Insurance, Paid Family Leave, Worker's Compensation), they are responsible for filing a claim to receive compensation. The Employee may request assistance from the Administrative Manager to plan for and integrate paid time off, eligible insurance, and available supplemental pay during a LOA.

Benefits Continuation during a LOA

Health Insurance Coverage

Under current F5MC policy, the Employee pays a portion of the health care premium. While on paid LOA, the Employer will continue to make payroll deductions to collect the Employee's share of the premium. While on unpaid LOA, the Employee must continue to make this payment, either in person or by mail. If an Employee does not pay the Employee's share of the premiums for the period of the LOA, coverage will cease in accordance with the provisions of the law and terms of the insurance plan. The Employee may thereafter reinstate coverage immediately following the LOA if the Employee resumes payment of the Employee's share of the premiums in a timely manner and satisfies any other conditions imposed by the health insurance plan.

If the Employee's LOA lasts longer than the time the Employee's benefits are continued per the plan document, the Employee may continue group health insurance coverage through F5MC in conjunction with Cal COBRA guidelines by making monthly payments to F5MC for the amount of the relevant premium.

Cal COBRA

If the Employee's LOA lasts longer than the time the Employee's benefits are continued per the plan document, the Employee may continue group health insurance coverage through F5MC in conjunction with Cal COBRA guidelines by making monthly payments to F5MC for the amount of the relevant premium.

Vacation and Sick Pay Accrual

Vacation and sick pay accrue based on hours actually worked. Accordingly, while on any type of unpaid LOA, the Employee will not accrue vacation or sick pay. Similarly, Employees on any type of LOA will not receive holiday pay.

Types of LOA

This Handbook provides a non-exhaustive list and overview of some of the paid and unpaid leaves of absence offered by F5MC. Certain Employees may be eligible for other types of leave. The following chart provides basic information on some of the LOAs offered. Detailed information regarding each of the LOAs appears after the chart. For more information, or to learn about other types of leave not included in this Handbook, please contact the Administrative Manager.

Pregnancy Disability Leave (PDL)

F5MC recognizes that Employees may be unable to work for temporary but extended periods of time due to pregnancy, childbirth, or related medical conditions (Pregnancy-Disability). Accordingly, an Employee may be eligible for a leave of absence without pay for Pregnancy-Disability leave for the time the Employee is actually disabled by pregnancy, up to a maximum of the number of days or hours the Employee would normally work within 4 months (one third of a year or 17½ weeks). If an Employee's schedule varies from month to month, a monthly average of the hours worked over the 4 months prior to the beginning of the leave will be used for calculating the Employee's normal work month. [An employee is disabled if, in the opinion of her health care provider, the employee is unable because of pregnancy, childbirth, or a related medical condition to perform any of the essential duties of the employee's job or to perform any of those duties without undue risk to the employee or other persons or to the employee's pregnancy's successful completion.](#)

Pregnancy-Disability leave is unpaid. Pregnancy disability leave may be taken intermittently, or on a reduced-hours schedule, as medically advisable. In addition, an Employee may be entitled to a reasonable accommodation for pregnancy, childbirth, or related medical conditions if the Employee so requests, if the Employee provides F5MC with medical certification from the Employee's health care provider that supports the need for the accommodation, and if the accommodation is reasonable and does not create an undue hardship. In addition to other forms of reasonable accommodation, a pregnancy Employee may be entitled to transfer temporarily to a less strenuous or hazardous position or to less strenuous or hazardous duties if the Employee so requests, if the request is supported by proper medical certification, and if the transfer can be reasonably accommodated.

Notification

Whenever possible, an Employee should submit a written request for Pregnancy-Disability leave, reasonable accommodation, or transfer to the Administrative Manager as soon as the Employee is aware of the need for such leave, reasonable accommodation, or transfer. If the leave, reasonable accommodation, or transfer is foreseeable, the Employee ~~needs to must~~ provide 30 calendar days' advance notice to F5MC of the need for leave, accommodation, or transfer. [If it is not practicable for the employee to give thirty \(30\) calendar days' advance notice of the need for Pregnancy-Disability leave, reasonable accommodation, or transfer, the employee must notify the employee's supervisor or the Executive Director as soon as practicable after the employee learns of the need for Pregnancy-Disability leave, reasonable accommodation, or transfer.](#)

If an Employee fails to provide the requisite 30 days' advance notice for a foreseeable need for

Pregnancy-Disability leave, reasonable accommodation, or transfer without any reasonable excuse for the delay, F5MC reserves the right to delay the leave, reasonable accommodation, or transfer until at least 30 days after the date the Employee provides notice of the need for the leave, reasonable accommodation, or transfer.

Certification

A request for PDL must be supported by certification from a medical health care provider with the following information: 1) the date when the Employee became disabled because of pregnancy, childbirth, or related medical condition; 2) the estimated duration of the leave needed, and, 3) a statement that the Employee needs to take pregnancy disability leave because the Employee is disabled by pregnancy, childbirth, or a related medical condition.

A request for reasonable accommodation or transfer must be supported by medical certification from a health care provider with the following information: 1) A description of the requested reasonable accommodation or transfer; 2) The date on which the need for reasonable accommodation or transfer became or will become medically advisable; 3) The estimated duration of the reasonable accommodation or transfer; and 4) A statement describing the medical advisability of the reasonable accommodation or transfer because of pregnancy, childbirth, or related medical condition.

The Employee must submit medical certification within 15 calendar days, if practicable, of when F5MC provides the Employee with the form for such certification. In the case of a foreseeable need for Pregnancy-Disability leave, transfer, or reasonable accommodation, F5MC may delay granting the leave, transfer, or reasonable accommodation to an Employee who fails to provide timely certification after F5MC has asked the Employee to furnish such certification (within 15 days, if practicable), until the required certification is provided. When the need for Pregnancy-Disability leave, transfer, or reasonable accommodation is not foreseeable, or in the case of recertification, an Employee needs to provide must provide certification (or recertification) within 15 calendar days of learning of the need for Pregnancy-Disability leave, transfer, or reasonable accommodation if practicable, or as soon as reasonably possible.

Upon expiration of the time period for the leave, reasonable accommodation, or transfer estimated by the medical health care provider, F5MC may require that the Employee provide another medical certification if additional time is requested.

Compensation and Benefits During Leave

An Employee taking Pregnancy-Disability leave may substitute any accrued paid leave time for the Employee's leave. Except to the extent that paid leave is substituted for Pregnancy-Disability leave, the Pregnancy-Disability leave will be unpaid. The substitution of paid leave for Pregnancy-Disability leave does not extend the total duration of the leave to which an Employee is entitled.

Employees may use available sick or vacation leave, at the Employee's discretion, in conjunction with SDI or PFLI benefits.

F5MC will pay the Employer portion of the Employee's health insurance premium for the duration of Pregnancy Disability Leave to the same extent and under the same terms and conditions would apply had the Employee not taken leave. If the Employee does not return to work from Pregnancy Disability Leave for a reason other than taking leave under the California Family Rights Act (CFRA); the continuation, recurrence, or onset of the pregnancy-related disability; or another circumstance beyond the Employee's control, F5MC will require the Employee to reimburse F5MC the amount it paid for the Employee's health insurance premiums

during the leave period.

Supplemental Pay

To supplement Employees' income during a PDL, Employees are eligible for up to 4 weeks of supplemental pay in any 12-month period. Supplemental pay is the difference between an Employee's regular wages and any state wage replacement benefits that the Employee receives, such as State Disability Insurance ([SDI](#)) or Paid Family Leave Insurance ([PFLI](#)), based on the number of hours the Employee regularly works.

The supplemental pay benefit is not paid on separation of employment and cannot be cashed out. When an Employee is receiving Supplemental Pay, they will not accrue sick and vacation leave.

Employees who take both Pregnancy Disability Leave and a leave of absence under the California Family Rights Act, are only eligible for supplemental pay for the first leave of absence, and shall not receive supplemental pay for additional leaves.

Return to Work

The Employee needs to discuss the anticipated return to work date with the Administrative Manager as far in advance as possible, but no later than 10 days in advance of the expected return. If there is a change in the date of reinstatement, or if no agreement was made about a date of reinstatement, an Employee who has taken a Pregnancy-Disability leave or transfer must notify F5MC at least 2 days before the Employee's return to work or, as applicable, transfer back to the Employee's former position. An Employee who timely returns to work at the expiration of Pregnancy-Disability leave will be reinstated to the Employee's former position, or a comparable position, whenever possible and consistent with applicable law.

Each Employee who has taken a Pregnancy-Disability leave or transfer must be released by a health care provider to return to work. The release should be in writing and submitted to the Administrative Manager on or before the Employee's return from a Pregnancy-Disability leave or transfer.

An Employee's failure to timely return from Pregnancy-Disability leave, or the failure to contact the Administrative Manager within 3 days after the scheduled date of return, will be considered a voluntary resignation of the Employee's employment with F5MC. ~~If an Employee's PDL is extended or additional leave is approved, is out on a legally protected absence (such as jury duty or HWHFA sick leave), and fails to return at the agreed upon time, the Employee will not be deemed to have voluntarily resigned, but the Employee will be disciplined.~~

Lactation Accommodation

California law requires, and F5MC provides, a reasonable amount of break time as a lactation accommodation for Employees who wish to express breast milk for their infant each time the Employee has need to express milk. The break time shall, if possible, run concurrently with any break time already provided to the Employee. Lactation break time that does not run concurrently with rest periods will be unpaid.

Any Employee who requires lactation accommodation should contact the Administrative Manager and request accommodation. If F5MC is unable to provide break time or a reasonable location that complies with the policy below, F5MC will provide a written response to the Employee.

F5MC will provide an Employee with the use of a room or other location for the Employee to express

milk in private that is in close proximity to the Employee's work area, other than a bathroom. The room will be shielded from view and free from intrusion while the Employee is expressing milk. The room or location may include the place where the Employee normally works if it otherwise meets the requirements ~~if it meets the requirements~~ listed below for a reasonable location.

F5MC will provide a lactation room or location which is:

- Safe, clean, and free of hazardous materials; and
- Contains a surface to place a breast pump and personal items; and
- Contains a place to sit; and
- Has access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breastpump.

In addition, F5MC will provide access to a sink with running water and a refrigerator or other cooling device suitable for storing milk in close proximity to the Employee's workspace. Where a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over the other uses, but only for the time it is in use for lactation purposes.

F5MC may designate a lactation location that is temporary due to operational, financial, or space limitations. The temporary location will comply with the accommodation requirements of this policy.

Employees should be aware that they may report a violation of this chapter to the California Labor Commissioner's field enforcement unit, which will investigate and prosecute complaints of violations of this policy.

No Employee will suffer any reprisals or retaliation for exercising or attempting to exercise any right protected under this policy.

California Family and Medical Leave

Beginning January 1, 2021, F5MC will provide family and medical leave to its eligible Employees in accordance with the California Family Rights Act (CFRA).

Employee Eligibility

Employees with at least 12 months of employment at F5MC and at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave may be eligible for a total of 12 workweeks of unpaid family or medical leave during the applicable 12-month period. The applicable 12-month period is a "rolling" 12-month period measured backward from the date an Employee uses leave under CFRA.

Use of Leave

Leave under this policy may be taken for one or more of the following reasons:

- The birth of a child of the Employee or the placement of a child with an Employee in connection with the adoption or foster care of the child by the Employee; or
- To care for a child, parent, parent in-law, grandparent, grandchild, sibling, spouse, ~~or~~ domestic partner, or "designated person" who has a serious health condition. A "designated person" is any individual related by blood or whose association with the Employee is the equivalent of a family relationship. The designated person is identified by the Employee at the time they

request the leave. Employees are limited to one designated person per 12-month period for CFRA leave; or

- Because of an Employee's own serious health condition that makes the Employee unable to perform the functions of the position of that Employee, except for leave taken for disability on account of pregnancy, childbirth, or related medical conditions; or
- Because of a qualifying exigency related to the covered active duty or call to covered active duty of an Employee's spouse, domestic partner, child, or parent in the Armed Forces of the United States.

An Employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt F5MC's operations.

~~In any case in which both parents of a child are employed by F5MC and are eligible for CFRA leave, they are both entitled to a total of 12 weeks individually for such leave.~~

Notification

Employees must notify F5MC, in writing, 30 days in advance of their need for CFRA leave if the leave is foreseeable. In unexpected or unforeseeable situations, an Employee should provide as much notice as is practicable, such as verbal notice within 1 or 2 business days of when the need for leave becomes known. Failure to provide advance notice when possible may cause delay of the leave request for a period up to 30 days. In all cases of intermittent leave, Employees are required to provide 30 days' advance notice of the need for leave if the leave is foreseeable. If 30 days' notice is not possible, the Employee is required to give notice as soon as practicable, which ordinarily means at least verbal notification to F5MC within 1 or 2 days of when the need for leave becomes known to the Employee. The Employee is also required to inform F5MC as soon as practicable if the dates of scheduled leave change. If the Employee's need for leave is foreseeable due to a planned medical treatment or supervision, the Employee shall make a reasonable effort to schedule the treatment or supervision to avoid disruption to F5MC's operations, subject to the approval of the health care provider of the individual requiring the treatment or supervision.

Employees must provide sufficient information for F5MC to determine if the leave may qualify for CFRA protection and the anticipated timing and duration of the leave but need not identify the nature of the serious health condition involved. Sufficient information may include that the Employee is unable to perform job functions, the family member is unable to perform daily activities, or the need for hospitalization or continuing treatment by a health care provider. Employees also must inform F5MC if the requested leave is for a reason for which CFRA leave was previously taken or certified.

F5MC will inform Employees requesting leave whether they are eligible under CFRA. If they are, the notice must specify any additional information required as well as the Employee's rights and responsibilities. If the Employee is not eligible, F5MC will provide a reason for the ineligibility. Additionally, F5MC will inform Employees if leave will be designated as CFRA and the amount of leave counted against the Employee's leave entitlement. If F5MC determines that the leave is not CFRA, F5MC will notify the Employee.

Medical Certifications

Any request for medical leave for an Employee's own serious health condition, for family care leave to

care for a child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or domestic partner with a serious health condition or for a serious injury must be supported by medical certification from a health care provider.

The medical certification for a leave to care for a child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, ~~or~~ domestic partner, or designated person who has a serious health condition must include all of the following:

- The date on which the serious health condition commenced; and
- The probable duration of the condition; and
- An estimate of the amount of time that the health care provider believes the Employee needs to care for the individual requiring the care; and
- A statement that the serious health condition warrants the participation of a family member to provide care during a period of the treatment or supervision of the individual requiring care.

Upon expiration of the time estimated by the health care provider regarding the probable duration of the family member's or designated person's condition, the Employee must obtain recertification if additional leave is required.

The medical certification for leave for the Employee's own serious health condition must include all of the following:

- The date on which the serious health condition commenced; and
- The probable duration of the condition; and
- A statement that, due to the serious health condition, the Employee is unable to perform the function of the Employee's position.

Where permitted by law, if F5MC has a good faith objective reason to doubt the validity of the medical certification provided by the Employee for the Employee's own health condition, F5MC may require the Employee to obtain a second opinion from a health care provider selected by F5MC at F5MC's expense. If the Employee's health care provider providing the original certification and the health care provider providing the second opinion do not agree, F5MC may require a third opinion, also at F5MC's expense, performed by a mutually agreeable health care provider who will make a final determination.

F5MC may require that the Employee obtain subsequent recertification regarding the Employee's serious health condition on a reasonable basis if additional leave is required.

Compensation and Benefits During Leave

CFRA leave is unpaid. F5MC requires Employees who are not receiving wage replacement benefits to use accrued paid sick leave while taking CFRA leave for the Employee's own serious health condition or to provide medically necessary care for the Employee's family member who has a serious health condition. In order to use paid leave for CFRA leave, Employees must comply with F5MC's normal paid leave policies contained in the Handbook. If the Employee substitutes paid leave for the unpaid leave, such payments will be deducted from the Employee's pay through the regular payroll deductions. All other benefits will be governed in accordance with the terms of each benefit plan and are the sole responsibility of the Employee.

During an Employee's CFRA leave, F5MC will continue to pay for the Employee's participation in F5MC's insurance benefits at the same level and under the same circumstances that coverage would have been provided if the Employee had continued to work in the Employee's position for the duration of the CFRA leave. The Employee must continue to pay the Employee's share of the health plan premiums during the CFRA leave.

If the Employee fails to return from the leave at the expiration of the leave period for a reason other than the continuation, recurrence, or onset of a serious health condition that entitles the Employee to leave under CFRA, F5MC may recover any health plan premiums paid by F5MC on the Employee's behalf during any periods of the leave. Certain benefits will not continue to accrue during unpaid portions of the CFRA leave.

CFRA leave shall not constitute a break in service for seniority-related benefits. Use of CFRA leave will not result in the loss of any employment benefit that accrued prior to the start of an Employee's leave.

Supplemental Pay

To supplement Employees' income during a CFRA leave of absence for *baby bonding only*, Employees are eligible for up to 4 weeks of supplemental pay in any 12-month period. Supplemental pay is the difference between an Employee's regular wages and any state wage replacement benefits that the Employee receives, such as State Disability Insurance ([SDI](#)) or Paid Family Leave Insurance ([PFLI](#)), based on the number of hours the Employee regularly works.

Employees are required to use all accrued sick benefits prior to utilizing the supplemental pay option. The supplemental pay benefit is not paid on separation of employment and cannot be cashed out. When an Employee is receiving Supplemental Pay, they will not accrue sick and vacation leave.

Employees who take both CFRA baby bonding leave and Pregnancy Disability Leave are only eligible for supplemental pay for either Pregnancy Disability Leave or CFRA baby bonding leave but not both. the first leave of absence and shall not receive sSupplemental pay is not provided for other leaves of absence. additional leaves.

Return to Work/Reinstatement

Before returning to work from a CFRA leave of absence due to the Employee's own serious health condition, the Employee must provide a written release signed by the Employee's health care provider that the Employee is able to return to work and is able to perform the essential functions of that Employee's job, with or without reasonable accommodation. Employees will be guaranteed reinstatement to the same or a comparable position upon timely return from CFRA leave.

If the Employee's total period of leave does not exceed 12 weeks, the Employee will be reinstated to the Employee's former position or a comparable position with comparable pay, benefits, status, and authority in accordance with legal requirements. The Employee's right to reinstatement under CFRA terminates upon expiration of the 12-week CFRA.

No Retaliation

F5MC will not deny an Employee the right to take CFRA leave or discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an Employee for taking CFRA leave exercising or attempting to exercise the rights provided by CFRA.

Medical Disability Leave (MDL)

F5MC will provide unpaid medical leaves of absence to Employees if such a leave is necessary to reasonably accommodate the Employee's own qualified disability or workplace injury under the Americans with Disabilities Act (ADA) or the Fair Employment and Housing Act (FEHA). A personal medical leave may be a reasonable accommodation provided the leave is likely to be effective in allowing the Employee to return to work at the end of the leave, with or without further reasonable accommodation, and leave does not create an undue hardship on the operation of F5MC. F5MC is not required to provide an indefinite leave as a reasonable accommodation. For a full explanation of leave rights, Employees should contact the Administrative Manager.

If the medical leave is needed due to a work-related injury, all matters relating to an Employee's leave rights, including compensation, benefits, notice and certification requirements, and reinstatement shall be governed by state workers' compensation and state and federal disability laws. Employees having questions about such rights should contact the Administrative Manager.

Notification and Certification

Unless the circumstances render it impractical, F5MC must approve a medical leave in advance. Whenever possible, an Employee should submit a written request for medical leave to F5MC as soon as the Employee is aware of the need for such leave. Any requests for medical leave must be supported by medical certification from a health care provider, which shall provide the following information:

- The name, address, telephone number, and credentials of the Employee's health care provider; and
- An explanatory statement that, due to a physical or mental condition, the Employee is unable to work at all or is unable to perform any one or more of the essential functions of the Employee's position; and
- A statement that the Employee needs leave as a reasonable accommodation; and
- The date on which the need for leave began or will begin; and
- The probable duration of the period of leave needed for treatment and recovery.

Failure to submit a complete medical certification in a timely manner may result in the delay or denial of leave.

If an Employee submits insufficient Certification of Health Care Provider in response to F5MC's request, F5MC will inform the Employee why the certification is insufficient and allow the Employee to provide supplemental information from the Employee's health care provider. Thereafter, if the certification is still insufficient, F5MC may deny the leave.

A Certification of Health Care Provider is insufficient if it does not contain the information specified in this policy and specify the existence of a disability and explain the need for reasonable accommodation. Where relevant, such an explanation should include a description of the Employee's functional limitation(s) to perform the essential job functions. If the Certification of Health Care Provider provided by the Employee is insufficient and is not corrected by providing requested supplemental information, F5MC will provide reasonable accommodation to the extent the reasonable accommodation is supported by the medical documentation provided. If the medical documentation provided does not support a reasonable accommodation, F5MC is not required to provide medical disability leave.

Extension of Leave

The duration of a medical leave under this section will not extend past the date on which the Employee becomes capable of performing the essential functions of the Employee's position, with or without reasonable accommodation.

F5MC will extend a medical disability leave of absence beyond approved Pregnancy-Disability leave, other legally mandated leave, or beyond the initial approved medical disability leave if additional leave is likely to be effective in allowing the Employee to return to work in the reasonably foreseeable future, and approval of additional leave will not cause an undue hardship for F5MC. In the event additional medical disability leave is requested, F5MC will engage in the interactive process with the Employee to determine if additional medical disability leave is a reasonable accommodation. If additional medical disability leave is requested, the Employee's health care provider must provide a medical certification stating how much additional leave is likely to be effective in allowing the Employee to return to work so F5MC and the Employee can evaluate whether an extension of leave is a reasonable accommodation.

Each request for an extension of approved medical disability leave is evaluated on a case-by-case basis to determine if additional leave will enable the Employee to return to work in the reasonably foreseeable future, with or without additional accommodation. The law does not require F5MC to provide an indefinite leave of absence as a reasonable accommodation.

Return to Work

Each Employee who has taken a Medical Disability Leave must keep the Administrative Manager advised of the status of the leave and must contact the Administrative Manager at least 2 weeks prior to the expiration of the scheduled leave to discuss the Employee's return to work. If the Employee fails to provide at least 2 weeks' notice of the Employee's intent to return to work at the end of approved leave, the Employee's return to work may be delayed because F5MC must schedule in advance in order to meet business operational needs.

An Employee returning to work from a medical disability leave of absence must provide a certification/release to return to work, completed by the Employee's health care provider, verifying that the Employee may safely return to work without endangering the health or safety of self or others. If the Employee's health care provider has released the Employee to return to work with restrictions, F5MC will begin the interactive process with the Employee to determine if the restrictions can be reasonably accommodated without posing an undue hardship on F5MC. If the certification/release to return to work form completed by the Employee's health care provider is insufficient to determine what accommodations may be considered, F5MC may request more detailed information about the work restrictions. The release must be in writing and submitted to the Administrative Manager on or before the return-to-work date.

F5MC makes every effort to reinstate Employees returning from medical disability leave to the same position or a comparable position for which the Employee is qualified in accordance with legal requirements. However, if holding the Employee's job will result in undue hardship, F5MC may fill the Employee's job.

If an Employee accepts other employment, fails to return promptly after being released to return to work, or fails to request an extension of leave prior to the expiration of the approved leave period, the Employee will be considered to have voluntarily resigned. If an Employee is out on a legally protected absence (such as jury duty or HWHFA sick leave), and fails to return at the agreed upon time, the Employee will not be deemed to have voluntarily resigned, but the Employee will be disciplined.

Compensation and Benefits During Leave

MDL is an unpaid LOA; however, the Employee may be eligible for State Disability Insurance. The Employee is required to use all sick benefits available followed by any vacation benefits available. If applicable, these benefits will be used in conjunction with SDI. F5MC will pay the Employer portion of the Employee's health insurance premium for up to 4 months while the Employee is on Medical Disability Leave. Thereafter, the Employee may be offered COBRA continuation coverage at the Employee's expense, in accordance with state and federal law, and to the extent such coverage is consistent with and available under the terms of the health plan then in effect.

Workers' Compensation Medical Leave

An Employee, who is unable to work due to a work-related illness or injury, may be entitled to coverage under the Workers' Compensation Medical Leave in accordance with applicable state law.

Duration

In accordance with California law, a medical leave for a work-related injury or illness will normally be extended to the Employee for the duration of the temporary disability, as required by law. F5MC will follow applicable laws relating to medical leaves of absence, and may be required to fill an employee's position during Workers' Compensation Medical Leave if holding the Employee's position open causes an undue hardship for F5MC, or if the leave is not reasonably likely to enable the Employee to return to the Employee's position.

Return to Work/Reinstatement

The goal of medical treatment is to restore the injured worker's condition as close to pre-injury function as possible, and to return the Employee to gainful employment. To aid in getting an injured worker back to work as soon as is reasonably possible, the Administrative Manager will maintain regular communication with the injured worker while the Employee is on leave.

To assist F5MC in making good decisions about when an injured worker might return to work and what activities the Employee can and cannot do when returning to work, the injured worker will be asked to sign a Physician's or Practitioner's Authorization to Return to Work form, authorizing the treating physician to provide necessary medical information on the condition and work restrictions to the Administrative Manager. Signing the form is voluntary. Restrictions must be discussed with the F5MC Administrative Manager in order to make workplace modifications, and/or alternative work decisions.

When an Injury Occurs

Employees who sustain work-related specific or cumulative physical or mental injuries or illnesses must inform the Administrative Manager immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible Employee to qualify for coverage as quickly as possible. Employees will be furnished with an Employee Claim Form within 1 business day of reporting the injury, which must be completed and returned to the Administrative Manager within 2 business days.

In the case of a one-time treatment of minor scratches, cuts, burns, splinters, or other minor injuries, as long as there is no lost work time beyond the date of the injury, it may be treated as a first aid case and not a Workers' Compensation case. If additional care and treatment is needed, or if time is lost from work after the date of the injury, the claim will no longer be considered a "first aid" claim but will be processed as a regular claim under Workers' Compensation Insurance.

If treatment is required, the Administrative Manager will send (arranging for transportation, if necessary) the Employee to the medical facility noted on the Workers' Compensation poster.

Personal Leave

After 3 months of service, all regular Employees scheduled to work 30 or more hours per week are eligible to take up to 4 weeks of personal leave in any 12-month period. Requests for Personal Leave may be granted at the sole discretion of F5MC and will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence. Personal Leave is an unpaid LOA; however, the Employee may be eligible for Paid Family Leave Insurance (PFLI) through the State. The Employee is required to use all vacation benefits available, and if applicable, all sick benefits available. If applicable, these benefits will be used in conjunction with PFLI. F5MC will pay the Employer portion of the Employee's health insurance premium through the end of the month in which the Personal Leave began.

Bereavement Leave

All F5MC are eligible to receive 5 days of bereavement leave after working with F5MC for at least 30 days. ~~After 3 months of service,~~ All regular Employees scheduled to work 30 or more hours per week are eligible to take up to 5 days of paid leave, in the event of death of an immediate family member. All other F5MC employees are eligible for 5 days of unpaid leave in the event of death of an immediately family member.

Immediate family members are defined as spouse, current registered domestic partner, child, parent, sibling, grandparent, grandchild, and all "step" and "in-law" varieties, in addition to an individual who was a member of your immediate household at the time of death. Employees must make proper notification of your absence and receive prior approval in order to receive pay for time off.

Employees may be asked to provide documentation verifying the need for bereavement leave as a condition to receive paid leave. Bereavement leave must be completed within three months of the date of death of the family member.

A "day" of bereavement leave is equal to the number of hours the employee is normally scheduled to work. For example, if an eligible employee is regularly scheduled to work 6 hours per day, the employee may take up to 30 hours of bereavement leave (18 hours paid and 12 hours unpaid.) During bereavement leave, employees may elect to use other applicable leave balances otherwise available to the employee, including any accrued, unused paid sick leave or vacation.

F5MC will maintain the confidentiality of any employee who requests or takes bereavement leave. F5MC will not deny an employee the right to take bereavement leave or discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for taking bereavement leave, or exercising or attempting to exercise these rights.

At the discretion of the Executive Director, this leave may be extended in cases of great distance or severe emotional hardship. If additional time off is needed and approved, or if the time off is requested to attend the funeral of a relative or person other than those defined above, Employees need to use vacation days if available, or may be given approval to take the time off without pay if no vacation days remain.

Reproductive Loss Leave

F5MC employees may take up to five days of unpaid Reproductive Loss Leave following a reproductive loss event. A reproductive loss event is the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction. Reproductive Loss Leave days may be nonconsecutive.

If an employee experiences more than one reproductive loss event within a 12-month period, F5MC will grant a total amount of unpaid Reproductive Loss Leave time up to 20 days within a 12-month period.

An employee may use accrued vacation or paid sick leave during Reproductive Loss Leave. Reproductive Loss Leave must be taken within three months of the employee's reproductive loss event unless the employee is taking Pregnancy Disability Leave, California Family Rights Act leave, Bereavement Leave, or any other leave entitlement under state or federal law, in which case the employee must complete their Reproductive Loss Leave within three months of the end date of the other leave entitlement.

F5MC will maintain the confidentiality of any employee requesting Reproductive Loss Leave. Any information provided to F5MC will be maintained as confidential and will not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

Jury Duty Leave

Employees will be granted a leave of absence for this purpose provided they give F5MC reasonable advance notice of their obligation to serve. Furthermore, it is the responsibility of the Employee to bring a prospective juror's questionnaire to the Administrative Manager immediately upon receipt. In the event F5MC would like to try to have the Employee excused because of undue hardship on F5MC, a letter from F5MC can then be attached.

Evidence of jury duty attendance needs to be presented to the Administrative Manager. After 3 months of service, all regular Employees scheduled to work 30 or more hours per week are eligible to take up to up to 10 days of paid jury duty leave in any 12-month period.

The Employee should continue to report for work on those days or parts of days when excused from jury duty or when jury duty does not conflict with the Employee's work schedule. It is the Employee's responsibility to report for employment immediately following the expiration of an approved leave. Failure to do so will be considered a voluntary termination.

School Discipline Leave

Any Employee who is the parent or guardian of a child is eligible for School Discipline Leave. The Employee must have received a written notice from the principal of the school requesting the Employee's attendance at a conference to discuss the child's suspension from school. School Discipline Leave is not available to Employees who voluntarily consult with school administrators regarding a child's performance in school.

F5MC may require the Employee to provide a copy of the notice received from the school, prior to granting School Discipline Leave, and may require documentation from the school as proof that the visit took place. F5MC may ask the Employee or the principal of the school to reschedule the conference if the Employee's attendance at work is essential at the time originally scheduled. There is no limit to how frequently Employees may be provided School Discipline Leave.

School Discipline Leave is unpaid by F5MC. Employees may be required to use available vacation leave.

Military Leave

F5MC complies with all applicable laws pertaining to Military Leaves. All Employees are eligible to receive leaves of absences when they need to satisfy their military obligations, subject to the requirements of federal and state legal obligations regarding military leave. To the extent any law provides greater or lesser rights to an Employee, the law will be applied, not this policy. For more information and details about these protections and the Uniformed Services Employment and Re- Employment Rights Act of 1994 (USERRA), please contact the Administrative Manager.

Military Leave is unpaid by F5MC. Employees are required to use available vacation leave.

Emergency Duty Leave

If you serve as a volunteer firefighter, reserve peace officer, or emergency rescue personnel please inform F5MC of this capacity as soon as possible. F5MC will provide un-paid leave to volunteer firefighters, reserve peace officers, and emergency rescue personnel when they are required to perform emergency duty, as required by applicable law. The Employee is expected to notify the Administrative Manager as soon as the Employee is aware of the need to perform emergency duty.

“Emergency rescue personnel” is defined as any person who is an officer, Employee, or member of a fire department or fire protection or firefighting agency of the federal government, the State of California, a city, county, city and county, district, or other public or municipal corporation or political subdivision of California, or of a sheriff’s department, police department, or a private fire department, whether that person is a volunteer or partly paid or fully paid, while the individual is actually engaged in providing emergency services, or as otherwise defined by applicable law.

Emergency Duty Leave is unpaid by F5MC. Employees are required to use available vacation leave.

Voting Time Off

Employees are encouraged to vote for candidates of their choice in local, state, and federal elections. If the Employee is a registered voter and does not have sufficient time outside of the scheduled work hours to vote in statewide elections, the Employee may be permitted to take up to 2 work hours off without loss of pay to vote. Ordinarily however, time off is not necessary due to the extended hours of the voting polls.

Domestic Violence, Sexual Assault, and Stalking Leave

Unpaid domestic violence, sexual assault, and stalking leave will be granted to any Employee who needs time off for any of the following reasons:

- To obtain or attempt to obtain any relief, including a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child; or
- To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking; or
- To obtain services from a domestic violence program, shelter, or rape crisis center; or

- To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking; or
- To participate in safety planning and other actions taken to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

If an employee needs time off from work for this purpose, reasonable advance notice must be provided to the Executive Director in writing. If an unscheduled absence or emergency court appearance is required for the health, safety, or welfare of the employee or a child, the employee must provide certification of the absence within a reasonable time after the court appearance. Certification shall be any of the following:

- A police report indicating that the employee was a victim of domestic violence, sexual assault, or stalking;
- A court order protecting or separating the employee from the perpetrator of an act of domestic violence, sexual assault, or stalking;
- A court order 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 injuries or abuse resulting in victimization from an act of domestic violence, sexual assault, or stalking.

If an Employee needs time off from work for this purpose, reasonable advance notice will be provided to the Employee's supervisor. An Employee may use accrued HWHFA sick leave or F5MC provided paid sick leave when time off is needed for the above purposes.

F5MC will make reasonable efforts to maintain the confidentiality of an Employee who requests leave under this section. F5MC will not discriminate or retaliate against an Employee based on his or her status as a victim of a crime or abuse, domestic violence, sexual assault, or stalking or based on his or her request for leave or reasonable accommodation due to domestic violence, sexual assault, or stalking.

In addition to requesting leave, an Employee who is a victim of domestic violence, sexual assault, or stalking may request a reasonable accommodation for his or her safety at work by submitting a signed written statement certifying the accommodation is for the Employee's protection, along with certification demonstrating the Employee's status as a victim of domestic violence, sexual assault, or stalking (as required above for leave). Upon receiving the request, F5MC will engage in a good faith interactive process with the Employee to determine effective reasonable accommodations.

Crime Victims Leave

If an employee or an immediate family member is a victim of a violent or serious felony, or a felony relating to theft or embezzlement, the employee may take unpaid leave to attend the judicial proceedings related to that particular crime. An immediate family member is a spouse, registered domestic partner, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, or stepfather and child of a registered domestic partner.

Also, an employee may take time off to appear in court, upon the victim's request, at any proceeding related to any of the following offenses against the employee or the employee's spouse, registered domestic partner, parent, child, sibling, or guardian:

- Vehicle manslaughter while intoxicated,
- Felony child abuse likely to produce great bodily harm or death,

- Assault resulting in the death of a child under eight years of age,
- Felony domestic violence,
- Felony physical abuse of an elder or dependent adult,
- Felony stalking,
- Solicitation for murder,
- A serious felony, such as kidnapping, rape, or assault with a deadly weapon,
- Hit and run causing death or injury,
- Felony driving under the influence causing injury, or
- Sexual assault.

If an employee needs time off work for this purpose, the employee must provide reasonable advance notice to their supervisor in writing and provide the Executive Director with a copy of the notice of each scheduled judicial proceeding.

If an unscheduled absence occurs, or advance notice is not provided or feasible, the employee must provide documentation evidencing the judicial proceeding from one of the following:

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

In addition, F5MC shall not discharge, or in any manner discriminate or retaliate against, an Employee who is a victim, for taking time off from work for any of the following purposes:

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

Employees are expected to provide reasonable notice to the Administrative Manager that you require crime victim leave unless it is not feasible to do so under the specific circumstances of your particular situation. F5MC may require that you submit written documentation that your absence was for a purpose related to your status as a victim of a crime that caused physical injury or that caused mental injury and a threat of physical injury, or are a person whose immediate family member is deceased as the direct result of a crime. If requested, this documentation must be submitted to the Administrative Manager as soon as possible after your return to work.

Summary Chart of LOA's

Type of LOA/Eligible Employees	Duration of LOA	Effect on Health Benefits	Compensation (Wages)
Vacation: All Regular Full-Time Employees and Regular Part-Time Benefits-Eligible Employees who have worked for 30 days	Depends on Length of Service Pro-rated for Regular Part-Time Employees	N/A	Vacation is paid at the Employee's base pay rate at the time it is taken.
Paid Sick Leave (HWHFA): Any Employee who has worked in California for the same employer for 30 days.	40 hours/5 days per year	N/A	Paid Sick Leave is paid at the Employee's base pay rate at the time it is taken.
F5MC-Provided Paid Sick Leave: All Regular Full-Time Employees and Regular Part-Time Benefits-Eligible Employees who have worked for 30 days.	Maximum 180 hours	N/A	Paid Sick Leave is paid at the Employee's base pay rate at the time it is taken.
Pregnancy Disability Leave (PDL): Any Employee.	Up to 4 months (one third of a year or 17½ weeks) Use of vacation or sick leave will not extend the leave beyond one third of a year.	Employer portion of premium paid by F5MC for duration of leave.	Generally unpaid, however, 4 weeks of Supplemental Pay may be provided by F5MC. May be eligible for State Disability Insurance (SDI) or Paid Family Leave Insurance (PFLI) May use available Sick and/or Vacation leave.
California Family and Medical Leave: Any Employee.	Up to 12 weeks in any 12 month period	Employer portion of premium paid by F5MC for duration of leave.	Generally unpaid, however, 4 weeks of Supplemental Pay may be provided by F5MC. May be eligible for State paid PFLI Must use all Sick and/or Vacation benefits, if available.
Medical Disability Leave (MDL): Any Employee.	As long as medically necessary for an Employee who is unable to perform the essential functions of the job, provided leave is likely to allow the Employee to return to work. Leave is not for an indefinite duration and must not create an undue hardship for F5MC.	Employer portion of premium paid by F5MC for up to 4 months.	Unpaid. Employee may be eligible for State paid SDI Must use all Sick benefits available, followed by use of Vacation benefits available.

Type of LOA/Eligible Employees	Duration of LOA	Effect on Health Benefits	Compensation (Wages)
Workers' Compensation Medical Leave: Any Employee.	Usually for the duration of the temporary disability.	Employer portion of premium paid by F5MC, as provided by the health insurance plan document.	Some wage loss may be paid by F5MC's Workers' Compensation Insurance.
Personal Leave: All Regular Full-Time Employees and Regular Part-Time Employees who have completed the Introductory Period	Up to 4 weeks in any 12-month period, in the sole discretion of F5MC.	Employer portion of premium paid by F5MC through end of the month in which leave begins	Unpaid. May be eligible for State paid PFLI Must use all available vacation leave and, where applicable, sick leave benefits.
Bereavement Leave: All Regular Full-Time Employees and Regular Part-Time Employees who have completed the Introductory Period <u>worked for F5MC for at least 30 days.</u>	Up to 5 days	Employer portion of premium paid by F5MC.	Regular Compensation is paid by F5MC.
Reproductive Loss Leave: <u>All Employees who have worked for F5MC for at least 30 days.</u>	<u>Up to 5 days per Reproductive Loss Event.</u>	<u>Employer portion of premium paid by F5MC.</u>	<u>Unpaid. Employees may use available vacation or paid sick leave.</u>
Jury Duty Leave: All Employees.	Duration of jury duty	Employer portion of premium paid by F5MC.	Paid by F5MC for up to 10 days in any 12 months period for all regular 30+ hour Employees, otherwise unpaid.
School Discipline Leave: All Employees.	Case by case basis	N/A	Unpaid. Must use all available vacation leave
Military Leave: All Employees.	Not to exceed 5 years, with exceptions	Employer portion of premium paid by F5MC for 31 days from day leave begins.	Unpaid. Must use all available vacation leave.
Emergency Duty Leave: All Employees.	Case by case basis	Employer portion of premium paid by F5MC through end of the month in which leave begins.	Unpaid. Must use all available vacation leave.
Voting Time Off: All Employees.	Up to 2 hours	N/A	Regular Compensation is paid by F5MC.
Domestic Violence, Sexual Assault, and Stalking Leave: All Employees	Case by case basis	N/A	Unpaid. May use available HWHFA or regular sick leave
Crime Victims Leave: All Employees	Case by case basis	N/A	Unpaid. May use available HWHFA or regular sick leave as applicable

APPENDIX A - Federal Family and Medical Leave Act

If F5MC and Employees meet the requirements, then Employees would be eligible for leave under the Federal Family and Medical Leave Act (FMLA). F5MC does meet the requirements as a public entity however, for an Employee to be eligible to receive FMLA benefits, the Employee must work at a location with 50 or more Employees within a 75-mile radius, have been employed by F5MC for at least 12 months, and have worked at least 1,250 hours for F5MC during the previous 12 months. At this time, F5MC Employees are not eligible for FMLA leave because F5MC Employees do not work at a location with 50 or more Employees within a 75-mile radius. F5MC is required to provide information on FMLA even though Employees are not eligible. Below is a summary of benefits:

Eligible Employees may be granted unpaid leave for one or more of the reasons listed below:

1. The birth of a child and in order to care for that child.
2. The placement in the Employee's home of a child for adoption or foster care and to care for the newly placed child.
3. To care for a spouse, child, or parent with a serious health condition (described below).
4. The serious health condition (described below) of the Employee.
5. Qualifying exigency leave for families of covered service members in the U.S. Armed Forces (including the National Guard and Reserves) when the covered service member is on covered active duty or called to covered active duty as defined by the FMLA.
6. Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran as defined by the FMLA.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

An Employee may take leave because of a serious health condition that makes the Employee unable to perform the functions of the Employee's position.

An eligible Employee can take up to 12 weeks for circumstances (1) through (5) above under this policy during any 12-month period F5MC will measure the 12-month period as a rolling 12-month period measured backward from the date an Employee uses any leave under this policy. Each time an Employee takes leave, F5MC will compute the amount of leave the Employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the Employee is entitled to take at that time.

Leave under the FMLA runs concurrently with leave under the California Family Rights Act (CFRA) to the extent permitted by California and federal law. Leave taken because of an Employee's own disability caused by pregnancy, childbirth, or related medical conditions is not available under the CFRA but would count towards the Employee's FMLA and state Pregnancy Disability leave entitlements.

ITEM 6a

An eligible Employee can take up to 26 weeks for circumstance (6) above (military caregiver leave) during a single 12-month period. For the military caregiver leave, F5MC will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

While an Employee is on FMLA leave, F5MC will continue the Employee's health benefits during the leave period at the same level and under the same conditions as if the Employee had continued to work. If the Employee chooses not to return to work for reasons other than a continued serious health condition of the Employee or the Employee's family member or a circumstance beyond the Employee's control, F5MC will require the Employee to reimburse F5MC the amount it paid for the Employee's health insurance premium during the leave period.

Under current F5MC policy, the Employee pays a portion of the health care premium. While on paid leave, the Employer will continue to make payroll deductions to collect the Employee's share of the premium. While on unpaid leave, the Employee must continue to make this payment, either in person or by mail. If an Employee does not pay the Employee's share of the premiums for the period of the leave, coverage will cease in accordance with the provisions of the law. The Employee may thereafter reinstate coverage immediately following the leave if the Employee resumes payment of the Employee's share of the premiums in a timely manner.

F5MC may require an Employee on FMLA leave to report periodically on the Employee's status and intent to return to work. An Employee who takes leave under this policy for the Employee's own serious medical condition may be asked to provide a fitness for duty clearance from the health care provider.

Generally, and as required by law, an Employee who takes FMLA leave will be reemployed in the same or an equivalent position as that which the Employee occupied when the leave commenced.

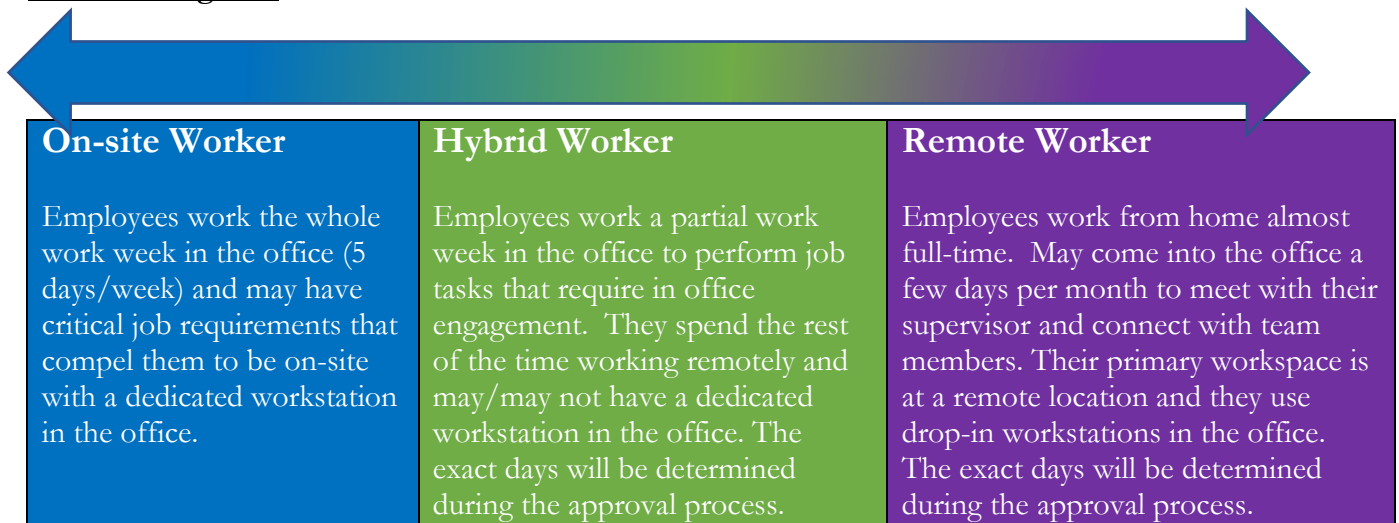
This policy is intended to be an overview of your rights under the FMLA. If you have any questions regarding the Family and Medical Leave provided pursuant to this policy, please contact the Administrative Manager.

APPENDIX B - Remote Work Policy

Given the ~~learned advantages of~~ need for remote work arrangements and feedback from staff, F5MC is offering remote work options on an ongoing basis that are designed to promote flexibility while fostering our collaborative work.

Remote work is when an Employee performs work at a remote worksite for a specified portion of the workweek. Remote work may be regularly scheduled and ongoing, or short term in response to an event such as hazardous air quality, environmental events, or other situational workplace/school closures.

Worker Categories



Hybrid/Remote Skills Criteria

- ✓ Works independently, is motivated, accountable and builds trust with their team.
- ✓ Takes initiative, is organized, and can effectively prioritize.
- ✓ Is communicative and collaborative to perform and improve work processes.
- ✓ Is resourceful and asks for help/support as needed.
- ✓ Is flexible, adaptable, and nimble with their schedule and works closely with staff to meet deadlines.

Eligibility

Eligibility for remote work is based on roles, job duties, and operational needs of the office. It is the responsibility of each Employee to work with their supervisor to determine if remote work is available for them based on their job requirements. F5MC recognizes different positions and roles require different amounts of on-site time.

Employee requests for regularly scheduled and ongoing remote work arrangements are typically considered after a minimum of 6 months of continuous, regular employment with a satisfactory performance record. The Executive Director has the authority to adjust this time frame.

Requesting a Remote Work Arrangement

The Remote Work Arrangement Request form will be used to help both parties determine whether working remotely might be feasible. If an Employee has an interest in working remotely, they will first complete Sections 1-3 of the Remote Work Arrangement Request form and return it to their supervisor. The supervisor (or appropriate staff) will review, ask for clarification if needed, then fill out Section 4.

Then, the Employee, supervisor, and (if applicable) Administrative Manager will meet to discuss the details and ramifications of the requested arrangement including functions of the job, suitability, experience with previous remote work, perceived challenges, and solutions, and define shared preferences and expectations. Once the supervisor and Employee agree upon the content of the request, the form will be emailed to the Administrative Manager.

Using the agreements from this discussion, the Administrative Manager will draft the Remote Work Agreement and send it to the Employee and supervisor for review. Once approved, the Executive Director and Controller will review. The Administrative Manager will facilitate signatures by all parties.

A Remote Work Agreement (RWA) is an arrangement where the supervisor formally approves the Employee to regularly perform work at an off-site location. Once the RWA is signed, a three-month trial period will commence.

Review of the successes and challenges of the remote working arrangement during the trial period will include regular communication between the Employee and the supervisor. At the end of the trial period, the Employee and manager agree to continue will make recommendations for continuance or modifications and re-sign or terminate the RWA, if needed. If modifications are made, a new three-month trial period will commence. Once continuance without modification has been agreed upon, the RWA will be reviewed by the Employee and manager each year, generally in conjunction with their annual performance appraisal.

Ad Hoc Arrangements

A *Remote Work Agreement (RWA)* is not necessary for occasional or temporary work off-site.

Temporary remote arrangements may be approved for circumstances such as inclement weather, special projects, or business travel. These arrangements are approved on an as-needed basis, with no expectation of ongoing continuance.

Other informal, short-term arrangements may be made for Employees on family or medical leave to the extent practical for the Employee and the organization and with the consent of the Employee's health care provider, if appropriate.

Equipment

On a case-by-case basis, F5MC will determine, with information supplied by the Employee and the Employee's supervisor, the appropriate equipment needs (including hardware, software, and other office equipment) for each remote work arrangement. In general, each Employee will have one primary workspace, either in-office or off-site. F5MC reserves the right to make determinations as to appropriate equipment, subject to change at any time and equipment supplied by F5MC is to be used for business purposes only. Employees must also agree to take all steps necessary to safeguard and protect F5MC property and equipment. This includes carrying up to date Homeowner's Insurance policy if you own a home, or Renters Insurance if you don't. Employees need to immediately notify F5MC if any of its equipment is lost, stolen, or damaged. Upon termination of employment and/or the Employee's need for such equipment, the Employee will return all F5MC's equipment to F5MC. F5MC accepts no responsibility for damage or repairs to Employee-owned equipment.

[F5MC will reimburse remote workers for reasonable business expenses incurred as a result of working remotely, as required by applicable law.](#) F5MC will supply the Employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. F5MC will provide a stipend to Employees to assist with work associated costs of cell phone/phone service/ internet. If an Employee works from home, it is the Employee's responsibility to purchase an internet plan with sufficient speed to handle work related activities with a comparative speed to in-office productivity. This includes sufficient speed to handle the Employee's usages and any other household members on the internet during work hours. The current IT company

recommends a minimum of 50 Mbps.

Workspace, Safety, and Efficiency

The Employee will establish a dedicated workspace within their home for work purposes. The dedicated workspace must be set up in a manner that allows the Employee a distraction-free environment to devote their full time and attention to their employment responsibilities during remote work hours. Employees need to maintain their work areas free of all dangers, safety hazards, and risks that could endanger themselves, their family members, or others. Employees may not use furniture or work aids in their workspace that may pose a risk of injury. F5MC will not be responsible for costs associated with the setup of the Employee's home office, such as remodeling, furniture, or lighting, nor for repairs or modifications to the home office space. Employees who are working remotely are expected to have predictable, reliable work schedules and to communicate them with their supervisor and staff.

Employees need to communicate with their supervisors about any challenges they experience with performing job functions.

During all remote work, Employees need to comply with all F5MC rules, policies, practices, agreements, and instructions as outlined in F5MC's policies, procedures, and handbooks. This includes all policies regarding the internet, telephones, email, information systems, confidential information, solicitation and distribution, timekeeping, meal and rest periods, any other policy governing your employment relationship with First 5 Monterey County.

F5MC requires Employees to demonstrate professionalism in conducting videoconference meetings and in all other aspects of employment. Appropriate attire, conduct, and background are required to the same extent as if Employees were working in the office.

Although an individual Employee's schedule may be modified to accommodate Employee needs (childcare, elder care, schooling, etc.), the focus of the remote work arrangement needs to remain on job performance and meeting business demands. Employees are encouraged to discuss expectations of remote work with family members prior to entering a trial period to ensure appropriate care arrangements exist to permit the Employee to focus during scheduled work hours.

Security

Consistent with the organization's expectations of information security for Employees working at the office, remote Employees will be expected to ensure and agree to take all steps necessary to safeguard and protect any proprietary information accessible from their home office. Steps include a secure internet connection with a complex password, regular password maintenance, and other measures appropriate for the Employee's job and the environment. Physical papers and files that contain any confidential information including, but not limited to, identifying staff information and passwords, shall remain in the F5MC's physical office to minimize security risks.

Time Worked

Employees working remotely, who are not exempt from the overtime requirements of the Fair Labor Standards Act, will be required to accurately record all hours worked using F5MCs' time-keeping system and comply with Federal, State, local law, and F5MC policies on timekeeping and meal breaks. [Employees working remotely must still take all required meal and rest periods.](#) Employees are relieved of all duty during such meal and rest periods and need to not answer phone calls, emails, text messages, or perform any First 5 Monterey County work during such periods. Employees are required to notify their supervisor immediately if they are unable to take a timely meal or rest period if one of their meal or rest periods are interrupted.

Hours worked in excess of those scheduled per day and per workweek require the advance approval of the supervisor. Failure to comply with these requirements may result in the immediate termination of the remote work agreement.

RECEIPT AND ACKNOWLEDGMENT

By signing below, I acknowledge that I have received, read, understand, and agree to abide by the duties, obligations, and responsibilities contained in the Remote Work Policy.

Employee Name

Signature

Date

ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK — 3/27/23

PLEASE READ THE FOLLOWING INFORMATION AND RETURN THIS
ACKNOWLEDGMENT FORM TO THE ADMINISTRATIVE MANAGER WITHIN 1 WEEK.

Employee Name: _____

I acknowledge that I have received a copy of the First 5 Monterey County (F5MC) Employee Handbook (the “Handbook”), dated 3/27/23 March 2024, and understand that it contains important information on many of F5MC’s general personnel policies and on my privileges and obligations as an Employee. I acknowledge and understand that I am responsible for reading the entire Handbook, and for understanding and adhering to all of the policies set forth in this Handbook and will familiarize myself with the material in the Handbook. Additionally, I agree to abide by any new or revised policy. I acknowledge that I have been given an opportunity to ask questions about policies I do not understand.

I understand that the policies contained in this Employee Handbook apply to all Employees and supersede and replace all previous editions of the Handbook and previously communicated policies both in written and verbal form. I understand that I am governed by the contents of the Handbook and that other than the policy of “A-at-w-Will” employment, F5MC may change, interpret, amend, supplement, rescind, or add to any policies, benefits or practices described in the Handbook from time to time in its sole and absolute discretion with or without prior notice. F5MC will advise me of material changes within a reasonable time. I also understand that, because F5MC cannot anticipate every issue that may arise during my employment, if I have any questions regarding any of F5MC’s policies or procedures, I should contact the Administrative Manager. Current laws will be upheld and followed in all circumstances.

I further acknowledge and agree that my employment with F5MC is aAt-w-Will, which means that my employment is for no definite period and may be terminated by either F5MC or me at any time and for any reason, with or without cause or notice. Additionally, I understand that other terms and conditions of employment such as compensation, benefits, title, duties, and corrective action may be modified at the discretion of F5MC. No policy in this Handbook should be interpreted as in any way changing, altering, or nullifying F5MC’s policy of voluntary, aAt-w-Will employment. I understand that the aAt-w-Will nature of my employment relationship with F5MC may not be modified or superseded except by a separate written agreement signed by me or my representative and the Executive Director.

I understand and agree that the terms of this Acknowledgment may not be modified or superseded except by a written agreement signed by me and the Executive Director, that no Employee, supervisor, or representative of F5MC has the authority to enter into any such agreement, and that any agreement to employ me for any specified period of time, or any agreement that is otherwise inconsistent with the terms of this Acknowledgment, will be unenforceable unless it is in writing and signed by me or my representative and the Executive Director. I further understand and agree that if the terms of this Acknowledgment are inconsistent with any policy or practice of F5MC now or in the future, the terms of this Acknowledgment shall control.

I understand and agree that this Acknowledgment contains a full and complete statement of the agreements it recites, that no one has made any promises or commitments to me contrary to the foregoing, and that this Acknowledgment supersedes all previous agreements, whether written or oral, expressed or implied, relating to the subjects covered in this Acknowledgment. I acknowledge that I have received the entire Handbook and agree to comply with the policies contained in this Handbook and any revisions made to it.

I understand and agree that the policies in this Handbook are adopted to promote the legitimate and substantial business interests of F5MC. They are not intended to interfere with or burden my or any other employee's right to participate in concerted activity, such as communicating with co-workers regarding wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act (NLRA). I understand that if I believe any of F5MC's policies contained in this Handbook would interfere with my or any other employee's protected rights under the NLRA, I am encouraged—but not required—to contact the Executive Director or the Administrative Manager so that they can explain the policy's purpose and F5MC's desire to not interfere with employees' protected rights~~nothing in this Handbook is intended to interfere with my right to participate in concerted activity such as communicating with my co-workers regarding my wages, hours, or terms and conditions of employment, or with my right to self-organize or join labor organizations or any other rights protected under the National Labor Relations Act.~~

Employee Signature

Date

ACKNOWLEDGEMENT OF RECEIPT OF HARASSMENT, DISCRIMINATION, AND RETALIATION PREVENTION POLICY ~~—3/27/23~~

PLEASE READ THE FOLLOWING INFORMATION AND RETURN THIS
ACKNOWLEDGMENT FORM TO THE ADMINISTRATIVE MANAGER WITHIN 1 WEEK.

This is to acknowledge that I have received a copy of F5MC's Harassment, Discrimination, and Retaliation Prevention Policy, contained in the F5MC Employee Handbook, dated ~~3/27/23~~, March 2024 and that I will comply with the requirements of this policy at all times.

Employee Signature

Date

ACKNOWLEDGMENT OF RECEIPT OF DRUG- AND ALCOHOL-FREE WORKPLACE POLICY ~~—3/27/23~~

Employee Name: _____

I acknowledge that I received a copy of First 5 Monterey County’s (F5MC) Drug- and Alcohol-Free Workplace Policy (the “Policy”), contained in the F5MC Employee Handbook, dated, March 2024, which strictly prohibits the unlawful manufacture, distribution, dispensation, possession, use, sale or attempted sale, or purchase of alcohol, drugs, including marijuana used recreationally or medically, or controlled substances while on duty or on F5MC property.

I further acknowledge and agree that as an Employee I may perform services for F5MC pursuant to a contract with the State of California. I agree that as a condition of employment on such contracts, I will abide by the terms of the Policy and will notify F5MC of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction.

Employee Signature

Date

FIRST 5 MONTEREY COUNTY BOARD BRIEFER

MEETING: Regular Commission Meeting – Monday, March 25, 2024

SUBJECT: Selection of First 5 Monterey County Auditor for FY 2023/24

POSSIBLE ACTION:

APPROVE selection of Brown Armstrong Accountancy Corporation as the independent auditor to conduct the annual audit for fiscal year ending June 30, 2024, as recommended by the Finance/Personnel Committee (acting as the Audit Committee), in an amount not to exceed \$18,500.

Commissioner Recusals: None

SUMMARY/DISCUSSION:

F5MC is required to conduct an audit on or before October 15th of each year, for the preceding year's financial results. F5MC is also required to adopt the audit in a public hearing and then submit the audited financial statements to the State Commission and the State Controller by November 1st of each year.

Article IV, Section 5 of the Purchasing and Procurement Policy allows for an informal process to procure the services with a single vendor in the same fiscal year, if the total purchase price does not exceed \$25k. The Informal Selection Process was emailed out to seventeen audit firms in November 2021. It also included notification that this process would be used for selection of an auditor for a total of up to 4 years. Three proposals and eight declines were received.

On February 2, 2024, the F5MC Finance/Personnel Committee, performing the role of an "Audit Committee," reviewed the proposals and recommended the engagement of Brown Armstrong Accountancy Corporation for the FY 23/24 audit. Brown Armstrong has been the auditor for the Commission for the last 7 years. To support the best practice of auditor independence, the Finance/Personnel Committee requested a change of lead partner and staff for FY 21/22. Renewal will be discussed and approved by the Finance/Personnel Committee and Commission each year for up to 3 additional years, depending upon performance. If renewal is granted for additional years, to continue the support of best practices, the Finance/Personnel Committee will request to change the lead partner and staff for FY 24/25.

FINANCIAL IMPLICATIONS:

If the selection is approved, the negotiated fee for the FY 23/24 audit of \$18,500 will be included in the FY 2024/25 Budget.

Kris Curtis, Controller

FIRST 5 MONTEREY COUNTY BOARD BRIEFER

MEETING: Regular Commission Meeting – Monday, March 25, 2024

SUBJECT: New Contract Authorization: The Big Lil, LLC in an amount not-to-exceed \$57,000 in FY 23/24 and FY 24/25 to provide technical assistance for organizational structure and operations management in alignment with the Strategic Plan.

POSSIBLE ACTION:

APPROVE Authorize the Executive Director to negotiate, execute, and amend a new agreement with The Big Lil, LLC in an amount not-to-exceed \$57,000 in FY 23/24 and FY 24/25 to provide technical assistance for organizational structure and operations management in alignment with the Strategic Plan.

Commissioners Recusals: None

SUMMARY/DISCUSSION:

The Big Lil was hired through an informal bid process to work with all F5MC Staff to assess the current state of operational structure and provide recommendations for improved organizational staffing structure and operational flow in alignment with the new Strategic Plan. Three applications were received during that bidding process. TBL was selected based upon the strength of their operations management experience and their familiarity with methods of incorporating REDI principles into operations/admin management. The Seattle-based firm specializes in supporting small businesses/organizations to connect long-term vision to day-to-day practice.

During the first contract from November 2023 through February 2024, The Big Lil assessed the current state of F5MC's operational structure, flow of operations, and administrative policies, procedures and tasks. The amount expended under the first contract was \$22,625. While there are many positive aspects of working at F5MC, there is also room for improvement, especially as it relates to aligning our structure with the implementation of our new Strategic Plan. Based upon electronic surveys and individual and group meetings, The Big Lil made recommendations in four areas. A summary of some of the tasks to be performed in each area under this new contract are located below each category.

- 1. Building a shared admin/ops vision to align with REDI and our new Strategic Plan**
 - a. Develop a 'bridge operational structure' that aligns current staff positions and staff skills with current funding realities and needs while ensuring clarity, ownership and accountability.
 - b. Update job descriptions and tasks as needed.
- 2. Fostering Collaboration and Communications**
 - a. Identify and implement shared communications tools to support project and meeting management.
- 3. Investing in People and Development**
 - a. Review and revise the personnel evaluation and onboarding documents and processes.
 - b. Identify additional staff development needs and resources.
- 4. Streamlining Processes for decision-making**
 - a. Develop 'Standard Operating Procedures' for routine and repetitive tasks that are clear, transparent, REDI aligned and support self-reliance and ownership.

The timeline for this work is 6 months beginning April 1, 2024 and ending October 1, 2024. The not-to exceed amount of \$57,000 is inclusive of professional fees and all other expenses.

The Big Lil would be contracted using F5MC's Purchasing and Procurement Policy selection exemption. **Article IV. Purchasing and Procurement policy Section 11: Selection Process Exceptions** allows process exemptions if they meet certain criteria. The following criteria are applicable for this procurement:

1. The prior experience of the proposed vendor is vital to the goods or services.
2. Whether or not the contractor has a substantial investment, that would have to be duplicated at the expense of F5MC if another vendor provided services.

FINANCIAL IMPLICATIONS:

There are sufficient funds in the budget to accommodate this expense and the amount requested is included in the F5MC FY 23/24 Budget Revision and will be included in F5MC FY24/25 budget.

Francine Rodd, Executive Director

FIRST 5 MONTEREY COUNTY BOARD BRIEFER

MEETING: Regular Commission Meeting – Monday, March 25, 2024

SUBJECT: Contract Amendment Authorization: Stephanie McMurtrie to provide additional support to Bright Beginnings in FY 2023/24

POSSIBLE ACTION:

APPROVE authorization for the Executive Director to amend the FY2023/24 contract with Stephanie McMurtrie from a not-to-exceed amount of \$19,950 to \$26,030 (an increase of \$6,080) to provide additional support for Bright Beginnings Early Childhood Development Initiative.

Commissioner Recusals: None

SUMMARY/DISCUSSION:

In 2022, Stephanie McMurtrie was selected via an RFQ to project management services for the Bright Beginnings Early Childhood Development Initiative (BB) and contracted to provide those services to the Maternal Mental Health Task Force (MMHTF) through FY22/23. In accordance with the RFQ, the FY23/24 agreement was extended for the second of five years allowed through the RFQ. The contracted scope of work includes supporting the monthly Task Force meetings, supporting the coordination of Maternal Mental Health Awareness Week activities, grant writing support, and additional activities of the Task Force as they emerge. This work aligns with the countywide strategic framework for early childhood, to support family resilience through parental mental health.

This contract amendment includes additional work to support the MMHTF in FY23/24, including supporting expanding committee work (both the Doula Committee and the Awareness Week Activities), developing content for the webpage update project, and supporting organizational development of the Task Force.

S. McMurtrie was also contracted to support Bright Beginnings 2018 – 2021 under a previous RFQ, to support the MMHTF, the Child Care Accessibility Project, and to research and write a report on families with young children that do not have legal documentation to apply for a Social Security Number in the United States.

FINANCIAL IMPLICATIONS:

The amount requested is included in the F5MC FY 23/24 Budget Revision.

Sonja Koehler – Director, Bright Beginnings Early Childhood Development Initiative