



CALIFORNIA
NORTHSTATE
UNIVERSITY

Employee Handbook

August 2013

This employee handbook supersedes all previous employee handbooks.



EMPLOYEE HANDBOOK

TABLE OF CONTENTS

	<u>Page</u>
I. Introduction	1
II. The Mission, Vision, and Values.....	2
A. Mission	2
B. Vision.....	2
C. Core Values	2
III. Purpose and At-Will Employment Relationship	3
IV. Open Door.....	4
V. General Policies.....	5
A. Equal Employment Opportunity	5
VI. ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICY	7
A. Complaint Procedure	8
B. Anti-Retaliation	9
VII. Hiring.....	10
A. Full-Time Employees.....	10
B. Part-Time Employees	10
C. Special Project Employees	10
D. New Hire	10
E. Job Duties.....	10
VIII. Leaves of Absence.....	12
A. Paid Family Leave.....	12
IX. Pregnancy Disability Leave.....	13
X. California Family Rights Act Leave (CFRA)	15
XI. Family/Medical Leave (FMLA).....	16
A. Calculating the 12-month Period.....	18

B.	FMLA and CFRA.....	19
C.	Pregnancy, Childbirth or Related Conditions.....	19
D.	Procedures	20
E.	Leave to Care for a Family Member.....	20
F.	Leave Related to Military Service	21
G.	Vacation Pay During Leave.....	22
1.	FMLA	22
2.	CFRA	22
3.	PDL	22
H.	Health and Benefit Plans.....	22
I.	Reinstatement.....	23
J.	Coordination of PDL with Family/Medical Leave.....	23
XII.	Bereavement Leave	25
XIII.	Civil Air Patrol.....	26
XIV.	Domestic Violence Leave	27
XV.	Time Off For Crime Victims.....	28
XVI.	Jury Duty and Witness Leave	29
XVII.	Military Leave of Absence.....	30
XVIII.	Military Spousal Leave	31
XIX.	School Activities	32
A.	Suspension	32
XX.	Organ and Bone Marrow Donor Leave.....	33
XXI.	Paid Vacation	34
A.	Full-Time Non-Exempt Staff.....	34
B.	Professional, Administration (i.e. Associate Deans, Dean, etc.), and 12-month Faculty Personnel	34
C.	Vacation Pay Provisions	34
D.	Personal Leave	35
XXII.	Sick Leave	36
A.	Full-Time Staff and Faculty	36
XXIII.	Time Off for Voting	38
XXIV.	Volunteer Civil Service Personnel	39
XXV.	Benefits	40

A.	Bonuses	40
XXVI.	Holidays.....	41
XXVII.	Insurance Benefits	42
A.	Medical Insurance.....	42
B.	Disability Insurance.....	42
C.	Unemployment Compensation.....	42
D.	Social Security	42
E.	Workers' Compensation	42
F.	University-Provided Physician	43
XXVIII.	Make-Up Time.....	44
XXIX.	Faculty and Staff Development.....	45
A.	Faculty Development	45
B.	Staff Development	45
XXX.	Management.....	47
A.	Employment of Relatives	47
B.	Name and Address.....	47
C.	Housekeeping	47
D.	Off-Duty Use of Facilities	47
E.	Prohibiting Use of Cell Phone While Driving	47
F.	Prohibiting Use of Cell Phone While Driving for Employees Under 18 Years of Age	48
G.	Smoking.....	48
H.	Solicitation and Distribution of Literature	48
I.	Unauthorized Visitors	48
XXXI.	Performance Reviews	50
XXXII.	Personnel Records	51
XXXIII.	Privacy of Health Information (HIPAA)	52
XXXIV.	University Property.....	53
A.	Electronic Surveillance	53
B.	Employee Property	53
C.	Searches and Inspections.....	53
D.	Employer Property	53

E.	Computer Security	54
XXXV.	Social Media	55
A.	Electronic Policy	55
B.	Use of Electronic and Social Media.....	56
C.	Use of Employee-owned Devices	57
XXXVI.	Employee Conduct	58
A.	Ethics Policy Statement.....	58
B.	Business Conduct	58
XXXVII.	Business Transactions	59
A.	International Business Laws.....	59
XXXVIII.	Confidentiality and Privacy	60
XXXIX.	Freedom from Conflicting Interests.....	62
A.	Conducting Personal Business	62
B.	Conflicts of Interest.....	63
C.	Gift Policy	63
D.	Government Programs.....	64
E.	Anti-kickback.....	64
F.	Environmental Matters.....	65
G.	Vendor Responsibility	65
XL.	Reporting and Non Retaliation	66
XLI.	Attorney-Client Confidentiality.....	67
A.	Document Retention.....	67
XLII.	Student Relations.....	68
A.	No Solicitation of Students	68
XLIII.	Dress Code	69
XLIV.	Drug Policy	70
XLV.	Solicitations & Requests for Information from Media	72
XLVI.	Off-Duty Conduct	73
A.	Other Employment	73
XLVII.	Prohibited Conduct.....	74
XLVIII.	Punctuality and Attendance	76
XLIX.	WAGES	77

A.	Advances	77
B.	Payment of Wages	77
C.	Timekeeping Requirements	77
D.	Work Schedule	77
E.	Work Hours	77
L.	Meal and Rest Periods	78
LI.	Overtime for Non-Exempt Employees.....	79
LII.	Expense Reimbursements.....	80
LIII.	Meetings and Training Courses	81
LIV.	Safety and Health.....	82
A.	Employees Who Are Required To Drive	82
B.	Mileage Reimbursement.....	82
LV.	Health and Safety.....	83
A.	Heat Illness.....	83
LVI.	Security/Workplace Violence.....	84
A.	Workplace Violence	84
LVII.	Termination.....	85
A.	Employee References	85
B.	Involuntary Termination	85
C.	Reduction in Force	85
D.	Voluntary Resignation.....	85

I. INTRODUCTION

Welcome to California Northstate University! We expect all of our employees to demonstrate initiative, enthusiasm, a passion for the advancement of the University, respect for co-workers and students, and dedication to our students, mission and vision.

This employee handbook is intended to explain the terms and conditions of employment of all full-time and part-time employees and supervisors, help you understand many of your responsibilities as an employee, and provide you with easy access to the general policies and practices of the University. The University reserves the right to alter, revise or abolish any of the practices or policies set forth in this handbook, which has been approved by the President's Executive Council. Any substantive changes to the provisions contained herein shall only be made after review and approval by the Council. Employees may refer any requests for clarification to their immediate or departmental supervisors and/or an authorized member of Human Resources.

Written employment contracts between California Northstate University and some individuals may supersede some of the provisions of this handbook. The University also has policies in its Faculty Handbook and other policies or guidelines posted on its "P" drive which are intended to complement and/or expand upon the policies contained herein. As a University employee, you are expected to abide by the intent and language of this handbook. If you have any questions, please contact the appropriate University official. Our use of "University" and "college" are interchangeable, and both shall refer to California Northstate University.

We look forward to working with you as we seek to fulfill our mission and accomplish our vision to be one of the nation's top ranked professional health care education universities. It is our view that every person at California Northstate University is important and necessary for us to reach our goals. We are particularly sensitive to the need of maintaining a culture that supports continuing professional development, job satisfaction, and personal success. In order to sustain that culture, it is important that we all embrace and institutionalize certain values, qualities, and desires.

The qualities that we expect to observe in our faculty, staff, and students are those which promote collaboration, critical thinking, professionalism, and pride. We must work together as a team, encouraging and supporting one another and looking for ways to achieve harmony and synergy in all that we do. We must be willing to develop and sharpen our critical thinking skills to improve the way we communicate, solve problems, and carry out our daily responsibilities. We must also conduct ourselves in a professional manner at all times. We are a professional health care education university and professionalism is at the very root of our existence. In all of our interactions - whether face-to-face, over the telephone, by email, or other ways of communicating - we must display the highest order of professional behavior.

II. THE MISSION, VISION, AND VALUES

A. Mission

To advance the art and science of healthcare.

B. Vision

To provide innovative education and healthcare delivery systems.

C. Core Values

Working as a team

Embracing diversity and workplace excellence

Caring about our students, our staff, our faculty and our profession

Advancing our university, our goals, and our discipline

Responding to challenges that may impede our Mission

Enhancing communication and partnership

III. PURPOSE AND AT-WILL EMPLOYMENT RELATIONSHIP

This handbook sets forth the general policies and procedures of California Northstate University. The policies and procedures set forth in this handbook and elsewhere may be modified, changed, or revoked at any time by the University, in its sole discretion. However, no modification or change to this handbook will modify an employee's at-will status unless specifically set forth in a writing that has been signed by the employee and the University President as authorized by the Board of Trustees. No vested right is created by any provision of this handbook. It is important that employees read, understand and follow the provisions in the handbook. Should any employee need further information, or wish to discuss any policy in the handbook, he or she should feel free to contact the Human Resources Department.

EMPLOYMENT AT CALIFORNIA NORTHSTATE UNIVERSITY IS AT-WILL, WHICH MEANS BOTH EMPLOYEES AND THE UNIVERSITY HAVE THE RIGHT TO TERMINATE EMPLOYMENT AT ANY TIME, WITH OR WITHOUT NOTICE, AND WITH OR WITHOUT CAUSE. THIS MANUAL IS NOT INTENDED TO ESTABLISH EITHER AN EXPRESS OR IMPLIED EMPLOYMENT CONTRACT NOR IS IT INTENDED TO OTHERWISE CREATE ANY LEGALLY ENFORCEABLE OBLIGATION ON THE PART OF THE UNIVERSITY OR ANY OF ITS EMPLOYEES. NOTHING IN THIS HANDBOOK OR IN ANY OTHER DOCUMENT OR STATEMENT SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL OR LIMIT THE UNIVERSITY'S RIGHT TO TRANSFER, DEMOTE, SUSPEND, ADMINISTER DISCIPLINE, AND CHANGE THE TERMS AND CONDITIONS OF EMPLOYMENT AT ITS SOLE DISCRETION. EMPLOYMENT AS OTHER THAN AN AT-WILL EMPLOYEE MAY BE GRANTED ONLY IN WRITING SIGNED BY THE PRESIDENT OF THE UNIVERSITY, AFTER IT HAS BEEN AUTHORIZED BY THE BOARD OF TRUSTEES.

This copyrighted manual is the property of California Northstate University, and is intended for personal use and reference by employees of the University.

IV. OPEN DOOR

Suggestions for improving the University are always welcome. At some time, you may have a complaint, suggestion, or question about your job, your working conditions, or the treatment you are receiving. Your good-faith complaints, questions, and suggestions also are of concern to the University. We ask you to first discuss your concerns with your supervisor, following these steps:

- Within a week of the occurrence, bring the situation to the attention of your immediate supervisor, who will then investigate and provide a solution or explanation.
- If the problem persists, you may describe it in writing and present it to your manager, who will investigate and provide a solution or explanation. If you need assistance with your complaint, or you prefer to make a complaint in person, contact your manager. We encourage you to bring the matter to your manager as soon as possible after you believe that your immediate supervisor has failed to resolve it.
- If the problem is not resolved, you may present the problem in writing to the President of the University, who will attempt to reach a final resolution. If you need assistance with the written complaint, contact your manager or our Human Resource Department for help.

This procedure, which we believe is important for both you and the University, cannot guarantee that every problem will be resolved to your satisfaction. However, the University values your observations and you should feel free to raise issues of concern, in good faith, without the fear of retaliation.

V. GENERAL POLICIES

A. Equal Employment Opportunity

California Northstate University is an equal opportunity employer and makes employment decisions on the basis of merit. We want to have the best available persons in every job. University policy prohibits discrimination based on race, color, creed, sex, gender identity, gender expression, gender information, religion, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition including genetic characteristics or information, sexual orientation, veteran status, union activity or any other characteristic made unlawful by applicable federal, state, or local laws. It also prohibits discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

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

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with disabilities, the University will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee, unless undue hardship would result. Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact a University representative with day-to-day personnel responsibilities and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. The University then will conduct an investigation to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform his or her job. The University will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the University will make the accommodation.

If you believe you have been subjected to conduct inconsistent with this policy, submit a written complaint to your supervisor or the individual with day-to-day personnel responsibilities. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact your supervisor. The University will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation upon notice of any complaint, raised in any manner. If the University determines this policy has been violated, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future violations of this policy.

The University will not retaliate against you for filing a good faith complaint and will not knowingly permit retaliation by management or your co-workers. If you believe you believe you are being retaliated against, you should immediately notify your supervisor or individual with day-to-day personnel responsibilities.

VI. ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICY

California Northstate University prohibits communications or conduct by any person, including employees, vendors and students, which discriminates or harasses. We want to maintain a working environment free from all forms of harassment, whether based upon race, religion, creed, gender expression, color, national origin, ancestry, physical or mental disability, medical condition, marital status including registered domestic partnership, age, sex (including sexual harassment, gender harassment, and harassment based on pregnancy, childbirth or related medical conditions), gender identity, sexual orientation, veteran status, or any other characteristic made unlawful by applicable federal, state, or local laws. The University strongly disapproves of and will not tolerate harassment or discrimination of its workers by supervisors, co-workers, independent contractors or members of the public. Similarly, the University will not tolerate harassment or discrimination by its workers against others with whom the University has a business, service, or professional relationship. Because it is difficult to determine whether the conduct is unlawful, the University prohibits all inappropriate and/or disrespectful conduct based on the characteristics identified above, even if such conduct does not violate the law.

Some examples of conduct that may violate this policy includes verbal, physical, and visual contact that creates an intimidating, offensive, or hostile working environment or that interferes with work performance, if such conduct is based on or because of a protected characteristic. Some examples of conduct potentially violating this policy include racial or sexist slurs, ethnic or sexist jokes, posting of offensive statements, posters or cartoons, and unwanted touching or blocking of normal movement.

Sexual harassment under this policy includes unwelcome, offensive conduct of a sexual nature; or offering employment benefits in exchange for sexual favors or threatening reprisals after a negative response to a sexual advance.

The definition of sexual harassment includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser.

Discrimination or harassment may take many forms. Here are a few examples of prohibited discrimination or harassment:

- A manager making a promotion or other employment decision based on the worker's gender, race, or other protected class
- Making racial, ethnic or religious epithets, slurs or jokes
- Directing remarks, jokes or other intimidating behavior towards persons of a specific race, gender or other protected classification
- Making comments, jokes or innuendo of a sexual nature, including comments about a person's body
- Exhibiting nude, profane, or obscene cartoons, drawings or photographs

- Whistling, staring, leering or making other sexual gestures
- Inappropriate touching, hugging or kissing, assault, or impeding or blocking movement
- Making unwelcome sexual advances or requests for sexual favors
- Making submission to sexual requests a term or condition of employment, job benefit or job opportunity
- Rejecting a person for employment, or for a job benefit or opportunity because the person has refused to participate in sexual conduct
- Any other conduct that is intimidating, hostile or offensive behavior and based on a protected classification

A. Complaint Procedure

Every employee has the responsibility to maintain a workplace free of any form of discrimination or harassment. If you believe you have been subjected to or witnessed conduct that violates this policy, you must immediately report the incident(s) to an appropriate University official. If suspected violations of this policy are not reported, they cannot be investigated. You cannot remain silent. You have an obligation to report the incident(s) according to this policy. All officials of the University are accountable for taking reasonable steps to prevent discrimination and harassment and to stop the behavior from recurring in the event it does happen. This includes ensuring reporting of incidents, monitoring employees and third persons (such as vendors or students) who may have engaged in inappropriate behavior, carefully listening to employee grievances regarding alleged unfair treatment and protecting employees against retaliation.

This policy covers conduct in the workplace and at social and business functions sponsored by California Northstate University (such as holiday dinners, picnics, sporting events, conventions, trade shows, etc.).

Any messages or communications sent or received through our electronic communications systems are subject to our anti-harassment and anti-discrimination policies. The use of information systems (including email and internet) for the display or transmission of sexually explicit images, messages, off-color jokes, racial slurs, or anything that may offend, disparage, or harass an individual based on the protected status categories outlined above is prohibited.

The University provides and supports a dispute resolution procedure for receiving and resolving complaints alleging discriminatory practices in employee relations. As an employee of California Northstate University, you have the responsibility to immediately report any inappropriate or prohibited actions or words by any employee of the University, official of the University, vendor, student, contractor or other individual. You should report the incident to the appropriate University official or to another University official if the appropriate University official is the subject of your complaint.

B. Anti-Retaliation

California Northstate University will not retaliate against you for filing a complaint, reporting such misconduct, cooperating in an investigation, forbidding any practice prohibited by this policy, or testifying, assisting or cooperating in any proceeding authorized by state or federal civil rights laws. California Northstate University will not knowingly permit retaliation by management, employees, or your co-workers.

The University will take prompt remedial action in the event of a complaint. For example, all complaints of discrimination or harassment will be investigated promptly and in an impartial manner. Discretion will be used during the investigation in order to maintain as much confidentiality as possible while still being able to effectively complete the investigation. To the extent possible, the complainant and the accused will be advised of the findings and the conclusion. To provide confidentiality and to protect all persons, including witnesses, the University may or may not, at its sole discretion, disclose any or all information in its possession. Any employee who has engaged in conduct violative of this policy, or who has retaliated against an employee will be subject to appropriate corrective action, depending upon the circumstances, up to and including termination.

Employees who believe they have been the subjected to discrimination or harassment or suffered retaliation may also contact the California Department of Fair Employment and Housing or the federal Equal Employment Opportunity Commission. The phone number may be found online or in the local phone directory.

We hope that you will take advantage of the University's process for resolving workplace concerns and complaints. We believe that prompt reporting of concerns will allow us to work in an environment that allows everyone to perform his/her job in a positive manner.

VII. HIRING

A. Full-Time Employees

Regular full-time employees are those who are scheduled for and work 40 hours per week.

B. Part-Time Employees

Part-time employees are those who are scheduled to work less than 40 hours per week, and may not be eligible for certain benefits. If you have questions regarding your eligibility for particular benefits, see the Human Resources Department.

C. Special Project Employees

Special project employees are those employees hired to perform a special job task or work for a limited time period. An example of a special project employee is a student, hired to perform services during the summer months. Special project employees may not be eligible for any or some benefits. If you have questions regarding your eligibility for particular benefits, see the Human Resources Department. The conditions of eligibility for benefits are set forth in the particular plan documents for each benefit.

D. New Hire

The first 90 days of continuous employment at California Northstate University is considered an introductory period. During this time you will learn your responsibilities, get acquainted with fellow employees and with the University. Rapid progression to meet performance expectations is required.

Completion of the introductory period does not entitle you to remain employed by California Northstate University for any definite period of time. Your status as an at-will employee does not change. The employment relationship may be terminated with or without cause and with or without advance notice, at any time by you or the University.

Any significant absence will automatically extend an introductory period by the length of the absence.

E. Job Duties

Job responsibilities and performance standards will be explained at the time of hire. You are referred to the job description for further details about your position.

Job descriptions are meant only to describe the general nature of work. Job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects or to assist with other work necessary or important to California Northstate

University. An appropriate University official may alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

VIII. LEAVES OF ABSENCE

A. Paid Family Leave

During an authorized unpaid leave of absence, employees may receive Paid Family Leave (PFL) from the State of California's Employment Development Department (EDD) up to six paid weeks off in a 12 month period to: 1) care for a seriously ill family member (parent, spouse, child, domestic partner or child of a domestic partner or to bond with a child); or to 2) bond with a new child during the first year after the birth or placement of the child in connection with foster care or adoption. For bonding, PFL is limited to the first year after the birth, adoption or foster care placement of a child. A separate certification must be completed for leave associated with bonding. A seven calendar day waiting period exists before an employee may draw PFL. If an employee is absent for a reason that qualifies him/her for PFL payments, he/she is required first to use any accrued and unused vacation, up to a maximum of 10 days in a 12-month period. Thereafter, at the employee's option, PFL benefits may be supplemented with any accrued and unused vacation (as PFL benefits do not replace all of the employee's usual wages).

Eligibility for benefits is determined by the State. Benefits under PFL include approximately fifty-five percent (55%) of lost wages for employees who contribute to SDI. PFL does not create any rights to a leave of absence or reinstatement, but simply provides partial wage replacement for qualified employees. Employees must meet all EDD eligibility requirements to qualify for PFL benefits. Employees may contact the EDD or gather additional information regarding PFL benefits by visiting www.edd.ca.gov. Employees collecting workers' compensation, unemployment or SDI are not eligible to collect PFL.

IX. PREGNANCY DISABILITY LEAVE

California Northstate University provides unpaid pregnancy disability leave (PDL) to any employee who is temporarily unable to work due to a disability related to pregnancy, childbirth, or related medical conditions.

Employees who are affected by pregnancy or a related medical condition are also eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if such a transfer is medically advisable and can be reasonably accommodated. Where transfers are made based on the employee's health needs, the employee will receive the pay that accompanies the alternative position.

Procedures for Requesting Leave: Employees should make requests for PDL to a supervisor at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

A health care provider's statement must be submitted verifying the need for PDL and stating:

- 1) The date on which the employee became disabled due to pregnancy, childbirth or related medical condition, or the date on which the need for a transfer became medically advisable;
- 2) The probable duration of the period or periods of disability or the need for transfer; and
- 3) A statement that, due to the disability, the employee is unable to perform one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons, or that the transfer is medically advisable.

Re-certification may be required if the employee requests an extension beyond the original certification.

Any changes in this information contained in the health care provider's statement should be promptly reported to a supervisor.

Length of Leave: Full-time employees are normally granted unpaid leave for the period of the disability, up to a maximum of four months (17.333 work weeks). Health benefits will continue for the duration of the PDL (up to a maximum of 17.333 work weeks, in a 12 month period, beginning the date the leave begins). Part-time employees are granted unpaid leave on a pro-rata basis.

PDL does not need to be taken in one continuous period of time but can be taken on an as-needed basis. In other words, leave may be taken intermittently or on a reduced work schedule when determined medically advisable by the employee's health care provider. The smallest increment of time that can be used for such leave is one hour. The University may transfer the employee to an alternative position or alter the existing job to accommodate intermittent leave or a reduced work schedule. The employee will receive comparable pay and benefits in the alternative position.

Compensation During Leave: PDL is unpaid. However, an employee must use accrued sick leave during PDL. After sick leave is exhausted, an employee may use accrued vacation. Substituted paid leave time will be counted toward the four-month entitlement.

X. CALIFORNIA FAMILY RIGHTS ACT LEAVE (CFRA)

California Family Rights Act (CFRA) provides leave for the following reasons:

- Birth of a child for purposes of bonding.
- Placement of a child in the employee's family for adoption or foster care.
- Serious health condition of the employee's child, parent or spouse.
- Employee's own serious health condition.

To be eligible for CFRA leave, an employee must be either a full-time or part-time employee working in California, have more than 12 months (52 weeks) of service with the employer, have worked at least 1,250 hours in the 12-month period before the date the leave begins and work at a location in which the employer has at least 50 employees within a 75-mile radius.

Eligible employees may take a leave for a total of up to 12 workweeks in a 12-month period. Similar to the provisions of the federal **Family and Medical Leave Act (FMLA)** discussed later, leave can be taken all at once or on a reduced schedule or intermittent leave basis.

The University may require use of paid sick or vacation or paid time off prior to the start of unpaid leave unless the leave is also FMLA and the employee is receiving disability benefit payments.

CFRA leave runs concurrently with FMLA unless the employee is disabled by pregnancy. If the employee is disabled by pregnancy, the employee will be entitled to 12 weeks of CFRA for baby bonding after she is no longer disabled by pregnancy. CFRA will not run concurrently with FMLA if leave is to care for a registered domestic partner.

XI. FAMILY/MEDICAL LEAVE (FMLA)

State and federal family and medical leave laws provide up to 12 workweeks of unpaid family/medical leave within a 12-month period, under the following conditions:

- The employee has more than 12 months of service
- The employee has worked at least 1,250 hours during the previous 12-month period before the need for leave
- The employee is employed at a work site where there are 50 or more employees within a 75-mile radius

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

- 1) The birth of the employee's child.
- 2) Placement of a child with the employee for adoption or foster care.
- 3) To care for the employee's spouse, registered domestic partner, child, or parent who has a serious health condition.
- 4) For a serious health condition that makes the employee unable to perform his or her job. 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.
 - 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.
 - This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.
 - Employees with questions about what illnesses are covered under this FMLA policy or under California Northstate University's sick leave policy are encouraged to consult with the Human Resource Manager.
 - If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, California Northstate University may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.
- 5) For any "qualifying exigency" (to be defined by federal regulation) because the employee is the spouse, son, daughter, or parent of an individual on active military duty (or has been

notified of an impending call or order to covered active duty) in the Armed Forces in support of a contingency operation.

“Covered active duty:”

- In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
 - In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.
 - The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee’s 12-week maximum of FMLA leave in a 12-month period.
- 6) An employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of 26 workweeks of leave during a 12-month period to care for an injured or ill covered servicemember

“Serious injury or illness:”

- In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
- In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

An employee whose son, daughter, parent or next of kin is a covered servicemember may take up to 26 weeks in a single 12-month period to care for that servicemember.

Next of kin is defined as the closest blood relative of the injured or recovering servicemember.

The term “covered servicemember” means:

- A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

A. Calculating the 12-month Period

For purposes of calculating the 12-month period during which 12 weeks of leave may be taken, California Northstate University uses a rolling year.

Under most circumstances, leave under federal and state law will run at the same time and the eligible employee will be entitled to a total of 12 weeks of family and medical leave in the designated 12-month period.

An eligible employee can take up to 12 weeks for the FMLA circumstances (1-5) above under this policy during any 12-month period. California Northstate University 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, California Northstate University 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.

An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, California Northstate University 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.

If a husband and wife both work for California Northstate University and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for California Northstate University and each wishes to take leave to care for a covered injured or ill servicemember, the husband and wife may only take a combined total of 26 weeks of leave.

B. FMLA and CFRA

FMLA and CFRA run concurrently if the leave of absence is needed:

- To care for the employee's spouse, parent or child
- As time off because of the employee's own serious illness or injury
- To bond with a newborn child (For the mother, any FMLA remaining after PDL will run concurrently with any CFRA taken for this purpose. For the father, FMLA/CFRA will run concurrently for a maximum of 12 weeks.)
- To bond with a child placed with the employee for adoption or foster care

FMLA and CFRA leave will run concurrently for all purposes except:

- Leave to care for a registered domestic partner (CFRA only)
- Disabilities due to pregnancy or pregnancy-related condition (FMLA only)
- Leave for a qualifying exigency related to a family member's military service (FMLA only)
- Leave to care for an ill or injured servicemember (FMLA only)

FMLA does not provide registered domestic partners with FMLA leave. But, CFRA provides employees with leave for this reason.

C. Pregnancy, Childbirth or Related Conditions

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

Any leave taken for the birth, adoption, or foster care placement of a child does not have to be taken in one continuous period of time. California Family Rights Act leave taken for the birth or placement of a child will be granted in minimum amounts of 2 weeks. However, the University will grant a request for a California Family Rights Act leave (for birth/placement of a child) of less than 2 weeks duration on any two occasions. Any leave taken must be concluded within 1 year of the birth or placement of the child with the employee.

D. Procedures

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

Please contact your supervisor as soon as you realize the need for family/medical leave. If the leave is based on the expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member, the employee must notify the University at least 30 days before leave is to begin. The employee must consult with his or her supervisor regarding scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the University. Any such scheduling is subject to the approval of the health care provider of the employee or the health care provider of the employee's child, parent, or spouse.

If the employee cannot provide 30 days' notice, the University must be informed as soon as is practical.

If the Family and Medical Leave Act/California Family Rights Act request is made because of the employee's own serious health condition, the University may require, at its expense, a second opinion from a health care provider that the University chooses. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by the University.

If the second opinion differs from the first opinion, the University may require, at its expense, the employee to obtain the opinion of a third health care provider designated or approved jointly by the employer and the employee. The opinion of the third health care provider shall be considered final and binding on the University and the employee.

The University requires the employee to provide certification within 15 calendar days of any request for family and medical leave under state and federal law, unless it is not practicable to do so. The University may require recertification from the health care provider if additional leave is required.

E. Leave to Care for a Family Member

If the leave is needed to care for a sick child, spouse, or parent, the University will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. If the leave is needed to care for a sick child, spouse, or parent, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition
- Probable duration of the condition

- Estimated amount of time for care by the health care provider
- Confirmation that the serious health condition warrants the participation of the employee

If an employee cites his/her own serious health condition as a reason for leave, the University will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. The employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition
- Probable duration of the condition
- Inability of the employee to work at all or perform any one or more of the essential functions of his/her position because of the serious health condition

The University will require certification by the employee's health care provider that the employee is fit to return to his or her job. Failure to provide certification by the health care provider of the employee's fitness to return to work will result in denial of reinstatement for the employee until the certificate is obtained.

F. Leave Related to Military Service

A leave taken due to a "qualifying exigency" related to military service must be supported by a certification of its necessity. A leave taken due to the need to care for a service member shall be supported by a certification by the service member's health care provider.

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and activities, 3) child care and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities and 8) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

California Northstate University will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

G. Vacation Pay During Leave

1. FMLA

The University will not require use of sick, vacation or PTO if the employee is receiving disability benefits such as workers' compensation, state disability insurance or other disability benefits. If the leave is pregnancy related, the University will not require use of vacation or PTO.

2. CFRA

The University may require use of paid sick or vacation or PTO prior to start of unpaid leave unless the leave is also FMLA and the employee is receiving disability benefit payments.

3. PDL

The University may require the use of paid sick leave prior to the start of unpaid leave, but may not require use of vacation or PTO. The University will not require the use of sick leave if it would impact the employee's right to receive SDI benefits.

H. Health and Benefit Plans

An employee taking family medical leave will be allowed to continue participating in any health and welfare benefit plans in which he/she was enrolled before the first day of the leave (for a maximum of 12 workweeks) at the level and under the conditions of coverage as if the employee had continued in employment for the duration of such leave. The University will continue to make the same premium contribution as if the employee had continued working. The continued participation in health benefits begins on the date leave first begins under Family and Medical Leave Act (*e.g.*, for pregnancy disability leaves) or under the Family and Medical Leave Act/California Family Rights Act (*e.g.*, for all other family care and medical leaves). In some instances, the University may recover from an employee, premiums paid to maintain health coverage if the employee fails to return to work following family/medical leave.

Under current California Northstate University policy, if 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. The payment must be received in the Accounting Department by the 1st day of the month. If no payment is received by the end of the calendar month or within 30 days, the employee's health care coverage may be dropped for the duration of the leave. The employer will provide 15 days' notification prior to the employee's loss of coverage when payment is delinquent by 15 days.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave

and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work and if such coverage is discontinued, the employee will be responsible for initiating or reinstating coverage.

Employees on family/medical leave who are not eligible for continued paid coverage may continue their group health insurance coverage through the University in conjunction with the federal COBRA guidelines by making monthly payments to the University for the amount of the applicable premium. Employees should contact their supervisor for further information.

I. Reinstatement

Under most circumstances, upon return from family/medical leave, an employee will be reinstated to his or her original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if he or she had been continuously employed rather than on leave. For example, if an employee on family/medical leave would have been laid off had he or she not gone on leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement. In addition, an employee's use of family/medical leave will not result in the loss of any employment benefit that the employee earned before using family/medical leave. Reinstatement after family/medical leave may be denied to certain salaried "key" employees under the following conditions:

- An employee requesting reinstatement was among the highest-paid 10 percent of salaried employees employed within 75 miles of the work site at which the employee worked at the time of the leave request
- The refusal to reinstate is necessary because reinstatement would cause substantial and grievous economic injury to the University's operations
- The employee is notified of the University's intent to refuse reinstatement at the time the University determines the refusal is necessary
- If leave has already begun, the University gives the employee a reasonable opportunity to return to work following the notice described previously

For additional information about eligibility for family/medical leave, contact the Human Resources Department.

J. Coordination of PDL with Family/Medical Leave

If you take pregnancy disability leave and are eligible under the federal or state family and medical leave laws, California Northstate University will maintain group health insurance coverage for up to a maximum of 12 workweeks (if such insurance was provided before the

leave was taken) on the same terms as if you had continued to work. Leave taken under the pregnancy disability policy runs concurrently with family and medical leave under federal law, but not family and medical leave under California law. CFRA specifically excludes pregnancy and other related disabilities from coverage. After the baby is born, an employee is entitled to additional leave under CFRA for baby bonding. If you are ineligible under the federal and state family and medical leave laws, while on pregnancy disability you will receive continued paid coverage on the same basis as other medical leave that the University may provide and for which you are eligible. In some instances, the University may recover premiums it paid to maintain health coverage for you if you fail to return to work following pregnancy disability leave.

If you are on pregnancy disability leave and are not eligible for continued paid coverage, or if paid coverage ceases after 12 workweeks, you may continue your group health insurance coverage through California Northstate University in conjunction with federal COBRA guidelines by making monthly payments to California Northstate University for the amount of the relevant premium. Contact the Human Resources Department for further information.

XII. BEREAVEMENT LEAVE

California Northstate University grants leave of absence to employees in the event of the death of the employee's current spouse, registered domestic partner, child, parent, legal guardian, brother, sister, grandparent, or grandchild; or mother-, father-, sister-, brother-, son-, or daughter-in-law. An employee with such a death in the family may take up to 3 consecutive scheduled workdays off, without pay, with the approval of the University. Accrued vacation hours may be used. Additional time off, paid time off through use of vacation, or unpaid leave must be arranged in advance with the employee's supervisor.

XIII. CIVIL AIR PATROL

An employee who has been employed 90 days or more is permitted to request up to 10 calendar days of unpaid leave per year to respond to an emergency operational mission of the California Wing of the Civil Air Patrol. Such leave is limited to three days for each emergency operational mission, unless the government entity that authorized the mission extends it and the University approves the additional time off. Upon expiration of the leave, an employee will generally be reinstated to his or her position with equivalent seniority, benefits, pay and other terms and conditions of employment.

Employees requesting time off must notify their direct supervisor as soon as possible after learning the intended dates upon which such leave will begin and end. Approval of any leave request is conditioned upon certification from the proper Civil Air Patrol Authority of the employee's eligibility to take such leave. Failure to provide the required certification will result in denial of leave. Employees may, but are not required to, elect to substitute any accrued unused vacation days, paid time off, or paid personal days for otherwise unpaid Civil Air Patrol Leave.

XIV. DOMESTIC VIOLENCE LEAVE

Victims of domestic violence or sexual assault may take unpaid time off work for up to 12 weeks to obtain help from a court, seek medical attention, obtain services from an appropriate shelter, program, or crisis center, obtain psychological counseling, or participate in safety planning, such as permanent or temporary relocation. California Northstate University may require proof of an employee's participation in these activities. Whenever possible, you must provide your supervisor reasonable notice before taking any time off under this policy. You may substitute any accrued vacation, personal leave or other time off available to you, for the unpaid leave provided under this policy. Employees may also use available sick time for domestic violence or sexual assault. The University will maintain the confidentiality of any employee seeking domestic violence-related leave to the fullest extent possible. Domestic violence and sexual assault victims' leave is limited to 12 weeks in a 12-month period.

XV. TIME OFF FOR CRIME VICTIMS

Employees who have been victims of serious or violent felonies, as specified under California law, or felonies relating to theft or embezzlement, may take time off work to attend judicial proceedings related to the crime. Employees also may take time off if an immediate family member has been a victim of such crimes and the employee needs to attend judicial proceedings related to the crime. "Immediate family member" is defined as spouse, registered domestic partner, child, child of registered domestic partner, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, or stepfather.

Employees must give a Human Resource representative a copy of the court notice given to the victim of each scheduled proceeding before taking time off, unless advance notice to Northstate University of the need for time off is not feasible. When advance notice is not feasible, the employee must provide the University with documentation evidencing the judicial proceeding, within a reasonable time after the absence. The documentation may be from the court or government agency setting the hearing, the district attorney or prosecuting attorney's office, or the victim/witness office that is advocating on behalf of the victim. The University shall maintain the confidentiality of employees requesting leave pursuant to this policy.

Any absence from work to attend judicial proceedings will be unpaid. Employees can use available sick time, vacation, personal leave or paid time off for crime victims' leave. If the employee does not elect to use paid time off, the absence will be unpaid. However, exempt employees will be paid their full salary for any workweek interrupted by the need for time off under this policy.

XVI. JURY DUTY AND WITNESS LEAVE

The University encourages employees to serve on jury duty when called. You will be allowed to take time off for each full or partial working day you serve on jury duty. Non-exempt employees will be compensated for up to 5 days of jury duty, minus the amount of wages provided by the court. Exempt employees will receive full salary unless they are absent for a full week and perform no work. You should notify your supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. You may be requested to provide written verification from the court clerk of performance of jury service. If work time remains after any day of jury selection or jury duty, you will be expected to return to work for the remainder of your work schedule.

You may retain any mileage allowance or other fee paid by the court for jury services.

XVII. MILITARY LEAVE OF ABSENCE

The Uniformed Services Employment and Reemployment Rights Act (USERRA) permits leave for anyone absent from work due to “service in the uniformed services.” USERRA defines “uniformed services” to include Army, Navy, Air Force, Marine Corps, Coast Guard, and the Reserves for each of those branches; Army National Guard; Air National Guard; commissioned corps of the Public Health Service; and any other category of people designated by the President in time of war or national emergency. Employees who wish to serve in the military and take military leave should contact their supervisor for information about their rights before and after such leave. You are entitled to reinstatement upon completion of military service, provided you return or apply for reinstatement within the time allowed by law.

XVIII. MILITARY SPOUSAL LEAVE

Employees who work more than 20 hours per week and have a spouse in the Armed Forces, National Guard or Reserves who have been deployed during a period of military conflict are eligible for up to 10 unpaid days off when their spouse is on leave from (not returning from) military deployment. Employees must request this leave in writing to management within two business days of receiving official notice that their spouse will be on leave. Employees requesting this leave are required to attach to the leave request written documentation certifying the spouse will be on leave from deployment.

XIX. SCHOOL ACTIVITIES

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

- Parents, guardians, or grandparents having custody of 1 or more children in kindergarten or grades 1 to 12 may take time off for a school activity.
- The time off for school activity participation cannot exceed 8 hours in any calendar month, or a total of 40 hours each school year.
- Employees planning to take time off for school visitations must provide as much advance notice as possible to their supervisor.
- If both parents are employed by the University, the first employee to request such leave will receive the time off. The other parent will receive the time off only if the leave is approved by his or her supervisor.
- Employees must use vacation or paid time leave in order to receive compensation for this time off.
- Employees who do not have paid time off available will take the time off without pay
- Employees must provide their supervisor with documentation from the school verifying that the employee participated in a school activity on the day of the absence for that purpose.

A. Suspension

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

XX. ORGAN AND BONE MARROW DONOR LEAVE

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

Employees may take up to 30 days (workdays) of leave in any one-year period for the purpose of donating an organ to another person. Employees may take up to 5 days (workdays) of leave in any one-year period for the purpose of donating bone marrow to another person.

During the leave for organ/bone marrow donors, the University will continue to provide and pay for any group health plan benefits the employee was enrolled in prior to the leave of absence. Leave taken for the purpose of organ or bone marrow donation is not leave for the purpose of family medical leave under the California Family Rights Act.

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

The University requires that employees taking leave for organ donation use two weeks of accrued but unused sick leave and/or vacation. The University requires that employees taking leave for bone marrow donation use 5 days of accrued but unused sick leave and/or vacation.

Once a donor has exhausted the required paid sick and/or vacation leave, the employee will be paid for the remaining leave of absence, if additional leave is needed, up to the maximum allowed by governing law.

XXI. PAID VACATION

A. Full-Time Non-Exempt Staff

Full time non-exempt staff employees are eligible to accrue paid vacation. You will not accrue vacation benefits if you are on a leave of absence or are suspended. Accrued vacation is paid as follows:

Years of Continuous Employment	Weeks Per Year
Date of hire to completion of 1 year	80 hours
Beginning of 1st year to completion of 5th year	80 hours
Beginning of 6 years to completion of 10th year	120 hours
Beginning of 11th year and thereafter	160 hours

B. Professional, Administration (i.e. Associate Deans, Dean, etc.), and 12-month Faculty Personnel

All professional and administrative employees are entitled to 4 weeks of vacation pay each fiscal year. Any further provisions in an employee’s offer letter will supersede the accrual rates as spelled out in the employee handbook.

C. Vacation Pay Provisions

California Northstate University encourages employees to take vacation annually, generally within the year following accrual. For full-time, non-exempt staff, earned vacation time accrues to a maximum of 80 hours from their first year of continuous employment to the completion of their fifth year of continuous employment, then 120 hours beginning their sixth year of continuous employment to the completion of their tenth year of continuous employment, and 160 hours beginning their 11th year of continuous employment. Earned vacation time accrues to a maximum of 160 working hours for professional, administration, and 12-month faculty personnel. No additional vacation will be earned until accrued vacation time is used. Once some vacation time is taken, accrual will recommence at the usual rate. Employees will not be retroactively granted any unearned vacation hours that he/she would have earned, had he/she not reached the cap. Employees are responsible for tracking their accrued vacation time.

No salaried or hourly employee will receive pay in lieu of vacation, except on the termination of his or her employment. Accrued vacation pay that has not been used will be paid at the time of resignation or termination. Vacation pay is paid at the employee’s final rate of pay at the time of separation.

The scheduling of your vacation depends in part on California Northstate University's operational needs and the requests for vacations and leaves of absences of other employees.

The appropriate University official must approve all vacation requests in advance. Vacation leave generally will not be approved while school is in session, unless the person requesting leave has no classroom or practice experience obligation on those days. Fractions-of-days vacation, likewise, will not be approved. If, while on an official leave of absence for University business you become ill, you will not be able to count those vacation days as sick days. All vacations must be requested on a Vacation Authorization Request Form and approved by the employee's direct supervisor. Each faculty member is allowed unlimited leave of absence for University business (attending conferences, making presentations, etc.). These leaves of absence are not considered vacation leave, but a leave request must be submitted through the same channels as previously described for vacation leave.

D. Personal Leave

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

XXII. SICK LEAVE

A. Full-Time Staff and Faculty

Sick leave is a form of wage reimbursement that employees accumulate in order to provide a cushion for incapacitation due to illness. It is intended to be used only when actually required to recover from illness or injury; sick leave is not for “personal” absences. **Time off for medical and dental appointments will be treated as sick leave.** The University will not tolerate abuse or misuse of your sick leave privilege. The University offers paid sick leave to regular full-time employees upon date of hire, and you accrue paid sick leave at the rate of 12 days per year. Accrued sick leave does not carry over from year to year. The University does not pay employees in lieu of unused sick leave. If you are absent longer than 3 days due to illness, medical evidence of your illness and/or medical certification of your fitness to return to work satisfactory to the University will be required before the University honors any sick pay requests. The University may withhold sick pay if it suspects that sick leave has been misused.

Medical Certification: California Northstate reserves the right, in all cases, regardless of the length of absence, to require an employee seeking to take or returning from a sick leave absence to submit written certification of illness or injury from a physician (licensed medical doctor).

An employee returning to work from a lengthy period of illness will be required to present a physician’s statement that the employee can safely return to his or her full duties. This requirement may be made at the sole discretion of California Northstate. If the employee cannot return to full duties, the physician must specify the employee’s limitations in sufficient detail to allow California Northstate to determine whether a reasonable accommodation can be made. Such physician’s statement must be provided before the employee may return to work.

Except when prohibited by law, employees are required to exhaust all accrued and unused sick leave before taking unpaid leave, or having unpaid absences.

Kin Care: Employees may use up to one-half of their yearly sick leave accrual to attend to a child, parent, spouse, registered domestic partner, or registered domestic partner’s child who is ill. Leave for this purpose may not be taken until sick leave benefits have actually accrued.

Workers’ Compensation and Sick Leave: Paid sick leave is a benefit that also covers absences for work-related illness or injury. Employees who have a work-related illness or injury are covered by workers' compensation insurance. However, workers' compensation benefits usually do not cover absences for medical treatment. When an employee reports a work-related illness or injury, he/she will be sent for medical treatment, if treatment is necessary. The employee will be paid his/her regular wages for the first day he/she spends seeking initial medical treatment.

Any further medical treatment for a work-related illness or injury will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointments will not be paid as time worked. Rather, if the employee has accrued and unused sick leave, the additional absences from work will be paid with the use of sick leave.

If the employee does not have accrued sick leave, he/she may choose to substitute accrued vacation time for further work absences related to the illness or injury. If the employee does not have accrued sick or vacation time then an unpaid leave of absence may be requested.

XXIII. TIME OFF FOR VOTING

If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may take off enough working time to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time, and the time taken off shall be combined with the voting time available outside of working hours to a maximum of 2 hours combined. Under these circumstances, an employee will be allowed a maximum of 2 hours of time off during an election day without loss of pay. When possible, an employee requesting time off to vote shall give his or her supervisor at least two days' notice.

XXIV. VOLUNTEER CIVIL SERVICE PERSONNEL

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, peace officer, or emergency rescue personnel. You are also eligible for unpaid leave for required training. If you are an official volunteer firefighter, please alert your supervisor that you may have to take time off for emergency duty. When taking time off for emergency duty, please alert your supervisor before doing so when possible.

XXV. BENEFITS

The employee benefits outlined in the Benefit section of this handbook are optional benefits and at any time can be terminated at the sole discretion of the University. These benefits are offered on the basis of our current state of business. Although the University hopes to continue to offer these benefits in the future, there is no promise that these benefits will continue should business and the University's profitability change. In the event a benefit is modified or terminated, you will be given written notice.

A. Bonuses

Occasionally, the University may award a discretionary bonus to qualifying employees. Bonuses are based on such factors as business performance and individual merit and are awarded at the sole discretion of management.

XXVI. HOLIDAYS

California Northstate University observes the following paid holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- The Day after Thanksgiving
- Christmas Day

When a holiday falls on a Saturday, it is usually observed on the preceding Friday. If a holiday falls on a Sunday, then the following Monday will apply as the holiday observed. However, the University may close on another day or grant compensating time off instead of closing. Holiday observance will be announced in advance. If a holiday falls during an employee's approved vacation period and the employee would have otherwise been scheduled to work, the employee will be paid for the holiday and will not be charged with a vacation day on the holiday. Each non-exempt employee's eligibility for holiday pay begins upon date of hire. If you are required to work on a paid scheduled holiday you will receive holiday pay plus wages at your regular rate of pay.

XXVII. INSURANCE BENEFITS

A. Medical Insurance

The University provides a medical insurance plan for eligible employees and their dependents. Employees who work more than 30 hours per week are eligible to participate on the first day of the month following 30 consecutive days of employment. For example, if an employee starts work on March 1st, the employee is eligible to participate in the University's medical insurance plan on May 1st.

Important Note: This handbook provides only a general overview of the benefits provided to eligible employees. Employees should refer to the separate publication distributed by the third party benefit/service carrier contracted by management for each benefit for more details. In the event there is a conflict between the handbook and the separate publication, the separate publication will control. California Northstate reserves the right to alter, modify, suspend or eliminate any California Northstate-sponsored benefits (this does not include State Disability Insurance or Paid Family Leave, which are operated by the State of California.)

B. Disability Insurance

Each employee contributes through payroll tax to California's state disability insurance programs. Disability insurance is mandated by the California Unemployment Insurance Code and administered by the Employment Development Department. Disability insurance is payable when you cannot work because of illness or injury not caused by employment at the University. An additional tax funds the state's Paid Family Leave program, and provides partial wage replacement for absences related to care of a family member, or bonding with a new child. Specific rules and regulations governing disability are available from the personnel manager. The SDI claim form can be obtained from EDD website: www.EDD.ca.gov.

C. Unemployment Compensation

The University contributes each year to the California Unemployment Insurance Fund on behalf of its employees.

D. Social Security

Social Security is an important part of every employee's retirement benefit. The University pays a matching contribution to each employee's Social Security taxes.

E. Workers' Compensation

The University, in accordance with state law, provides insurance coverage for employees in case of work-related injury. The workers' compensation benefits provided to injured employees may include:

- Medical care
- Cash benefits, tax free, to replace lost wages
- Assistance to help qualified injured employees return to suitable employment

To ensure that you receive any workers' compensation benefits to which you may be entitled, you will need to:

- Immediately report any work-related injury to your supervisor
- Seek medical treatment and follow-up care if required
- Complete a written Employee's Claim Form (DWC Form 1) and return it to your supervisor
- Provide the University with a certification from your health care provider regarding the need for workers' compensation disability leave, as well as your eventual ability to return to work from the leave

The University or its insurance carrier may not be liable for the payment of workers' compensation benefits for any injury which arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity which is not a part of your work-related duties whether such activity is or is not sponsored by the University. Any questions regarding workers' compensation should be addressed to the Human Resources Department. Upon submission of a medical certification that an employee is able to return to work after a workers' compensation leave, the employee under most circumstances will be reinstated to his or her same position held at the time the leave began, or to an equivalent position, if available. An employee returning from a workers' compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if the employee on workers' compensation leave would have been laid off had he or she not gone on leave, or if the employee's position has been eliminated or filled in order to avoid undermining the University's ability to operate safely and efficiently during the leave, and no equivalent or comparable positions are available, then the employee would not be entitled to reinstatement.

An employee's return depends on his or her qualifications for any existing openings. If, after returning from a workers' compensation disability leave, an employee is unable to perform the essential functions of his or her job because of a physical or mental disability, the University's obligations to the employee may include reasonable accommodation, as governed by the Americans with Disabilities Act.

F. University-Provided Physician

The University provides medical treatment for work-related injuries through a medical provider network, which the University has chosen to provide medical care to injured employees because of their experience in treating work-related injuries. The law requires the University to notify the workers' compensation insurance of any concerns of false or fraudulent claims.

XXVIII. MAKE-UP TIME

In accordance with state law, California Northstate allows the use of makeup time when non-exempt employees need time off to tend to personal obligations. Personal Obligations do not include medical or dental appointments which are treated as sick leave per the sick leave policy. To the extent that an employee exhausts available sick leave to address a chronic health condition, please see the FMLA policy or speak to a Human Resources personnel manager for further assistance. State law sets the requirements for makeup time, as follows.

Makeup time worked is not paid at an overtime rate.

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

Makeup time requests must be submitted in writing to your supervisor, with your signature. Requests will be considered for approval based on the legitimate business needs of California Northstate at the time the request is submitted. A separate written request is required for each occasion the employee requests makeup time.

If an employee requests time off that he/she will make up later in the week, he/she must, except in exigent circumstances, submit the request at least 24 hours in advance of the desired time off. If the employee requests to work makeup time first in order to take time off later in the week, he/she must submit the request at least 24 hours before working the makeup time. The makeup time request must be approved in writing before the employee takes the requested time off or works the makeup time, whichever is first.

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

If an employee takes time off and is unable to work the scheduled makeup time for any reason, the hours missed will normally be unpaid. However, the supervisor may arrange with the employee another day to make up the time if possible, based on scheduling needs. If an employee works makeup time in advance of time he/she plans to take off, he/she must take that time off, even if he/she no longer needs the time off for any reason.

An employee's use of makeup time is completely voluntary. California Northstate does not encourage, discourage, or solicit the use of makeup time.

XXIX. FACULTY AND STAFF DEVELOPMENT

A. Faculty Development

Faculty development is an ongoing process designed to enhance the teaching and research skills of academics throughout the careers of University faculty. The goal is to increase both teaching effectiveness and scholarly productivity. The success of the program is highly dependent on the sustained commitment of the administration to provide the appropriate space and resources and the faculty's commitment to continuous development of their skills. The purpose is to provide an academic environment that stimulates innovation in teaching, research, and scholarly activity and encourages University faculty to develop and grow intellectually and professionally and maximize their academic productivity.

Basic resources needed for a successful faculty development program include:

- Encouragement and support from administration for developmental activities
- Release time away from certain faculty and patient care responsibilities
- Funds for travel, research expenses, and equipment consistent with the University's budget
- Appropriate space and routine equipment to conduct research

Programmatic responsibility for the Faculty Development Program is shared between the Department Chairs and the individual faculty. It is the responsibility of the Department Chair to provide the guidance and counseling necessary to assist the faculty member in focusing on specific needs and facilitating activities to address those needs. Ultimate success of a Faculty Development Program rests with the individual faculty member. Each faculty member should address his or her own needs, and through discussions with the Department Chair, focus on and address those needs through the Faculty Development Program.

B. Staff Development

Staff development is an ongoing process designed to enhance the skills University staff need throughout their careers. The goal is to increase both effectiveness and productivity. The success of the program is highly dependent on the sustained commitment of the administration to provide the appropriate space and resources and the staff's commitment to continuous development of their skills. The purpose is to provide an environment that stimulates innovation in administration and related activities and encourages University staff to develop and grow intellectually and professionally and maximize their productivity.

Basic resources needed for a successful staff development program include:

- Encouragement and support from administration for developmental activities
- Release time away from certain staff responsibilities

- Funds for developmental activities consistent with the University's budget.

Responsibility for the Staff Development Program is shared between University Administration and managers and the individual staff. It is the responsibility of the individual staff's manager to provide the guidance and counseling necessary to assist the staff member in focusing on specific needs and facilitating activities to address those needs. Ultimate success of a Staff Development Program rests with the individual staff member. Each staff member should address his or her own needs and through discussions with his or her manager.

XXX. MANAGEMENT

A. Employment of Relatives

Relatives of employees may be eligible for employment with the University only if individuals involved do not work in a direct supervisory relationship, or in job positions in which a conflict of interest could arise. The University defines “relatives” as spouses, registered domestic partners, children, siblings, parents, in-laws, and step-relatives. Present employees who marry or become registered domestic partners will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another or in job positions involving conflict of interest.

B. Name and Address

The University is required by law to keep current all employees’ names and addresses. Employees are responsible for notifying the University in the event of a name or address change.

C. Housekeeping

All employees are expected to keep their work areas and work sites clean and organized. People using common areas such as lunchrooms and restrooms are expected to keep them sanitary. Please clean up after meals and dispose of trash properly.

D. Off-Duty Use of Facilities

Employees are prohibited from remaining on University premises or making use of University facilities while not on duty. Employees are expressly prohibited from using University facilities, University property, or University equipment for personal use.

E. Prohibiting Use of Cell Phone While Driving

Safety is the first priority when driving. You should avoid activities that distract you from driving. In general, California Northstate University discourages the use of cell phones while driving. Employees are only permitted to use a wireless telephone while driving if that telephone is designed and configured to allow hands free listening and talking and used in that manner while driving. Cell phone use is only permitted if it does not pose a distraction while driving. If you must use a cellular telephone while driving, please adhere to the following safety precautions:

- Do not place calls while your vehicle is moving
- Use hands-free devices so that both hands can remain on the steering wheel while driving.
- Be sure to attach the device before pulling into traffic
- Do not text message or engage in interactive paging while driving

- Discontinue any conversation prior to operating a vehicle
- Refrain from emotional or complicated discussions
- Use your phone to call for help

Writing, sending, or reading text-based communication, including text messaging, instant messaging, and e-mail, on a wireless device or cell phone while driving is also prohibited under this policy.

F. Prohibiting Use of Cell Phone While Driving for Employees Under 18 Years of Age

A person under the age of 18 years is prohibited from driving a motor vehicle while using a wireless telephone, even if equipped with a hands-free device, or while using a mobile service device. The prohibition would not apply to such a person using a wireless telephone or a mobile service device for emergency purposes. Violating this policy is a violation of University rules.

Writing, sending, or reading text-based communication – including text messaging, instant messaging, and e-mail – on a wireless device or cell phone while driving is also prohibited under this policy. Violating this policy is a violation of University rules.

G. Smoking

Smoking is not allowed in buildings or in University vehicles.

H. Solicitation and Distribution of Literature

In order to ensure efficient operation of the University's operations and to prevent disruption to employees, we have established control of solicitations and distribution of literature on University property. The University has enacted rules applicable to all employees governing solicitation, distribution of written material, and entry onto the premises and work areas. All employees are expected to comply strictly with these rules. Any employee who is in doubt concerning the application of these rules should consult with his or her supervisor. No employee shall solicit or promote support for any cause or organization during his or her working time or during the working time of the employee or employees of any California Northstate employee. No employee shall distribute or circulate any written or printed material in work areas at any time, or during his or her working time or during the working time of the employee or employees at whom such activity is directed. Under no circumstances will non-employees be permitted to solicit or to distribute written material for any purpose on University property.

I. Unauthorized Visitors

Employees must recognize that the University may have an insurance liability for persons visiting University business locations. Therefore, it becomes necessary for the University to establish this policy, the intent of which restricts business hours and work location visitation,

excluding suppliers, vendors, applicants, business associates, and students. Friends, relatives, or other unauthorized persons, including employees who are not scheduled for work, will not be permitted to visit an employee during working hours or at work locations without the express permission of supervisory personnel. If warranted by the nature of an unforeseen visit, the employee may request taking an authorized unscheduled break from work away from University property, the time of which may be non-compensated. Friends, relatives, or other unauthorized persons, including employees who are not scheduled for work, will not be permitted to ride in University vehicles.

XXXI. PERFORMANCE REVIEWS

Employees may receive periodic performance reviews conducted by his or her supervisor. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems. Your performance evaluations may review factors such as the quality and quantity of the work you perform, your knowledge of the job, your initiative, your work attitude, and your attitude toward others. The performance evaluations are intended to make you aware of your progress, areas for improvement, and objectives or goals for future work performance. Favorable performance evaluations do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of the University and depend upon many factors in addition to performance. After the review, you will be required to sign the evaluation report simply to acknowledge that it has been presented to you, that you have discussed it with your supervisor, and that you are aware of its contents. It is a requirement that all employees are to perform their respective job duties with due diligence and care, fulfilling their respective responsibilities with good will and commitment. Each and every employee is expected to recognize meeting performance expectations as a condition to maintaining employment status with the University.

XXXII. PERSONNEL RECORDS

You have a right to inspect or receive a copy of the personnel records that the University maintains relating to your performance or to any grievance concerning you. Certain documents may be excluded or redacted from your personnel file by law, and there are legal limitations on the number of requests that can be made.

Any request to inspect or copy personnel records must be made in writing to the Human Resources Manager. You can obtain a form for making such a written request from the Human Resources manager.

You may designate a representative to conduct the inspection of the record or receive a copy of the records. However, any designated representative must be authorized by you in writing to inspect or receive a copy of the records. California Northstate may take reasonable steps to verify the identity of any representative you have designated in writing to inspect or receive a copy of your personnel records.

The personnel records may be made available to you either at the place where you work or at a mutually agreeable location (with no loss of compensation for going to that location to inspect or copy the records). The records will be made available no later than 30 calendar days from the date California Northstate receives your written request to inspect or copy your personnel records (unless you/your representative and California Northstate mutually agree in writing to a date beyond 30 calendar days but no later than 35 calendar days from receipt of the written request).

If you request a copy of the contents of your file, you will be charged the current prevailing rate/or industry standard per page.

The University will restrict disclosure of your personnel file to authorized individuals within the University. Any request for information contained in personnel files must be directed to the personnel manager. Disclosure of personnel information to outside sources, other than your designated representative, will be limited. However, California Northstate will cooperate with a request from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

XXXIII. PRIVACY OF HEALTH INFORMATION (HIPAA)

Pursuant to state and federal law, including the Health Insurance Portability and Accountability Act (HIPAA), the University must take certain measures to protect employees' "protected health information." Protected health information is information relating to an individual's medical condition, the provision of medical care for that individual, or the payment for that individual's medical care, which can identify the individual to whom it relates. The University will not intimidate, threaten, coerce, discriminate against, or take other retaliatory action against an individual for exercising his/her HIPAA rights, filing a complaint, participating in an investigation or opposing any improper practice. Employees will not be required to waive these rights as a condition of treatment, payment enrollment or eligibility.

Information regarding an employee's medical condition is maintained in files separate from personnel files. Only those University officials who need to be informed regarding an aspect of the employee's personnel record or medical condition will be allowed access to these records. Confidential medical information may also be available to first aid or safety personnel in the event of an emergency.

XXXIV. UNIVERSITY PROPERTY

A. Electronic Surveillance

Certain work and public areas may be under electronic surveillance for the purpose of protection and safety to personnel, University property and visitors. During the course of your duties, your activities may be electronically monitored.

B. Employee Property

An employee's personal property, including but not limited to lockers, packages, purses, and backpacks, may be inspected upon reasonable suspicion of unauthorized possession of the University's property.

C. Searches and Inspections

In order to protect its property, employees and students, the University reserves the right to search office property including desks, computers, containers, storage areas and any other equipment without notice. The University also reserves the right to inspect personal property on the premises as warranted, including vehicles, clothing, packages, lunch boxes, purses and other containers, for illegal drugs, alcohol, weapons, stolen property or evidence of a violation of University rules. Searches of personal property will only be conducted when there is reasonable cause to believe that an employee has illegal drugs, alcohol, weapons, stolen property or evidence of a violation of University rules in his/her possession.

University property and premises may be monitored by means of audio, visual or electronic equipment. Monitored information includes, but is not limited to, monitoring sites employees visit on the Internet, monitoring chat groups and news groups, reviewing downloaded or uploaded material, and reviewing email sent and received by employees. The University will keep copies of all Internet and email passwords. System security features such as passwords and message delete functions, do not neutralize or inhibit the University's ability to access such materials. An employee should not expect privacy in any area not specifically designated to the employee for his/her exclusive use.

D. Employer Property

Desks, computers, vehicles, and any other University-owned items must be maintained according to University rules and regulations. They must be kept clean and are to be used only for work-related purposes. The University reserves the right to inspect all University property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence.

University voice mail and/or electronic mail (e-mail) are to be used for business purposes only. The University reserves the right to monitor voice mail messages and e-mail messages to

ensure compliance with this rule, without notice to the employee and at any time, not necessarily in the employee's presence. No personal locks may be used on University provided lockers unless the employee furnishes a copy of the key or the combination to the lock. Unauthorized use of a personal lock by an employee may result in losing the right to use a University locker.

The University may periodically need to assign and/or change "passwords" and personal codes for voice mail, e-mail, computer access, etc. These communication technologies and related storage media and databases are to be used only for University business and they remain the property of the University. The University reserves the right to keep a record of all passwords and codes used and/or may be able to override any such password system.

Prior authorization must be obtained before any University property may be removed from the premises. Personal items are subject to inspection and search for legitimate business reasons, including California Northstate's interest in the productivity and well-being of the workforce as well as security of the premises.

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

E. Computer Security

All employees are required to comply with University procedures and federal copyright laws in the use of the computer systems and software. Unless the University has a licensed software program pursuant to an enterprise or other multiple copy license, software products are not to be copied. Employees may not access any University computer system using another's password or account, or for purposes unrelated to their employment duties. Employees may not upload, download, or otherwise transmit commercially licensed software or copyrighted materials on any University system without management authorization.

XXXV. SOCIAL MEDIA

Electronic media/social networking sites (e.g., Facebook, Twitter, MySpace, etc.), personal web sites, and weblogs provide new ways of interacting and can help you build stronger, more successful personal and work relationships. With the rapid growth of social networking, the University recognizes the need to have a social networking policy to ensure that employees who use social media on or off the job are respectful of our University, our employees, our students, our products and services, our competitors, and other business related individuals and organizations (e.g., vendors, community service affiliates, entertainers, etc.). The University supports and respects the right of its employees to use these social networking sites as a medium of self-expression. As a result, the University has implemented the following Electronic Media/Social Networking policy:

A. Electronic Policy

California Northstate University has made a significant investment in technology. The technology, including computers, any electronic storage device, and telephone systems, was purchased to improve efficiency in the work place and should be used exclusively for business purposes. Employees should refrain from putting any information on University-owned equipment that is inappropriate, unlawful or that could prove embarrassing. Among those considered offensive are communications that contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, or disability. Communications that violate any other rule or policy contained in this handbook are also prohibited. Personal phone calls, e-mails and visits during work hours should be kept to an absolute minimum. Except for emergencies, please restrict your personal business to your meal and rest periods. Attending to personal business during work hours is extremely costly, wasteful, and may be in direct conflict with the University's work and priorities, and therefore may be grounds for discipline.

The communication systems should not be used to send or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization. Under no circumstances should any confidential or sensitive materials be disclosed to third parties except for appropriate and authorized business purposes. Employees are advised that all information placed on the computers, telephones or any electronic data system, whether or not personal in nature, is property of California Northstate University and may be accessed, assessed, and reviewed by University officials or their designees, without notice or reason. This information includes, but is not limited to, monitoring sites employees visit on the internet, monitoring chat groups and news groups, reviewing downloaded or uploaded material, and reviewing e-mail sent and received by employees. California Northstate University will keep copies of all Internet and e-mail passwords. System security features such as passwords and message delete functions, do not neutralize or inhibit

California Northstate University's ability to access such materials. Inappropriate use of the equipment could lead to discipline.

Important Note: Nothing in this policy is intended to chill the employee's rights to discuss the terms and conditions of employment or engage in activity protected by state or federal law.

B. Use of Electronic and Social Media

The University uses various forms of electronic communication including, but not limited to computers, e-mail, telephones, internet, cell phones, etc. All electronic communications, including all software, databases, hardware, and digital files, remain the sole property of the University and are to be used only for University business and not for any personal use. Electronic communication and media may not be used in any manner that would be discriminatory, harassing, or obscene, or for any other purpose that is illegal, against University policy, or not in the best interest of the University. Employees who misuse electronic communications and engage in defamation, copyright or trademark infringement, misappropriation of trade secrets, discrimination, harassment, or related actions will be subject to discipline and/or immediate termination.

Employees may not install personal software on University computer systems. All electronic information created by any employee using any means of electronic communication is the property of the University and remains the property of the University. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the University's ownership of the electronic information. The University will override all personal passwords if necessary for any reason.

The University reserves the right to access and review electronic files, messages, mail, and other digital archives, and to monitor the use of electronic communications as necessary to ensure that no misuse or violation of University policy or any law occurs. Employees are not permitted to access the electronic communications of other employees or third parties unless directed to do so by University management. No employee may install or use anonymous e-mail transmission programs or encryption of e-mail communications, except as specifically authorized by management. Employees who use devices on which information may be received and/or stored, including but not limited to cell phones, cordless phones, portable computers, fax machines, and voice mail communications are required to use these methods in strict compliance with the trade secrets and confidential communication policy established by the University. These communications tools should not be used for communicating confidential or sensitive information or any trade secrets.

Access to the Internet, websites, and other types of University-paid computer access are to be used for University-related business only. Any information about the University, its products or services, or other types of information that will appear in the electronic media about the University must be approved before the information is placed on an electronic information resource that is accessible to others.

Questions about access to electronic communications or issues relating to security should be addressed to your supervisor.

C. Use of Employee-owned Devices

Employee's own electronic media may only be used during breaks. All other University policies, including California Northstate University's no tolerance for discrimination, harassment, or retaliation in the workplace apply. California Northstate University reserves the right to adjust this policy on a case by case basis as it deems appropriate.

XXXVI. EMPLOYEE CONDUCT

A. Ethics Policy Statement

This Ethics Policy Statement applies to all employees and members of the California Northstate University Board of Trustees, California Northstate University, LLC Board of Directors/Managers, its subsidiaries, and affiliated companies, wherever they might be situated. It is important that it be read and understood by all.

B. Business Conduct

Honesty and integrity is the cornerstone upon which California Northstate University was founded and upon which we operate. We are proud that California Northstate University employees have always maintained a high standard of behavior. We intend that California Northstate University always conducts its affairs according to the highest standards of corporate performance, and that its business and the actions of all California Northstate University employees comply with the spirit and intent of the law and moral codes under which we operate and live. Form and appearance are important. We expect California Northstate University employees to behave in a manner that is consistent with the highest standards of both corporate and personal behavior.

Our overriding principle is integrity and we pledge ourselves to be honest in our relationships with each other, with individuals outside the University, and with other organizations. In the final analysis, there is no way to insure proper behavior except through the desire of the individual. There is no way to provide rules of conduct that will apply to every possible situation. This Ethics Policy Statement establishes broad code of conduct which sets minimum goals and provides guidelines to cover the most common and the most sensitive situations. All Officers, department chairs, and managers of the University, its subsidiaries, and affiliates are responsible for the monitoring and enforcement of this policy statement within their specific areas of supervisory responsibility.

Any employee of the University who discovers any event of a questionable, fraudulent, or illegal nature which is, or may be, in violation of the University's policies, is to immediately report such event to the General Counsel or other officers of the University. Such reports may be made without fear of retaliation of any kind.

XXXVII. BUSINESS TRANSACTIONS

- All employees shall at all times strive to be in strict compliance with all laws and regulations that may be applicable to the University's business.
- The use of funds, property, or things of value of the University or any of its subsidiaries for any purpose which would be in violation of any applicable law or regulation is strictly prohibited.
- Compliance with accepted accounting rules and controls is required. No false, artificial, or misleading entries on the books and records of the University or its subsidiaries shall be made for any reason whatsoever.
- No fund or asset which is not fully and properly recorded on the books and records of the University, its subsidiaries and affiliates, as appropriate, shall be created or permitted to exist.
- No transaction shall be effected and no payment shall be made on behalf of the University, any of its subsidiaries, or affiliates, with the intention or understanding that the transaction or payment is other than that as described in the documentation evidencing the transaction or supporting the payment.
- No promise or statement shall be made on behalf of the University which the author or speaker knows to be false or misleading.
- No employee shall engage in any illegal or unethical act to obtain special favors or consideration, or make or authorize payments or promise or payment in order to obtain business for the University.

Unless explicitly approved in writing by the Office of the President, no employee is allowed or permitted to enter into any binding contract on behalf of the University or its colleges. Only the University President and University Vice President of Operations has the signatory authority and authority to represent the University or its colleges and enter into contracts or binding agreements on behalf of the University or its colleges. All contracts or binding agreements must be reviewed by the University General Counsel or Compliance Officer before execution by the Office of the President or Vice President.

A. International Business Laws

Employees are required to comply with the applicable laws in all countries to which they travel, in which they operate, and where the University otherwise does business, including laws prohibiting bribery or corruption. In addition, employees are required to comply with U.S. laws, rules, and regulations governing the conduct of business by its citizens and corporations outside the U.S., including the Foreign Corrupt Practices Act, the U.S. Embargoes or Sanctions Program, Export Controls, and Anti-boycott Compliance.

XXXVIII. CONFIDENTIALITY AND PRIVACY

In the course of your employment you will be exposed to information that California Northstate University considers and protects as confidential, proprietary and trade secret information. It is your responsibility to in no way reveal or divulge any such information in the performance of your duties. Access to confidential information should be on a "need-to-know" basis and must be authorized by the appropriate University official. Any breach of this policy will not be tolerated and the University may take legal action. Even after your employment with California Northstate University terminates, you are required to maintain the confidentiality of this information and not disclose it for any reason.

The confidential information to which you are privy and which you must maintain as confidential includes, but is not limited to: student names and contact information; billing, payment, budget, and pricing information; other financial information relating to students; business and marketing strategies or practices; any information disclosed to the University; student files and all information contained in those files; computer files and access information.

Employees shall not use information that is confidential and proprietary to the University for their own benefit or purposes unrelated to University business or disclose it, directly or indirectly, to anyone outside the University during or at any time after employment with the University. Such information includes, but is not limited to:

- Financial information.
- New business ideas.
- University strategies and plans.
- Information related to potential acquisitions or investments.
- Databases and the information in them.
- Student financial/personal information.
- Computer software source codes and computer/network access codes.
- Terms of the University's agreements with vendors, suppliers, landlords, consultants, and others doing business with the University.
- Information that has been identified as confidential or proprietary by the University
- Employee, student, vendor, and student information are to be handled in accordance with the University procedures regarding confidentiality and privacy, including the University's HIPAA privacy policies. All documents containing employee, student, vendor, and student information are to be handled and disposed of in accordance with University privacy procedures.
- Accreditation and related documents.
- Laboratory documents.

- Research and experimental research activities.

XXXIX. FREEDOM FROM CONFLICTING INTERESTS

All employees have a duty to the University to be free from the influence of any conflicting interest when representing the University in negotiations, or when making recommendations with respect to dealing with third parties. Such employees are expected to deal with students, suppliers, students, contractors, landlords, and all others doing business with the University on the sole basis of what is in the best interest of the University, without favor or preference to third parties based on personal considerations.

Employees who deal with suppliers, students, contractors, landlords, or anyone else doing business with the University – or who make recommendations with respect to such dealings or pass judgment upon them – shall not own any interest in, or have any personal contract, agreement, or understanding of any nature whatsoever with those individuals who might tend to influence the decision of the employee with respect to the business of the University.

Ownership of publicly offered stock in any of our suppliers or in any competitive organization is permissible, provided that the interest is of an investment nature and constitutes no more than ½ of 1% of the outstanding capital stock of the University. This maximum applies to the total combined interest which might be held by the employee and members of the employee's immediate family.

Employees shall not do business with a close relative on behalf of the University unless expressly authorized in writing to do so by the appropriate Corporate Vice President of the University after the relationship has been disclosed.

Employees are prohibited from exploiting their positions with the University for personal gain, or for the gain of any other person or outside organization. Employees may also not engage in a business that competes with the University.

A. Conducting Personal Business

Employees are to conduct only University business while at work. Employees may not conduct personal business or business for another employer during their scheduled working hours.

Any deviation from the foregoing statements must have the written consent of the appropriate University official who has the final authority and responsibility, to determine what steps are to be taken to correct any situation deemed not in the best interest of the University.

No employee may accept a gift or gratuity from any student, vendor, supplier, or other person doing business with the University outside the scope of their job. Doing so may give the

appearance of influencing business decisions, transactions, or service. Please discuss expenses paid by such persons for business meals or trips with the University in advance.

B. Conflicts of Interest

Personal or romantic involvement with a competitor, supplier, or subordinate employee of the University, may impair an employee's ability to exercise good judgment and thus create an actual or potential conflict of interest. Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment, and morale problems. It is recommended that employees timely disclose any such relationship so that management can take appropriate action (e.g., change the reporting relationship/chain-of-command so there is no supervisor-subordinate issue.).

C. Gift Policy

Every vendor, student and other person dealing with California Northstate University is entitled to efficient and courteous service. Since such service is given impartially to all, gratuities and gifts are not appropriate. In addition, all vendors are contracted based on level of service and operations demands. To maintain a fair marketplace and minimize the perception of obligation or entitlement, employees are not allowed to accept gifts from students or vendors. If an individual presses an employee to accept such a gift, the employee should thank him/her, but explain that University policy prohibits accepting gifts valued at \$25 or greater unless the gift or favor is disclosed to and approved in advance in writing by the appropriate University official.

Employees shall not seek or accept, directly or indirectly, payments, loans, services, entertainment, or gifts from any individual or from the representative of any business doing or seeking to do business with the University. Routine loans of reasonable amounts from commercial banks are excluded from this restriction.

Executive officers and members of the Board of Trustees, Board of Directors/Managers may not accept personal loans from any person or entity doing business with the University, nor may any such person or entity guarantee any personal obligation of such executive officer or director. The foregoing shall not prohibit an executive officer or member of the Board of Trustees, Board of Directors/Managers from accepting a loan from a commercial bank or lender doing business with the University, provided that such loan is made in the ordinary course of such bank or lender's business on commercially reasonable terms. Executive officers and members of the Board of Trustees, Board of Directors/Managers also may not request or accept loans or payroll advances from the University.

Employees may not furnish or offer to furnish any gifts, entertainment, meals, or anything of value to a person who has business dealings with the University under circumstances that might create the appearance of impropriety. Such items may be provided, other than to governmental officials and employees, if they are reasonable complements to business relationships, or modest value, and not against the law or the policy of the recipient's

University. These items must also be documented on an expense report. Giving or receiving money or a cash equivalent as a business gift is prohibited.

Giving gifts or entertainment to any domestic or foreign government official or employee is highly regulated and often prohibited. A government employee is any individual employed by the federal, state, or local entity, or a consultant acting on behalf of the entity. For this reason, employees shall not directly or indirectly pay, give, offer, or promise any entertainment or gift of value to any government official or employee without the prior approval of the General Counsel.

Meals and entertainment are only to be offered or accepted when both the employee and individual or representative of a business concern are present and a substantial business discussion takes place during, directly before, or directly after the activity, and only with the prior approval of the responsible University official. Sponsored events that are a part of University authorized attendance at trade shows, seminars, or conventions do not require prior notice.

The solicitation, purchase, or acceptance of entertainment or sporting event tickets for personal use is prohibited. There may be special circumstances in which terms such as entertainment tickets are converted to use by and for the benefit of the University. In such cases, adequate documentation must be maintained and prior approval of the responsible University official is required.

Personal purchases of discounted merchandise through business contacts are prohibited. This does not preclude use of the employee discount at University retail sites or participation in any University approved Employee Purchase Program.

Travel or lodging for business or personal purposes may not be accepted. Exceptions may be made for the use of private aircraft provided by an established vendor for transportation to and from a business meeting with prior written approval of the appropriate University official.

D. Government Programs

The University is committed to compliance with all federal and state higher education statutes, rules, regulations, guidelines, and programs that may be applicable. The University is also committed to preparing and submitting accurate billings consistent with applicable and appropriate procedures. It is the University's policy to comply strictly with all laws that regulate government contracting and to prohibit employees from submitting false, fraudulent, or misleading information in connection with goods and services reimbursable by the federal or state government.

E. Anti-kickback

It is the University's policy to comply with all laws that regulate the business. Employees may not give or receive anything of value for their own benefit or for the benefit of the University,

including entertainment or free or below cost services, in exchange for referring or receiving referrals, goods, or services.

F. Environmental Matters

The University desires to preserve and protect human health and the environment and is committed to compliance with all related laws and regulations. All materials which may contain toxic or hazardous substances must be properly disposed. It is essential that the University comply fully with all applicable state and federal laws and regulations concerning the receipt, storage, shipment or any chemicals, dangerous drugs, and medications.

G. Vendor Responsibility

California Northstate University requires all trading companies with which it does business and all final assembly manufacturers of goods to California Northstate University to comply with all applicable laws and regulations that relate to the conduct of their business. Representatives of the University will not knowingly purchase products from a supplier using child labor, as defined by the country of origin, prison labor, or involuntary labor. Any employee who becomes aware of a supplier violating this policy will immediately cease all relationships with that supplier and report the occurrence to a corporate attorney.

XL. REPORTING AND NON RETALIATION

Employees should feel free to report what they believe, in good faith, to be violations of Ethics policies set forth above, without fear of retaliation. Employees may report or discuss violations with their supervisor, the General Counsel, or other officer of the University.

Employees who receive complaints or concerns, whether verbal or written, related to any applicable law or University policy, should communicate those complaints or concerns to their supervisor, the General Counsel, or other officer of the University.

Employees who receive complaints, concerns, whether verbal or written, related to accounting, internal accounting controls, or auditing matters should communicate those complaints to the General Counsel or Human Resources for review and investigation.

All statements contained in this policy are intended to reflect general policies, principles, and procedures, do not represent contractual commitments on the part of the University, and may be changed at any time without notice. Without limiting the generality of the foregoing, nothing in this Policy should be construed to grant to any employee any right to continued employment or benefits under any employee benefit plan, program, or arrangement. Violations of this Policy may result in disciplinary actions, including, if appropriate, termination of employment.

XLI. ATTORNEY-CLIENT CONFIDENTIALITY

On occasion, you may be a participant in discussions involving confidential University business, including matters that are the subject of a pending or potential lawsuit. The dissemination of this information to you and others is necessary to communicate litigation strategy and implement the advice of counsel. You must maintain the confidentiality of this information. The information is protected by the attorney-client privilege. The privilege is owned by the University. As a result, only the President or the Board of Directors can authorize the dissemination of any litigation information. You cannot discuss the information with others including co-workers, spouses or friends.

A. Document Retention

In some cases, such as when litigation is pending or foreseeable, you may have a duty to stop normal purging procedures and preserve existing data. The University will provide notice to affected employees if this duty arises. Altering or deleting documents during a purging or litigation hold will be considered grounds for discipline up to and including termination.

XLII. STUDENT RELATIONS

Employees are expected to be polite, courteous, prompt, and attentive to every student. When an employee encounters an uncomfortable situation that he or she does not feel capable of handling, your immediate supervisor should be called immediately. This is a service business and all of us must remember that the student always comes first. Our students ultimately pay all of our wages. Remember, while the student is not always right, the student is never wrong. Students are to be treated courteously and given proper attention at all times. Never regard a student's question or concern as an interruption or an annoyance. You must respond to inquiries from students, whether in person or by telephone, promptly and professionally. Never place a telephone caller on hold for an extended period. Direct incoming calls to the appropriate person and make sure the call is received. Through your conduct, show your desire to assist the student in obtaining the help he or she needs. If you are unable to help a student, find someone who can.

All correspondence and documents, whether to students or others, must be neatly prepared and error-free. Attention to accuracy and detail in all paperwork demonstrates your commitment to those with whom we do business. Never argue with a student. If a problem develops or if a student remains dissatisfied, ask your supervisor to intervene.

A. No Solicitation of Students

The employee agrees that student lists of California Northstate University, for which the employee has or will have access to during the employee's employment, are trade secrets and shall be solely the property of the employer. The employee agrees that he/she shall neither directly nor indirectly solicit business as to products or services competitive with those of the University based on information from the student lists.

XLIII. DRESS CODE

California Northstate University considers the presentation of its image to students, other employees and the public to be an important factor in our success. As such, the University requires all employees to dress in good taste and observe good habits of grooming and personal hygiene. Clothing should be neat, clean, not create undue distractions, and consistent with safety guidelines. Hair must be trimmed and neat. Beards and mustaches may be worn if they are kept neat and well-trimmed. Make-up, jewelry and other accessories should be appropriate for our business and the employee's specific job function. Dress code requirements may vary based on job function, gender, level of client contact, safety issues and other business considerations. When appropriate, California Northstate University will make reasonable accommodations in its grooming standards. If you are uncertain as to the appropriateness of a specific clothing item, accessory or style of dress, please consult the appropriate University official.

XLIV. DRUG POLICY

The University is concerned about the use of alcohol, illegal drugs, or controlled substances as it affects the workplace. Use of these substances, whether on or off the job can detract from an employee's work performance, efficiency, safety, and health, and therefore, seriously impair the employee's value to the University. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the University to the risks of property loss or damage, or injury to other persons. Furthermore, the use of prescription drugs and/or over-the-counter drugs also may affect an employee's job performance.

The following rules and standards of conduct apply to all employees either on University property or during the workday (including meals and rest periods). Behavior that violates University policy includes:

- Possession or use of an illegal or controlled substance, or being under the influence of an illegal or controlled substance while on the job
- Driving a University vehicle while under the influence of alcohol
- Distribution, sale, or purchase of an illegal or controlled substance while on the job

Violation of these rules and standards of conduct will not be tolerated. The University also may bring the matter to the attention of appropriate law enforcement authorities. In order to enforce this policy, the University reserves the right to conduct searches of University property or employees and/or their personal property and to implement other measures necessary to deter and detect abuse of this policy.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while off University property will not be tolerated because such conduct, even though off-duty, reflects adversely on the University. In addition, the University must keep people who sell or possess controlled substances off University premises in order to keep the controlled substances themselves off the premises. Any employee who is using prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well-being of others, must notify a supervisor of such use immediately before starting or resuming work.

The University will encourage and reasonably accommodate employees with alcohol or drug dependencies to seek treatment and/or rehabilitation.

Illegal drug use and alcohol misuse have a number of adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems is

available from the Human Resources Department, who can refer you to someone who is trained to make referrals and assist employees with drug/alcohol problems.

The University will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other University policies. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or require driving, or have violated this policy previously. Once a drug test has been scheduled, the employee will have forfeited their right to be granted a leave of absence for treatment and possible discipline, up to and including discharge, will be unavoidable.

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

XLV. SOLICITATIONS & REQUESTS FOR INFORMATION FROM MEDIA

In order that employees are not bothered at work and to avoid disruption of California Northstate University operations, non-employees will not be permitted to solicit employees during work hours. Telephone-related callers are subject to this same rule unless the sales calls are scheduled in advance. From time to time we may be contacted by people (typically salespersons or the media) asking for upper management. If we receive requests, ask for name, phone number and any materials they wish to leave. The solicitor or media representative should not wait for an immediate response. He/she should be told that upper management will review the material and get back to them if we are interested. If we decide that we want any of the person's products or will be participating in any media requests, we will call him/her. Because of the loss of time that can be incurred, we do not want solicitors calling.

XLVI. OFF-DUTY CONDUCT

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

A. Other Employment

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

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

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

XLVII. PROHIBITED CONDUCT

California Northstate University requires all employees to conduct themselves in a professional manner at all times. Below is a partial list of activities for which an employee may be disciplined:

- Insubordination, including but not limited to, improper conduct or refusal to obey orders or to perform job assignments, or rude behavior.
- Sleeping on the job.
- Theft, unauthorized removal or willful damage to any property belonging to another employee, a vendor, a student, a visitor of California Northstate University.
- Possession of firearms or other dangerous weapons on California Northstate University premises without proper authorization.
- Falsification of or omission of pertinent information on California Northstate University records.
- "Horseplay," wrestling, dangerous practical jokes, or throwing objects.
- Repeated absences or tardiness, including unreported absences.
- Disregard for safety rules or practices, security regulations or safety disciplinary rules.
- Substandard or unsatisfactory work performance.
- Leaving the work place without notifying the appropriate University official.
- Unauthorized operation, repair, or attempt to repair machinery, tools, or equipment.
- Unauthorized use of the telephone or computers.
- Committing any act of violence against another employee, vendor, student or visitor.
- Using California Northstate University-owned material, time, equipment, or personnel for any unauthorized purpose.
- Failure to immediately report an injury or accident to the appropriate University official.
- Posting or removing any materials on California Northstate University property without proper approval.
- Unauthorized entry to or exit from the premises at any location at any time.
- Abusive, rude or profane language to employees, vendors, students, or visitors.
- Smoking on campus.
- Provoking a fight, or fighting during working hours or on California Northstate University premises.
- Engaging in criminal conduct, whether or not related to job performance.
- Personal use of California Northstate University equipment, including computers and electronic technology.
- Unauthorized dissemination of confidential information related to California Northstate University.
- Violation of any California Northstate University policy.

The foregoing is not all-inclusive, but only serves as examples of conduct that will not be tolerated. Moreover, California Northstate University reserves the right to terminate the employment of any employee at any time, with or without notice or reason.

XLVIII. PUNCTUALITY AND ATTENDANCE

As an employee of California Northstate University, you are expected to be punctual and regular in attendance. Any tardiness or absence causes problems for your fellow employees and your supervisor. When you are absent, your assigned work must be performed by others. Employees are expected to report to work as scheduled, on time, and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for meal periods or when required to leave on authorized University business. Late arrival, early departure, or other unanticipated and unapproved absences from scheduled hours are disruptive and must be avoided.

If you are unable to report for work on any particular day, you must under all, but the most extenuating circumstances, call your supervisor at least one hour before the time you are scheduled to begin working for that day. If you call less than one hour before your scheduled time to begin work and do not arrive in time for your assigned shift, you will be considered tardy for that day. In all cases of absence or tardiness, employees must provide their supervisor with an honest reason or explanation. Employees also must inform their supervisor of the expected duration of any absence. Excessive absenteeism or tardiness, whether excused or not, will not be tolerated. California Northstate University defines excessive absenteeism as more than five days absence in a one-month period.

If you fail to report for work without any notification to your supervisor and your absence continues for a period of three days, California Northstate University will consider that you have voluntarily abandoned or quit your employment.

XLIX. WAGES

A. Advances

University does not permit advances against paychecks or against vacation not yet accrued.

B. Payment of Wages

All employees are paid on the 15th and the last day of each month. If one of these days falls on a weekend or a holiday, pay checks will be distributed the preceding Friday or following Monday. Pay checks will provide information showing wages, hours worked, deductions made, employee's last four digits of social security number, current address and withholding information. Please assure that all information is true and correct. If changes need to be made, please contact the Human Resources Department.

C. Timekeeping Requirements

All non-exempt employees are required to use a timecard to record time worked for payroll purposes. Employees must record their own time at the start and at the end of each work period, including before and after the lunch break. Employees also must record their time whenever they leave the building for any reason other than the University business. Any changes on the timecard must be initialed by a supervisor. Any errors on your timecard should be reported immediately to your supervisor.

D. Work Schedule

Your supervisor will assign your individual work schedule. All employees are expected to be at their desk, workstations, or work sites at the start of their scheduled shifts, ready to work. The workweek begins at 12:01 a.m. Sunday and ends at midnight on Saturday.

E. Work Hours

General office hours are Monday through Friday 8:00 a.m. to 6:00 p.m. Your hours may differ from the office hours.

L. MEAL AND REST PERIODS

This policy applies to non-exempt employees.

Meal Periods: If you are scheduled to work more than five hours in any given day, then you must take a minimum 30-minute, duty-free meal period (unless the sixth hour would complete your workday, and you and your supervisor agree, in writing, to waive the meal period). “Duty-free” means that you are neither required nor expected to work during your meal period. You also must take a second 30-minute duty-free meal period if you work more than 10 hours (unless the twelfth hour would complete your workday, you have not waived your first meal period for the day, and you and your supervisor have agreed to waive the second meal period in writing for each occasion).

Daily meal periods are scheduled according to the needs of each position. Duty-free meal periods are unpaid. You may leave the premises during your unpaid meal period. Non-exempt employees are required to record the beginning and ending of their meal periods on their time record.

Rest Periods: You must take a 10-minute rest period for every four hours of work or major portion thereof (defined as two hours). Rest periods are paid. Below is a chart illustrating the number of paid rest periods to which an employee is entitled based on the number of hours worked in a workday:

Hours Worked	Rest Periods
0 – 3.5	0
More than 3.5 – 6.0	1
More than 6.0 – 10.0	2
More than 10.0 – 14.0	3
More than 14.0 – 18.0	4

Paid rest periods are authorized and permitted and employees are expected to take them as required by law. Failure to do so may result in disciplinary action, up to and including termination.

You must notify your supervisor in advance for approval if you are unable to take a meal period or rest period.

Lactation Breaks: Nursing mothers may take a reasonable amount of unpaid break time, if needed, in excess of the paid rest period in a private place to express breast milk.

LI. OVERTIME FOR NON-EXEMPT EMPLOYEES

Employees may be required to work overtime as necessary. Only actual hours worked in a given workday or workweek can apply in calculating overtime. The University will attempt to distribute overtime evenly and accommodate individual schedules. All overtime work must be previously authorized by a supervisor. The University provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law as follows:

- One and one-half times (1.5x) your regular rate of pay for hours worked in excess of 40 for the workweek, or in excess of eight and not more than 12 for the workday, and for the first eight hours worked on the seventh consecutive day of work in one workweek.
- Two times (2x) your regular rate of pay for hours worked in excess of 12 in one workday and/or in excess of eight hours on the seventh consecutive workday in the same workweek.

For purposes of computing overtime, the workweek starts at 12:01 a.m. Sunday and ends at midnight Saturday.

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

LII. EXPENSE REIMBURSEMENTS

California Northstate University will reimburse employees for reasonable expenses incurred for business purposes. Except as provided below, receipts must be provided to the appropriate University official for approval of expenses, and employees will be reimbursed the IRS standard mileage rate if the employee uses his/her own vehicle for California Northstate University purposes. However, the employee is still responsible for any expenses associated with operating his/her own vehicle during business travel time, including but not limited to insurance deductibles. Before using a personal vehicle for University business, you must provide a current copy of your driver's license and proof of automobile liability insurance to the Vice-President of Operations or his/her designated staff member. In addition, a copy of your DMV driving record may be required.

LIII. MEETINGS AND TRAINING COURSES

You will be paid for all hours spent attending meetings or training courses unless the meetings are outside your regular working hours, attendance is voluntary, the program is not directly related to your job, and you do not perform any productive work. On occasion, non-exempt employees will be required to travel to meetings and/or training courses. Whether or not travel time constitutes hours worked will depend on the kind of travel involved. Travel between the workplace and the meeting during the workday constitutes hours worked. However, time spent traveling directly to or from home to or from the meeting at California Northstate University is not considered hours worked. Travel away from home that keeps an employee away from home overnight is considered hours worked. The nonexempt employee must comply with the "Overtime" section in all instances described in this "Meetings and Training Courses" section.

LIV. SAFETY AND HEALTH

A. Employees Who Are Required To Drive

Employees who are required to drive a University vehicle or their own vehicles on University business will be required to show proof of current valid driving licenses and current effective insurance coverage before the first day of employment.

The University participates in a system that regularly checks state Department of Motor Vehicles (DMV) records of all employees who drive as part of their job. The University retains the right to transfer to an alternative position, suspend, or terminate an employee whose license is revoked, or who fails to maintain personal automobile insurance coverage or who is uninsurable under the University's policy. No employee shall use their own vehicles on University business unless instructed to do so by management.

B. Mileage Reimbursement

Mileage when a personal vehicle is used for California Northstate University business will be reimbursed on a per mile basis at the current IRS rate. The mileage reimbursement rate will be adjusted each January 1 and/or when the IRS changes the rate, to the current rate allowed by the IRS. Mileage in excess of the distance driven from your home to the office will be paid. Where air travel is more feasible than driving, reimbursement will be to the extent of airfare unless approved otherwise. Receipts must be submitted for all expenses to be reimbursed. If necessary, advances can be obtained from the University for travel expenses. All employee vehicles must have a California Northstate University parking sticker posted on the rear driver side window.

LV. HEALTH AND SAFETY

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

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

A. Heat Illness

The University is concerned with employee health and safety. Employees who work outside may be exposed to extreme temperatures or adverse working conditions, particularly in the summer months. All supervisors are trained in the prevention of heat illness. Please refer to the University's Injury Illness and Prevention Program or talk to your supervisor for details on how to ensure you are protected from heat illness dangers.

LVI. SECURITY/WORKPLACE VIOLENCE

The University has developed guidelines to help maintain a secure workplace. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities to security personnel. Secure your desk or office at the end of the day. When called away from your work area for an extended length of time, do not leave valuable and/or personal articles in or around your workstation that may be accessible. The security of facilities, as well as the welfare of our employees, depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor when unknown persons are acting in a suspicious manner in or around the facilities, or when keys are missing.

A. Workplace Violence

California Northstate University has adopted the following workplace violence policy to ensure a safe working environment for all employees. The University has zero tolerance for acts of violence and threats of violence. This policy prohibits actual or threatened violence against any person on University premises, at any University-sponsored event, and/or while engaging in any University-related activity. Without exception, acts and threats of violence are not permitted. All such acts and threats, even those made in apparent jest, will be taken seriously, and will lead to discipline up to and including termination.

Some examples of conduct that violates this policy include:

- Threats of any kind;
- Physically aggressive or violent behavior;
- Intimidating or harassing behavior; or
- Sabotage or destruction of any University property or property of any employee.

Possession of non-work related weapons on University premises and at University-sponsored events shall constitute a threat of violence.

It is every employee's responsibility to assist in establishing and maintaining a violence-free work environment. Any conduct violating this policy, including any threats of or actual violence, both direct and indirect, must be reported as soon as possible to your supervisor or any other member of management. Therefore, each employee is expected and encouraged to report any incident which may be threatening to you or your co-workers or any event which you reasonably believe is threatening or violent. You may report an incident to any supervisor or manager.

LVII. TERMINATION

A. Employee References

All requests for references must be directed to the personnel manager. No other manager, supervisor, or employee is authorized to release references for current or former employees. By policy, the University discloses only the dates of employment and the title of the last position held of former employees. If you authorize the disclosure in writing, the University also will inform prospective employers of the amount of salary or wage you last earned.

B. Involuntary Termination

Violation of the University policies and rules may warrant disciplinary action. The system is not formal and the University may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to, and including, termination of employment.

C. Reduction in Force

Under some circumstances, the University may need to restructure or reduce its workforce. If restructuring our operations or reducing the number of employees becomes necessary, the University will attempt to provide advance notice, if possible, to help prepare affected individuals. If possible, employees subject to layoff will be informed of the nature of the layoff and the foreseeable duration of the layoff, whether short-term or indefinite.

In determining which employees will be subject to layoff, the University will take into account, among other things, operation and requirements, the skill, productivity, ability, and past performance of those involved, and also, when feasible, the employee's length of service.

D. Voluntary Resignation

Voluntary termination results when an employee voluntarily resigns his or her employment at the University. All University-owned property, including vehicles, keys, uniforms, identification badges, and credit cards, must be returned immediately upon termination of employment.

Confirmation of Receipt

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

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

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

Employee’s Name _____

Employee’s Signature _____

Date _____