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## **MESSAGE FROM THE SR. VICE PRESIDENT OF FINANCE AND ADMINISTRATION**

CCA thrives as a community because its members are united in a common goal: providing the best possible education for our students. As we go about pursuing that ultimate effort, we need to be clear about several issues that relate directly to our work environment. We need to understand precisely what is expected of us, and what we, in turn, can expect from the institution. We need to understand our rights and the rights of those around us as well as the policies that govern the college so that we can enforce them for the good of everyone.

We are in the process of revising the staff handbook. These are the policies currently in place. If you have suggestions let us know. This staff handbook attempts to set out, in the clearest and most concise way, the principles and procedures that govern employment at CCA.

Every employee is expected to read the handbook carefully. The better informed we are, the stronger and more productive our community will be.

Laura Hazlett

Sr. Vice President of Finance and Administration

## **INTRODUCTION**

Welcome! We hope you will find your employment at CCA both rewarding and challenging. The strength and future growth of the college depend directly on the contributions made by all supervisors and employees. Job satisfaction and general happiness result in a greater degree of loyalty and efficiency on everyone's part.

It is CCA's policy to be fair, frank, and honest with all employees and to respect their rights as individuals. The college strives to achieve mutual respect in all working relationships, and supervisors are expected to take the lead in carrying out this policy. To work together successfully, employees and supervisors must be aware that harmonious relationships are not just a matter of rules, but rather the result of a daily commitment to good decisions, friendly attitudes, respect for the rights of others, and acceptance of individual responsibilities.

CCA strives to create a learning and working environment that fosters job satisfaction, a sense of community, and responsiveness to employee concerns. Staff employees are valued at CCA. Employees have certain responsibilities to the college, their supervisors, and their fellow employees; the college, in turn, has responsibilities to staff employees and their supervisors. Thus, it is important to state and document what CCA believes to be the rights and responsibilities of both the staff and the college.

This handbook sets forth the terms and conditions of employment for all full- and part-time staff members; employee rights, duties, responsibilities, and obligations; and college personnel policies, procedures, and benefits. It supersedes all previously issued handbooks and any inconsistent policy statements, either verbal or written. For employees who have entered into written contracts with the college regarding their employment, those writings are to be read in conjunction with the terms and conditions of employment in this handbook. Specifically excluded from this handbook are employees with academic and administrative appointments, executives, student workers, faculty,

temporary employees, and independent contractors (independent contractors are not employees of the college).

It is the employee's responsibility to read and become familiar with the provisions of this handbook. With the exception of the employment-at-will policy, CCA has the right to change, modify, delete, or add policies, procedures, and benefit plans when necessary, without prior notice. All such modifications, deletions, or additions must be in writing and signed by an officer of the college to be effective. No verbal statements or representations can change or alter the provisions of this handbook. Nothing in this handbook or in any other personnel document, including benefit plan descriptions, creates or is intended to create a contract, promise, or representation of continued employment for any employee. No supervisor or manager has any authority to enter into a contract of employment—express or implied—with any employee. Any binding commitments regarding one's employment being anything other than at will must be in writing and signed by an officer of the college.

If an employee has a question concerning the interpretation of any provision covered in this handbook, or wishes additional information, he or she should contact the director of human resources.

## **HISTORY OF THE COLLEGE**

CCA was founded in 1907 by Frederick Meyer with the goal of providing an education for artists and designers that would integrate both theory and practice, taking a unified approach to art, design, and craft.

The Arts and Crafts movement originated in Europe during the late 19th century in response to the industrial aesthetics of the machine age. Frederick Meyer was a cabinetmaker in his native Germany, and he was already involved in the movement when he came to live in the Bay Area in 1902. He established a cabinet shop and taught at the Mark Hopkins Institute of Art. The 1906 earthquake and fire destroyed both his shop and the institute. At a meeting of the Arts and Crafts Society shortly after the disaster, he articulated his dream of a school that would fuse the practical and ideal goals of the artist. The following year, in Berkeley, he founded the School of the California Guild of Arts and Crafts with \$45 in cash, 43 students, three classrooms, and three teachers: himself, the designer Isabelle Percy West, and the artist Perham W. Nahl. Meyer's wife, Laetitia, was the school secretary.

In 1922 Meyer bought the four-acre James Treadwell estate at Broadway and College Avenue in Oakland. Students, faculty, alumni, and the Meyer family all pitched in to transform the dilapidated buildings and grounds into a college campus. Meyer, a skilled horticulturist, did the landscaping, and some of his work is still in evidence today.

In 1936 the school was renamed the California College of Arts and Crafts. Meyer remained president until his retirement in 1944. Enrollment grew dramatically after World War II. New programs were added, such as Wood Design, Glass, Interior Architecture, and Film/TV; these, like all the school's programs, would evolve in subsequent decades in response to new technologies and changes in the art world. Today, with the more recent additions of Animation, Industrial Design, Fashion Design, Writing and Literature, Visual Studies, and others, the school offers a total of 20 different undergraduate programs. There are also seven graduate programs, which include not only

the well-respected Graduate Program in Fine Arts but also the Graduate Program in Curatorial Practice (inaugurated in 2003) and the MBA in Design Strategy (inaugurated in 2008), both of which were among the very first of their kind.

The Oakland campus witnessed much new construction after World War II, including Martinez Hall for painting and printmaking, the Treadwell Ceramic Arts Center, and Founder's Hall, which houses the Meyer Library and Nahl Hall. Several gallery spaces on the Oakland campus host faculty and student exhibitions and reviews; these include the Oliver Art Center, the Irwin Student Center gallery, the Isabelle Percy West Gallery, and the North/South Galleries. The Center for Art and Public Life, inaugurated in 2000, creates community partnerships and serves the Bay Area's diverse populations. Its programming is woven across disciplines at CCA.

The college established a presence in San Francisco starting in the 1980s, using leased space for its architecture and design programs, and the tremendous growth of those departments inspired the establishment in 1996 of a permanent campus in the Potrero Hill neighborhood, which continues to grow. The 120,000-square-foot main building has won several awards for green design. In 1998 the college established the CCA Wattis Institute for Contemporary Arts, a forum for the discussion and presentation of leading-edge art and culture. Capp Street Project, the renowned artist residency program, became part of the Wattis Institute that same year.

In 2003, in recognition of the school's growth and the broadening of its focus and offerings, the college changed its name to California College of the Arts. Today, Frederick Meyer's "practical art school" is an internationally respected institution, attracting students and faculty from around the world.

CCA faculty and alumni have been on the forefront of almost every art movement of the last 50 years. Robert Arneson, Peter Voukos, and Viola Frey helped instigate the ceramics revolution of the 1960s, which established that medium as a fine art. The photorealist movement of the 1970s is represented by current faculty member Jack



Mendenhall and alumni Robert Bechtle and Richard McLean. Nathan Oliveira and Manuel Neri were leaders in the Bay Area Figurative art movement. CCA faculty and alumni have also been prominent in Conceptual art (Dennis Oppenheim, David Ireland), minimalist sculpture (John McCracken), painting (Squeak Carnwath), and film (Wayne Wang). Wolfgang Lederer, Michael Vanderbyl, Lucille Tenazas, and Martin Venezky have had a major impact on contemporary graphic design.

Recent students and alumni have been featured in multiple Whitney Biennials and SFMOMA SECA Art Award exhibitions, and they regularly receive prestigious fellowships and residencies. One of CCA's Architecture students was a finalist in the World Trade Center competition while she was still an undergraduate. Our students have won the Adobe Design Achievement Award and awards from the Art Directors Club, STEP Inside Design, the Type Directors Club, and *ID* magazine. They have been featured in the Milan Furniture Fair, the International Contemporary Furniture Fair, and the International Home and Housewares Show. They won awards at the Adobe Reel Ideas Studio at the 2007 and 2008 Cannes Film Festivals. And they have won awards in the Microsoft Next-Gen and VH1/iFILM Show Us Your Junk competitions.

## **EMPLOYMENT STATUS**

### **New Hires**

One's first six months of continuous employment at CCA are considered an introductory, or trial, period, the completion of which does not guarantee continued employment.

During this time the employee learns his or her job responsibilities, gets acquainted with fellow staff, and determines whether he or she is happy with the job. Also during this time the supervisor closely monitors the new employee and determines whether he or she is a good fit for the job. Employees who have not completed the introductory period cannot apply for other positions within the college. If an employee transfers to or is promoted into a different position, the employee must serve a new six-month introductory period. The introductory period does not delay benefit eligibility.

Upon completion of the introductory period, the college will review the employee's performance. If the college finds the employee's performance satisfactory and decides to continue his or her employment, it will advise the employee of any improvements expected from him or her. The employee may also at this time express suggestions to his or her supervisor on improving college efficiency and operations.

Completion of the introductory period does not entitle an employee to remain employed by the college for any definite period of time. Employment remains "at will," which means that employment may be terminated for any or no reason, at any time, by the employee or by the college.

CCA encourages supervisors to give their employees written feedback at least once during (preferably midway through) the introductory period. A formal written evaluation is typically completed by the supervisor and discussed with the employee at least three weeks prior to the end of the introductory period.

## **Employment at Will**

CCA sincerely values and appreciates the contributions that each employee makes toward the college's educational mission. Situations sometimes arise, however, where the college deems it appropriate to terminate an individual's employment. Similarly, there are instances in which employees wish to leave the employ of the college, whether for personal or professional reasons. It is therefore important to understand that nothing in this handbook creates or is intended to create a promise, contract, or representation of continued employment for any employee. The employment relationship for all staff employees is considered to be at will and may be terminated by either the college or the employee at any time, with or without cause and with or without notice.

With the exception of employment at will, terms and conditions of employment at CCA may be modified at the sole discretion of the college at any time, with or without cause or notice. No implied contract concerning any employment-related decision or term or condition of employment can be established by any other statement, conduct, policy, or practice. Examples of the types of terms and conditions of employment that are within the sole discretion of the college include, but are not limited to, promotions; demotions; transfers; hiring decisions; compensation; benefits; qualifications; discipline; layoffs or recalls; rules; hours and schedules; work assignments; job duties and responsibilities; production standards; subcontracting; reduction, cessation, or expansion of operations; sale, relocation, merger, or consolidation of operations; or determinations concerning the use of equipment, methods, or facilities.

## **EMPLOYMENT ISSUES**

### **Job Duties**

A job description is a document outlining job duties and responsibilities in general terms and, sometimes, in specific detail. It is not intended to describe every possible duty that may be required of an employee, and discretion to assign or change duties remains with the employee's supervisor. Since the needs of the college change from time to time, so may some of the specifics of an employee's job description. The director of human resources must approve any changes to a job description. The supervisor and the employee review job descriptions annually at the time of the annual formal written performance evaluation.

An employee may occasionally be expected to work on a special project or to assist with work that is necessary or important to the operation of the department or the college. This type of change is not typically associated with any additional compensation.

Since CCA is a multicampus institution, an employee may be required to report to or travel to the other campus site. If this requires a permanent or long-term relocation, as much notice as possible will be given. Those concerned about travel or relocation should talk with their supervisor or the Human Resources Department. See also "Travel Reimbursement Policies: Between Campuses" on page 56.

### **Employee References**

Requests for information about a current or former employee should be referred by all managers, supervisors, and other CCA individuals to the Human Resources Department. No other manager, supervisor, or employee is authorized to release references for current or former employees. CCA's policy regarding references is to disclose only the dates of employment and the title of the last position held. If an employee authorizes such disclosure in writing, the college will also provide information on the salary or wage the employee last earned.

### **Employment of Relatives**

Relatives of employees may be eligible for employment with the college only if the individuals involved do not work in a direct supervisory relationship or in job positions in which a conflict of interest could arise. Relatives include spouses, domestic partners, children, siblings, parents, in-laws, and step-relatives. Current employees who marry will be permitted to continue working in their current job positions only if they do not work in a direct supervisory relationship or in job positions involving conflict of interest.

### **Performance Evaluations**

Staff, working individually and collectively, are essential to the successful operation of the college; their contributions need to be recognized and acknowledged. Staff must also understand their job responsibilities and how well they are performing them. CCA's performance development and evaluation program is designed to accomplish these goals.

Communication between supervisor and employee is central to the implementation of the program. Performance development is a continuous, interactive process that provides an opportunity for employees and supervisors to discuss job-related responsibilities, activities, skills, behavior, accomplishments, and goals. The process can also serve as a planning tool and help identify areas for additional training and improved effectiveness. The objective is to build a strong, supportive relationship between employees and supervisors that focuses on continuously improving individual and team performance.

At least once a year, employees will receive a performance evaluation (also sometimes called an appraisal or review). Performance evaluations provide an opportunity for employees and supervisors to articulate, formally and in writing, the employee's accomplishments, strengths, weaknesses, and goals. The first performance evaluations are given during the six-month introductory period and then again at its completion. They are conducted annually thereafter, on or before September 1 of each year. Because the college values ongoing communication between supervisors and employees, supervisors may elect to conduct written performance evaluations more than once a year.

## **Promotion/Transfer Opportunities and Job Announcements**

CCA supports employee promotions and, with rare exceptions, publicly announces vacant positions. The college also reserves the right to promote employees internally, to advertise a job vacancy internally only, or to advertise a vacancy externally.

Announcements of available positions are posted via the college email system and at CCA's website. They may also be posted at other websites such as Craigslist and the Higher Education Recruitment Consortium (HERC), or in specific newspapers or journals. Screening for vacancies usually begins immediately, and positions remain open until filled. Interested employees and other applicants are encouraged to submit a résumé or application, a cover letter, and at least three references to the Human Resources Department as soon as possible.

Only employees who have completed a six-month introductory period in their current position are eligible to apply for another position that would require a promotion or transfer. The only exceptions to this policy are those who have been with the college as temporary employees for at least six months. Current employees who are interested in applying for another position at CCA must notify their supervisor if they receive an interview, and they may consult with the Human Resources Department prior to beginning the application process. Only those internal candidates who clearly demonstrate that they possess the required skills, knowledge, and abilities for the posted position will be interviewed; an interview is not automatic. If an internal candidate does not meet the requirements, the Human Resources Department will, as a courtesy, notify him or her of the specific reasons why an interview was not granted. If an internal candidate is interviewed and then selected for the new position, the employee's current supervisor and the hiring department supervisor will negotiate a starting date for the transfer or promotion.

CCA retains complete discretion to make employment decisions. The detailed employment process policy can be downloaded from the college email system under "Employee Resources."

### **Reductions in Workforce**

Under some circumstances, CCA may need to restructure its operations or reduce its workforce. If this becomes necessary, the college will attempt to provide advance notice in order to minimize the impact on those affected. When possible, employees subject to layoff will be informed of the nature of the layoff and its foreseeable duration (i.e., short-term or indefinite). In determining which employees will be subject to layoff, the college considers, among other things, operational requirements; the skill, productivity, ability, and past performance of those involved; and, when feasible, the employee's duration of service. Layoff decisions are made at the sole discretion of the college.

Employees who are laid off mid-semester due to reductions in workforce and who are participating in the tuition remission benefit may complete the semester with no additional cost.

### **Changes in Personal Data**

Employees must provide CCA's Human Resources Department with current information regarding their name; address; home telephone number; marital status (recorded only to determine benefits and tax status); and the age, number, and school status of their dependents (recorded only to determine benefits and tax status). Changes in any of these should be submitted to the Human Resources Department on a personnel form, downloadable from the college email system under "Employee Resources."

### **Personnel Files**

Current and former employees may review their personnel file in the Human Resources Department at a mutually agreed-upon time (i.e., when sufficient time is available and during the course of a regular business day). It may be necessary to schedule an appointment. As a general rule, an employee is permitted to see records that are used or have been used to determine his or her qualifications for employment, promotion, and wage increases as well as records that may have been used to discipline or terminate the employee. Records concerning a possible criminal offense and letters of reference

(recommendations from colleagues/peers received in confidence) are not available for review.

Employees may make notes or, when appropriate, request photocopies of documents such as employment applications, performance appraisals, or documentation of corrective action. CCA is responsible for monitoring the inspection of the personnel file contents to ensure that nothing is removed, destroyed, or altered.

### **Confidentiality**

Employees should be sensitive and cautious with respect to confidential information. They are prohibited from seeking, disclosing, or permitting others to disclose confidential information from college records unless otherwise authorized. Confidential information includes, but is not limited to, student records, faculty and staff personnel records, employment data, and financial reports. Breach of confidentiality may be grounds for immediate termination. Employees who are unsure about the confidentiality of certain information should check with their supervisor or the Human Resources Department.

### **Outside Employment**

Most staff positions at CCA require the employee's full-time attention to his or her job duties. It may be possible to accept outside employment that does not interfere with the full and proper performance of these duties. Conflicts of interest or inability to properly manage outside work activities could jeopardize employment at CCA. Certain types of outside employment are prohibited when they

1. conflict with an employee's work schedule, duties, or responsibilities
2. create a conflict of interest or are incompatible with an employee's job at CCA
3. impair or have a detrimental effect on an employee's work performance at CCA
4. require an employee to conduct work or related activities on college property, during college working hours, or using college facilities and/or equipment
5. directly or indirectly compete with CCA's business or interests



For the purposes of this policy, self-employment is considered outside employment. In addition, employees may not use their position at CCA to acquire special privileges or exemptions for themselves or for others. Employees are encouraged to seek management approval or guidance from the Human Resources Department before accepting outside employment.

### **Conflicts of Interest**

All employees should avoid situations of actual or potential conflict of interest. Supervisor-subordinate romantic or personal relationships can lead to supervisory problems, possible claims of sexual harassment, and morale problems. Personal or romantic involvement of a supervisor with a subordinate employee creates an actual conflict of interest and is prohibited because it can impair an employee's ability to exercise good judgment on behalf of the college. Outside employment can also lead to a conflict of interest (see "Outside Employment" above for more information). Employees involved in any of the types of relationships or situations described in this policy are encouraged to seek guidance from the Human Resources Department. (See also "Unlawful Harassment" on page 60.) If an actual or potential conflict is determined to exist, the employee must accept the directions of the college as to whatever corrective action it deems appropriate.

### **Nonfraternization**

CCA is committed to maintaining an academic and work environment in which individuals are free of sexual harassment from colleagues, faculty, staff, or students, consistent with state and federal requirements. In addition, state law provides that a teacher or someone in a similar relationship with students may be personally liable when he or she makes unwelcome sexual advances, solicitations, requests, or demands for sexual compliance, or when he or she engages in other unwelcome verbal, visual, or physical conduct of a sexual or hostile nature based on gender (California Civil Code, section 51.9).

CCA recognizes that employees may develop personal relationships in the course of their employment. However, in an effort to prevent misunderstandings, favoritism, claims of sexual harassment, or morale problems, employees who supervise other employees are not permitted to date or engage in sexual relationships with their subordinates.

Employees are discouraged from dating or engaging in romantic or sexual relationships with other employees or students with whom they have contact on the job. Faculty members are not permitted to date or engage in sexual relationships with students whom they are teaching. Violation of this policy is grounds for disciplinary action, up to and including termination.

All constituencies have a duty to disclose any romantic relationship that may exist in violation of this policy. Failure to do so may result in discipline, up to and including termination. Staff and administrators should first notify the director of human resources. Faculty should first notify the provost, who will refer the disclosure to the director of human resources. Students should first notify the dean of students, who will refer the disclosure to the director of human resources.

### **Employee Conduct and Performance**

The college expects all employees to act in a way that is appropriate for a work setting. Acceptable professional behavior is courteous and safe, and it protects the rights and property of others.

In addition to meeting acceptable standards of conduct, employees are expected to meet acceptable job performance standards. Satisfaction of these standards not only promotes safety, productivity, and efficiency, but also helps ensure that all employees enjoy a satisfying work environment. The college considers compliance with these commonsense rules to be an important responsibility of every employee.

The following lists of prohibited conduct (specific to behavior and job performance) are illustrative only; other types of conduct detrimental to security, personal safety, employee welfare, and the college's interests are also prohibited.

Behavioral misconduct includes

1. harassment in any form
2. falsification of records or other documents
3. use, possession, sale, or dissemination of illegal drugs or controlled substances, or intoxication on the job
4. theft, destruction, or abuse of college property or the property of others
5. possession of weapons, firearms, or other potentially dangerous weapons or materials on college premises
6. unethical business practices, dishonesty, conflicts of interest, or involvement in or encouragement of illegal activities
7. acts of physical violence or acts involving threats, intimidation, or coercion
8. misuse of private or confidential information
9. unauthorized access to computer files or inappropriate use of computer networks or utilities
10. violating established college rules
11. any violation of the college's policy against unlawful harassment
12. attempting to do any of the above, or aiding others in any misconduct

Misconduct related to job performance includes

1. unacceptable job performance
2. excessive absences or tardiness
3. failure to follow established safety regulations
4. failure to follow instructions or to perform reasonable duties assigned, unless safety is compromised
5. lack of cooperation in working with other employees

This statement of prohibited conduct does not alter the college's policy of employment at will. Either the college or an employee may terminate the employment relationship at any time for any or no reason, with or without notice.

## **Employee Protection (Whistleblower) Policy**

CCA's policy on employee conduct and performance requires employees to observe high standards of business and personal ethics in conducting their duties and responsibilities. As employees of the college, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations. It is the intent of CCA to adhere to all laws and regulations that apply to the college, and the underlying purpose of this policy is to support the college's goal of legal compliance. The support of all employees is necessary for achieving compliance with various laws and regulations.

It is the responsibility of all CCA employees to comply with the conduct policy and to report violations or suspected violations in accordance with this whistleblower policy. If any CCA employee reasonably believes that some policy, practice, or activity of CCA is in violation of law, that employee must file a written complaint with the director of human resources.

An employee is protected from retaliation if the employee brings the alleged unlawful activity, policy, or practice to the attention of CCA and provides the college with a reasonable opportunity to investigate and correct it. The protection described below is only available to employees who comply with this requirement.

CCA will not retaliate against an employee who, in good faith, has made a protest or raised a complaint against some practice of CCA, or against another individual or entity with whom CCA has a business relationship, on the basis of a reasonable belief that the practice is in violation of law or a clear mandate of public policy. CCA will not retaliate against employees who disclose or threaten to disclose to a supervisor or a public body any activity, policy, or practice of CCA that the employee reasonably believes is in violation of a law, rule, regulation mandated pursuant to law, or clear mandate or public policy concerning health, safety, welfare, or protection of the environment.

### **Discipline Guidelines**

Misconduct or violations of college policies and rules may warrant disciplinary action that, depending on the circumstances, could range from a verbal warning to termination. Other possible disciplinary steps include, but are not limited to, formal written warnings and altered supervision. Disciplinary action may be taken after a review of the facts, but need not be taken in any particular order or progression. For example, under certain circumstances (i.e., theft), the college may determine that immediate termination is appropriate even though the employee has not been disciplined previously. Examples of prohibited and unacceptable behavior constituting misconduct include, but are not limited to, those listed above in the “Employee Conduct and Performance” section.

### **Voluntary Termination**

An employee who voluntarily resigns or who fails to report to work without notice to, or approval by, his or her supervisor voluntarily terminates employment with the college. All college-owned property (keys, identification badges, garage cards, orientation binders, etc.) must be returned immediately. Employees may participate in an optional exit interview with the director of human resources. The exit interview is an opportunity to discuss continuation of medical and dental benefits, and for employees to offer comments and suggestions regarding their experience at CCA.

### **Punctuality and Attendance**

CCA employees are expected to be punctual and regular in attendance and to remain at work for the full duration of their scheduled work hours, except for meal and rest periods or when required to leave on authorized college business. Regular attendance and promptness are considered part of an employee’s essential job functions. Tardiness, absences, and early departures may cause problems for fellow employees and supervisors by obligating them to take over the employee’s workload and/or delaying them in accomplishing their own work.

In the absence of extenuating circumstances, an employee is expected to call his or her supervisor whenever he or she is unable to report to work. Calls to the supervisor should

be made at the start of the workday. Excessive absenteeism may be grounds for discipline, up to and including termination. Situations involving excessive absenteeism or tardiness are evaluated on a case-by-case basis.

Failure to report to work, in the absence of a call to the immediate supervisor, constitutes job abandonment, and the employee may be considered to have voluntarily terminated his or her position at CCA. If unforeseen circumstances such as an accident prevent an employee from notifying the college and the employee is terminated, he or she may be reinstated after the details of the situation have been brought forward and evaluated.

Individuals with disabilities may be granted reasonable accommodation in complying with these policies if there is no undue hardship to college operations. Regular attendance and promptness, however, are considered part of all employees' essential job functions.

## **WORKING HOURS AND SCHEDULES**

### **Work Schedules**

CCA is normally open for business 8 a.m.–4:30 p.m., Monday through Friday.

Supervisors assign individual work schedules, and all employees are expected to arrive on time and to be ready for work at the start of their scheduled shift. Employees working in the libraries, the Facilities Department, or the Public Safety Office may be assigned alternate, rotating, or flexible schedules. All other requests for a flexible work schedule must be approved by the employee's supervisor and the director of human resources.

In the event that an employee needs to change his or her work schedule, the supervisor must be notified immediately. All deviations from the normal policy must be in writing before becoming effective. Requests for changes may not be approved if the change will disrupt or interfere with normal operations or result in overtime charges.

At times it may be necessary for exempt employees to work additional hours in order to accomplish the requirements of their jobs. CCA does not have a compensatory time off (comp time) program, and time worked in excess of the normal workday or workweek may not be accumulated for time off later. However, there may be occasions when flexible scheduling is appropriate for exempt employees. The director of human resources should be consulted for clarification, guidance, and approval of schedules that deviate from normal hours.

### **Meal and Rest Periods**

State wage and hour laws regulate policies regarding meal and rest periods for nonexempt employees. The laws require that employers provide a 10-minute rest period for every four hours of work (CCA provides a 15-minute rest period). Insofar as is practical, the rest period should be taken in the middle of each four-hour work period. Meal and rest periods may not be combined, nor may they be taken at the beginning or the end of the work shift (for instance to accommodate a late arrival or an early departure). The law requires that a half-hour meal period must be provided for every five-

hour work period. CCA typically schedules one-hour meal periods, which must be taken in (approximately) the middle of the workday. (See the Public Safety Office handbook addendum for meal periods for public safety officers.) All nonexempt staff members must take these rest and meal periods every day. If special circumstances prevent this from happening, they must inform the director of human resources by email.

Requests to deviate from or questions about the standard meal and rest periods must be directed to the director of human resources prior to deviating from the California Labor Code and Industrial Wage Orders. All deviations from policy must be preauthorized in writing and signed by the director of human resources; otherwise they are not allowed.

### **Lactation Accommodation**

CCA provides a reasonable amount of break time to accommodate employees who wish to express breast milk at work. If possible, the break time should coincide with the employee's paid rest period. If not, the break time need not be paid. CCA will make every reasonable effort to provide the employee with the use of a room or other private location for this purpose. Employees wishing to make use of this policy should contact their supervisor and the director of human resources to make arrangements.

### **Bringing Babies/Children to Work**

Most staff positions at CCA require the employee's full-time attention to his or her work duties. It may, however, be possible to bring a baby or child to work occasionally during normal working hours if it does not interfere with work performance or cause safety concerns. Employees must explore and exhaust all other options before they ask to bring a baby or child to work. Those wishing to make use of this policy should contact their supervisor and the director of human resources to discuss the situation. Final determination is at the discretion of the college and is made on a case-by-case basis. (A detailed copy of this policy can be downloaded from the college email system under "Employee Resources.")



### **Timekeeping Requirements**

All nonexempt employees are required by California Labor Code and Industrial Wage Orders to record their hours worked on a work record, or hourly nonexempt time card, in accordance with the annual payroll calendar. They must record: the total number of regular, overtime, vacation, sick, jury duty, floating holiday, and bereavement hours for each pay period; the starting and ending time of each work period and meal period; and the time whenever they leave campus during work hours for any reason other than college business.

Exempt employees are required to submit, on a monthly basis, an exempt employee absence report indicating the total number of absent hours to be charged to their sick or vacation accounts, jury duty, bereavement leave, floating holiday, etc.

All time reporting forms can be downloaded from the college email system under “Employee Resources.”

## **PAYMENT PROCEDURES**

For the purposes of personnel administration, payroll, and benefits, CCA uses the following definitions. If you are unsure about the exempt or nonexempt status or grade of your position, please contact the director of human resources.

### **Classification and Compensation**

A job classification system is useful in providing the structure for a compensation program, which includes salary and benefit levels. Classification systems compare positions within the college. Increases in compensation usually happen on an annual basis, at the beginning of the fiscal year, as of the May paychecks. Generally, employees whose employment commences after January 31 or employees who have given notice of or actually terminated employment prior to May 15 are not eligible for the annual salary increases.

### **Classifications**

#### *Exempt (“salaried”) employees*

Those whose positions meet specific tests established by the federal Fair Labor Standards Act (FLSA) and the California Industrial Welfare Commission Orders and who are consequently exempt from overtime pay requirements. Exempt employees are generally in management, administrative, or professional positions.

#### *Nonexempt (“hourly”) employees*

Those who are covered by the overtime provisions of the FLSA or any applicable state laws and who are paid a multiple of their hourly wage for overtime, in accordance with applicable law. Clerical and other support positions are usually nonexempt.

### **Categories**

#### *Regular full-time employees*

Those who work in a regular position requiring at least 37.5 hours per week. These positions carry benefit eligibility.

### *Regular part-time employees*

Those who work in a regular position requiring between 20 hours per week (53 percent full-time equivalent) and 37.5 hours per week. These positions carry benefit eligibility. Vacation and sick time accruals, tuition remission, and holiday pay benefits are prorated based on the percentage of full-time equivalence. Medical and dental benefits are not prorated; employees receive 100 percent of these benefits. Part-time employees working a schedule of fewer than 20 hours per week are not eligible for benefits except where mandated by applicable law.

### *Temporary employees*

Those employed for short-term assignments, generally for periods of up to 900 hrs/yr. These positions are not eligible for benefits except where mandated by applicable law.

### *Project employees*

Full- or part-time employees, hired for a specific project or into a position specifically tied to restricted funding, who support projects or activities with specific end dates. Benefit eligibility depends on full- or part-time status.

### *On-call employees*

Those who work intermittently, as needed, and who may not have a regular work schedule. These positions do not carry benefit eligibility.

### *Volunteers*

Those interested in providing their services to CCA as a nonprofit charitable organization without expectation of any compensation or other consideration. Volunteers are not staff members. The complete volunteer policy can be downloaded from the college email system under “Employee Resources.”

## **Pay Structures**

Positions at CCA are divided into several categories: academic/administrative appointments, executive, faculty, staff, temporary (which includes project and on-call

positions), and work-study. Since this is a staff handbook, most of the classification information here pertains only to staff positions.

#### *Executive*

Includes the president, provost, vice president for finance and administration, vice president for advancement, vice president for enrollment management, vice president for communications, and vice president for student affairs.

#### *Academic administrative*

Includes the college deans, associate deans, and designated program chairs.

#### *Administrative*

Includes senior and professional exempt positions, as designated by the college.

#### *Support*

Includes administrative, clerical, and all other nonexempt positions.

### **Paydays**

Exempt and nonexempt employees receive paychecks on the 15th and last days of each month. When those dates fall on a weekend or a holiday, paychecks are distributed on the preceding workday. Paychecks are normally available by 10 a.m. on payday. Errors in paychecks should be reported immediately to the employee's supervisor and the payroll manager. Nonexempt employees are paid two weeks in arrears.

### **Overtime Rules for Nonexempt Employees**

As necessary, nonexempt employees may be required to work overtime. For purposes of determining which hours constitute overtime, only actual hours worked in a given workday or workweek are counted. The college attempts to distribute overtime evenly within the same work and job class and accommodate individual schedules. Staff members may not work during hours that would require overtime pay unless their supervisor has previously authorized the overtime work.

CCA provides compensation for all overtime hours worked by nonexempt employees, in accordance with state and federal law. The college must pay nonexempt employees at the regular wage rate for the first eight hours worked in each working day or for the first 40 straight-time hours per workweek. Any work over eight hours in a day or 40 hours in a workweek must be paid at one and a half times the employee's regular pay rate. All daily hours worked in excess of 12 hours per day must be paid at double the employee's regular pay rate. If a nonexempt employee works seven consecutive days during the workweek, all work during the first eight hours of the seventh day must be paid at one and a half times the normal pay rate, and any work in excess of eight hours on the seventh day must be compensated at twice the regular pay rate.

CCA's workweek begins on Saturday and ends on Friday. The workday begins and ends at midnight. Since the normal schedule for most nonexempt employees is seven and a half hours per day, Monday through Friday, nonexempt employees working in excess of seven and a half hours per day or 37.5 hours per week will be compensated at the normal pay rate until the legal eight/40-hour limits are reached.

The law states that an employee who is on duty in a seven-hour shift during which the change to daylight savings time takes place should be paid for a full seven hours, even though the employee worked only six hours due to the time change. When standard time resumes, an employee working the night shift may be called upon to work eight hours due to the change. The employee should be credited for the eight hours.

At times it may be necessary for *exempt* employees to work additional hours in order to accomplish the requirements of their jobs. Time worked by exempt employees in excess of the normal workday or workweek is unpaid and cannot be accumulated for time off later (CCA does not have a compensatory time off [comp time] program).

### **Advances**

Regular benefit-eligible employees may request a wage advance not to exceed 75 percent of the anticipated net pay of the following paycheck, no more than four times in a

calendar year and not in consecutive pay periods. Check request forms are available online or through the Business Office and must be approved by the employee's supervisor and returned to the Business Office. The wage advance must be deducted from the following paycheck. The college does not have any loan provision available to staff. The college does not permit advances against unaccrued vacation or sick time.

### **Internal Contract Work**

It is expected that most work performed for CCA is the function of an existing job in a particular department, performed by an employee of that department. Under very unusual circumstances it may be necessary to hire a CCA employee as a contractor to provide a specialized service that is typically provided by outside contractors or consultants. This work must be clearly outside of the department's and the employee's regular job duties and responsibilities. Discussion with the Human Resources Department is required prior to agreeing to pay additional compensation or assigning additional work. If the contract work involves an employee from another department, a conversation with the other department head or supervisor is required before the contract work is offered to the employee.

Nonexempt employees are entitled to overtime wages based on the aggregate of all hours worked in all capacities. If additional compensation is required, it will be paid through the payroll system, with appropriate taxes withheld, according to the standardized payment schedule. Once approved, the request for additional payment must be initiated by a personnel form indicating the department to be charged.

## **BENEFITS**

### **Insurance Benefits**

The provisions of CCA's benefit plans may be changed at any time at the sole discretion of the college. The changes may include, but are not limited to, the specific plans themselves, the carriers providing the plans or benefits, the level of benefits, the employee's required payment for the benefits, or the eligibility requirements. CCA specifically reserves the right to modify, amend, or terminate benefit plans in accordance with the provisions of the formal plan documents.

If CCA employment terminates, the former employee and his or her dependents may have the right to continue group medical benefits temporarily under the federal statute called the Consolidated Omnibus Budget Reconciliation Act (COBRA). The Human Resources Department will notify the third-party administrator handling COBRA, who will mail information regarding COBRA rights within 14 days of the employee's departure from CCA.

Most regular staff employees who work 20 hours or more per workweek are eligible for dental, vision, life, and medical insurance benefits as well as the Section 125 flexible benefit plan and the Section 132 pretax commuter expense program. Other benefits, such as Social Security and unemployment, are mandated by law. Still others, such as long-term disability insurance, are optional programs available to employees.

Since benefits such as medical and dental insurance are negotiated and/or renewed annually with the college's external providers, this handbook does not outline benefit options, levels of coverage, or premium information. Benefit summaries and details for each plan are available from the Human Resources Department and on the college email system under "Employee Resources." The most current information is also distributed during the annual open-enrollment periods.

### **Disability Insurance**

The State of California provides employees with disability insurance pursuant to the California Unemployment Insurance Code through CCA payroll deductions. Disability insurance is payable when an employee cannot work because of illness or injury not caused by his or her employment, or when an employee is entitled to temporary workers' compensation at a rate less than the daily disability benefit amount. After one year of employment with CCA, an employee may also be eligible to enroll in the college's long-term disability insurance program.

### **Paid Family Leave**

Paid family leave is a component of the State Disability Insurance program. Paid family leave provides compensation to individuals who take time off work to care for a seriously ill child, spouse, parent, or domestic partner, or to bond with a new minor child.

### **Social Security**

Social Security is an important part of everyone's retirement benefits. CCA matches your contributions to Social Security.

### **Unemployment Insurance Program**

CCA pays the costs of unemployment insurance, which provides a former employee with a weekly income if and when he or she is out of work through no fault of his or her own.

### **Workers' Compensation**

Workers' compensation insurance provides coverage for medical, surgical, and hospital services necessary for treatment of employees who suffer work-related injuries or disabilities. It also provides partial compensation for time lost from work if the employee is hospitalized or unable to work for more than one week. The Human Resources Department can provide information on the coordination of sick leave and workers' compensation benefits.



Employees must notify their supervisor and the Human Resources Department immediately after the occurrence of a work-related injury or illness, no matter how minor. There are strict legal guidelines for reporting, and a delay in reporting could cause delay in payment, or nonpayment, for treatment. Consult the Human Resources Department for detailed reporting instructions. See page 45 for details on workers' compensation disability leaves of absence.

CCA is not liable for the payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in a recreational, social, or athletic activity that is not part of his or her work-related duties.

### **Dependent Insurance Coverage**

Dependent coverage for medical, dental, and vision insurance is available. Eligibility requirements may differ for each of the medical and dental plans, especially if the dependent is older than 18 years of age. It is the employee's responsibility to inform the Human Resources Department when a dependent reaches the age of 19 or if there is a change in the dependent's school status.

### **Insurance Premiums**

Medical, dental, vision, and all other insurance premiums are deducted from the employee's paycheck one month in advance of coverage. In the event that wages are not available from which to deduct premiums, payment arrangements must be made with the Human Resources Department.

### **IRC 403(b)**

Staff members who have one or more years of continuous service and are at least 23 years of age may participate in CCA's Group Retirement Annuity (GRA) 403(b) plan. A 5 percent employee contribution is required to receive CCA's 5 percent matching contribution. Unless otherwise specified, employee contributions through payroll reductions are on a pretax basis, thus reducing the employee's taxable income. Employees may make additional contributions in either pre- or posttax dollars.

Employees may also contribute pretax dollars to a Group Supplemental Retirement Annuity (GSRA) 403(b) plan. These pretax dollars may be above and beyond what the employee contributes to the formal (GRA) retirement plan. GSRA's are available to employees who have not yet completed one year of continuous service.

## **TUITION REMISSION**

Regular benefited employees and their spouse, domestic partner, and dependent children are eligible to take regular academic courses free of charge, and Extended Education courses either free of charge or at a reduced rate. This policy does not extend to courses taken by arrangement and/or on a special tutoring basis. Employees may not take courses that conflict with their work schedules unless specific arrangements are approved in advance by their supervisors.

Except in the case of workforce reduction layoffs, termination of employment at any point during the semester that an employee is receiving tuition remission will result in the forfeiture of all tuition remission benefits for that semester, and any remaining balance will be due and payable to Student Accounts.

More information about tuition remission and tuition remission application forms are available from the Human Resources Department.

### **Regular Semester Courses**

Eligible employees may take undergraduate courses on a tuition-free basis as follows:

Regular full-time staff and full-time faculty may take 12 units per year on a tuition-free basis. This is limited to 6 units per semester.

Regular part-time staff and part-time faculty (with an annual contract teaching three courses during the academic year) may take 6 units per year on a tuition-free basis. This is limited to 3 units per semester.

An eligible employee's spouse, domestic partner, or dependent children may take tuition-free courses on the same basis as the employee. This benefit is limited to 12 units per year per family (including the employee) for full-time employees and 6 units per family (including the employee) for part-time employees.

Trustees, spouses of trustees, and retired CCA faculty may take one tuition-free course per semester.

Employees and their family members may only enroll in courses for which they have completed the prerequisites and/or have appropriate experience (documentation of relevant professional and educational experience may be required).

The value of tuition remission for undergraduate-level courses up to \$5,250 is tax exempt. Anything in excess of the \$5,250 limit is reported as taxable compensation.

### **Special Dependent Benefit**

Spouses, domestic partners, and dependent children of full-time, benefit-eligible staff and faculty may be admitted as regular, full-time undergraduate students, 100 percent tuition free, provided that the staff or faculty member has been a benefit-eligible employee for a minimum of five years and the student meets regular CCA admissions standards.

For any academic year, the combination of tuition remission and CCA scholarship and grant monies cannot exceed the student's total cumulative tuition.

## **Extended Education Courses**

Regular full-time staff and full-time faculty may take up to seven Extended Education courses per year, not to exceed two in the fall, two in the spring, and three in the summer.

Regular part-time staff and part-time faculty (with an annual contract teaching three courses during the academic year) may take up to three Extended Education courses per year, limited to one in the fall, one in the spring, and one in the summer.

At the start of registration, eligible employees may guarantee their seat in an Extended Education course by paying for the course minus a 20 percent discount, plus the registration fee. Alternatively, employees may wait until the weekday before the start of the Extended Education course to register with 100 percent tuition remission, but only if there are empty seats available (as determined by the Office of Special Programs). On occasion, a seat may not be available until just before the second course meeting, in which case the staff or faculty member will not know until then that they are authorized to join the course. If there are multiple 100 percent tuition-remission applicants for the same course, enrollment will be on a first-come, first-served basis.

An eligible employee's spouse, domestic partner, or dependent children may take tuition-free Extended Education courses on the same basis as the employee. This benefit is limited to seven courses per family (including the employee) for full-time employees and three courses per family (including the employee) for part-time employees.

"Tuition remission" applies only to tuition costs and registration fees; participants are responsible for material and lab fees when applicable. They are also responsible for the extra expenses and special charges involved in some courses (for example lunch at the Interior Designers Forum, or the Behind the Scenes in Interior Design one-day seminar). Summer study-abroad courses are not eligible for tuition remission.

In addition to completing and submitting the tuition remission form, all participants must formally register for their desired courses through the Office of Special Programs.

### **Pre-College Program**

Regular staff working at least 20 hours per week and faculty holding an annual contact to teach at least three courses per year may register their child for CCA's Pre-College Program (open to high school students who have just completed the 10th, 11th, or 12th grade). To be assured of their child's placement in the program and in the studio of his/her choice, they may apply by the priority application deadline and pay for the program minus a 30 percent discount. Alternatively, they may wait until the Thursday before the first day of the program, and, if space is available, they will only be charged a \$300 supplies fee. Space is usually available, but studio options are extremely limited. If there are multiple tuition-remission applicants, admission will be determined on a first-come, first-served basis, with preference given to first-time enrollees.

### **Summer Atelier and the Young Artist Studio Program (YASP)**

Regular staff working at least 20 hours per week and faculty holding an annual contact to teach at least three courses per year may register one child per summer in the Young Artist Studio Program (YASP) or Summer Atelier, with a discount of \$100. YASP is open to students who have just completed the sixth, seventh, or eighth grade; Summer Atelier is open to students who have just completed the ninth grade. The child must be enrolled through the regular application process. If there are multiple tuition-remission applicants, admission will be determined on a first-come, first-served basis, with preference given to first-time enrollees.

## **TIME OFF**

### **Bereavement**

In the event of the death of a member of an employee's immediate family (spouse, domestic partner, parent, grandparent, child [including an unborn child], stepchild, grandchild, sibling, or current in-law), the employee may be absent with pay for up to five workdays for each particular instance. A longer absence from work, or bereavement time for a friend or a relative not listed above, must be approved by the supervisor and taken as vacation leave or unpaid leave.

### **Jury Duty and Witness Duty**

CCA encourages all employees to serve jury duty. Employees should notify their supervisor as soon as they receive a court notice or summons. The supervisor may request written verification from the court clerk of the employee's service. If the employee is excused from court by 1 p.m. on any day, he or she is required to return to work. The employee may retain any mileage allowance or other fees paid by the court for jury services.

Nonexempt employees will receive full pay while serving up to 20 days for each particular instance of jury or witness duty. Exempt employees will receive full pay for up to four weeks of absence due to jury or witness duty each year. Exempt employees will not incur any reduction in pay for a partial week of absence due to jury duty. Temporary employees will not receive pay for work hours missed because of jury duty.

### **Family-School Partnership Act**

This act allows parents, guardians, or grandparents who have custody of their grandchildren to take up to 40 hours off from work each school year, but no more than eight hours in any month, as long as they give their employer reasonable advance notice. Employees may be required to use accrued paid (vacation or sick) leave or to take unpaid time off.

## **Voting**

Employees may take a maximum of two hours off from work to vote in a statewide election without loss of pay. They should take this time off at the beginning or end of the regular shift, and when possible give their supervisor at least two days' notice.

## **Leave of Absence: Family and Medical**

The college grants family and medical leave in accordance with the requirements of applicable state and federal laws in effect at the time the leave is granted. No greater or lesser leave benefits will be granted than those set forth in such state or federal laws. In certain situations, federal law requires that provisions of state law apply. In any case, employees are eligible for the most liberal benefits available under either law.

Please contact your supervisor as soon as you become aware of the need for a family or medical leave. The following is a summary of the relevant provisions. A more detailed statement of leave requirements will be provided when a leave is requested. Certain restrictions on these benefits may apply.

### *Employee eligibility*

To be eligible for family and medical leave benefits, an employee must have worked for the college for a total of at least 12 months, with at least 1,250 hours worked during the previous 12 months, at a location where at least 50 employees are employed by the college within 75 miles.

### *Leave available*

Eligible employees may receive up to 12 workweeks of unpaid leave during a 12-month period. A 12-month period begins on the date of an employee's first use of federal family or medical leave. Successive 12-month periods commence on the date of an employee's first use of such leave after the preceding 12-month period has ended. Leave may be used for the birth or placement of a child for adoption or foster care, to care for an immediate family member (spouse, domestic partner, child, or parent) with a serious health condition, or when the employee is unable to work because of a serious health condition.



Under some circumstances, employees may take family or medical leave intermittently—that is, in blocks of time, or by reducing their normal weekly or daily work schedule.

Pregnant employees may have the right to take a pregnancy disability leave in addition to a family leave. Such employees should contact their supervisor and the Human Resources Department regarding their individual situation.

#### *Notice and certification requirements*

Employees seeking to use family or medical leave may be required to provide the following: 30-day advance notice when the need for the leave is foreseeable; medical certification from a health care provider (both prior to the leave and prior to reinstatement); periodic recertification; and periodic reports during the leave.

When leave is needed for planned medical treatment for an immediate family member or the employee's own serious health condition, the employee must try to schedule treatment so as to minimize disruption to college operations.

#### *Compensation during leave*

Family and medical leave is unpaid. CCA may require an employee to use accrued paid leave (such as vacation or sick leave) to cover some or all of the family or medical leave.

#### *Benefits during leave*

CCA maintains group health insurance coverage for an employee on family or medical leave for up to a maximum of 12 workweeks if such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. The college may recover premiums it paid to maintain health coverage for an employee who fails to return to work following a family or medical leave.

### *Reinstatement*

Under most circumstances, upon return from family or 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 or medical leave would have been laid off had he or she not gone on leave, or if his or her job was eliminated or filled in order to avoid undermining the college's ability to operate safely and efficiently while he or she was on leave, and there are no equivalent jobs available, then the employee would not be entitled to reinstatement.

An employee's use of family or medical leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using family or medical leave.

If an employee returning from medical leave taken for his or her own serious health condition is unable to perform the essential functions of his or her job because of a physical or mental disability, the college's obligations to that employee may be governed by the Americans with Disabilities Act.

The college may hold in abeyance or proceed with any counseling, performance reviews, or disciplinary action, including discharge, that were contemplated prior to an employee's request for or receipt of a leave of absence. If such action is held in abeyance during the period of leave of absence, the college reserves the right to proceed with such action upon the employee's return. Requesting or receiving a leave of absence in no way relieves an employee of his or her obligation while on the job to perform his or her job responsibilities capably and up to the college's expectations and to observe all college policies, rules, and procedures.

## **Leave of Absence: Pregnancy Disability**

### *Leave Available*

An employee disabled due to pregnancy, childbirth, or a related medical condition may take up to a maximum of four months' leave in any two-year period of time. As an alternative, the college may transfer the employee to a less strenuous or hazardous position if the employee so requests, on the advice of his or her physician, if the transfer can reasonably be accommodated.

Leave taken under the pregnancy disability policy runs concurrently with family and medical leave under federal law, but not with family and medical leave under California law.

### *Notice and certification requirements*

Employees requesting to take a pregnancy disability leave must provide the college with reasonable advance notice and certification from a health care provider.

### *Compensation during leave*

Pregnancy disability leave is without pay, but employees may utilize accrued vacation time and any other accrued paid time off during the leave.

### *Benefits during leave*

If the employee taking pregnancy disability leave is eligible under federal or state family and medical leave laws, the college will maintain group health insurance coverage for up to a maximum of 12 workweeks if such insurance was provided before the leave was taken and on the same terms as if she had continued to work. The college may recover premiums it paid to maintain health coverage for an employee who fails to return to work following a pregnancy disability leave. If ineligible under federal and state family and medical leave laws, employees on pregnancy disability leave will receive continued paid coverage on the same basis as employees taking other leaves.

Employees on pregnancy disability leave who do not receive continued paid coverage, or whose paid coverage ceases after 12 workweeks, may continue their group health insurance coverage through the college in conjunction with federal COBRA guidelines by making monthly payments to the college through the third-party administrator for the amount of the relevant premium. Employees should contact their supervisor or the Human Resources Department for further information.

### *Reinstatement*

Under most circumstances, upon submission of a medical certification that an employee is able to return to work from a pregnancy disability leave, she will be reinstated to the same position she held at the time the leave began or to an equivalent position, if available. However, an employee returning from a pregnancy disability leave has no greater right to reinstatement than if she had been continuously employed rather than on leave. For example, if the employee on pregnancy disability leave would have been laid off had she not gone on leave, or if her position has been eliminated or filled in order to avoid undermining the college's ability to operate safely and efficiently while she was on leave and there are no equivalent positions available, then the employee would not be entitled to reinstatement.

If an employee returning from pregnancy disability leave is unable to perform the essential functions of her job because of a physical or mental disability, the college's obligations to that employee may be governed by the Americans with Disabilities Act.

The college may hold in abeyance or proceed with any counseling, performance reviews, or disciplinary action, including discharge, that were contemplated prior to an employee's request for or receipt of a leave of absence. If such action is held in abeyance during the period of leave of absence, the college reserves the right to proceed with such action upon the employee's return. Requesting or receiving a leave of absence in no way relieves an employee of his or her obligation while on the job to perform his or her job responsibilities capably and up to the college's expectations and to observe all college policies, rules, and procedures.

### **Leave of Absence: Workers' Compensation Disability**

The college will grant a workers' compensation disability leave to employees with occupational illnesses or injuries in accordance with state law. As an alternative, the college will try to reasonably accommodate such employees with modified work. Leave taken under the workers' compensation disability policy runs concurrently with family and medical leave under both federal and state law.

#### *Notice and certification requirements*

Employees must immediately report all accidents, injuries, and illnesses, no matter how minor, to their supervisor and the Human Resources Department. Employees must also provide the college with a certification from a health care provider.

#### *Compensation during leave*

Workers' compensation disability leaves are without pay. However, employees may utilize accrued vacation or sick time and any other accrued paid time off during the leave. All such payments will be coordinated with any state disability workers' compensation or other wage reimbursement benefits for which the employee may be eligible. At no time shall an employee receive a greater total payment than his or her regular salary.

#### *Benefits during leave*

If the employee taking workers' compensation disability leave is eligible under federal or state family and medical leave laws, the college will maintain group health insurance coverage for up to a maximum of 12 workweeks if such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. The college may recover premiums it paid to maintain health coverage for an employee who fails to return to work following a workers' compensation disability leave. If ineligible under federal and state family and medical leave laws, employees on workers' compensation disability leaves will receive continued paid coverage on the same basis as employees taking other leaves.

Employees on workers' compensation disability leave who do not receive continued paid coverage, or whose paid coverage ceases after 12 workweeks, may continue their group health insurance coverage through the college in conjunction with federal COBRA guidelines by making monthly payments to the college through the third-party administrator for the amount of the relevant premium. Employees should contact their supervisor or the Human Resources Department for further information.

### *Reinstatement*

Upon the submission of a medical certification that an employee is able to return to work from a workers' compensation disability leave, the employee will be reinstated in accordance with applicable law. If the employee is disabled due to an industrial injury, the college will attempt to accommodate the employee. If the employee is returning from a workers' compensation disability leave that runs concurrently with a family and medical leave, then the provisions of the family and medical leave policy will also apply.

The college may hold in abeyance or proceed with any counseling, performance reviews, or disciplinary action, including discharge, that were contemplated prior to an employee's request for or receipt of a leave of absence. If such action is held in abeyance during the period of leave of absence, the college reserves the right to proceed with such action upon the employee's return. Requesting or receiving a leave of absence in no way relieves an employee of his or her obligation while on the job to perform his or her job responsibilities capably and up to the college's expectations and to observe all college policies, rules, and procedures.

### **Leave of Absence: Military (Active and Reserve Service)**

Leave without pay is provided to employees for military service in the United States armed forces or armed forces reserves. Employees are afforded reemployment rights and retain full seniority benefits for all prior service upon reemployment in accordance with the Uniformed Services Employment and Reemployment Rights Act and the California Military and Veterans Code. An employee must bring his or her military service orders to the Human Resources Department for review prior to commencement of the leave.

### **FMLA Family Military Leave: Caregiver**

Employees may receive up to 26 weeks of unpaid FMLA leave to care for a parent, child, spouse, or next of kin (nearest blood relative) who has incurred a serious injury or illness in the line of duty, while on active military duty, that renders the service member medically unfit to perform his or her duties. The 26 weeks is the maximum amount of FMLA leave that may be taken for any FMLA qualifying reason (provided that part of the reason is for caregiver leave). The 26 weeks of leave must be taken in a single 12-month period.

### **FMLA Family Military Leave: Active Duty [when the DOL issues final regulations]**

Employees may receive up to 12 weeks of unpaid FMLA leave for a “qualifying exigency” arising out of the employee’s parent, child, or spouse being on or called to active duty (or being notified of an impending call or order to active duty) in support of an action or operation against an opposing military force. Eligible employees are entitled to a combined total of up to 26 weeks of all types of FMLA leave.

### **Leave of Absence: Personal**

A personal leave of absence, without pay, may be granted at the college’s discretion. Requests for personal leave should be limited to unusual circumstances that require 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. Employees may be required to use accrued vacation time while on leave.

An employee returning from a personal leave will be offered the same position that he or she held previously, if available. If the same position is not available, the employee’s return to work will depend on job openings existing at the time and his or her qualifications for those openings. There are no guarantees of reinstatement.

### **Holidays**

Regular exempt and nonexempt employees are eligible for holiday benefits. CCA chooses to grant the legal (L) and administrative (A) holidays listed below. An employee

may observe a special or religious holiday, provided that the schedule can be accommodated without undue hardship to the college, and provided that the time is unpaid or charged to the employee's accrued vacation leave. Employees who wish to celebrate other holidays than those listed here must request the time off from their supervisor.

Labor Day	(L)
Thanksgiving Day	(L)
Day after Thanksgiving	(A)
Christmas Day	(L)
Christmas / New Year's Holiday	(A—number of days may vary)
New Year's Day	(L)
Martin Luther King Day	(L)
Memorial Day (observed)	(L)
Independence Day	(L)
Floating/Personal Holiday	(A)

Whenever possible CCA will close for the period between Christmas and New Year's Day. Some years it may be more advantageous to be closed the week of Christmas rather than the week between the two holidays. Advance notice will be provided to assist employees in planning holiday schedules.

Unless otherwise announced, holidays occurring on a Saturday are observed the preceding Friday, and holidays occurring on a Sunday are observed the following Monday. The Friday/Monday rule does not apply to the administrative holidays between Christmas Day and New Year's Day.

With the exception of the Public Safety Department, most employees are not required to report for work on days designated as holidays. If a nonexempt employee is required to work on a scheduled holiday, he or she will receive one and a half times the normal pay rate for the hours worked plus holiday pay (the normal rate of pay for the regularly



scheduled number of work hours), *or* the employee may receive one and a half times the normal pay rate for the hours worked plus an additional day off from work.

If a holiday falls on a nonexempt employee's regularly scheduled day off, that employee will receive holiday pay for the number of hours normally worked (up to seven and a half hours) *or* that employee will receive a day off during the week in which the holiday falls. The supervisor will have the final decision as to whether the employee receives additional pay or time off.

Nonexempt regular part-time employees who work fewer than five days per week will receive prorated holiday pay. Contact the Payroll Office for assistance with this calculation.

Exempt part-time employees do not receive additional compensation or additional time off for holidays that occur during their regularly scheduled days off.

### **Sick Leave**

Sick leave is a form of insurance that is accrued in order to provide a cushion for incapacitation due to illness. It is to be used only when actually required to recover from illness or off-the-job injury (including mental health); sick leave is not for "personal" absences. Time off for medical or mental health appointments or care of a sick family member (child, parent, spouse, or domestic partner) is treated as sick leave. Employees may use up to one-half of their annual sick leave to care for their sick child, parent, spouse, or domestic partner.

Abuse or misuse of sick leave may lead to disciplinary action and/or withholding of sick pay. At the discretion of the supervisor, documentation of the illness (satisfactory medical evidence of illness and/or medical certification of fitness to return to work) may be required before sick pay will be given.

Most staff employees who work 20 or more hours per week are eligible for sick leave accrual. The rate of accrual is based on the percentage of full-time employment. Sick

leave accrues to a maximum of 225 hours. Employees on an unpaid leave of absence do not accrue sick leave. Under no circumstances will an employee be paid for unused accrued sick leave. The following table details the accrual rates per pay period.

<b>Prorated percentage</b>	
100–90	3.75 hours
80	3.00 hours
64	2.40 hours
53	1.99 hours

**Measure F, the Sick Leave Ordinance (SLO)**

This ordinance requires San Francisco employers to provide paid sick leave benefits to all employees who work in the city and county of San Francisco. CCA has elected to provide the same benefits to all of the college’s employees whether they work in San Francisco or elsewhere. For the purposes of Measure F, an employee is defined as any person who is employed by the college, including full-time, part-time, and temporary employees; student employees; and faculty.

CCA already has a generous sick leave policy (see above) for regular, benefit-eligible staff, which is not impacted by this ordinance. The Measure F policies cover all other CCA employees, including temporary staff, student employees, and faculty. Covered employees earn one hour of paid sick leave for every 30 hours worked. The paid sick leave accrues in one-hour increments; there is no prorated or partial accrual for any time worked less than 30 hours. For example, an employee who has worked 30 hours has accrued one hour of paid sick leave, an employee who has worked 60 hours has accrued two hours of paid sick leave, etc., to a maximum of 72 hours of accrued sick leave.

Accrual begins 90 days after the first day of employment. Accrued sick leave carries over from year to year. Under no circumstances will an employee be paid for unused accrued sick leave.

Measure F sick leave hours can be used for absences due to

1. an employee's physical or mental inability to perform his or her duties due to illness, injury, or a medical condition
2. an employee obtaining professional diagnosis or treatment for his or her medical condition
3. other medical reasons of the employee, such as pregnancy or obtaining a physical examination
4. an employee providing care or assistance to an "other person" (see below for a definition of *other persons*) with an illness, injury, medical condition, need for medical diagnosis or treatment, or other medical reason

The "other persons" for whom an employee may use accrued Measure F sick leave include a child, parent, legal guardian or ward, sibling, grandparent, grandchild, spouse, registered domestic partner, or "designated person." Employees who do not have a spouse or registered domestic partner may designate a person. The designation must be done in writing, using the CCA Designate Person form (available from the Human Resources Department), within 10 days of the first day of employment. Employees can change their designated person once annually during a time specified by CCA.

Employees must give "reasonable notification" of an absence from work for which paid sick leave is or will be used. Abuse or misuse of sick leave privileges may lead to disciplinary action. At the discretion of the supervisor, documentation of illness or medical appointments may be required.

### **Kin Care**

Employees may use up to one-half of their annual sick leave to care for their sick child, parent, spouse, or domestic partner.

## Vacation

Regular exempt and nonexempt staff employees are eligible for vacation leave accrual. Temporary employees and academic administrators do not accrue paid vacation time, nor do employees on an unpaid leave of absence. The rate of accrual is based on the percentage of full-time employment and the number of years of service, with the exception of directors, who accrue at the highest level (six and a quarter hours per pay period for full-time, prorated for part-time) immediately. The rate of accrual is the same for exempt and nonexempt staff. Earned vacation time accrues to a maximum of 230 hours until the fourth-year anniversary date of employment; thereafter the maximum is 300 hours. Any accrued unused vacation leave will be paid at the time of termination. The accrual rates per pay period are as follows.

Prorated percentage	1st year	2nd to 4th years	5th year +
100–90	3.13 hours	4.69 hours	6.25 hours
80	2.50 hours	3.75 hours	5.00 hours
64	2.00 hours	3.00 hours	3.94 hours
53	1.66 hours	2.48 hours	3.31 hours

CCA encourages employees to take vacation on an annual basis. Vacation balances appear on the paycheck stub. It is the employee's responsibility to properly request and schedule vacation time. Vacations should be scheduled to provide adequate coverage of job responsibilities and staffing requirements. Supervisors will make final determinations and **must** approve vacation schedules in advance.

## **OPERATIONAL CONSIDERATIONS**

### **Photo Identification Badge Policy**

All employees must wear a current photo ID badge at all times while working on the Oakland or San Francisco campuses. Staff working in areas where their badge may be a safety risk need not wear it but must have it on their person. Employees must obtain a sticker each semester (from the Public Safety Office on either campus) to validate their badge.

Badges (and chains and lanyards) may be obtained from the Public Safety Office on either campus during posted hours throughout the year. The first badge is free to new employees; replacement badges cost \$4 each.

### **Smoking Policy**

The Oakland City Council has determined that tobacco smoke is a major source of indoor air pollution. Breathing secondhand smoke is a cause of heart disease and lung cancer. Accordingly, the City Council has enacted an ordinance to protect the health and welfare of Oakland residents, employees, and visitors by prohibiting smoking in enclosed spaces. This law includes public places, restaurants, places of employment, and all enclosed facilities owned by the City of Oakland. It is a violation of this ordinance for a person to smoke in any area prohibited by this law. The penalties for violations range from \$100 to \$500.

The City and County of San Francisco has revised its smoking ordinance, effective February 1, 1994, to further restrict smoking in public places and workplaces.

Smoking is prohibited in any of the buildings on either the San Francisco or Oakland campus. In addition no one may smoke within 20 feet of any college-owned or -leased building. Violations of this ordinance should be brought to the attention of either the director of facilities or the director of human resources.

## **Health and Safety**

Maintaining a safe and secure working environment for our employees and students is extremely important and is everyone's responsibility. To achieve CCA's goal of maintaining a safe workplace, everyone must be safety conscious at all times. In compliance with California law and to promote workplace safety, the college maintains an injury and illness prevention program, administered by the manager of public safety, the chief facilities officer, and the director of human resources. Details are available from the Public Safety Office, the office of the chief facilities officer, and the Human Resources Department.

An employee who becomes ill or injured due to his or her job is eligible for workers' compensation. He or she must report the illness or injury to his or her supervisor and the Human Resources Department accurately and immediately, and follow the appropriate procedures. See page 32 for details on the workers' compensation insurance benefit, and page 45 for details on workers' compensation disability leaves of absence.

## **Personal Property**

Employees at CCA are responsible for their own personal property. Those who bring personal property to the college do so at their own risk. Whenever possible, personal property is best kept in a locked drawer or filing cabinet to limit exposure. CCA does not assume any risk for, or provide insurance coverage for loss or damage to, personal property.

## **Commute Alternatives**

CCA strongly encourages all employees to consider commute alternatives. The college is mandated by law to improve the average vehicle ridership ratio. This means breaking the one-person, one-car habit. Public transportation, carpools, and bicycling may be viable options. The Human Resources Department has information about commute alternatives, agencies that can offer assistance, and the pretax commuter expense program.

## **Travel Reimbursement Policies**

CCA derives its operating budget almost exclusively from student tuition. Employees who travel on college business must be responsible with their expenditures and conserve college resources.

### *Travel advances*

A travel advance (receipt of funds prior to travel) has the dual advantage of identifying the staff member's reasonable, approved expenditures in advance of travel and eliminating any financial hardship he or she may face in financing the travel. To obtain an advance, a check request with a detailed itinerary must be approved by an authorized signer and submitted to the Business Office at least 10 days prior to travel.

### *Air reservations*

Plane reservations should be made well in advance to obtain the optimum fare. Travel is restricted to coach level for all employees. Arrangements should be made through the Purchasing Office unless other arrangements have been approved by the Business Office.

### *Reasonable expenses*

CCA will reimburse reasonable expenses for hotels, car rental, and meals. Because what is reasonable varies with geographic location (e.g., New York is more expensive than Kansas City), it is particularly important that travel advances are thorough and submitted sufficiently in advance to permit departmental review, so that all questions about reasonableness can be addressed.

### *Expense reports*

Settlement of travel advances must be submitted within 10 days after the completion of travel. Expenses must be supported by proper receipts. All variances of 10 percent or more from the travel advance must be justified. Additional advances will not be approved if a prior advance is still outstanding.

*Travel between campuses*

Staff members are eligible for local mileage reimbursement when traveling between CCA's Oakland and San Francisco campuses. Please check with your supervisor or the Business Office regarding reimbursement procedures.



## **CAMPUS SECURITY ACT OF 1990**

To receive federal grants, CCA must comply with the Drug-Free Workplace Act of 1990; the college is in full compliance with all aspects of this law. College security policies, incident reporting procedures, and the drug-free campus policy are described in full in the student handbook and are available through the Student Affairs Office, the libraries, or the Public Safety Department in Facilities.

### **Drug-Free Workplace Policy**

Drugs and alcohol are incompatible with a healthy, safe, and efficient working environment. Substance abuse impairs an employee's health and performance. Employees who work while under the influence of drugs or alcohol present a safety hazard to themselves and their coworkers. The presence of drugs and alcohol in the workplace also impairs efficiency. The college's policy is described at the end of this staff handbook; every employee must agree to abide by it as a condition of continued employment.

### **Prohibited Conduct**

CCA maintains a workplace that is free of drugs and alcohol. Except as described in the next paragraph, no one is allowed to use, possess, work under the influence of, dispense, distribute, or manufacture a controlled substance or alcohol. CCA will take appropriate disciplinary action against those who violate this policy, up to and including termination.

If their use of *legal* drugs could result in impairment while working, CCA employees are strongly encouraged (and possibly required, at CCA's expense) to consult a physician. If the physician concludes that the employee cannot safely and efficiently perform his or her job while using the legal drugs, CCA may restrict the employee's work activities, require the employee to take a leave of absence, or, if necessary, discharge the employee. CCA will also reasonably accommodate employees as required by law.

Any employee who is convicted of a violation of any criminal drug statute related to the unlawful use, possession, dispensation, distribution, or manufacture of controlled substances must inform the college of the conviction within five days. Any employee who is so convicted shall be subject to disciplinary action, up to and including termination. The college may require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved by federal, state, or local health, law enforcement, or other appropriate agency.

### **Employee Assistance**

If an employee suspects that he or she may have an alcohol or drug problem, even in the early stages, he or she is encouraged to seek diagnosis voluntarily and to follow through with treatment as prescribed by qualified professionals. Employees may seek assistance through their health care provider or by contacting the Counseling Office (Student Affairs) for consultation and referral.

CCA will reasonably accommodate any employee who, prior to engaging in misconduct, notifies the college that he or she wishes to participate in a voluntary alcohol or drug rehabilitation program. CCA recognizes that chemical dependency, including alcoholism, can be a medical health condition that an employee may be unable to control without professional help. The college will try to accommodate chemically dependent employees seeking professional medical and emotional help and, prior to misconduct, will consider granting a leave of absence for this purpose.

## **POLICY ON DISCRIMINATION AND UNLAWFUL HARASSMENT**

### **Equal Employment Practices**

CCA is an equal-opportunity employer and makes employment decisions on the basis of merit. We want to have the best available person in every job. The college prohibits unlawful discrimination based on sex, race, color, religion, religious creed, age (over 18 years), mental or physical disability, medical condition as defined by law, national origin, marital status, veteran status, sexual orientation, gender identity, or any other consideration made unlawful by federal, state, or local laws. CCA's commitment to equal opportunity employment applies to all persons involved in the operations of the college and prohibits unlawful discrimination by any employee of the college, including supervisors and coworkers.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with disabilities, the college will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual who is an applicant or an employee, unless undue hardship for the college would result. Any applicant or employee who requires an accommodation in order to perform the essential functions of his or her job should contact the director of human resources and request such an accommodation. The college will conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform his or her job and then identify what possible accommodation, if any, would help to eliminate the barriers. If the accommodation is reasonable and will not impose an undue hardship, the college will make the accommodation. The college may also propose alternative accommodation(s).

If an employee believes that he or she has been subjected to any form of unlawful discrimination, he or she should submit a written complaint to the director of human resources, the president of the college, and/or his or her supervisor. The complaint should be specific and include the names of the individuals involved as well as the names of any witnesses. CCA will, in all appropriate cases, immediately undertake an effective,

thorough, and objective investigation. CCA will endeavor to protect the privacy and confidentiality of all parties involved, as much as is possible. If the college determines that unlawful discrimination has occurred, effective remedial action will be taken, commensurate with the severity of the offense, up to and including termination. Appropriate action will also be taken to deter any future discrimination. Whatever action is taken will be made known to the complaining employee. The college will not retaliate against an employee for filing any good-faith complaint and will not knowingly permit retaliation by management, coworkers, or other employees.

Applicable law prohibits retaliation against any employee by another employee or by the college for reporting, filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by the college or a federal or state enforcement agency. Any retaliation should be reported immediately to any college supervisor or the director of human resources. Reports of retaliatory conduct will be immediately, objectively, and thoroughly investigated in accordance with the procedures outlined above.

### **Unlawful Harassment**

In accordance with applicable law, CCA prohibits sexual harassment and harassment based on race, color, national origin, ancestry, religion, creed, disability, gender, gender identity, medical condition, marital status, sexual orientation, age, or any other basis protected by federal, state, or local law. The college is committed to taking all reasonable steps to prevent harassment.

Employees should bear in mind that CCA is an art college and, as part of its curriculum and functions, nude models and artistic renderings of nude figures, in appropriate context, may be exhibited on campus.

### **Sexual Harassment Defined and Prohibited**

Federal law defines sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to

such conduct is made a term or condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

California law defines sexual harassment as unwanted sexual advances or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior, including, but not limited to: unwanted sexual advances; offering employment in exchange for sexual favors; making or threatening reprisals after a negative response to sexual advances; visual conduct such as leering, making sexual gestures, or displaying pornographic objects, pictures, cartoons, or posters; verbal sexual advances or propositions; verbal abuse of a sexual nature; graphic verbal commentary about an individual's body; sexually degrading words to describe an individual; suggestive or obscene letters, notes, or invitations; or physical conduct such as touching, assault, or impeding or blocking movements

Sexual harassment by any CCA employee is unlawful whether it involves coworkers, supervisors, managers, faculty, students, or persons doing business with or for the college.

### **Preventing Harassment**

A program to eliminate harassment from the workplace is not only required by law but is also the most practical way to prevent incidents from occurring, and to avoid or limit damages if harassment should occur despite preventive efforts.

### **Reporting Procedure**

CCA's reporting procedure provides for an immediate, thorough, and objective investigation of any harassment claim; appropriate disciplinary action against anyone found to have engaged in prohibited harassment; and appropriate remedies to any victim of harassment.

1. Employees who believe they have been harassed on the job should as soon as possible submit a verbal or (preferably) written complaint to the director of human resources, the president of the college, and/or their supervisor. The report should include details of the incident(s), the names of individuals involved, and the names of any witnesses. Supervisors and managers should immediately refer all harassment reports to the director of human resources or the president of the college.
2. The college will immediately undertake an effective, thorough, and objective investigation of the harassment allegations. The determination regarding the alleged harassment will be communicated to the employee(s) who complained and the accused harasser(s).
3. If CCA determines that harassment has occurred, the college will take effective remedial action commensurate with the circumstances, including appropriate disciplinary action (up to and including termination) against anyone found to have engaged in prohibited harassment, and appropriate remedies to any victim of harassment. Appropriate action will also be taken to deter any future harassment.
4. Whatever action is taken against the harasser(s) will be communicated to the employee(s) who complained, to the extent that the college believes it is appropriate to do so.

### **Protection Against Retaliation**

Both CCA policy and California law prohibit retaliation against any employee by another employee or by the college for using this reporting procedure or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by the college or by a federal or state enforcement agency. Any report of retaliation by the one accused of harassment, or by coworkers, supervisors, or managers, will be immediately, effectively, and thoroughly investigated in accordance with the

college's investigation procedure outlined above. If a report of retaliation is substantiated, appropriate disciplinary action, up to and including termination, will be taken.

### **Liability for Sexual Harassment**

Any employee of CCA, including coworkers, supervisors, or managers, found to have engaged in unlawful harassment will be subject to disciplinary action, up to and including termination.

### **Additional Enforcement Information**

In addition to the college's internal reporting procedure, employees should be aware that the federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate and prosecute reports of unlawful discrimination and harassment in employment. Employees who believe that they have been discriminated against or harassed may file a report with the EEOC within 300 days of the conduct or with the DFEH within one year of the conduct. Both the EEOC and the DFEH serve as neutral fact finders and attempt to help the parties voluntarily resolve disputes. For more information, contact the director of human resources. You may also contact the nearest office of the EEOC or DFEH:

Equal Employment Opportunity Commission  
Oakland Federal Building, North Tower  
1301 Clay Street, Suite 1170N, Oakland CA 94612-5217  
510.637.3230  
800.669.4000

Department of Fair Employment and Housing  
Oakland District Office  
1515 Clay Street, Suite 701, Oakland CA 94612-1460  
510.622.2941  
800.884.1684

## **COMMUNICATION AND PROBLEM RESOLUTION**

The college continually looks for both formal and informal ways to improve employee communications, supportive supervisor-employee relationships, team interactions, judicious use of meeting time, and written communications. Communication is a two-way process. Employees are encouraged to listen, ask questions, contribute ideas, and participate in college decision-making processes.

Problems may arise whenever a number of people work together. Many work-related problems or disagreements can be magnified by poor communication or misunderstanding of intent. A problem resolution issue is a work-related problem or condition that an employee believes to be unfair, inequitable, or a hindrance to his or her effective job performance. Resolution of job-related problems is the joint responsibility of the parties concerned. The problem resolution procedure is not intended to cover problems or issues concerning allegations of unlawful discrimination or harassment, employee discipline, and/or employee terminations.

The college recognizes the right of regular staff employees to express concerns and to seek solutions to problems arising from working relationships, working conditions, and employment policies and practices. Accordingly, CCA has established a procedure whereby employees may work to resolve such problems. Employees are encouraged to work toward the resolution of their problems informally; however, when this is not possible, they may pursue a formal resolution procedure. The underlying spirit, at each step, should be to effect a timely and satisfactory resolution. CCA will make every effort to resolve employee concerns promptly and effectively.

The college is committed to timely clarification and resolution for everyone involved. To the extent possible, CCA attempts to preserve the confidentiality of information obtained during the problem resolution process. However, certain information may be disclosed as part of the investigation of the problem, and information will, of course, be disclosed to individuals who are involved in the resolution process.



### **Informal Procedures for Problem Resolution**

Informal problem resolution can be pursued in several ways. The difficulty may be discussed with the immediate supervisor, the department head, and/or the appropriate college officer. If an employee is uncomfortable proceeding in this way, or if, having done so, the situation is not satisfactorily resolved, he or she may discuss the matter with and/or submit an Initial Complaint Form to the director of human resources. The director may act personally as a facilitator/mediator or may recommend someone to act in that capacity. This informal phase is not a prerequisite to initiating formal procedures, but it is encouraged.

### **Formal Procedures for Problem Resolution**

Employees seeking formal problem resolution should contact the director of human resources, who will initiate and oversee the procedures outlined below. These procedures do not alter the college's policy of employment at will. Either the college or an employee may terminate the employment relationship at any time for any or no reason, with or without notice.

1. An employee submits a written description of the problem to the director of human resources. This description should include the pertinent facts, the names of any individuals directly involved, the names of individuals and witnesses with knowledge of the problem or its circumstances, and a proposed remedy or resolution.
  
2. The director of human resources will contact the involved individuals about the perceived problem, followed by one or all of the following options:
  - a. requesting written descriptions of the other involved individuals' views of the problem
  - b. discussing the results of the conversation(s) with the individual requesting resolution
  - c. conducting additional factual investigation as necessary

d. bringing the two parties together

3. If the parties agree on a resolution within 15 working days of the submission of the written description of the problem, the director of human resources will prepare a written report outlining the conclusion.

4. If the conflict is not resolved within 15 working days of the submission of the written description, the director of human resources will convene an ad hoc committee that consists of at least three and no more than five people drawn from the CCA community of faculty, staff, and administrative personnel. The director of human resources shall select two individuals, and the employee seeking resolution shall select two individuals. The employee will be allowed the preemptive challenge of submitting the names of individuals he or she does not want on the committee. This challenge will be reviewed by the director of human resources and taken under consideration. The director of human resources will chair the committee but will not be a voting member. The committee will have access to materials resulting from the inquiries made in step two above. The committee will be charged with arriving at a resolution of the problem and making a recommendation to the president of CCA, or to his or her designee.

5. The committee's review will include written materials from and personal interviews with the two parties as well as other individuals who may have an understanding or awareness of the problem.

6. After reviewing the issues, the committee will make its recommendation to the president of CCA within 15 working days of its formation. The president, in consultation with the committee, will then accept the recommendation or propose a new or revised course of action.

## **POLICY ON WORKPLACE VIOLENCE**

CCA recognizes that violence in the workplace is a growing problem nationwide that necessitates a firm, considered response from employers. The costs of workplace violence are great, in both human and financial terms. Since the safety and security of college employees is of vital importance, acts or threats of physical violence, including intimidation, harassment, and/or coercion, that involve or affect the college or that occur on college property will not be tolerated. This prohibition against threats and acts of violence applies to all persons involved in the operation of the college, including, but not limited to, college personnel, contract and temporary workers, and anyone else on college property. Violations of this policy by any individual will lead to disciplinary and/or legal action as appropriate.

### **Definitions**

Workplace violence is defined as any intentional conduct that is sufficiently severe, offensive, or intimidating to cause an individual to reasonably fear for his or her personal safety or the safety of his or her family, friends, and/or property such that employment conditions are altered or a hostile, abusive, or intimidating work environment is created for one or several college employees. Examples of workplace violence include, but are not limited to

1. threats or acts of violence occurring on college premises, regardless of the relationship between the college and the parties involved in the incident
2. threats or acts of violence occurring off college premises involving someone who is acting in the capacity of a representative of the college
3. threats or acts of violence occurring off college premises involving an employee of the college if the threats or acts affect the business interests of the college
4. threats or acts of violence occurring off college premises of which an employee of the college is a victim, if the college determines that the incident may lead to an incident of violence on college premises

5. threats or acts resulting in the conviction of an employee or agent of the college, or of an individual performing services for the college on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence that adversely affect the legitimate business interests of the college

Specific examples of conduct that may be considered threats or acts of violence under this policy include, but are not limited to

1. threatening physical or aggressive contact directed toward another individual
2. physical threats to an individual or his or her family, friends, associates, or property
3. intentional destruction or threat of destruction of college property or another's property
4. harassing or threatening phone calls, letters, or emails
5. surveillance
6. stalking
7. veiled threats of physical harm or similar intimidation

Workplace violence does not refer to occasional comments of a socially acceptable nature such as references to legitimate sporting activities, popular entertainment, or current events. Rather, it refers to behavior that is personally offensive, threatening, or intimidating.

### **Enforcement**

Employees who believe that threats or acts of violence have been made against them or others should report the details of the incident(s) as soon as possible to their supervisor, the director of human resources, and/or the manager of public safety. All reported incidents of violence and threats of violence will be investigated.

Any person who engages in a threat or violent action on college property may be removed from the premises as quickly as safety permits and may be required, at the college's

discretion, to remain off college premises pending the outcome of an investigation into the incident.

When threats are made or acts of violence are committed by a college employee, the college will determine what actions are appropriate, including possible medical evaluation and/or disciplinary action. Once a threat has been substantiated, it is the college's policy to put the maker of the threats on notice that he or she will be held accountable for his or her actions and then follow through with the implementation of a decisive and appropriate response. CCA will make the sole determination regarding whether, and to what extent, threats or acts of violence will be acted upon by the college. The college may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that workplace violence has occurred.

Under this policy, rapid decisions may be needed to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing. No existing college policy or procedure should be interpreted in a manner that delays or prevents this from occurring.

No provision of this policy alters the college's policy of employment at will. Either the college or an employee may terminate the employment relationship at any time for any or no reason, with or without notice.

## **INTERNET, EMAIL, AND EQUIPMENT USE**

Internet, intranet, and email access is provided to college employees for the benefit of the college and its vendors and suppliers, enabling employees to access information and other resources around the world. All employees are required to maintain and enhance the college's public image and to use these resources in a productive manner in accordance with the following guidelines.

Educational Technology Services (ETS) provides staff with the electronic resources necessary to perform their job functions. Generally, each staff member has one computer and access to network services, including but not limited to wired and wireless networks, shared printers, email, centralized file storage space, and web resources. Most computers have a standard set of software utilities installed; exceptions are granted on a case-by-case basis at the discretion of the manager of administrative user support.

### **Support**

Employees needing assistance with the college's electronic resources should contact the ETS Helpdesk. ETS also publishes technology guides and best-practices documents that answer common questions and familiarize the college community with current technology.

### **Equipment and Software Requests**

New equipment and software may be requested through departmental budget managers as part of the standard budget process. All equipment purchases requested outside of this process require approval from one of the heads of ETS before the Business Office will process the request.

### **ETS Policies**

Acceptance of employment at the college and use of its electronic resources indicates acceptance of all ETS policies, including the Acceptable Use Policy, which are posted at the ETS website: [technology.cca.edu/about/policies](http://technology.cca.edu/about/policies). Violations may result in disciplinary

action, up to and including termination. In addition, CCA may advise appropriate legal officials of any illegal violations.

This policy does not alter the college's policy of employment at will. Either the college or an employee may terminate the employment relationship at any time for any or no reason, with or without notice.

### **Use of Equipment**

All CCA property—including desks, storage areas, work areas, lockers, file cabinets, office telephones, cell phones, modems, fax machines, photocopiers, and vehicles—must be used properly and maintained in good working order. Employees who lose, steal, or misuse college property may be personally liable for replacement or repairs and may be subject to discipline, up to and including termination.

Cell phones provided by CCA are for business use. Personal calls should be limited so that additional costs are not incurred by exceeding monthly limits. If the limits are exceeded, the employee will be required to reimburse CCA for any additional charges. Using a CCA cell phone while operating a motorized vehicle is prohibited.

CCA reserves the right, at all times and without prior notice, to inspect and search all college property for the purpose of determining whether this policy or any other policy of the college has been violated, or when an inspection and investigation is necessary for purposes of promoting safety in the workplace or compliance with state and federal laws. These inspections may be conducted during or outside business hours and in the presence or absence of the employee(s) who work in the area being inspected.

In addition, to ensure the safety and security of employees and to protect the college's legitimate business interests, CCA reserves the right to question, inspect, or search any employee or other individual entering or leaving college premises. The inspection or search may include any packages or items that the individual may be carrying, including briefcases, handbags, knapsacks, and shopping bags. These items are subject to

inspection and search at any time, with or without prior notice. The college also may require employees while on the job or on college premises to agree to reasonable inspection of their personal property and/or persons. The individual may be requested to self-inspect his or her personal property or person by displaying the contents of any packages and/or turning out his or her pockets and so on in the presence of a representative of the college, typically a management employee of the same gender. The college will not tolerate any employee's refusal to submit to a search.

CCA's technical resources, such as its computer system, voice mail system, and email, are provided for use in the pursuit of college business and are to be used, reviewed, and monitored only in that pursuit, except as provided in this policy. Computer data, voice mail messages, and email transmissions are readily available to numerous persons. If, during the course of your employment, you perform or transmit work on the college computer systems or other technical resources, your work may be subject to the investigation, search, and review of others in accordance with this policy. In addition, any electronically stored communications that you either send to or receive from others may be retrieved and reviewed when doing so serves the legitimate business interests and obligations of the college.

Employees are otherwise permitted to use college equipment for occasional nonwork purposes with permission from their supervisor. They have no right of privacy, however, with respect to any information or file maintained in or on college property or transmitted or stored through college computer systems, voice mail, email, or other technical resources. All bills and other documentation related to the use of CCA equipment or property are the property of the college and may be reviewed and used for any purpose that the college considers appropriate.

Employees may only access files or programs, electronic or otherwise, that they have permission to enter. Computer software is protected from unauthorized copying and use by federal and state law; unauthorized copying or use of computer software exposes both the college and the individual employee to substantial fines and/or imprisonment.



Therefore, employees may not load personal software onto the college's computer system and may not copy software from the college for personal use. All employees must contact the appropriate college administrator to install any software on the college's computer system. Unauthorized review, duplication, dissemination, removal, installation, damage, or alteration of files, passwords, computer systems or programs, or other property of the college, or improper use of information obtained by unauthorized means, may be grounds for disciplinary action, up to and including termination.

Messages stored and/or transmitted by voice mail or email must not contain content that may reasonably be considered offensive or disruptive. Offensive content includes, but is not limited to, sexual comments or images, racial slurs, gender-specific comments, or comments or images that would offend someone on the basis of his or her age, sexual orientation, religious or political beliefs, national origin, or disability.

### **Use of Telephones**

CCA telephones are provided in order to support the functions performed by employees. Use should be limited primarily to work-related activities. While occasional use of CCA telephones for nonbusiness purposes (limited to breaks and lunchtime whenever possible) is acceptable, abuse of the privilege for any significant amount of personal use is prohibited. Friends and family of employees should know to call only in an emergency. Consistent abuse of this policy may result in disciplinary action.

## **COMPLIANCE WITH CALIFORNIA AND FEDERAL DRUG-FREE WORKPLACE ACTS**

### **Objective**

The purpose of this policy/procedure statement is to set forth a controlled-substance policy for the college in compliance with the requirements of the federal and state Drug-Free Workplace Acts. This policy supplements CCA's drug and alcohol policy.

### **Policy**

It is college policy that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in this workplace is prohibited. Violation of this policy will result in discipline, up to and including termination and/or, at the discretion of the college, rehabilitation.

CCA must certify to the contracting state and/or federal agencies that it will provide a drug-free workplace in connection with the performance of state and/or federal contracts. Attached is an employee notification statement that shall be given to all employees. CCA will include drug-free awareness information in its programs and will comply with the acts' requirement that the government be notified of any employee's workplace-related drug conviction.

### **Applicability**

This policy applies to all CCA employees.

### **Procedures**

#### *Employee notification statement*

The attached employee notification statement shall be given to and signed by all employees and new hires. A signed copy of the statement shall be retained in each employee's personnel file. The employee's signed agreement to abide by this policy shall be a condition of employment.

### *Employee program*

The college drug awareness program will inform employees of the dangers of drug abuse in the workplace; the college policy of maintaining a drug-free workplace; the extent of available drug counseling, rehabilitation, and other employee assistance measures; and the penalties that may be imposed for drug abuse violations.

### *Notice of employee conviction*

Under the federal act, employees are required to notify CCA of any workplace-related drug conviction within five days of the conviction. CCA, in turn, is required to notify the federal government within 10 days of receiving notice of any such conviction.

### *Sanctions and rehabilitation*

Within 30 days of receiving notice of an employee's workplace-related drug conviction, CCA will take appropriate personnel action, up to and including termination, against any employee who is so convicted; and/or CCA, within its sole discretion, may require the employee's satisfactory participation in a drug and/or alcohol assistance program or rehabilitation program approved by a federal, state, or local health, law enforcement, or other appropriate agency.

### *Good-faith compliance efforts*

CCA will make ongoing good-faith efforts to maintain a drug-free workplace by implementing all of the above requirements. Our failure to comply with the provisions of this act may subject CCA to loss of payments under or termination of a contract, and to debarment as a contractor for up to five years.

**EMPLOYEE NOTIFICATION STATEMENT**

TO: All Employees  
FROM: Human Resources  
RE: CCA DRUG-FREE WORKPLACE POLICY

This is to reiterate, and state in a more formal way, college policy pursuant to the Drug-Free Workplace Acts. This policy supplements the college drug and alcohol policies.

The unlawful manufacture, distribution, dispensation, possession, or use of controlled substances is strictly prohibited. Any employee who violates this policy shall be subject to disciplinary action, up to and including, but not limited to, removal from the job site and/or termination.

CCA has established a drug awareness program for the benefit of its employees. As part of that program, CCA provides a copy of this policy to all employees. In addition, CCA shall make information available regarding the dangers of drug use and abuse in the workplace to any employee who requests such information. An employee who feels that he or she has an alcohol or drug use or abuse problem and needs assistance with the problem should contact the director of human resources. Regardless of whether the employee is participating in a drug awareness and/or rehabilitation program, any employee who violates this or any other CCA policy is subject to disciplinary action, up to and including termination.

As a condition of continued employment, employees must abide by this policy. Any employee who is convicted of a violation of any criminal drug statute related to the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances in the workplace must inform CCA no later than five days after the conviction. The employee shall be subject to disciplinary action, up to and including termination, and/or CCA may require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved by a federal, state, or local health, law enforcement, or other appropriate agency.

\_\_\_\_\_  
Employee's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's name (printed)

## STAFF HANDBOOK ACKNOWLEDGMENT AND AGREEMENT

This is to acknowledge that I have received a copy of the California College of the Arts staff handbook and understand that it sets forth the terms and conditions of my employment as well as the rights, duties, responsibilities, and obligations of employment at CCA. I understand and agree that it is my responsibility to read and familiarize myself with the provisions of this handbook.

I also acknowledge that CCA, like most other employers, follows the doctrine of at-will employment. Either CCA or I may choose to end the employment relationship at any time, for any reason, with or without notice. I understand that no statements or representations regarding my employment can alter the foregoing. As to the circumstances under which employment may be terminated, this is the entire agreement between CCA and me; there are no verbal or collateral agreements of any kind. I also understand that no supervisor or employee has the authority to enter into an employment agreement—express or implied—providing for employment other than at will.

I also acknowledge that except for the policy of at-will employment, CCA reserves the right to revise, delete, and add to the provisions of this handbook. All such revisions, deletions, or additions must be in writing. No verbal statements or representations can change the provisions of this handbook. I also acknowledge that, except for the policy of at-will employment, terms and conditions of employment with CCA may be modified at the sole discretion of CCA, with or without cause or notice, at any time. No implied contract concerning any employment-related decision or term and condition of employment can be established by any other statement, conduct, policy, or practice.

I understand that the foregoing agreement concerning my employment-at-will status and CCA's right to determine and modify the terms and conditions of employment is the sole and entire agreement between me and CCA concerning the duration of my employment, the circumstances under which my employment may be terminated, and the circumstances under which the terms and conditions of my employment may change. I further understand that this agreement supersedes all prior agreements, understandings, and representations concerning my employment with CCA.

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Employee's signature

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Date

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Employee's name (printed)