The information in this Handbook is intended to communicate University policies and information that is relevant to both faculty and staff. It does not represent the Faculty Handbook. Some of the information included here is relevant only to staff employees, as noted by the * symbol throughout the booklet.
# Table of Contents

1. **INTRODUCTION AND UNIVERSITY HISTORY** .......................................................... 6
   1.1 Introduction ................................................................................................................. 6
   1.2 Mission and Vision Statement .................................................................................. 6
   1.3 History of the University .......................................................................................... 6
   1.4 SNJM (Sisters of the Holy Names of Jesus and Mary) Sponsorship ......................... 7

2. **EMPLOYMENT INFORMATION AND POLICIES** ............................................. 7
   2.1* At-Will Employment ............................................................................................... 7
   2.2 Right to Revise .......................................................................................................... 8
   2.3 Equal Employment Opportunity Policy .................................................................... 8
   2.4 Zero Tolerance for Harassment Policy .................................................................... 8
   2.5 Criminal and Violent Behavior/Workplace Violence Policy .................................... 9
   2.6 Drug and Alcohol Use ............................................................................................. 10
   2.7 HNU Annual Crime Report ..................................................................................... 11
   2.8 Open-Door Policy .................................................................................................... 11
   2.9 Open Office Hours ................................................................................................... 12
   2.10 Ombudsperson ...................................................................................................... 12
   2.11 Title IX Compliance ............................................................................................... 12
   2.12 Privacy Officer ....................................................................................................... 12
   2.13 Whistleblower Policy ............................................................................................. 13
   2.14 Lactation Accommodation ...................................................................................... 13
   2.15 Background Screen ............................................................................................... 13

3. **DEFINITIONS** ......................................................................................................... 13
   3.1* Regular Staff Employees ....................................................................................... 13
   3.1.1* Full-Time Employees ......................................................................................... 13
   3.1.2* Part-Time Employees ......................................................................................... 14

* Information noted by an * indicates that it applies to Staff employees only, does not apply to Faculty

July, 2012
3.2* Temporary Employees .................................................................................................................................... 14
3.3* Non-Exempt Employees .......................................................................................................................... 14
3.4* Exempt Employees .................................................................................................................................... 14
3.5 Work Day .................................................................................................................................................. 14
3.6 Work-Week ................................................................................................................................................ 14
3.7 Immediate Family Members ....................................................................................................................... 14
3.8 Dependent Family Members ....................................................................................................................... 14
3.9 Inactive Status ........................................................................................................................................... 14
3.10 Terminated Employees ............................................................................................................................. 14

4. PAID TIME OFF FROM WORK .................................................................................................................. 14

4.1* Vacation ................................................................................................................................................... 15
4.2* Designated Paid Holidays ......................................................................................................................... 15
4.3* Personal Days ......................................................................................................................................... 16
4.4* Sick Leave ............................................................................................................................................... 16
4.5* Bereavement Leave .................................................................................................................................. 16
4.6* Jury Duty .................................................................................................................................................. 16
4.7 Paid Time Off for Voting ............................................................................................................................. 17

4.8 Replacement Income ................................................................................................................................. 17
4.8.1 Short-Term Disability Income (Non Work-Related) .................................................................................. 17
4.8.2 Long-Term Disability ............................................................................................................................. 17
4.8.3 Paid Family Leave (California State Disability) ....................................................................................... 17
4.8.4 Workers' Compensation Benefits .......................................................................................................... 17

5. UNPAID TIME OFF FROM WORK: LEAVE OF ABSENCE .................................................................... 18

5.1 Personal Leave .......................................................................................................................................... 18
5.2 Leave under Family/Medical Leave Act (FMLA) and Under California Family Rights Act (CFRA) .......... 18
5.3 Coordination of PDL with Family/Medical Leave .................................................................................... 18
5.4 Domestic Violence Leave ........................................................................................................................... 18
5.5 Military Family Leave Entitlements ........................................................................................................... 19

* Information noted by an * indicates that it applies to Staff employees only, does not apply to Faculty
July, 2012
5.6 School Activities ........................................................................................................................................20
5.7 Suspension of Child from School ...........................................................................................................20
5.8 Victims of Crime Leave ..........................................................................................................................20
5.9 Volunteer Civil Service Personnel .......................................................................................................20

6. OTHER EMPLOYEE BENEFITS ..................................................................................................................20
6.1 Group Health Insurance ..........................................................................................................................20
6.2 Unemployment Compensation ................................................................................................................20
6.3 Social Security (Federal Insurance Contribution Act, “FICA”) ................................................................20
6.4 Retirement Plan .......................................................................................................................................21
6.5 Workers' Compensation Benefits ..........................................................................................................21
6.6 Tuition Waiver Program ..........................................................................................................................21
6.7* Staff Group ..............................................................................................................................................23

7. EMPLOYMENT STANDARDS ......................................................................................................................23
7.1 Hiring .......................................................................................................................................................23
7.2 Relocation Policy .......................................................................................................................................23
7.3* Probationary Period .................................................................................................................................24
7.4* Performance Appraisals ..........................................................................................................................24
7.5* Job Changes and Promotions ..................................................................................................................24
7.6* Staff Grievance Procedure .....................................................................................................................25
7.7* Punctuality and Attendance ....................................................................................................................26
7.8 Conflict of Interest ....................................................................................................................................26
7.9 Close Personal Relationships Affecting University Teaching, Mentoring and Supervisory Functions 26
7.10 Confidentiality ..........................................................................................................................................27
7.11 Gramm-Leach Bliley Act ..........................................................................................................................27
7.12* Outside Employment and/or Business Interests ..................................................................................27
7.13 Employment of Relatives .........................................................................................................................27

* Information noted by an * indicates that it applies to Staff employees only, does not apply to Faculty

July, 2012
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.14</td>
<td>Personnel Records</td>
<td>28</td>
</tr>
<tr>
<td>7.15</td>
<td>Children (and Other Guests) in the Workplace</td>
<td>28</td>
</tr>
<tr>
<td>7.16</td>
<td>Employee Property</td>
<td>28</td>
</tr>
<tr>
<td>7.17</td>
<td>University Property</td>
<td>29</td>
</tr>
<tr>
<td>7.18</td>
<td>Off-Duty Use of Facilities</td>
<td>29</td>
</tr>
<tr>
<td>7.19</td>
<td>Parking</td>
<td>29</td>
</tr>
<tr>
<td>7.20</td>
<td>Surveillance Monitoring</td>
<td>29</td>
</tr>
<tr>
<td>7.21</td>
<td>University-Related Driving</td>
<td>29</td>
</tr>
<tr>
<td>7.22</td>
<td>Prohibited Use of Cell Phone While Driving on University Business</td>
<td>30</td>
</tr>
<tr>
<td>7.23</td>
<td>Prohibited use of Cell Phone While Driving (Employees under Age 18)</td>
<td>30</td>
</tr>
<tr>
<td>7.24</td>
<td>Smoking</td>
<td>30</td>
</tr>
<tr>
<td>7.25</td>
<td>Use of Electronic Media</td>
<td>30</td>
</tr>
<tr>
<td>7.26</td>
<td>Names and Addresses</td>
<td>31</td>
</tr>
<tr>
<td>7.27</td>
<td>Business Attire and Personal Hygiene</td>
<td>31</td>
</tr>
<tr>
<td>7.28</td>
<td>Use of Scented Products</td>
<td>31</td>
</tr>
<tr>
<td>7.29</td>
<td>News Media and Other Contacts</td>
<td>31</td>
</tr>
<tr>
<td>7.30</td>
<td>Pets in the Workplace</td>
<td>31</td>
</tr>
<tr>
<td>8.1*</td>
<td>Deductions for Exempt Employees</td>
<td>31</td>
</tr>
<tr>
<td>8.2*</td>
<td>Overtime for Non-Exempt Employees</td>
<td>32</td>
</tr>
<tr>
<td>8.3*</td>
<td>Meal and Rest Periods for Non-Exempt Employees</td>
<td>32</td>
</tr>
<tr>
<td>8.4*</td>
<td>Make-Up Time</td>
<td>33</td>
</tr>
<tr>
<td>8.5*</td>
<td>Pay for Mandatory Meetings/Training</td>
<td>33</td>
</tr>
<tr>
<td>8.6</td>
<td>Payroll Schedule</td>
<td>33</td>
</tr>
<tr>
<td>8.7</td>
<td>Payroll Direct Deposit</td>
<td>33</td>
</tr>
<tr>
<td>8.8*</td>
<td>Work Schedules</td>
<td>34</td>
</tr>
</tbody>
</table>
9.1 TO REPORT AN EMERGENCY OR NON-EMERGENCY SITUATION .......... 34
9.2 Workplace Illness and Injury Reporting and Workplace Safety Process ........................................ 34
9.3 Ergonomics .................................................................................................................................................... 34
9.4 Heat Illness .................................................................................................................................................... 35
9.5 Proprietary Safety ........................................................................................................................................ 35
9.6 Safety Committee .......................................................................................................................................... 35

10. SEPARATION FROM THE UNIVERSITY ........................................................... 35
10.1* Voluntary Resignation .......................................................................................................................... 35
10.2* Involuntary Dismissal and Progressive Discipline ................................................................................ 35
10.3* Reduction in Force ................................................................................................................................... 36
10.4* Employment References .......................................................................................................................... 36

Appendix 3: Leave under Family/Medical Leave Act (FMLA) and Under California Family Rights Act (CFRA) ................................................................. 39

* Information noted by an * indicates that it applies to Staff employees only, does not apply to Faculty
1. Introduction and University History

1.1 Introduction

Holy Names University is pleased that you have chosen to share in its great work in the field of Catholic higher education. As an employee of Holy Names University, you are an important member of a team effort and the University depends upon you for the ongoing fulfillment of its mission.

The organization of the University is complex. Employees of the University include faculty, staff and students. The University believes that each staff member's particular work carries a special dignity and challenge which, in turn, enhances the overall accomplishments of education, through permitting the institution to function as a dynamic unit.

Please read this handbook carefully and keep it in an accessible place as an easy reference. The most current personnel policy information and this handbook are available in the HNU HR Public Folder.

Holy Names University extends a sincere welcome to you, believing you will find great satisfaction in sharing with your colleagues the on-going creation of the Holy Names University community. We hope that you will find your position with the University rewarding, challenging, and productive.

1.2 Mission and Vision Statement

Holy Names University, an academic community committed to the full development of each student, offers a liberal education rooted in the Catholic tradition, empowering a diverse student body for leadership and service in a diverse world.

Holy Names University, a center of rigorous teaching and scholarship in the Catholic intellectual tradition is:

- Rooted in the charism of the Sisters of the Holy Names of Jesus and Mary and committed to social justice
- A student-focused community developing critical thinkers and transformational leaders
- A model of diversity promoting cultural competency
- A resource for study and impact on urban issues, particularly in Oakland

1.3 History of the University

Holy Names University was founded by the Sisters of the Holy Names, a religious congregation of the Roman Catholic Church. Members of a teaching order who came to Oakland from Montreal, the Sisters established a school for women along the shores of Lake Merritt in 1868. By 1880, it had flourished to the point where the State of California empowered it to grant baccalaureate degrees. The primary purpose at the outset was to fill a need to qualify teachers for the schools under the Order's jurisdiction.

The original sisters who came to Oakland were six in number and young; the Superior being only twenty-four. They made the strenuous journey by sea from New York to the Isthmus of Panama, crossed it by train, and continued by ship up the Pacific Coast through the Golden Gate to San Francisco. On arrival, May 10, 1868, the weary but excited travelers were greeted with great warmth by the Sisters of Mercy, and provided with a light afternoon snack of strawberries and cream, an exotic treat at this time of year for the Sisters from Canada.

The Sisters crossed the Bay to Oakland two days later to take possession of the convent and school built for them by Father Michael King. His parish consisted of the entire East Bay; Oakland's population at the time was 10,500.

In memory of Father King’s extraordinary kindness and the hospitable welcome he and the Sisters of Mercy extended to them, the Sisters have maintained a tradition of serving strawberries on Founder’s Day, a tradition that is still continued each year.

In 1916 female secular students were admitted to college classes, and in 1917 Holy Names Junior
College was formally inaugurated. Nine years later at a public ceremony, the first baccalaureate degrees were granted.

Initially known as the Convent of Our Lady of the Sacred Heart when it started in 1868, the institution underwent a change of name in 1908 to Convent and College of the Holy Names. In 1956 it was separately incorporated as College of the Holy Names, a name which was shortened in 1971 to Holy Names College.

While the institution seemed inseparably identified with Lake Merritt, the need for more space forced the decision to seek a new location. In 1957, construction of an enlarged campus on Mountain Boulevard in Oakland began a new era for the College.

Male students had been admitted into the Graduate division since its establishment in 1955. In 1971, men were invited to matriculate as full-time students in all departments of the College.

In 2004, Holy Names College became Holy Names University.

1.4 **SNJM (Sisters of the Holy Names of Jesus and Mary) Sponsorship**

The Sisters of the Holy Names remain dedicated to Holy Names University and they express their commitment by providing personnel and financial resources annually.

**SNJM Mission Statement**

We believe that Liberating Action, which aims at the full development of the human person, is at the heart of our mission of education in all of our ministries.

**SNJM Core Values**

- Full Development of the Human Person
- Education in the Faith
- Hospitality
- Dedication to Women and Children
- Dedication to Justice
- Service to People who are Poor or Marginalized
- Commitment to Liberating Action
- Love for the Names of Jesus and Mary

2. **Employment Information and Policies**

2.1* **At-Will Employment**

Holy Names University sincerely values and appreciates the contribution each individual staff member makes towards fulfilling the University's great educational mission. Situations may arise, however, where the University deems it advisable or necessary to terminate an individual's employment. Similarly, there are instances where staff members wish to leave the employ of the University, whether for personal or professional reasons. Refer also to Section 10, *Separation from University*.

Holy Names University employees are employed on an at-will basis. Employment at-will may be terminated with or without cause and with or without advance notice at any time by the employee or the University. Nothing in this handbook shall limit the right to terminate at-will employment. Except for the President, no manager, supervisor, or employee of the University has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms. Only the President of Holy Names University has the authority to make any such agreement, which is binding only if it is in writing.

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July, 2012
2.2 Right to Revise
This handbook states employment-related policies for staff members in effect on July 1, 2012 and supersedes previously issued staff handbooks. The latter are no longer in effect.

Holy Names University reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook or in any other document, except for the policy of at-will employment.

This handbook sets forth the entire agreement between you and Holy Names University as to the duration of employment and the circumstances under which employment may be terminated. Nothing in this employee handbook or in any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment for any employee.

2.3 Equal Employment Opportunity Policy
Holy Names University is an equal opportunity employer and makes employment decisions on the basis of merit. We want to have the most qualified person in every job. University policy prohibits unlawful discrimination based on pregnancy, childbirth or related medical conditions, race, color, creed, gender, gender identity or expression, religion, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition including genetic characteristics, sexual orientation, or any other consideration made unlawful by federal, state, or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics. All such discrimination is prohibited at the University. Acts of retaliation because a staff member has exercised his or her employment-related rights under this policy or under law are prohibited. For purposes of this policy, ‘discrimination’ includes ‘retaliation.’

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

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the University will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact Human Resources and request such an accommodation. The University will offer accommodation(s) to the full extent provided by law.

If you believe you have been subjected to any form of unlawful discrimination, submit a written complaint to Human Resources, or if Human Resources is unavailable, then to the Vice President for your work area. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. The University will immediately undertake an effective, thorough and objective investigation and attempt to resolve the situation. At any time, a staff member may file a complaint of discrimination with the U.S. Equal Employment Opportunity Commission and/or the California Department of Fair Employment and Housing, addresses for which are on the following websites: www.eeoc.gov and www.dfeh.ca.gov.

If the University determines that unlawful discrimination has occurred, effective remedial action will be taken. The University will not retaliate against you for filing a complaint and will not knowingly permit retaliation by management, employees or your coworkers.

2.4 Zero Tolerance for Harassment Policy
Holy Names University is committed to maintaining the campus community as a place of work and study, free of unlawful harassment for faculty, administrators, staff and students. University policy prohibits sexual harassment and harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, gender, gender identity or expression, national origin or ancestry, physical or mental disability, medical and genetic condition, marital status, registered domestic partner status, age,
sexual orientation or any other basis protected by federal, state or local law or ordinance or regulation. All such harassment is unlawful. The University’s anti-harassment policy applies to all persons involved in the operation of the University and prohibits unlawful harassment by any employee of the University, including supervisors and managers, vendors, customers, independent contractors, and any other persons. It also prohibits unlawful harassment based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

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

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors; and
- Retaliation for reporting or threatening to report harassment or has exercised his or her employment-related rights under this policy or under law.

If you believe you have experienced or have observed harassment in violation of this policy, promptly bring your complaint to the Director of Human Resources, or if the Director of Human Resources is unavailable, then to the Vice President for your work area. You will be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses. It would be best to communicate your complaint in writing, but this is not mandatory. The University will assess the complaint, including investigation of facts where necessary.

If the University determines that unlawful harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the University to be responsible for unlawful harassment will be subject to appropriate disciplinary action up to and including termination. A University representative will advise all parties concerned of the results of the investigation. The University will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by management, employees or co-workers.

The University encourages all employees to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved. You also should be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment in employment. If you think you have been harassed or retaliated against for resisting or complaining, you may file a complaint with the appropriate agency.

2.5 Criminal and Violent Behavior/Workplace Violence Policy

It is the goal of Holy Names University to promote a safe, respectful, and productive work environment in which to deliver quality academic programs and administrative services. To accomplish this, the University will not tolerate, condone, or ignore threatening or violent behavior in the workplace. Holy Names University has adopted the following workplace violence policy to ensure a safe working environment for all employees.

The University does not tolerate any acts of violence or threats of violence. Without exception, acts and threats of violence are not permitted. All such acts and threats, even those made in apparent jest, will be taken seriously, and will lead to discipline up to and including termination. The University may place any staff member on administrative leave when the University believes that it is in the best interests of a safe workplace to do so without regard to whether that staff member has or has not engaged in an act in violation of University policy.

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July, 2012
Possession of weapons on University premises and at University-sponsored events shall constitute a threat of violence and are not permitted.

It is every employee’s responsibility to assist in establishing and maintaining a violence-free work environment. Therefore, each employee is expected and encouraged to report any incident which may be threatening to you or your co-workers or any event which you in good faith believe, may become, or is, threatening or violent. You may report an incident to any manager, Campus Safety, or Human Resources.

A threat includes, but is not limited to, any indication of intent to harm a person or damage University property. Threats may be direct or indirect and they may be communicated verbally or nonverbally.

Pursuant to the University Workplace Violence Policy, in the event of a campus incident created by an individual(s) or group(s) involved in an existing violent, criminal or abnormal behavior or disturbance, the following actions should be taken:

1. Immediately notify the police by calling 911. If time permits, call Campus Safety.

2. Provide the following information to 911 and/or Campus Safety
   - Description of incident
   - Location of incident
   - Description of the person(s) involved
   - Description of the property involved

3. Individuals should avoid all personal risk in dealing with or observing any suspicious situations or criminal offense on his/her own.

The University's Workplace Violence Policy identifies hazards known to be associated with the three types of workplace violence:

1. Type I workplace violence involves a violent act by an assailant with no legitimate relationship to the workplace. In this situation, the individual enters the workplace to commit a robbery or other criminal act.

2. Type II involves a violent act by a recipient of a service provided by HNU, such as a client.

3. Type III involves a violent act by a current or former staff member, or another person who has some employment-related involvement with HNU, including a staff member's spouse or partner, relative, friend, or another person who has a dispute with an HNU staff member.

The University reserves the right to take all lawful actions to promote a safe workplace.

2.6 Drug and Alcohol Use

Holy Names University promotes a safe, healthy, and productive work environment for all employees. We comply with federal, state, and local laws governing the possession, use, and distribution of unlawful drugs at the workplace. It is the object of Holy Names University to have a workforce that is free from the influence of controlled substances (illegal drugs) and alcohol during work-hours. Use of these substances, whether on or off the job can detract from an employee’s work performance, efficiency, safety, and health, and therefore seriously impair the employee’s value to the University. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the University to the risks of property loss or damage, or injury to other persons.

Holy Names University complies with the Drug-Free Schools and Communities Act (as amended in 1989) and has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by its students and employees on school premises or as part of any of its activities.

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July, 2012
The University will impose discipline on students and staff members who violate the standards of conduct. Students who violate the provisions of the drug-free campus policy may be subject to suspension or expulsion. Employees of the University found to be in violation of this policy may be subject to disciplinary actions, up to and including dismissal.

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

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

Violation of these rules and standards of conduct will not be tolerated. Holy Names University also may bring the matter to the attention of appropriate law enforcement authorities.

In order to enforce this policy, Holy Names University reserves the right to conduct searches of University property or employees and/or their personal property, and to implement other measures necessary to deter and detect abuse of this policy.

An employee’s conviction on a charge of illegal sale or possession of any controlled substance while off University property will not be tolerated because such conduct, even though off duty, reflects adversely on Holy Names University and/or affects the University’s confidence in the employee’s judgment. In addition, the University must keep people who sell or possess controlled substances off University premises in order to keep the controlled substances themselves off the premises.

Furthermore, the use of prescription drugs and/or over-the-counter drugs also may affect an employee’s job performance and may seriously impair the employee’s performance. Any employee who is using prescription or over-the-counter drugs that may impair the employee’s ability to safely perform the job, or affect the safety or well-being of others, must notify a supervisor of such use immediately before starting or resuming work. If there is concern that your ability to perform may be affected by use of the medication, you will be assigned to other duties, for which you are qualified, if available or appropriate. Alternatively, you may be sent home and have the option of using any available accrued time off that you have available. You will be placed on an unpaid leave if you have no paid time off available.

Holy Names University will, to the extent required by law, reasonably accommodate employees with alcohol or drug dependencies to seek treatment and/or rehabilitation prior to the onset of unsatisfactory performance or misconduct. Employees desiring such assistance should request a treatment or rehabilitation leave before such events take place. The University is not obligated to continue to employ any person whose performance of essential job duties is impaired because of drug or alcohol use, nor is the University obligated to re-employ any person who has participated in treatment and/or rehabilitation if in the University’s judgment, that person’s job performance remains impaired as a result of dependency.

2.7 HNU Annual Crime Report

The HNU Annual Crime Report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings; property owned or controlled by Holy Names University; and on public property within or immediately adjacent to, and/or accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault and other matters. You may obtain a copy of this report by contacting the Campus Safety Department or by accessing at http://www.hnu.edu/communityVisitors/campusSafety.html. This report is updated by October 1, annually.

2.8 Open-Door Policy

Suggestions for improving Holy Names University are always welcome. If at any point you have a complaint, suggestion, or question about your job, working conditions, or the treatment you are receiving, your good-faith complaints, questions, and suggestions are also of concern to the University. The initial
process for handling issues is as follows:

- As immediately as possible, bring the situation to the attention of your immediate supervisor who will then investigate and provide a solution or explanation.
- If the issue persists, you may describe it in writing and present it to Human Resources, who will investigate and attempt to reach a final solution. You are encouraged to bring the matter to Human Resources as soon as possible if you believe that your immediate supervisor has not resolved it.

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

2.9 Open Office Hours
The schedule for open office hours for the President and Administrators is routinely communicated to the entire campus community. The purpose of the open office hours is to facilitate communication and accessibility to the President and Administrators of the University.

2.10 Ombudsperson
The Ombudsperson is an appointed University employee who students, faculty, and staff can speak with and seek advice from before deciding what actions to take in response to an issue. The Ombudsperson in some cases will provide you with information that answers your question or addresses your issue. Other times, you may be referred by the Ombudsperson to the appropriate person to further assist you.

The ombudsperson, as a designated impartial and neutral party, has the responsibility of maintaining strict confidentiality concerning matters that are brought forth by students, faculty and staff, unless given permission to do otherwise. The only exceptions, at the sole discretion of the ombudsperson, are where there appears to be imminent threat of serious harm.

The Ombudsperson does not serve as the office of record and does not keep written records of issues. Speaking with the Ombudsperson is not “notice to the University” of problems or policy violations.

The contact information for the Ombudsperson may be found in the HNU HR Public Folder.

2.11 Title IX Compliance
Title IX of the Education Amendments of 1972 is a federal law that prohibits sex discrimination in education. It reads: “No person in the United States shall, on the basis of sex, be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

Sex discrimination includes sexual harassment and sexual assault. It is the policy of Holy Names University in accordance with federal and state law, to prohibit unlawful discrimination as outlined in the HNU Harassment Policy. While compliance with the law is the responsibility of everyone, the University has appointed personnel to assume primary responsibility for Title IX compliance. Contact information and further information about Title IX may be found in the Human Resources Public Folder or by contacting Human Resources.

2.12 Privacy Officer
The Privacy Officer manages the organization’s and its group health plans’ compliance with the Health Insurance Portability and Accountability Act (HIPAA), state laws, and internal healthcare information privacy policies including implementation, maintenance of, and adherence to the organization’s and the plans’ policies and procedures relating to the confidentiality of protected health information (PHI). Detailed information, including contact information for the Privacy Officer is located in the Human Resources Public Folder or you may contact Human Resources.

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July, 2012
2.13 Whistleblower Policy
A whistleblower as defined by this policy is an employee of Holy Names University who reports an activity that he/she considers to be illegal or dishonest to one or more of the parties specified in this Policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management administrators are charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of, or a concern about illegal or dishonest fraudulent activity, the employee is to contact a Vice President or the Human Resources Director. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections are provided in two important areas -- confidentiality and against retaliation. Insofar as reasonable in the University need to assess and act, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation to comply with the law and to provide accused individuals their legal rights of defense. The University will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Human Resources Director immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated or to actions not motivated by the whistleblowing.

All reports of illegal and dishonest activities will be promptly submitted to the Vice President for Finance & Administration who is responsible for coordinating the investigation and appropriate corrective action. Employees with any questions regarding this policy should contact the Director of Human Resources.

2.14 Lactation Accommodation
The University will provide a reasonable amount of break time to an employee desiring to express breast milk for her infant child, so long as there is no serious disruption to business operations. This additional break time will run concurrently with the employee’s paid 10-minute break time, if possible, and any additional break time will be unpaid (for non-exempt staff). The employee can use her office or work area if it provides sufficient privacy. If the employee’s work area is not private, Human Resources should be contacted and will make a reasonable effort to locate a private area near the employee’s work area for this purpose.

2.15 Background Screen
Offer of and continuation of employment at Holy Names University is contingent upon the University’s satisfaction with the results of a background screen. With legal authorization to be provided by the applicant or employee, the University employs a third-party to conduct the background screen. The type and extent of screen is dependent upon the specific position.

3. Definitions
3.1* Regular Staff Employees
Regular staff employees are those identified as such by the University and/or in the personnel file, and are normally those whose position are classified and budgeted to be of unspecified duration and are assigned to a regular schedule. Regular employees may be classified as full-time or part-time, if 50% or more of full-time.

3.1.1* Full-Time Employees
Regular full-time employees are those who are regularly scheduled to work 40 hours (not including meal periods) per week or its equivalent as judged by the Director of Human Resources. Regular full-time employees are eligible for most employee benefits described in this Handbook.
3.1.2* Part-Time Employees
Regular part-time employees are those who are regularly scheduled to work less than 40 hours per week and/or less than 100% of full-time. Regular part-time employees who work at least 20 hours per week are eligible for certain benefits described in this Handbook.

3.2* Temporary Employees
Temporary staff employees are those identified as such by the University and/or in the personnel file, and are normally those whose position are not classified and budgeted to be of unspecified duration, but rather are frequently expected to be employed for a duration not greater than 6 months and for work less than 20 hours per week or less than 50% of full-time. Unless otherwise stated in this handbook or employment authorization, temporary employees are not eligible for employee benefits except those mandated by applicable law.

3.3* Non-Exempt Employees
Certain staff employees are classified as non-exempt employees. Non-Exempt employees are those who are covered by the overtime provisions set forth by the Federal Labor Standards Act (FLSA), the California Labor Code, or any other applicable federal or state law. Non-Exempt employees are only paid on an hourly basis, not on a salary basis, and are paid overtime pay in accordance with state and federal law.

3.4* Exempt Employees
Certain staff employees are classified as exempt. Exempt employees are in positions that meet specific requirements set forth by the Federal Labor Standards Act (“FLSA”), the California Labor Code, or any other applicable federal or state law. Exempt employees are paid on a salaried basis and may have to work hours beyond their normal schedules when required without additional compensation or time off in exchange for additional hours worked.

3.5 Work Day
Working hours fall within a work day. A work day is a twenty-four (24) hour calendar day and begins at 12:01 a.m. and continues through to 12:00 midnight.

3.6 Work-Week
The official work-week begins on Monday, 8:00 a.m. and continues through Monday, 7:59 a.m. The standard workweek for payroll purposes (for full-time staff) consists of 40 hours (work hours do not include time taken for meals) in any consecutive five-day period during the workweek. All employees are expected to meet the requirements of the particular work schedule for their position which may be modified as operational needs warrant.

3.7 Immediate Family Members
The University defines “immediate family members” as spouse/registered domestic partner, child/step-child, parent/step-parent, grandparents, siblings and parents of spouse/domestic partner.

3.8 Dependent Family Members
The University adheres to the IRS definition of “dependent.”

3.9 Inactive Status
Employees who are on any type of leave of absence, work-related or non-work-related who remain on leave for a period of time in excess of any protected state or federal leave of absence will be placed on inactive status.

3.10 Terminated Employees
Terminated employees are those employees who have separated from the University on a voluntary basis, or those employees who have been involuntarily dismissed by the University.

4. Paid Time Off from Work

* Information noted by an * indicates that it applies to Staff employees only, does not apply to Faculty

July, 2012
4.1* Vacation
Regular full-time employees and regular part-time employees accrue vacation time at a rate that is based on active years of service and is prorated in accordance with the number of hours in their regularly scheduled work period. Active service commences with an employee’s first day of work and continues thereafter unless broken by an absence without pay, a leave of absence, or termination of employment. Temporary employees do not accrue paid time off.

Employees become eligible to take paid time off after the employee’s 90 calendar day probationary period, as work schedules permit and with supervisor approval. The scheduling of an employee’s vacation is based on the operational needs of the University so that academic programs and department operations are not jeopardized. Employees are expected to give at least two weeks advance notice for a vacation request. Vacation may not be used without the authorization of the supervisor, including situations when sick leave has been exhausted. All staff employees are required to report their use of time as announced even if no time off is taken, so the University is able to maintain accurate balances of paid time off remaining. For any pay period that an employee fails to report use of time, the University will suspend further accrual of vacation and sick hours. The suspension will remain in effect until all missing time reports for the employee have been received by the University. At that time, regular vacation and sick leave accruals will resume, however no retroactive accruals will be made for periods during which the accruals have been suspended.

Employees on unpaid leave do not accrue paid time off.

An employee whose employment terminates will be paid for the balance of any accrued, unused vacation time.

An employee may not use paid time off before its accrual. Employees will not be paid for any time in excess of accrued paid time off.

Subject to the maximum accrued balances referenced below, after successful completion of the initial probationary period for a newly hired staff member, paid vacation accrual rates based on years of service are determined as follows:

<table>
<thead>
<tr>
<th>Period of Regular Employment</th>
<th>Biweekly Vacation Accrual</th>
<th>Maximum Accrued Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-exempt, less than five years of service</td>
<td>3.08 hours</td>
<td>80 hours</td>
</tr>
<tr>
<td>Non-exempt, over five years of service</td>
<td>4.62 hours</td>
<td>120 hours</td>
</tr>
<tr>
<td>Exempt, less than five years of service</td>
<td>4.62 hours</td>
<td>120 hours</td>
</tr>
<tr>
<td>Exempt, over five years of service</td>
<td>6.16 hours</td>
<td>160 hours</td>
</tr>
<tr>
<td>Executive, less than five years of service</td>
<td>6.16 hours</td>
<td>160 hours</td>
</tr>
<tr>
<td>Executive, over five years of service</td>
<td>7.70 hours</td>
<td>200 hours</td>
</tr>
</tbody>
</table>

4.2* Designated Paid Holidays
The dates of designated paid holidays for regular full-time and part-time staff members are announced during the last quarter of the year for the upcoming year. An employee must be actively employed and working to be eligible to receive holiday pay.

For a non-exempt employee to be eligible for holiday pay, he/she must be regularly scheduled to work on the day on which the holiday is observed and must work the regularly scheduled working days immediately preceding and immediately following the holiday, unless an absence on either day is
approved in advance by the supervisor.
If a non-exempt employee is required to work on a designated paid holiday, he/she will receive the holiday pay in addition to any pay earned from working on the holiday.

Furthermore, subject to approval of the supervisor, the employee may take an alternate day off without pay during the week of the holiday worked.

4.3* Personal Days
In addition to the designated paid holidays, the University may grant up to three (3) personal days off from scheduled work each fiscal year and these are not vacation days. An employee must be actively employed and working to be eligible for such grant. If an employee is hired after the beginning of the fiscal year (July 1), the personal days are prorated. Personal days are immediately available for use upon hire. A request for use of personal days must be presented to the supervisor, and if approved, must be taken within the fiscal year granted. Unused personal days are not eligible to be carried forward into the subsequent fiscal year and are not converted to pay on termination of employment.

Employees on unpaid leave do not accrue any additional paid time off.

4.4* Sick Leave
Sick leave provides time off for personal illness or, in compliance with Kin Care laws of California, to care for an immediate family member’s incapacitation due to illness. It is intended to be used only when required to recover from illness or injury; sick leave is not for “personal” absences. Time off taken for health-related appointments will be treated as sick leave used. Holy Names University will not tolerate abuse or misuse of the sick leave privilege.

Holy Names University offers paid sick leave to regular full-time and part-time employees who have completed their probationary period. After completion of the probationary period, full-time employees accrue paid sick leave at the rate of one (1) day per month, up to a maximum of 90 days. Part-time employees (employees working at least 20 hours per week) accrue paid sick leave on a prorated basis.

Employees are eligible to use accrued sick leave on the first day of an illness or injury. The University may require medical verification of injury or illness. If a staff member is hospitalized for any length of time or absent due to an illness or injury for more than three (3) consecutive calendar days, Human Resources must be notified.

All staff employees are required to report their use of time each pay period as announced even if no time off is taken, so that the University is able to record accrual balances appropriately. For any period that an employee fails to report use of time, the University will suspend further accrual of vacation and sick hours. The suspension will remain in effect until all missing time reports for the employee have been received by the University. At that time, regular vacation and sick accruals will resume, however no retroactive accruals will be made for periods during which the accruals had been suspended.

Employees on unpaid leave do not accrue paid time off.

When an employee has exhausted all vacation, sick and personal leave, any time off will be without pay.

The balance of accrued sick leave expires upon the employee’s termination from the University. It is not paid out.

Paid sick leave is required to be used during any FMLA or CFRA leave for illness or injury of the employee or care of an immediate family member.

4.5* Bereavement Leave
Holy Names University grants up to three (3) days of paid leave to employees in the event of the death of the employee’s immediate family member. An employee with such a death in the family may take up to 3 consecutive scheduled workdays off with pay upon approval of the University.

4.6* Jury Duty
Regular employees will receive full salary while serving on jury duty. Non-exempt employees will receive

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July, 2012
up to two (2) weeks of normal straight-time earnings. You should notify your supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. You may be requested to provide written verification from the court clerk of performance of jury service. When appropriate, staff members excused or released early from jury duty are expected to return to work to complete at least two (2) hours of a shift allowing thirty (30) minutes for travel and an additional thirty (30) minutes for a meal period. You may retain any mileage allowance or other fee paid by the court for jury services.

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

4.8 Replacement Income
4.8.1 Short-Term Disability Income (Non Work-Related)
A staff member absent due to a non work-related illness or injury may be eligible for California disability income on the eighth day of illness or injury or on the first day of a hospitalization. Portions of sick leave and/or vacation accrual balances will be used in conjunction with disability income payments, both of which are deducted from the staff member’s regular paycheck. (A disability leave of absence for non-work related reasons will generally be allowed for the period of the temporary disability unless the time off would create undue burden for the University, or the University replaces the employee, consistent with applicable law).

To request a leave, with as much advance notice as possible, inform your manager about the need for leave including projected dates of absence. Obtain disability forms and information from Human Resources.

At the end of your leave, you must provide certification from your provider confirming that you are capable of returning to work and able to perform all of the essential functions of your position with or without accommodations.

Employees on unpaid leave do not accrue paid time off.

4.8.2 Long-Term Disability
The University currently maintains a Long-Term Disability (LTD) plan, which provides certain coverage for eligible staff who regularly work at least 30 hours per week. Please consult the Summary Plan Description or Human Resources for more information.

4.8.3 Paid Family Leave (California State Disability)
If you take a leave under this provision which qualifies you for payments for Paid Family Leave, you will be required to use any accrued and unused sick leave so long as you are not receiving wage replacement through an employer-provided benefit. For additional information, please contact Human Resources for an informational brochure concerning your rights under the PFL program.

4.8.4 Workers’ Compensation Benefits
Employees who have a work-related illness or injury are covered by workers’ compensation insurance. However, workers’ compensation benefits usually do not cover absences for medical treatment. When you report a work-related illness or injury, you will be sent for medical treatment, if treatment is necessary. You will be paid your regular wages for the time you spend seeking initial medical treatment.

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointments will not be paid as time worked. If you have accrued, unused sick leave, the additional absences from work will be paid with the use of sick leave.

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July, 2012
If you do not have accrued paid sick leave, or if you have used all of your sick leave, you may choose to substitute vacation/paid time off for further absences from your work related illness or injury.

In the event you sustain an injury or illness related to your employment, you may be treated for such injury or illness by your personal medical doctor (M.D.), doctor of osteopathic medicine (D.O.) or medical group if your provider meets the requirements set forth by Worker’ Compensation and as long as you provide the pre-designation information to Human Resources at least 30 days prior to a work-related illness or injury.

4.8.5 Organ and Bone Marrow Donation
In accordance with Senate Bill 1304 (Labor code sections 1508-1513), employers must grant paid leave of absence to any eligible employee who is donating an organ or bone marrow. Employees may take up to five days of paid leave for bone marrow donation, and up to thirty (30) days of paid leave for organ donation. Please contact Human Resources for more information.

5. Unpaid Time Off from Work: Leave of Absence

5.1 Personal Leave
A personal leave of absence without pay may be granted at the discretion of the University. Requests for personal leave should be limited to unusual circumstances. A staff member must complete and submit a written request to his/her supervisor for approval at least two (2) weeks in advance and the University will determine the conditions for approval of or continuation of such a leave. Employment return at the end of the leave is subject to operational needs and the discretion of the University.

Except for Military Spouse Leave, employees are required to take accrued and unused paid time off before taking unpaid leave or having unpaid absences. Family and Medical Leave (under both state and federal law) is included in this requirement, unless the absence is pregnancy-related, so long as you are not receiving wage replacement through an employer-provided benefit.

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments do not begin until after you have been absent from work for 7 calendar days. If you have accrued paid time off, it will be used for the first 7 days before SDI payments begin unless you are receiving wage replacement through an employer-provided benefit.

SDI benefits do not replace all of your usual wages. Your SDI benefits can be supplemented with any accrued and unused paid time off, unless you are receiving wage replacement through an employer-provided benefit.

If you are absent for a reason that qualifies you for Paid Family Leave (PFL) payments, you may use any accrued and unused paid time off, up to a maximum of two weeks in a 12-month period, unless you are receiving wage replacement through an employer-provided benefit.

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

Employees on unpaid leave do not accrue paid time off.

5.2 Leave under Family/Medical Leave Act (FMLA) and Under California Family Rights Act (CFRA)
(See Appendix)

5.3 Coordination of PDL with Family/Medical Leave
(See Appendix)

5.4 Domestic Violence Leave
Employees who are victims of domestic violence are eligible for unpaid leave. You may request leave if you are involved in a judicial action, such as obtaining restraining orders or appearing in court to obtain relief to ensure your health, safety, or welfare, or that of your child.
You should provide notice and certification of your need to take leave under this policy, to Human Resources. Certification may be sufficiently provided by any of the following:

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

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

The length of unpaid leave an employee may take is limited to 12 weeks provided for in the federal Family and Medical Leave Act of 1993 for eligible employees.

5.5 Military Family Leave Entitlements

Employees who work more than 20 hours per week and are eligible for FMLA are entitled to up to 12 weeks of leave for “any qualifying exigency” arising because the spouse, son, daughter or parent of the employee is on active military duty, or has been notified of an impending call to active duty status, in support of a contingency operation. Health benefits are included. The family member must be a member of the Guard, Reserve or be a retired member of the Armed Services.

An employee who is the spouse, child, parent or next of kin of a covered service member may take a total of 26 weeks of leave during a 12 month period to care for a covered service member who is ill or injured in the line of duty on active duty. Health benefits are included.

(See detailed information in Appendix)

5.6 School Activities

This leave allows employees to participate in the school activities of their child(ren). The absence is subject to all of the following conditions:

- Parents, guardians, or grandparents having custody of one or more children in kindergarten through grade 12 may take time off for a school activity;
- The time off for school activity participation cannot exceed eight hours in any calendar month, or a total of 40 hours each school year;
- Employees planning to take time off for school visitations must provide as much advance notice as possible to their supervisor;
- If both parents are employed by Holy Names University, the first employee to request such leave will receive the time off. The other parent will receive the time off only if the leave is approved by his or her supervisor;
- Employees must use accrued vacation or personal days in order to receive compensation for this time off;
- Employees who do not have paid time off available will take the time off without pay.

5.7 Suspension of Child from School

If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should alert his or her supervisor as soon as possible before leaving work. In agreement with California Labor Code Section 230.7, no discriminatory action will be taken against an employee who takes time off for this purpose.
5.8 Victims of Crime Leave
An employee who is a victim of or who is the family member of a victim of a violent felony or serious felony may take time off from work under the following circumstances:

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

The absence from work must be in order to attend judicial proceedings related to a crime listed above.

Before you are absent for such a reason, you must provide documentation of the scheduled proceeding. Such documentation is typically given to the victim of the crime by a court or government agency setting the hearing, a district attorney or prosecuting attorney's office or a victim/witness office.

If advance notice is not possible, you must provide appropriate documentation within a reasonable time after the absence.

Any absence from work to attend judicial proceedings will be unpaid unless you choose to take paid time off, such as accrued vacation, personal leave time, sick leave or personal days.

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

6. Other Employee Benefits
The Staff Employee Handbook includes only a general outline of University benefits. More information concerning University benefits may be found in the applicable Summary Plan Descriptions available through the University's Human Resources department. The terms of each benefit or benefit plan are exclusively governed by the Plan documents. The University and the Plan Administrator reserve the right to amend, delete, modify and/or terminate any of the benefit plans or benefits in whole or in part with or without notice.

6.1 Group Health Insurance
It is the intent of the University to comply with health care reform laws as they become applicable.

Regular employees who work at least 20 hours per week are currently eligible to join health insurance plans offered by the University. This insurance is available to the individual employee and their eligible dependents. Employees may join a group plan within the first thirty-one (31) days of employment or eligibility, or enroll during the annual benefits open enrollment period.

The University pays a portion of the premium for employees who actively work full-time (40) hours per week. Regular employees who are scheduled to work and do work less than 40 hours per week or 100% of full-time, but not less than 20 hours per week or 50% of full-time, are eligible to participate in group insurance, but are responsible for paying the entire cost of the premium.

The University’s contribution to the employee’s premium ends when an employee leaves the University; changes to an ineligible status; cancels coverage; stops making contributions; takes a leave of absence for reasons other than FMLA, CFRA, PDL, or PFL leaves; or if the University ceases to provide health coverage.

6.2 Unemployment Compensation
Each year Holy Names University pays the cost to the California Unemployment Insurance Fund on behalf of its eligible employees.

6.3 Social Security (Federal Insurance Contribution Act, “FICA”)
All staff members are subject to the regulations and benefits of Social Security. The University deducts a
percentage of each staff member’s wages for Social Security as required by law. Holy Names University pays a matching contribution to each employee’s Social Security taxes. Social Security provides retirement benefits as well as disability and survivorship plans.

6.4 Retirement Plan
The University provides a 403(b) retirement plan for eligible employees. The Plan offers two separate components, a Retirement Annuity (RA) and a Group Supplemental Retirement Annuity (GSRA), which the employee may select individually or in combination as described below. The RA may receive an Employer matching contribution. The GSRA does not receive an Employer matching contribution.

Basic Retirement Annuity (RA)
Employees who are scheduled to work, and do work at least 83.33 hours per month, are eligible to participate in the tax-deferred, defined contribution group retirement annuity (RA) plan and are otherwise subject to the terms of the Plan. The University may from time to time decide to match the contribution by the staff member, up to a maximum of 5% of the staff member’s base salary. The University’s decision as to what, if any, matching contribution it will make is subject to change at any time. In any event, a participant in the RA plan must work at least 83.33 hours in a particular month to qualify for any employer match for that month.

Group Supplemental Retirement Annuity (GSRA)
Eligible employees may participate in the tax-deferred Group Supplemental Retirement Account Plan (GSRA) at any time after their hire date or eligibility date. The total employee contribution to the RA and the GSRA may not exceed the IRS allowable maximum each year.

Contact Human Resources for information regarding eligibility, contributions, benefits, and tax status. All eligible participants will receive a summary plan description.

6.5 Workers’ Compensation Benefits
Holy Names University, in accordance with state law, provides insurance coverage for employees in case of a work-related injury or illness. The workers’ compensation benefits provided to injured employees may include:

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

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

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

Upon submission of a medical certification that an employee is able to return to his/her position after an approved workers’ compensation leave, the employee under most circumstances will be reinstated to his or her same position held at the time the leave began, (or to an equivalent position), if vacant. An employee returning from a workers’ compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if the employee on workers’ compensation leave would have been laid off had he or she not gone on leave, or if the employee’s position has been eliminated or filled and no equivalent or comparable positions are vacant, then the employee would not be entitled to reinstatement.

6.6 Tuition Waiver Program
Staff members who work full-time and who have successfully completed six (6) months of active
employment with the University may be eligible to register for coursework, tuition-free at the University, for up to six (6) units per term, not to exceed 18 units in an academic year. Manager permission must be obtained before enrolling in courses under the tuition waiver program and the classes must not interfere with the employee’s work schedule or work load. A tuition waiver is only allowed for the attainment of the employee’s 1st undergraduate degree and for the attainment of the employee’s first graduate degree. Prior to applying for a tuition grant, the dependent must complete the usual forms for financial aid and be accepted as a student through the normal admissions process. The employee must maintain satisfactory academic progress as required by program requirements and as outlined in the HNU Academic Catalog.

Employees enrolling in the tuition waiver program must apply for all federal, state, or employer gift assistance for which they may be eligible. For undergraduate and fifth year undergraduate Credential students, the Free Application for Federal Student Aid (FAFSA) Application must be completed by the March 2nd priority deadline prior to each academic year of desired attendance. The FAFSA application is available online at www.fafsa.ed.gov. Any federal or state grant assistance received will reduce the amount of the waiver and will not be in addition to the discount. New employees and their families will be expected to apply for award assistance as soon as possible after employment. In case of late application for a new employee hired after March 2nd, the amount of the tuition waiver will be reduced by the amount of federal or state assistance available.

The tuition waiver is restricted to the term of employment of the staff member; staff who resign prior to the end of a course are required to reimburse the University for the remaining tuition on a prorated basis. Where there are minimum enrollment requirements for a class, the staff member will not be counted in fulfilling such requirements. Staff member enrollment in courses is always on a space-available basis. Private instruction, extended/continuing education courses and remedial instruction are not included. All fees, such as room and board, application, tests, graduation, registration, laboratory, activities, special music, art, and drama fees, must be paid by the staff member.

Staff members planning to enroll in courses and participate in the tuition waiver program must apply for the tuition waiver for each term he or she plans to attend. The Tuition Waiver form should be submitted by the 2nd week of the term. All applications must be approved by the employee’s area Vice President. Applications submitted after the third week of the term are considered late, and the employee’s manager must receive approval from the Vice President for Finance and Administration. It is the responsibility of the employee to submit tuition waiver applications prior to the deadlines each term.

The University also provides up to a full-time grant to any qualified dependent of a current, active full-time staff person who has completed one (1) year of full-time continuous service with the University. The employee may be required to show proof of dependent eligibility. There is no limit on the number of credits that a dependent may take per term, up to a full-time academic load. The tuition waiver is allowed for the attainment of the dependent’s 1st undergraduate degree only. Grants do not include private instruction, extended (continuing) education and remedial instruction. Tuition waiver benefits are restricted to the term of employment of the staff member; if the staff member resigns prior to the end of the term, the remaining tuition will be paid to the University on a prorated basis. Where there are minimum enrollment requirements, these dependent students will not be counted in fulfilling such requirements and enrollment in all courses is on a space available basis.

Prior to applying for a tuition grant, the dependent must complete the usual forms for financial aid and be accepted as a student through the normal admissions process. Students eligible for dependent tuition benefits shall not be eligible for other University scholarships. All fees, such as room and board, activity, registration, laboratory, activities, special music, art, and drama fees, must be paid by the student.

In the case of full-time students, the University does not provide a tuition grant unless a prior application has been made first through appropriate sources of financial aid. If financial aid applicable to tuition is received from these or other sources, the University provides only the balance of the tuition cost.

**Income Tax Consequences of Tuition Waivers**

There are two common situations for which an HNU tuition waiver may give rise to taxable income for federal and state income taxes:

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1. The tuition waiver is for enrollment in a graduate-level course.
2. The student is a Graduate Assistant employee who receives the tuition waiver as compensation for acting in this role.

In these situations, the amount of the tuition waiver will be included on the employee’s annual W-2 Wage and Tax Statement for federal wages (box 1) and for state wages (box 16). The University does not withhold any taxes in connection with tuition waivers, therefore taxes may be payable with the tax return.

**Tuition Waivers on the 1098-T Tuition Statement**
In general, tuition waivers will be included on the student’s IRS Form 1098-T Tuition Statement for the calendar year. They will be included in Box 5 **Scholarships or Grants** on the 1098-T. This has the effect of limiting the tax deductibility of tuition billed that was satisfied by means of a tuition waiver. **Exception:** Tuition waivers will NOT be included in Box 5 of the 1098-T for those students who receive a tuition waiver primarily as compensation for services (e.g., Graduate Assistants).

**6.7* Staff Group**
Information about the group and ways to get involved may be found in the HR Public Folder.

**7. Employment Standards**

**7.1 Hiring**
The Human Resources Department is responsible for coordinating the recruitment efforts and for the oversight of equal employment opportunity issues.

Before the recruitment process can begin, the position must be authorized by the department manager, Area Vice-President, Vice-President for Finance and Administration, and President.

Employment postings are publicly posted so that the position is made available to as wide of a candidate audience as possible. For some openings, a search committee will be established to assist the hiring manager in determining the best candidate for the position.

Forms and detailed information about hiring are available from Human Resources or the Human Resources Public Folder.

**7.2 Relocation Policy**
When the University decides that payment of part or all of the relocation expenses is a significant factor in being able to attract a potential faculty or staff employee to the University, the University may provide relocation assistance to the faculty or staff employee in accordance with the provisions of this policy. The cost of relocation expenses is borne by the newly hired employee’s department budget.

**Eligibility** – Newly hired faculty and staff employees relocating from a distance greater than 50 miles away from their former residence location may be eligible for relocation assistance.

**Duration** – Any assistance provided under the terms of this procedure will be provided within ninety days of the date the employee is relocated to the new location.

**Advances/Reimbursement** – Some assistance expenses will be handled via a University advance while others will be handled as a reimbursement item. These will be identified in the employee’s employment offer letter. Relocation expense reimbursements are not to exceed an amount that is greater than the prospective employee’s projected monthly salary.

**Repayment Provision** – If the employee voluntarily leaves the University within 12 months of relocation, the employee will reimburse the University a pro-rata portion of the expenses for moving expenses that the University has reimbursed and any other reimbursed expenses associated with moving. The pro rata payment is to be calculated according to the amount of time. (Disclaimer: The agreement is not to be construed as nor is there a guarantee that the University will continue to employ the employee for the
Taxes – The University will maintain a record of cumulative relocation expenses and will provide the appropriate tax forms to the employee for personal federal and state income tax filings in the appropriate year.

Agreement – The University will require the employee to sign an agreement that will set forth the specific obligations of both the University and the employee.

Approved Relocation Expenses and Limitations – Unless otherwise approved in advance by the Vice President for Finance and Administration, the following are the categories of expenses will be provided under this procedure (in general, the University adheres to guidelines set forth by the IRS):

1. The reasonable and actual cost of moving household items, including the cost of packing and transporting standard furniture and personal effects of the employee and members of the employee’s immediate family. The reasonable and actual cost of transporting more than one vehicle and non-standard items such as boats, trailers and machinery will not be covered.
2. Economy travel costs for the employee and members of his/her household from current location to new location.
3. Lodging, temporary housing, short-term storage, and expenses related to pre-move house hunting.

7.3* Probationary Period
The first ninety (90) working days of an individual's University employment constitute a probationary period. Holidays or other absences automatically extend the period. In addition, the Director may extend or re-initiate the probationary period, as needed.

A successful completion of the probationary period does not entitle you to remain employed by Holy Names University for any definite period of time, but rather allows both you and the University to evaluate whether or not you are right for the position as of that point in time. After completion of the initial probationary period, eligible employees may begin to receive certain benefits described in this handbook.

Holy Names University reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

7.4* Performance Appraisals
Each staff employee will receive periodic performance appraisals conducted by his or her supervisor. Your first performance appraisal may occur by the end of your probationary period. Subsequent performance appraisals are scheduled routinely and occur by the end of the fiscal year. The frequency of performance appraisals may vary depending upon length of service, job position, past performance, changes in job duties, or performance issues.

Your performance appraisal may review factors such as the quality and quantity of the work you perform, your knowledge of the job, development initiative, work attitude, and professional interaction with others. The appraisals are intended to make you aware of your progress, areas for improvement, and identify objectives or goals for future work performance. Favorable performance appraisals do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of Holy Names University and depend upon many factors in addition to performance.

7.5* Job Changes and Promotions
The University strives to ensure that employees are in the most appropriate position for their experience and skills, and that positions are staffed with the most qualified staff. Be aware that your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects, or to assist with other work necessary or important to the operation of your
department or Holy Names University. Your cooperation and assistance in performing such additional work is expected.

All internal transfers and promotions are based upon the University’s judgment of the employee’s performance, background, and experience. Employees are eligible to request a transfer or apply to an available position, after successfully completing six (6) months in their current position. Open positions are posted in various places, depending on the type of position, including the HNU employment page.

7.6* Staff Grievance Procedure
It is the intent of Holy Names University to apply its policies in a fair and consistent manner, subject to its judgment of operational needs.

A grievance is defined as a complaint of a staff member concerning a termination of employment, and/or concerning any other adverse employment action directly affecting the staff member and which the staff member believes is a violation of written University policy, or is a violation of any federal or state employment laws which apply to the University.

Step 1 – Informal Resolution of Grievance (Inapplicable to Termination)
Informal discussion will occur between the staff member who has the grievance and the immediate supervisor responsible for the decision or action at issue. The staff member shall initiate the discussion within ten (10) working days after learning of the decision or adverse action or after the staff member could reasonably have learned of it. The staff member and the supervisor shall attempt in good faith to discuss the grievance and explore its resolution.

Step 2 – Department Head Review (Inapplicable to Termination)
If the matter is not satisfactorily resolved, then within ten (10) working days of the informal discussion, the staff member may file with the head of the department in which the grievance arose, a written grievance stating the adverse employment actions, the basis of the grievance, remedy requested, relevant dates, and relevant University policies and/or laws. The head of the department will review the grievance and, where appropriate, meet with the staff member and/or the supervisor and any other persons involved. The head of the department shall provide the staff member, supervisor, and Human Resources, a written determination of the grievance within ten (10) working days after completing the review.

Step 3 – Appeal to Human Resources; Initiation of Grievance over Termination
If the matter is not resolved, then within ten (10) working days of receipt of the department head’s determination (step 2) or in the case of termination, the notification of termination, the staff member may file an appeal with Human Resources. The appeal should state the basis of the appeal and expound upon the reason for disagreement with the determination. Human Resources will review the appeal and, where appropriate, meet with the staff member and/or supervisor, department head and/or any other person involved. Human Resources shall provide the staff member, department head and supervisor, a written determination of the appeal within ten (10) working days after completing the review.

Step 4 – Neutral Arbitration
If the staff member does not agree with the determination of the appeal by Human Resources and if the grievance concerned a termination from employment, after the successful completion of the probationary period, which the staff member alleged to violate written University policy, or concerned any adverse employment action or decision alleged by the staff member to constitute a violation of law, then within twenty (20) calendar days of receipt of the determination of the appeal, the staff member shall file a written request for neutral arbitration with Human Resources. A neutral arbitrator shall be selected by mutual agreement of the staff member and Human Resources. If they cannot agree on an arbitrator, they will jointly submit the matter to the American Arbitration Association (“AAA”) for its selection from its employment panel of a neutral arbitrator experienced in college employment matters. The arbitrator will determine the dispute after scheduling hearings as appropriate. Within thirty (30) days of completion of hearings, the arbitrator, by a written accord and shall allow all reasonable discovery and full remedies as allowed by law, shall issue a written decision, which shall be final, binding and conclusive upon the parties, and judgment thereon may be entered in any state or federal court having jurisdiction thereof.

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July, 2012
The cost of the professional fees of the arbitrator shall be allocated to meet the requirements of legal fairness standards.

Complaints under any laws, orders, or regulations governing discrimination or harassment should be directed to the Director of Human Resources at the following address:

Human Resources
Holy Names University
3500 Mountain Blvd.
Oakland, CA 94619

7.7* Punctuality and Attendance
An essential function of each position and criteria for successful performance is consistently high quality attendance and punctuality, in the judgment of the University. Employees are expected to be at their work area at the prescribed scheduled work hours. If you are unable to report for work on any particular day, you must under all but the most extenuating circumstances notify your supervisor as far in advance as possible, before the time you are scheduled to begin working for that day. In all cases of absence or tardiness, employees must provide their supervisor with the accurate reason or explanation. Employees also must inform their supervisor of the expected duration of any absence. Excessive absenteeism or tardiness, whether excused or not, will not be tolerated and may result in discipline, up to and including immediate termination. The University will consider the pattern of absences/tardiness, the reason offered for the absence(s)/tardiness, and any other circumstances, when determining if absences/tardiness are excessive. Being on an approved leave of absence is not an excessive absence.

If you fail to report for work without any notification to your supervisor and your absence continues for a period of three (3) days, you have voluntarily abandoned and terminated your employment.

7.8 Conflict of Interest
All employees must avoid situations involving actual or potential conflict of interest. Personal involvement with a competitor, supplier, or employee of Holy Names University, which impairs an employee's ability to exercise good judgment on behalf of the University, creates an actual or potential conflict of interest. Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment and morale problems and are flatly prohibitive.

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

No employee may accept a gift or gratuity from any customer, vendor, supplier, or other person doing business with Holy Names University unless such is of a de minimis value (usually under $50.00). Under no circumstances is it appropriate for the exchange of gifts or services to impact the potential or outcome of conducting business with the University or of influencing business decisions, transactions or services. Please discuss expenses paid by such persons for business meals or trips with the University in advance.

7.9 Close Personal Relationships Affecting University Teaching, Mentoring and Supervisory Functions
The University is committed to maintaining a learning and work environment that is free from unlawful harassment and other potentially adverse affects that can arise from close personal relationships in the course of teaching, mentoring and supervisory functions. Such relationships at the University may interfere with the ability of the teacher, mentor and supervisor (all herein called "supervisor") to act fairly and without favoritism or may contribute to the perception of favoritism by others. Except where explicit and advance authorization has been obtained in writing from the Vice President unit, no supervisor who is employed by the University may participate in a close personal relationship with an individual who is a
member of the University community for whom the supervisor provides or may (by virtue of University assigned position or functions) reasonably be expected in the future to provide teaching, mentoring or supervision. Supervision includes grading or other academic evaluation, job evaluation, and decisions pertaining to promotion, the direct setting of salary or wages, and job, internship, educational, or employment references or recommendations.

Close Personal Relationships include dating, sexual and similar close personal relationships that may be consensually undertaken by the supervisor and the individual. Such relationships do not include the usual and customary socializing at the University of teacher-student; mentor-mentee; supervisor-employee; faculty member-graduate student; co-workers; and supervisor-student employee. A supervisor is anyone who oversees, directs or evaluates the work of others, including, but not limited to, managers, administrators, coaches, directors, deans, chairs, advisors."

7.10 Confidentiality
Each employee is responsible for safeguarding the confidential information obtained during employment. This includes compliance with the Federal Educational Rights and Privacy Act ("FERPA") guidelines regarding the privacy of student records. Please make sure that you understand your responsibilities as they relate to FERPA requirements. Questions or issues should be directed to the University Registrar, who is designated as the compliance officer on campus.

In the course of your work, you may have access to confidential information regarding Holy Names University, its students, its suppliers, its customers, or perhaps even fellow employees. You have a responsibility to prevent revealing, divulging, or acting upon your knowledge of any such information unless it is necessary and appropriate for you to do so in the performance of your duties. Access to confidential information should be on a "need-to-know" basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated and disciplinary and possible legal action may be taken by the University.

7.11 Gramm-Leach Bliley Act
The Gramm-Leach-Bliley Act (GLB or Act) requires "financial institutions" (which includes colleges and universities) to protect the privacy of their customers, including customers' personal information. No University employee may disclose student or parent personal information, except as required for their job duties. For more information refer to the HR Public Folder.

7.12* Outside Employment and/or Business Interests
A full-time staff member's prime duties are to the University. Outside employment or business interests must not diminish a staff member's effectiveness as a member of the University community. These outside activities must be clearly subordinate to the individual's principal occupational endeavors.

A full-time staff member who desires to establish an outside employment relationship or business interest during the regular fiscal year shall secure in advance the written approval of his/her supervisor and the Vice President of Finance and Administration. Since the needs of the University vary, it is necessary to have such approval renewed at least each fiscal year.

Non-University business or activities may not be performed on University premises or using University resources.

7.13 Employment of Relatives
Family members of employees may be eligible for employment with Holy Names University only if individuals involved do not work in a direct supervisory relationship, or in job positions in which a conflict of interest could arise. Present employees who marry or become registered domestic partners will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another or in job positions involving conflict of interest.

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July, 2012
7.14 Personnel Records
You have a right to inspect certain documents in your personnel file, as provided by law, in the presence of a University representative at a mutually convenient time. No copies of documents in your file may be made, with the exception of documents that you have previously signed. You may add your comments to any disputed item in the file. Information related to health is kept in a separate file.

Holy Names University will restrict disclosure of your personnel file to individuals within the University on a need-to-know basis. These individuals typically include the individual's supervisor and any senior administrator at the University with a need to know, Human Resources and legal counsel. Information related to job performance and abilities are available to the hiring managers when a staff member applies for a position. Any request for information contained in personnel files must be directed to Human Resources. Only Human Resources is authorized to release information about current or former employees. Disclosure of personnel information to outside sources will be limited. However, Holy Names University will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

7.15 Children (and Other Guests) in the Workplace
This policy applies to children and all persons (guests) who are not employees of Holy Names University. The University understands that there are unforeseen times when childcare is an issue and creates a conflict with work obligations. Even in these cases, however, the University has a duty and obligation to minimize and prevent disruptions in work duties paramount to the University’s educational and professional endeavors and to reduce the University’s exposure to risk liability.

In situations where bringing a child to work with the employee is unavoidable, the employee must contact his/her supervisor as soon as possible to discuss the situation and await permission, if only it is given, to have the child accompany the employee while working. Factors that supervisors may consider include: the age of the child, how long the child needs to be present, safety and health issues, the work environment, and any possible disruption to the employee’s and co-workers’ work.

Consideration will not be given in allowing a child with an illness to come to work with the employee. Employees may consult HNU’s Employee Assistance Program for help with locating an emergency care provider to care for sick children.

A child approved to come for a visit to the workplace will be the responsibility of the employee parent and must be accompanied and under the direct supervision of the employee at all times.

Employees who bring children into the workplace or invite guests on campus must:

- Remain with the child/guest(s) at all times.
- Inform children (if age appropriate)/guests of regulations and policies, and inform them that they must abide by such at all times.
- Assume responsibility for the action of their children/guest(s).

For questions related to this policy, please contact Human Resources.

7.16 Employee Property
For security reasons, employees should not leave personal belongings of value in the workplace. The University is not responsible for loss or damage of personal property. University insurance does not cover personal property on University property.

Personal items are subject to inspection and search, with or without notice, with or without the employee’s prior consent.

Terminated employees should remove any personal items at the time they leave Holy Names University. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee’s termination.
7.17 University Property
Desks, office furniture, computers, equipment, University vehicles, and offices are Holy Names University property and must be maintained according to University rules and regulations. They must be kept clean and are to be used only for work-related purposes. Holy Names University reserves the right to inspect all University property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee’s presence.

University voice mail, e-mail, and internet access are to be used for business purposes only. Holy Names University reserves the right to inspect or monitor phone and computer activity without notice to the employee and at any time, not necessarily in the employee’s presence.

Holy Names University may periodically need to assign and/or change “passwords” and personal codes, all of which is confidential information. These communication technologies and related storage media and databases are to be used only for University business and they remain the property of Holy Names University. Holy Names University reserves the right to keep a record of all passwords and codes used and/or may be able to override any such password system.

Prior authorization must be obtained before any University property may be removed from the premises.

7.18 Off-Duty Use of Facilities
Employees are expressly prohibited from using University facilities, University property, or University equipment for personal use without specific written permission from the Director of Campus Services.

7.19 Parking
Holy Names University has developed parking and traffic regulations on its property to help maintain a safe campus environment. The University requires that all vehicles operated on University property observe all applicable provisions of the California Vehicle Code and all University parking and traffic regulations posted throughout the campus. Additional information related to parking and traffic regulations may be obtained from the Campus Safety office. All vehicles must have a valid license plate and display a current, valid campus parking permit.

Permits are issued through the Campus Safety office and are the property of Holy Names University. Permits may be revoked at any time and must be surrendered upon request and upon separation from the University. A Holy Names University parking permit allows the holder to park one vehicle on campus. Employees may park their vehicles in appropriate designated areas, as space permits.

Holy Names University is not responsible for any loss or damage to employee vehicles or contents while parked on University property.

Refer to the Campus Safety office for further information.

7.20 Surveillance Monitoring
The entire campus both inside and outside, may be monitored with video or other surveillance, 7 days a week, 24 hours a day. This surveillance system is in no way intended to provide employees with personal security or guarantee same.

7.21 University-Related Driving
As a condition for driving any vehicle on university business, including your personal vehicle or a University vehicle, drivers must give Holy Names University authorization to conduct a Motor Vehicle Records (MVR) check and provide all necessary information required to perform the check. Driving on University business will be prohibited if authorization to conduct a MVR check is not given.

If you lose or are threatened with the loss of a certificate or license that is required to perform your job, notify your supervisor immediately. Your employment may be impacted if your MVR check does not clear or you receive a suspension of your authorization to drive.

Employees who drive their own vehicles on University business will be reimbursed at the mileage rate published in accordance with the Holy Names University Business Office.

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July, 2012
If you are involved in an accident while driving on University business, you must obtain the names of all persons involved in the accident and of all witnesses. In addition to procedures required by law, you are also required to immediately report the accident to your supervisor and Human Resources.

7.22 Prohibited Use of Cell Phone While Driving on University Business
Employees must comply with all applicable federal and state laws that regulate using cell phones or other communication devices while driving. The University does not require use of communication devices while driving and strongly encourages employees not to use such devices while driving.

7.23 Prohibited Use of Cell Phone While Driving (Employees under Age 18)
Beginning July 1, 2008, a person under the age of 18 years is prohibited from driving a motor vehicle while using a wireless telephone, even if equipped with a hands-free device, or while using a mobile service device. The prohibition would not apply to such a person using a wireless telephone or a mobile service device for emergency purposes. Violating this policy is a violation of law beginning July 1, 2008 and a violation of University rules.

7.24 Smoking
For the health, safety, and comfort of everyone, smoking is not permitted within 30 feet of any campus building. Please be observant of this safety and health mandate, as an example to others, including students, colleagues, and the overall community.

7.25 Use of Electronic Media
Holy Names University provides access to various forms of information technology and electronic communications including, but not limited to computers, email, telephones, internet, cell phones, and PDA’s for business use. All of these, including all software, databases, hardware, and digital files, remain the sole property of Holy Names University and are to be used only for University business and not for any personal use.

Electronic communication and media may not be used in any manner that would be discriminatory, harassing, or obscene, or for any other purpose that is illegal, against University policy, or not in the best interest of the University.

Employees who misuse electronic communications and engage in defamation, copyright or trademark infringement, misappropriation of trade secrets, discrimination, harassment, or related actions will be subject to discipline and/or immediate termination.

Employees may not install personal software on University computer systems.

All electronic information created by any employee using any means of University-related electronic communication is the property of Holy Names University and remains the property of Holy Names University. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the University’s ownership of the electronic information.

Holy Names University will override all personal passwords if necessary for any reason.

Holy Names University reserves the right to access and review electronic files, messages, mail, and other digital archives, and to monitor the use of electronic communications as necessary to ensure that no misuse or violation of University policy or any law occurs.

Employees are not permitted to access the electronic communications of other employees or third parties unless directed to do so by University management.

No unauthorized employee may install or use anonymous e-mail transmission programs or encryption of e-mail communications.

Employees who use devices on which information may be received and/or stored, including but not limited to cell phones, cordless phones, portable computers, fax machines, and voice mail communications are required to use these methods in strict compliance with the trade secrets and confidential communication policy established by the University. These devices should not be used for

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July, 2012
communicating confidential or sensitive information.

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

Questions or issues related to electronic communications should be addressed to the Director of Information Technology.

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

7.27 Business Attire and Personal Hygiene
Although there is no university-wide policy that outlines a dress code, a professional, neat, clean, tasteful appearance contributes to the favorable impression employees make on the University's students and their families. Some departments call for certain standards of dress for their particular work area. All employees are expected to dress according to what is appropriate for their area and what is considered professional and good grooming, subject to their manager’s discretion. If you have questions about appropriate dress, seek advice from your supervisor or Human Resources.

7.28 Use of Scented Products
Due to allergies and other health conditions, employees are requested to be mindful in the use of perfumes, lotions, and other scented products. The use of such products may compromise or exacerbate the health conditions of others in the workplace. Employees are asked to use such products minimally when at work.

7.29 News Media and Other Contacts
Employees may be approached for interviews or comments by the news media or other entities. Only representatives as designated by the President of the University may comment on Holy Names University policy or events relevant to the University. All inquiries and requests for comments should be directed to Marketing and Communications.

7.30 Pets in the Workplace
This policy does not apply to trained assistance animals that are actively engaged in the service for which they are trained.

The University recognizes the important role of pets in our lives. Still, the University has the responsibility to reduce the possibility of disruptions and distractions in the workplace and the overall campus environment, to reduce its potential liability, and to be sensitive to the needs of others on campus who may have allergies or may not be comfortable with animals. Because each of these factors may pose a safety concern and may place the University at risk of liability, no pets are allowed in any University building and are allowed on other parts of the campus only under the following conditions:

- Animals must be on-leash, under the immediate control of their “person.”
- Owners are responsible for cleaning up after their animals.
- Animals may be brought to campus on an infrequent basis (i.e. a brief, casual visit).

8. Work Schedule and Compensation
8.1 Deductions for Exempt Employees
Employees paid on a “salary basis” regularly receive a predetermined amount of compensation each pay period. Subject to the exceptions listed below, exempt employees will receive full salary for any workweek in which they perform any work, regardless of the number of days or hours worked. Exempt employees may not be paid for any workweek in which they perform no work, subject to Holy Names University
benefits programs and policies.

No deductions from salary may be made for time when work is not available, provided the exempt employee is ready, willing, and able to work.

Deductions from salary are permissible when an exempt employee:

- Is absent from work for one or more full days for personal reasons other than sickness or disability;
- Is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness;
- Is absent for jury duty or military duty for a full week and performs no work during the week;
- Works less than a full week during the initial or final week of employment; and/or,
- Disciplinary suspension.

If you believe that an improper deduction from your salary has been made, you should immediately report this information to Human Resources.

Reports of improper deductions will be investigated promptly. If it is determined that an improper deduction has occurred, you will be promptly reimbursed accordingly.

8.2* Overtime for Non-Exempt Employees

Non-exempt employees may be required to work overtime as necessary. Only actual hours worked in a given workday or workweek will be considered in the calculation of any overtime pay earned by the employee. For example, any time off for a designated paid holiday will not be counted towards the 40 hours mentioned below. All overtime work must be previously authorized by a supervisor. Holy Names University provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law as follows:

- All hours worked in excess of eight hours in one workday or in excess of 40 hours in one workweek will be treated as overtime. A workday begins at 12:01 a.m. and ends at midnight 24 hours later. Workweeks begin each Monday at 8:00 a.m.;
- Compensation for hours in excess of 40 for the workweek, or in excess of eight and not more than 12 for the workday, and for the first eight hours on the seventh consecutive day of work in one workweek, shall be paid at a rate one and one-half times the employee's regular rate of pay;
- Compensation for hours in excess of 12 in one workday and in excess of eight on the seventh consecutive workday in a workweek shall be paid at double the regular rate of pay.

8.3* Meal and Rest Periods for Non-Exempt Employees

Non-Exempt employees who work at least five (5) or more hours in any work day are required to take at least a thirty (30) minute unpaid meal period. Non-Exempt employees who work no more than six (6) hours in any work day may waive their unpaid meal period by a written agreement signed with Human Resources. Non-Exempt employees who work more than ten (10) hours in any work day are required to take a second meal period of at least thirty (30) minutes. With permission from the supervisor, the non-exempt employee may waive the second meal period as long as the first meal period was taken.

Supervisors shall allow non-exempt staff one ten-minute paid rest period for each four-hour work period or major fraction thereof. Staff are required to take their rest breaks and to notify Human Resources of any difficulties.
8.4* Make-Up Time
Holy Names University may at times, and at the department’s sole discretion, allow the use of make-up time when non-exempt employees need time off to tend to personal obligations. Make-up time worked will not be paid at an overtime rate.

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

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

If you request time off that you will make-up later in the week, you must submit your request at least 24 hours in advance of the desired time off. If you request to work make-up time first in order to take time off later in the week, you must submit your request at least 24 hours before working the makeup time. Your make-up time request must be approved in writing before you take the requested time off or work make-up time, whichever is first.

All make-up time must be worked in the same workweek as the time taken off. Employees may not work more than 11 hours in a day or 40 hours in a workweek as a result of making up time that was or would be lost due to a personal obligation.

If you take time off and are unable to work the scheduled make-up time for any reason, the hours missed will normally be unpaid. However, your supervisor may arrange with you another day to make up the time if possible, based on scheduling needs. If you work make-up time in advance of time you plan to take off, you must take that time off, even if you no longer need the time off for any reason.

An employee’s use of make-up time is completely voluntary. Holy Names University does not encourage, discourage, or solicit the use of make-up time.

8.5* Pay for Mandatory Meetings/Training
Holy Names University will pay non-exempt employees for their attendance at meetings, lectures, and training programs under the following conditions:

- Attendance is mandatory;
- The meeting, course, or lecture is directly related to the employee’s job;
- The employee who is required to attend such meetings, lectures, or training programs will be notified of the necessity for such attendance by his or her supervisor;
- The employee will be paid at the current applicable minimum wage for time spent at meetings, lectures, and training programs if the employee does not perform any productive work during such attendance;
- Employees who do perform productive work during attendance at meetings, lectures or training programs will be compensated at their regular rate of pay; and
- Any hours in excess of eight in a day or 40 in a week will be paid at the appropriate overtime rate, at the hourly rate in effect at the time the overtime work is being performed.

8.6 Payroll Schedule
The Payroll schedule is published annually and may be obtained from the Business Office Self Service (BOSS) public folder.

8.7 Payroll Direct Deposit
You may begin and stop direct deposit of your net pay into your bank account at any time. To begin or make any changes to your direct deposit, you must complete a Direct Deposit Form (available from the Business Office Self Service BOSS public folder).
8.8* Work Schedules
Your supervisor will assign your individual work schedule which may change based upon the operational needs and requirements of the department and/or University.

9. Health and Safety

9.1 To Report an Emergency or Non-Emergency Situation
In the event of an emergency when police, fire, or ambulance is needed, please call 911 (from HNU office, dial 9-911. From a cell phone, dial 510-777-3211). In addition, notify the Campus Safety Emergency Line for an internal staff response.

For an internal staff response only, please contact the HNU Campus Safety Emergency Line at 510-436-1234. This phone is staffed 7 days a week, 24 hours a day.

For all non-emergencies and general operation questions, please contact the Campus Safety Office, Supervisor Line at 510-436-1287 or contact the office by email at csadmin@hnu.edu.

To contact the HNU Front gate, call 510-436-1601.

The Director of Campus Safety may be reached by calling 510-436-1601.

Emergency information and communications are posted on the HNU homepage, www.hnu.edu, and via the Everbridge Emergency Notification System. Visit the HNU Campus Safety webpage for more detailed information and to register your information.

9.2 Workplace Illness and Injury Reporting and Workplace Safety Process
All employees are responsible for their own safety, as well as that of others in the workplace. To help the University maintain a safe workplace, everyone must be safety-conscious at all times. Report all work-related injuries or illnesses whether or not medical treatment is needed. In addition, immediately report any potential hazards you may notice to your supervisor or to Human Resources.

In compliance with Proposition 65, Holy Names University will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity. Employees are required to be aware of chemicals in use in their work areas and to be familiar with Material Data Safety Sheet (MSDS) information about them.

The University’s system for workplace safety includes:

- requiring all staff members to comply with safe work practices;
- informing staff members, supervisors and managers, of the provisions of our Workplace Violence Policy;
- evaluating the performance of all staff members in complying with HNU’s workplace security measures;
- recognizing staff members who perform work practices which promote safety;
- providing training and/or counseling to staff members whose performance in complying with workplace security practices is deficient; disciplining employees for failure to comply with workplace security practices.

9.3 Ergonomics
Holy Names University is subject to Cal/OSHA ergonomics standards for minimizing workplace repetitive motion injuries. The University encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines.

Holy Names University believes that reduction of ergonomic risk is instrumental in maintaining an environment of personal safety and well-being and is essential to our organization. We intend to provide appropriate resources to create a risk-free environment.

If you have any questions about ergonomics, please contact Human Resources.

* Information noted by an * indicates that it applies to Staff employees only, does not apply to Faculty
July, 2012
9.4 Heat Illness

Employees who work outside may be exposed to extreme temperatures or adverse working conditions, particularly in the summer months. Please speak with your supervisor or Human Resources for details on how to ensure you are protected from heat illness dangers.

9.5 Proprietary Safety

To help maintain a secure workplace report any suspicious persons or activities to Campus Safety staff. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Secure your desk or office whenever you will not be present. When called away from your work area, do not leave valuable and/or personal articles in or around your workstation that may be accessible. The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks.

9.6 Safety Committee

The mission of the HNU Safety Committee, aligned with the goals of the University, is to promote and maintain a safe, healthy, and environmentally sound campus environment for the benefit of our students, faculty, staff, and overall community. Committee member contact information may be found in the HR Public Folder.

The Committee is tasked with the following:

1. Meet on an on-going, periodic basis to discuss safety concerns.
2. Maintain appropriate health and safety records as necessary.
3. Review accident and illness reports to determine if there are patterns or areas to address to minimize exposure and/or prevent future incidences.
4. Conduct safety inspections across areas of the campus to identify any potential safety issues and to ensure compliance with applicable standards.
5. Coordinate sub-committees to address specific issues, projects or activities.
6. Identify and make recommendations to HNU Administration for health and safety programs and services. All committee matters are subject to oversight by the President’s Cabinet.
7. In conjunction with employee supervisors, ensure that faculty and staff receive appropriate training for the safe conduct of their positions.
8. Identify and develop opportunities to create awareness and knowledge about safety among the HNU campus community.

10. Separation from the University

10.1* Voluntary Resignation

Voluntary resignation results when an employee voluntarily resigns from employment at Holy Names University, or fails to report to work for three consecutively scheduled workdays without notice or approval from his or her supervisor. All University-owned property must be returned immediately upon termination of employment.

Upon termination, all staff members will receive their final paycheck in a timely manner, and in accordance with state law. Final wages will be paid on the staff member's last day of employment if the staff member is involuntarily terminated or resigns with more than 72 hours notice. A staff member's last day of work shall be the date of termination of employment. If a staff member resigns with less than 72 hours notice to the University, final wages will be paid within 72 hours of notice of resignation.

10.2* Involuntary Dismissal and Progressive Discipline

Violation of Holy Names University policies and rules warrants disciplinary action up to and including termination. The University may use progressive discipline that includes, when determined appropriate by the Director of Human Resources, verbal warning, written warning, and/or suspension. The University may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to, and including, termination of employment without prior discipline. The University’s use, at times, of progressive discipline in no way limits or alters the at-will employment relationship.
10.3* Reduction in Force
A regular or other staff member may be laid off or have a reduction of hours in the case of lack of work, elimination of position, reorganization, budget reduction, or other business or operational consideration. The University will identify the department, work group, and functions or job classifications to be affected. In determining which employees will be subject to layoff, Holy Names University will take into account, among other things, business operation and requirements, the skill, productivity, ability, and past performance of those involved, and also, when feasible, the employee’s length of service.

Regular staff members in good standing who are laid off shall, where feasible and where they remain in good standing with the University, be given first consideration for rehire in the case of vacancy, for his/her former specific assignment for a period of one (1) year from the date of layoff or reduction to the extent they have adequately made their interest in reemployment known to the hiring manager.

10.4* Employment References
All requests for references must be directed to Human Resources. No manager or other employee is authorized to release references for current or former employees.
Appendix 1:

**EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT**

**Basic Leave Entitlement**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:
- For incapacity due to pregnancy, prenatal medical care or childbirth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

**Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy, or is in outpatient status; or is on the temporary disability retired list.

**Benefits and Protections**

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms and conditions as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

**Eligibility Requirements**

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

**Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Use of Leave**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

**Substitution of Paid Leave for Unpaid Leave**

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

**Employee Responsibilities**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

**Employer Responsibilities**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

**Unlawful Acts by Employers**

FMLA makes it unlawful for any employer to:
- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

**Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.500(a) may require additional disclosures.
Appendix 2:

Discrimination and Harassment in Employment are Prohibited by Law

Laws enforced by the Department of Fair Employment and Housing (DFEH) protect you from illegal discrimination and harassment in employment based on:

- Race
- Color
- Religion
- Sex (pregnancy or gender)
- Sexual orientation
- Marital status
- National origin (including language use restrictions)
- Ancestry
- Disability (mental and physical, including HIV and AIDS)
- Medical condition (cancer/genetic characteristics)
- Age (40 and above)
- Denial of family and medical care leave
- Denial of pregnancy disability leave or reasonable accommodation

The California Fair Employment and Housing Act (Part 2.8 commencing with Section 12900 of Division 3 of Title 2 of the Government Code) and the Regulations of the Fair Employment and Housing Commission (California Code of Regulations, Title 2, Division 4, Sections 7285.0 through 8504):

- Prohibit harassment of employees, applicants, and independent contractors by any person and require employers to take all reasonable steps to prevent harassment. This includes a prohibition against sexual harassment, gender harassment, and harassment based on pregnancy, childbirth, or related medical conditions.
- Prohibit employers from limiting or prohibiting the use of any language in any workplace unless justified by business necessity. The employer must notify employees of the language restriction and consequences for violation.
- Require that all employers provide information to each of their employees on the nature, illegality, and legal remedies that apply to sexual harassment. Employers may either develop their own publications, which must meet standards as set forth in California Government Code Section 12950, or use a brochure from the DFEH.
- Require employers with 50 or more employees and all public entities to provide sexual harassment prevention training for all supervisors.
- Require employers to reasonably accommodate an employee or job applicant's religious beliefs and practices.
- Require employers to reasonably accommodate employees or job applicants with a disability in order to enable them to perform the essential functions of a job.
- Permit job applicants and employees to file complaints with the DFEH against an employer, employment agency, or labor union that fails to grant equal employment as required by law.
- Prohibit discrimination against any job applicant or employee in hiring, promotions, assignments, termination, or any term, condition, or privilege of employment.
- Require employers, employment agencies, and unions to preserve applications, personnel records, and employment referral records for a minimum of two years.
- Require employers to provide leaves of up to four months to employees disabled because of pregnancy, childbirth, or a related medical condition.
- Require an employer to provide reasonable accommodations requested by an employee, on the advice of her health care provider, related to her pregnancy, childbirth, or related medical conditions.
- Require employers of 50 or more persons to allow eligible employees to take up to 12 weeks leave in a 12-month period for the birth of a child; the placement of a child for adoption or foster care; for an employee's own serious health condition, or for care for a parent, spouse, or child with a serious health condition. (Employees are required to post a notice informing employees of their family and medical leave rights.)
- Require employment agencies to serve all applicants equally, refuse discriminatory job orders, and prohibit employers and employment agencies from making discriminatory pre-hiring inquiries or publishing help-wanted advertising that expresses a discriminatory hiring preference.
- Require unions not to discriminate in member admissions or dispatching to jobs.
- Prohibit retaliation against a person who opposes, reports, or assists another person in opposing unlawful discrimination.

The law provides for administrative fines and remedies for individuals, including the following: hiring, front pay, back pay, promotion, reinstatement, cease- and- desist order, expert witness fees, reasonable attorney’s fees and costs, punitive damages, and damages for emotional distress.

Job applicants and employees: If you believe you have experienced discrimination, you may file a complaint with DFEH.

Independent contractors: If you believe you have been harassed, you may file a complaint with DFEH.

Complaints must be filed within one year of the last act of discrimination/harassment, or, for victims who are under the age of 18, not later than one year of that person's eighteenth birthday.

For more information, contact DFEH toll free at (800) 984-1684, Sacramento area & out-of-state at (916) 478-7251, TTY number at (800) 700-2320, or visit our website at www.dfeh.ca.gov

Government Code Section 12940 and Title 2 California Code of Regulations Section 7287 require all employers to post this document. It must be conspicuously posted in hiring offices, on employee bulletin boards, in employment agency waiting rooms, union halls, and other places employees gather. In accordance with the California Government Code and ADA requirements, this publication can be made available in Braille, large print, computer disk, or tape cassette as a disability-related reasonable accommodation for an individual with a disability. To discuss how to receive a copy of this publication in an alternative format, please contact the DFEH at the numbers above.

State of California
Department of Fair Employment & Housing
Appendix 3: Leave under Family/Medical Leave Act (FMLA) and Under California Family Rights Act (CFRA)

Pursuant to the federal Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA"), the University will grant an unpaid leave of absence to employees of up to 12 work weeks in a 12-month period, under the following conditions:

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

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

- The birth of the employee's child, or placement of a child with the employee for adoption or foster care;
- To care for the employee’s spouse, registered domestic partner, child, or parent who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform his or her job.

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

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

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

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

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

Please contact Human Resources as soon as you realize the need for family/medical leave.

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

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

If the Family and Medical Leave Act/California Family Rights Act request is made because of the employee’s own serious health condition, Holy Names University may require, at its expense, a second opinion from a health care provider that the University chooses. The health care provider designated to

* Information noted by an * indicates that it applies to Staff employees only, does not apply to Faculty

July, 2012
give a second opinion will not be one who is employed on a regular basis by the University.

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

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

If the leave is needed to care for a sick child, spouse, or parent, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition;
- Estimated amount of time for care by the health care provider; and
- Confirmation that the serious health condition warrants the participation of the employee.

When both parents are employed by Holy Names University and request simultaneous leave for the birth or placement for adoption or foster care of a child, the University will not grant more than a total of 12 workweeks of family/medical leave for this reason.

If an employee cites his/her own serious health condition as a reason for leave, the employee must provide a certification from the health care provider stating:

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

Holy Names University will require certification by the employee’s health care provider that the employee is fit to return to his or her job.

Failure to provide certification by the health care provider of the employee’s fitness to return to work will result in denial of reinstatement for the employee until the certificate is obtained.

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

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

Paid leave will be substituted for unpaid leave when employee is not receiving wage replacement through an employer-provided benefit, in the following circumstances:

- Accrued sick leave is required to be used during Family and Medical Leave Act/California Family Rights Act leave for the employee’s own serious health condition, or up to a limit of that which is accrued over six months to attend to the illness of a child, parent, or spouse of the employee.
- Vacation and other accrued time (other than sick leave) is required to be used for any family/medical leave qualifying event, except leave that is also pregnancy disability leave.

Paid leave **may be** substituted for unpaid leave in the following circumstances:

- Accrued sick leave may be used by the employee for the employee's own serious health condition.
- Accrued sick leave may be used for the care of a family member.
- Vacation and other accrued time (other than sick leave) may be used for any family/medical leave qualifying event.

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

Reinstatement after family/medical leave may be denied to certain salaried “key” employees under the following conditions:

- An employee requesting reinstatement was among the highest-paid 10 percent of salaried employees employed within 75 miles of the work site at which the employee worked at the time of the leave request;
- The refusal to reinstate is necessary because reinstatement would cause substantial and grievous economic injury to the University’s operations;
- The employee is notified of the University’s intent to refuse reinstatement at the time the University determines the refusal is necessary; and
- If leave has already begun, the University gives the employee a reasonable opportunity to return to work following the notice described previously.
Appendix 5.5: Military Family Leave Entitlements

Military Caregiver Leave: A covered employer must grant an eligible employee who is a spouse, son, daughter, parent, or next of kin of a covered service member with a serious injury or illness up to a total of 26 workweeks of unpaid leave during a “single 12-month period” to care for the service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. A serious injury or illness is one that was incurred by a service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating. The “single 12-month period” for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12 month period established by the employer for other types of FMLA leave. An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the “single 12-month period.” (Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered service member.)

Qualifying Exigency Leave: A covered employer must grant an eligible employee up to a total of 12 workweeks of unpaid leave during the normal 12-month period established by the employer for FMLA leave for qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. Under the terms of the statute, qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it does not extend to family members of military members in the Regular Armed Forces.

Qualifying exigencies include:

- Issue arising from a covered military member’s short notice deployment (i.e., deployment on seven or less days of notice) for a period of seven days from the date of notification;
- Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
- Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty status of the covered military member;
- Making or updating financial and legal arrangements to address a covered military member’s absence;
- Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member;
- Taking up to five days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;
- Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member’s active duty status, and addressing issues arising from the death of a covered military member;
- Any other event that the employee and employer agree is a qualifying exigency.
Spouses employed by the same employer are limited to a **combined** total of 26 workweeks in a “single 12-month period” if the leave is to care for a covered service member with a serious injury or illness, and for the birth and care of a newborn child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.

FMLA leave may be taken intermittently whenever **medically necessary** to care for a covered service member with a serious injury or illness. FMLA leave also may be taken intermittently for a qualifying exigency arising out of the active duty status or call to active duty of a covered military member. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer’s operation.