



CAL STATE SAN BERNARDINO

University Enterprises Corporation

# **EMPLOYEE HANDBOOK**

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# Introduction

## Section

## 1

### **Welcome to UEC!**

Welcome to University Enterprises Corporation at CSUSB (“UEC”). We are excited to have you as part of our team. You were hired because we believe you can contribute to the success of California State University, San Bernardino and we look forward to the dedication and professionalism that you will bring to work each day.

UEC, formerly Foundation for the California State University San Bernardino, was established in 1962. On July 1, 2011 the Foundation changed its name to University Enterprises Corporation at CSUSB to better reflect our focus on the business enterprises that support the university.

UEC supports the university’s educational mission by providing quality services that complement the instructional program. The University depends upon UEC to provide services that cannot be supported with state funds. Although UEC is a legally separate 501(c)(3) nonprofit corporation, it is a fully integrated part of the California State University San Bernardino campus.

UEC is responsible for business enterprises on campus including, but not limited to, dining services, bookstore, convenience store, and vending services. UEC also serves as the grantee for federal, state and other funding for research and sponsored projects.

For UEC to be successful, teamwork amongst employees is required. To that end , you play a valuable role in helping UEC to meet its objectives. As a UEC employee, you should emphasize cooperation with other employees and treat your co-workers and supervisors with dignity and respect.

UEC is located at 5500 University Parkway, San Bernardino, CA 92407 and maintains a website at <http://uec.csusb.edu> which provides information about employee benefits, policies and procedures, forms and other general information about UEC.

### **How to Use This Handbook**

This Employee Handbook will assist you in finding the answers to questions that you may have, and to familiarize you with the UEC philosophy, guidelines and employee benefits. Please read it carefully and retain it for future reference. Remember, this Employee Handbook is intended only to provide a summary of the policies and benefits of UEC. It is not intended to create a contract of employment, expressed or implied, or to modify UEC rights or your rights to terminate employment-at-will at any time, for any reason. Your immediate supervisor may be a major source of information, although we also encourage you to seek clarification of any policy or procedure by discussing it with UEC Human Resources. We welcome your interest and we will do our best to give you a prompt response.

## Right to Revise

This Employee Handbook contains the employment policies and practices of UEC in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded by this Handbook.

Although this handbook is intended to be comprehensive, it cannot answer every question or anticipate every situation. Due to ongoing changes in applicable governmental regulations and the needs of our organization to retain necessary operational flexibility in the administration of policies and procedures, UEC 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. However, any such changes must be in writing and must be signed by the Executive Director of UEC.

Employees will be notified of any written changes to this handbook and the changes will be updated electronically and posted on the UEC website: <http://uec.csusb.edu>. No oral statements or representations can in any way alter the provisions of this handbook, and 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.

# Employment Policies

## Equal Employment Opportunity and Affirmative Action

UEC is an equal opportunity employer and makes employment decisions on the basis of merit, experience and other work-related criteria. We want to have the best qualified persons in every job. UEC policy prohibits unlawful discrimination based on race, color, creed, sex, gender including gender identity or expression, religion, religious dress or grooming practices, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition including genetic characteristics, pregnancy, sexual orientation, veteran status 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**.

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

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a physical or mental disability, UEC 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 UEC Human Resources and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. UEC then will conduct an investigation to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform his or her job. UEC will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, UEC will endeavor to make the accommodation.

UEC has also established an Affirmative Action Program to promote the employment and advancement of minorities. These policies of equal employment opportunity and affirmative action apply to all applicants for employment and it applies to all aspects of employment including, recruitment, hiring, training, compensation, benefits, promotion, transfer, discipline and termination.

If you believe you have been subjected to any form of unlawful discrimination, submit a written complaint to your supervisor or UEC's Head of Human Resources or their designee. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. If you need assistance with your complaint, or if you prefer to make a

complaint in person, contact Human Resources. UEC will undertake an effective investigation and attempt to resolve the situation.

If UEC determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future discrimination. UEC will not retaliate against you for filing a complaint and will not knowingly permit retaliation by management employees or your coworkers.

## **Unlawful Harassment**

UEC is committed to providing a work and educational environment that is free of sexual harassment, as well as other unlawful harassment based on such factors as race, color, creed, sex, gender including gender identification or expression, religion, religious dress or grooming practices, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition including genetic characteristics, pregnancy, veteran status and sexual orientation. In keeping with this commitment, UEC maintains a strict policy that prohibits unlawful harassment of employees by managers, supervisors, or co-workers, and unlawful harassment of students by any UEC employee. Visitors to the campus, and workers employed by the University, by other auxiliaries, or by other public or private organizations engaged in business with UEC, are expected to comply with this policy. The purpose of this policy is to: (1) familiarize UEC employees with the definition of unlawful harassment and the forms it can take; (2) confirm that unlawful harassment will not be tolerated and is contrary to the standards of conduct expected and required of UEC employees; and (3) make clear that employees who engage in unlawful harassment are subject to possible disciplinary action which may include discharge. UEC also provides regular training to its supervisors and managers regarding this policy.

### ***Definition of Harassment***

For the purposes of this policy, unlawful harassment means harassment on the job that is in fact prohibited by provisions of state or federal law applicable to UEC at the time the harassment occurs. Subject to this general definition, unlawful harassment may include unwelcome verbal, physical or visual conduct that unreasonably interferes with an employee's or student's performance, or that creates an intimidating, offensive or hostile working or educational environment. This may occur where:

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment or education.
2. Submission to or rejection of the conduct by the individual is used as the basis of employment or educational decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile or offensive work or educational environment.

Under most circumstances, harassment refers to the type of conduct that is pervasive, repetitive, and that is sufficiently severe to alter the conditions of an employee's employment or a student's education or employment. It also may refer to a single incident that is sufficiently outrageous or harmful, in and of itself, that it substantially alters the conditions of an employee's employment or interferes with that individual's ability to perform job related responsibilities.

Employees also should not confuse harassment with supervision. Supervisors have the right and responsibility to define the job that they want an employee to perform, as well as the manner in which an employee must perform that job. Thus, close supervision of an employee (which includes, but is not limited to, counseling and warnings about job performance, inappropriate conduct, or other performance issues) is not considered to be an example of unlawful harassment.

### ***Examples of Harassment***

Harassment may take many forms and will vary with the particular circumstances. Examples of unlawful sexual harassment prohibited by this policy may include, but are not limited to, the following: unwanted flirtations, advances and/or propositions of a sexual nature; deprecating remarks, insults, humor, jokes and/or anecdotes that belittle or demean an individual's body or clothing; unwelcome and/or offensive displays of sexually suggestive objects or pictures; unwelcome and offensive touching, such as patting, pinching, hugging or repeated brushing against an individual's body; sexual assault; and/or suggestions that submission to or rejection of sexual advances will affect decisions regarding such matters as an individual's work assignments, status, salary, benefits or other terms or conditions of employment.

Conduct that is part of a consensual relationship is not considered harassment. Nevertheless, a prior consensual relationship does not permit subsequent unwelcome or unwanted harassment.

### ***Reporting and Complaint Procedure***

Employees and students are encouraged to report incidents of inappropriate or unwelcome conduct whenever it occurs. Employees and students are not required to wait for the conduct to be repeated or to worsen. Any incident of unlawful harassment, by any UEC employee or any other person conducting business with UEC, should be reported promptly to the employee's supervisor or manager and/or to UEC's Head of Human Resources, or their designee, who will arrange for an investigation of the matter. Managers who receive complaints or who observe harassing conduct are required to immediately inform UEC's Head of Human Resources, or their designee. An employee or student may contact Human Resources directly and is not required to complain first to his or her supervisor.

All complaints of unlawful harassment are taken seriously, and are promptly and objectively investigated. For example, an investigation may include interviews of individuals who might have information pertaining to the alleged harassment. If UEC begins an investigation, we will endeavor to keep the investigation confidential to the extent possible, including the names of complaining employees and witnesses. In the same way, anyone involved in an investigation of harassment has an obligation to keep all information about the investigation confidential. That is why UEC will only share information about a complaint of harassment with those who need to know about it. Failure to keep information about an investigation confidential may result in disciplinary action.



When the investigation has been completed, UEC will normally communicate the results of the investigation to the complaining employee or student, to the alleged harasser and, if appropriate, to others who are directly involved. If the UEC policy against harassment is found to have been violated, appropriate corrective action, up to and including termination, will be taken against the harasser so that further harassment will be prevented. Both the rights of the alleged harasser and the complainant will be considered in any investigation and subsequent action.

### ***No Retaliation***

It is the obligation of all employees to cooperate fully in the investigation process. In addition, disciplinary action may be taken against any employee who is uncooperative or who attempts to discourage or prevent an employee from using the UEC complaint procedure to report unlawful harassment. Retaliation by a UEC employee against any individual who makes a complaint of unlawful harassment is strictly prohibited. Similarly, any person who participates or cooperates in any manner in an investigation or any other aspect of the process described herein shall not be retaliated against. Retaliation is itself a violation of this policy and is a serious offense. Complaints regarding allegations of reprisal should be immediately brought to the attention of UEC's Head of Human Resources, or their designee.

### ***Corrective Action***

If unlawful harassment of, or by, a UEC employee is established, UEC will take action that is reasonably calculated to stop the harassment. In cases in which the alleged harasser is not an employee or student, UEC will take action to minimize the recurrence of any unlawful behavior.

Discipline that UEC or the University may impose on employees for behavior that violates this policy (or for other unprofessional conduct by a UEC employee) may include, but is not limited to, reprimand, mandatory attendance at an unlawful harassment training program, suspension, demotion, or dismissal. Unlawful harassment by non-employees may result in restricting the harasser's access to campus.

### ***Additional Information***

In addition to the UEC internal complaint procedure, employees may also contact either the Equal Employment Opportunity Commission ("EEOC") or the California Department of Fair Employment and Housing ("DFEH") to report unlawful harassment. The EEOC and the DFEH serve as neutral fact-finders and will attempt to assist the parties to voluntarily resolve their disputes. For more information, contact UEC's Head of Human Resources, or their designee, or you may contact the nearest EEOC or DFEH office.

## **Nature of Employment Status**

Employment with UEC is at-will. This means that the employment relationship may be terminated at any time with or without cause and with or without prior notice by either you or UEC. Moreover, every aspect of the employment relationship with UEC is subject to the UEC policy of at-will employment, and UEC reserves its inherent authority to manage and control its business enterprise and to exercise its discretion to determine all issues pertaining to your employment, including (but not limited to) all matters pertaining to promotion, salary, job assignment, the size of the workforce, demotion, transfer, discipline, or any other term or

condition that UEC may determine to be necessary for the safe, efficient, and economic operation of its business. Nothing in this Handbook or in any other policy statement shall limit the right of UEC to terminate employment at-will. No department manager, supervisor or employee of UEC has any authority to make any promise or representation, or otherwise to enter into any binding agreement that is contrary to this policy which alters in any way an employee's at-will status. Only the UEC Executive Director has the authority to alter the employment at-will status of any employee, and then only in writing signed by the employee and the UEC Executive Director.

## **Open-Door Policy**

If you have a concern about some aspect of your work for UEC, you should feel free to bring the situation to the attention of your immediate supervisor. If the problem cannot be resolved by your supervisor, or if you do not wish to discuss the situation with your supervisor, contact UEC's Head of Human Resources, or their designee and/or the UEC Executive Director. This procedure, which we believe is important for both you and UEC, may not result in the resolution of every problem to your satisfaction. Nonetheless, UEC values your input and you should feel free to raise issues of concern, in good faith and without fear of retaliation.

## **Complaint Resolution**

UEC encourages you to bring your questions and concerns regarding wages, hours, working conditions, or core values to our attention. We will give careful consideration to your questions and concerns in our continuing effort to improve operations and communications.

If there is anything bothering you about your job, get it out in the open and talk about it. Discuss it frankly with us and we will do everything we can to help you remedy the situation. Your complaint will be handled in an open and fair manner.

First, if you feel you have a problem, you should present the situation to your immediate supervisor. Your immediate supervisor knows you and your job best. Past situations have shown that most problems can be settled by simple examination and discussion of the facts at this level. However, if your complaint involves your supervisor, or if you are not satisfied with your supervisor's response, or if for any reason you do not wish to bring the problem to your supervisor's attention, you may present your concern to your Department Head or to UEC's Head of Human Resources, or their designee.

Finally, if your problem is still not solved to your satisfaction, you may contact the UEC Executive Director. All complaints will be discussed, reviewed and investigated in a confidential manner. In addition, we wish to assure you that you will not be retaliated against in any manner for the use of the Complaint Resolution Procedure.

# *Employment Information*

## **Employment Categories**

In order to determine eligibility for various benefits, the following employment categories have been established:

### ***Regular Benefited Employees***

Benefited Employees are those individuals who are regularly scheduled to work, and who do regularly work, at least 20 or more hours per week. Benefited employees are eligible to receive UEC benefits based on the employee's number of hours worked and the nature and length of the employee's assignment.

### ***Variable Hour Employees (Non-Benefited)***

Variable Hour Employees are those individuals who work less than 20 hours per week, and may be assigned a work schedule in advance or may work on an as-needed basis. Variable Hour Employees also include those whose expected length of service is less than six months or whose work schedule is intermittent or irregular. Variable Hour Employees may not work more than 999 hours within a fiscal year (i.e., July 1 to June 30), and average less than 30 hours per week for all UEC employment combined in a calendar year (January-December). They are not eligible for most UEC benefits, although they are eligible for such benefits as workers' compensation, unemployment, sick pay and disability insurance.

### ***Short-Term Assignment Employees (Non-Benefited)***

Temporary Appointments may be appointed for no longer than 12 weeks per calendar year (January-December) and no more than two appointments per fiscal year (July-June). Short-term employees work intermittent schedules, as assigned by the hiring department. They are not eligible for most UEC benefits, although they are eligible for such benefits as workers' compensation, unemployment, sick pay and disability insurance.

### ***Sponsored Program Employees***

Sponsored Program employees include those employees appointed to projects funded by a contract, gift, or grant and generally do not exceed a one (1) year appointment. Many of the terms and conditions of employment for Sponsored Program employees are set forth in the contractual agreement with the funding agency, and Sponsored Program employees are not entitled to most UEC benefits, unless otherwise expressly notified in writing by UEC's Head of Human Resources, or their designee.

### ***Students***

Student employees are those variable hour employees who regularly attend classes at CSUSB and otherwise meet the eligibility requirements to be a UEC Student employee. Student employees are paid at an hourly rate and are eligible for workers' compensation, unemployment, sick pay and disability insurance. They do not qualify for other UEC benefits.

Ongoing employment in all categories shall be based upon availability of work, continued funding and/or satisfactory job performance.

In addition to the above-listed categories, employees are also classified as either exempt or non-exempt for the purpose of overtime compensation. If you have any questions about your specific classification, please contact Human Resources.

### ***Non-exempt***

Non-exempt employees (e.g. students, administrative assistants, etc.) are entitled to receive overtime pay when they work overtime hours. Non-exempt employees may be salaried or hourly as designated by Human Resources.

### ***Exempt***

Exempt employees are not entitled to receive overtime compensation. Exempt employees are salaried executive, administrative, and professional employees.

## **Hours of Work and Schedules**

UEC is normally open for business between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, although some operations may continue on a seven day week, 24 hour basis. Daily and weekly work schedules may change from time to time at the discretion of UEC to meet varying needs of our business or to support the University's hours of operation. The UEC regular work week is Monday through Sunday, beginning at 12:01 a.m. on Monday morning and ending at 12:00 a.m. the following Sunday night.

All employees are expected to be at their desks or workstations at the start of their scheduled shifts, ready to work. Non-exempt employees are expected to and must follow UEC Meal and Rest Period procedures.

Exchanging work schedules with other employees is discouraged. However, if you need to exchange schedules, notify your supervisor, who may authorize an exchange if possible. Work schedule exchanges will not be approved for the mere convenience of an employee or if the exchange interferes with normal operations or results in excessive overtime.

It is important to know the whereabouts of all employees during regularly scheduled work hours so that we can be responsive to customers and other staff members who may need information or assistance. You are expected to notify your supervisor or follow established office guidelines when you will be out of the office during regularly scheduled work hours. Every employee also should have a regular work schedule that is established between the employee and supervisor and that meets the operational needs of the department or organization. When changes to the work schedule are made, employees are responsible for requesting such changes, in writing, from their supervisor.

## **Meal and Rest Periods**

Employees are expected to observe their assigned meal and rest periods. With regard to rest periods, employees are authorized and shall be provided one 10-minute rest break for every 4 hours worked or major fraction thereof. This rest break should be taken during the middle of the work period as the work day permits. Employees should not leave the premises during the rest period.

A meal period of at least 30 minutes but not to exceed one hour must be provided and should be scheduled so that adequate coverage is provided at all times. All non-exempt employees must be provided at least a one-half hour unpaid duty-free lunch period when they work more than 5 hours per day. Employees who work in excess of 10 hours in a work day are eligible to receive a second unpaid duty-free meal period of no more than 30 minutes.

An on-duty meal period will be permitted only when:

- The nature of the work prevents an employee from being relieved of all duty; and
- The on-the-job meal period is paid time; and
- Employee agrees to the on-duty meal period in writing and agrees in writing that the on-duty meal period agreement may be revoked at any time.
- The department receives written approval from UEC's Head of Human Resources, or their designee.

The specifics of your work schedule will be determined by your supervisor, and meal and rest periods may not be combined or saved until the end of the schedule for the purpose of leaving early.

## **Mandatory Meetings & Training**

Newly hired employees will be provided with a list of trainings from Human Resources for which they will be required to attend and/or complete. Other UEC and/or University provided trainings may be available upon request. Additional information, including specific dates and times of each session are available by request from Human Resources.

UEC will pay non-exempt employees for their attendance at mandatory meetings and mandatory training programs. Employees who fail to attend/complete mandatory meeting or mandatory training may be subject to discipline up to and including termination of employment.

## **Orientation for New Hires and Re-Hired Employees**

All new employees and employees who are rehired to UEC after a separation of six (6) months or more are required to attend a new hire orientation during their first two (2) weeks of employment. For short-term employees, the orientation must be scheduled during the first week of hire. Orientations are typically one-hour in length and conducted in the UEC Boardroom

(Room 102), though these sessions are subject to change. Contact Human Resources with any questions or concerns with this schedule.

## **Punctuality and Attendance**

UEC expects you to be reliable and to be punctual in reporting for scheduled work. Absenteeism, tardiness, and early departures from work place an undue burden on other employees and on UEC. If you cannot avoid being late to work or are unable to work as scheduled, you must call and report your absence to your supervisor at least 30 minutes before the start of your shift, although each department may have different requirements regarding when you must call in. It is not acceptable for you to ask another employee to report your absence to your supervisor. If it is not practical for you to speak with your supervisor when you call, you must leave a message and then call back when your supervisor is available.

Excessive absenteeism, early departures, or tardiness may lead to disciplinary action, up to and including termination of employment. Simply notifying your supervisor that you will be absent or tardy does not mean that the absence or tardiness is excused. If you are absent due to illness for five (5) consecutive days or more, UEC reserves the right to require a doctor's certificate before you return to work. However, UEC has the authority to request a doctor's certification from an employee for an absence that is less than five (5) working days. Unless other arrangements have been made, you should call your supervisor each day that you are absent. Employees who fail to report to work without any notification to the employee's supervisor for three (3) consecutive days will be considered to have voluntarily terminated their employment with UEC as of the first day of the unreported absence.

## **New Hires**

All new and rehired employees must complete their employment paperwork and provide proper documentation that establishes both identity and employment eligibility *before* they begin work. Human Resources will provide an "Authorization to Begin Work" form via email to the employee's supervisor *prior* to placing the new hire on the work schedule.

New hires and employees who are rehired to UEC after a separation of six (6) months or more are required to attend UEC New Hire Orientation within the first two weeks of employment.

## **Job Duties**

Your supervisor will explain your job responsibilities and the performance standards expected of you. 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 UEC. Your cooperation and assistance in performing such additional work is expected.

UEC 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.

## **Personal Information Maintenance**

We keep records concerning your employment, so it is important that your personnel records are accurate and up to date. When you were hired, you provided us with certain information about yourself, and it is important that this information remains current because it enables us to reach you in an emergency, to maintain your benefits properly and to compute your payroll deductions. Please notify UEC Human Resources immediately of any change in your name, address or telephone number, marital status, number of dependents, beneficiary or dependents listed on your insurance policy, or any change in the person that you want us to notify in case of an emergency.

If you are currently a student or employee of the University, you may be required to notify the appropriate University department prior to making changes to your personal information with UEC. Contact UEC Human Resources for assistance.

## **Personnel Records**

You may inspect your personnel file, as provided by law, in the presence of a Human Resources 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.

UEC will restrict disclosure of your personnel file to authorized individuals within UEC. Any request for information contained in personnel files must be directed to UEC's Head of Human Resources, or their designee. Only UEC's Head of Human Resources or their designee is authorized to release information about current or former employees. UEC will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

## **Employee Transfers from the University**

California State University, San Bernardino employees who separate state employment to accept a UEC benefited position may not transfer *any* benefits (e.g. vacation, sick, health, retiree, etc.).

Accrual rates that the employee was receiving from the state at the time of transfer will not transfer with the employee. The employee will follow the accrual rates established for new employees.

UEC employees who separate from UEC to accept state employment are obligated to adhere to campus policy. UEC does not coordinate such transfers.

## Performance Evaluations

Professional behavior is expected of all UEC employees. At UEC, customer service is an important part of every job and we require that you provide all members of UEC and the campus community with prompt and pleasant customer service in person and on the phone. Accuracy is another important standard and maintaining accuracy in the performance of your job duties assists your department and UEC in operating efficiently and productively. UEC expects that during your employment with us, you will perform all job duties accurately and in a timely manner. During your training and orientation, you will be given an explanation of your department's policies, procedures and job performance standards. If you, at anytime, do not understand any tasks, policies or procedures, it is your responsibility to speak to your supervisor to clarify what is expected of you.

UEC believes in the principle that employees should be given the opportunity to demonstrate their abilities and continually improve their job performance. Performance evaluations are provided after the first six months and then annually, usually in June or July (unless otherwise specified by your department), although performance evaluations may be conducted at any time to provide both you and your supervisor with the opportunity to discuss your job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss methods for improving your performance. Employees also may receive an appraisal any time there is a change in performance or changes in position duties. After the review, you will be required to sign the evaluation report simply to acknowledge that it has been presented to you, that you have discussed it with your supervisor, and that you are aware of its contents.

Where performance problems exist, UEC will endeavor to notify an employee about his or her deficiencies. Such notification is an opportunity for the employee to improve. At the same time, please understand that a positive performance evaluation does not guarantee an increase in salary, a promotion, or even continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of UEC.

**In addition to these more formal performance evaluations, UEC encourages you and your supervisor to discuss your job performance on an ongoing basis.**



# Wages

## **Salaries**

A salary range has been established for each UEC position. All salaries are gross salaries and are subject to mandatory and voluntary deductions.

The Executive Director approves salary ranges for all positions. Periodically, the Executive Director will authorize a review of the salary ranges to ensure they remain competitive and appropriate to the Human Resources philosophies of the organization, but it is not automatic.

UEC Executive Director may authorize a merit salary increase at the beginning of a new fiscal year based upon the current budget, but they are not automatic. Merit salary increases are based on performance of job functions, goals and objectives and other employee performance measures as identified in the employee's performance appraisal, which is done at least annually. For new employees or for employees in new positions or those with performance concerns, appraisals may be completed more often.

Merit salary increases may only be earned through average to superior performance. Below average performers may not receive a merit salary increase for the budget year in which it was offered.

Employees with less than six months of service, in their current position, with UEC during a merit salary increase are not eligible for an increase.

## **Advances**

UEC does not permit advances against paychecks or against vacation, sick and/or personal holiday leave not yet accrued.

## **Overtime for Non-Exempt Employees**

From time to time or as necessary, you may be required to work overtime. Non-exempt employees will be paid one and one-half times their regular rate for all hours worked in excess of the first eight (8) hours in a work day, over forty (40) hours in a work week, or for the first eight (8) hours on the seventh consecutive day of work in a work week. Non-exempt employees will be paid two times their regular rate for all hours worked in excess of twelve (12) in a work day or in excess of eight (8) on the seventh consecutive day of work in a work week. For purposes of determining which hours constitute overtime, only actual hours worked in a given workday or workweek will be counted. Exempt employees are not entitled to overtime pay.

Overtime is to be scheduled and approved only when the work cannot be accomplished within normal working hours and *only* if it has been authorized in advance by your Department Head or your Supervisor. Student Assistants are not authorized to work overtime while school is in

session unless they receive advanced approval from UEC's Head of Human Resources, or their designee. Non-exempt employees who work unauthorized overtime may be subject to disciplinary action. Additionally, Sponsored Program employees must obtain the Project Director's approval in writing to ensure overtime is payable under the grant or sponsored contract.

## **Alternative Workweeks**

During the summer months, generally June through September, UEC may present certain departments or business units with the opportunity to vote in a secret ballot election for an alternative workweek, which will allow affected employees to work longer hours in a work day while working fewer days during the week. Historically, UEC proposed alternative workweeks when the University closed the campus on Friday's to save money on rising electricity costs.

UEC's Head of Human Resources or their designee will begin the process of an alternative workweek by first providing a written proposal to affected employees which outlines the details of how employees will be affected. A meeting will also be conducted so that employees can ask questions. Next, a secret ballot election will be conducted and 2/3 of the employees must vote in favor of the alternative workweek for it to be implemented. The entire process must be administered by the UEC Human Resources.

No employee may work an alternative workweek **unless** you have been designated as an affected employee by UEC Human Resources and there has been a proposal, a meeting, and a secret ballot election, among other requirements that may have to be met. If you are unsure whether or not you may work an alternative workweek please contact UEC Human Resources.

## **Make-up Time**

UEC allows the use of make-up time when non-exempt employees need time off to tend to personal obligations.

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 worked will not be paid at an overtime rate. 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.

Make-up time requests must be submitted in writing to your supervisor, with your signature, on the UEC "Request for Make-up Time" form. Please contact UEC Human Resources for a copy of this form. All requests will be considered for approval based on the legitimate business needs of UEC at the time the request is submitted. A separate written request is required for each occasion the employee requests make-up time. All requests for make-up time must be submitted at least 24 hours in advance, and your make-up time request must be approved in writing before you take the requested time off or before you work the make-up time, whichever occurs first.

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, so long as it is within the same work week. 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. UEC does not encourage, discourage, or solicit the use of make-up time.

## **Payment of Wages**

All UEC employees are paid semi-monthly (twice a month), with 24 pay periods annually, according to the published UEC "Payroll Calendar". The Payroll Calendar is provided to all new employees and is also available in the UEC Payroll Department and accessible online at the UEC website. Paychecks are normally available between 10:00 a.m. and 3:00 p.m. in room UE-109 located in the University Enterprises building. If you believe there is an error on your check or pay stub, please report it immediately to UEC Payroll Department.

Many UEC employees enjoy the benefits of direct deposit. When you complete and submit the "Direct Deposit Request" form to the Payroll Department, UEC will automatically deposit the net amount of your check into the designated bank, credit union, or other financial institution account. Deposits will normally reach the designated institutions on or before scheduled paydays. On paydays, you will still receive a direct deposit statement that serves as your check stub.

When electing for direct deposit, please keep in mind that it typically takes up to three pay periods for your direct deposit to become activated or to take effect. Therefore, you may need to physically pick up your paycheck from UE-109 until your direct deposit activates.

## **Timekeeping Requirements**

Time sheets are used as a means of accurately recording hours worked and calculating pay. All UEC employees must submit a time sheet semi-monthly according to the Payroll Calendar, and all employees are required to report absences from work such as vacation, holidays, or other leaves of absence. Time sheets must be received by 10:00 AM in the UEC Payroll Department according to the published time sheet due dates listed on the Payroll Calendar.

Non-exempt employees are required to record the time when they start work, leave for lunch, return from lunch, and when they leave at the end of the day. Exempt salaried employees are not required to record their start and stop times but must list their "exceptions" for each pay period. Exceptions may include, but are not limited to, vacation, sick, personal holiday and holiday pay.

Timekeeping methods (e.g. time clock, time sheet) may vary by department or employee classification. All forms of submitted time keeping must include the employee's legal name, complete account information, pay period, and the last 4-digits of the employee's Social Security number. Time sheets shall be prepared by the employee electronically, printed and signed in ink

by both the employee and the supervisor. If a correction is necessary, it should be made by crossing out the error, both the employee and supervisor initialing the change and then adding the appropriate correction. All exceptions to this timekeeping policy must be approved first by the Payroll Supervisor.

Accuracy is important since hourly wages and benefits are calculated on the basis of the time recorded. Employees are responsible for ensuring the accuracy of their own time sheets. If an employee disagrees with their timesheet, the employee has the right to dispute their timesheet by submitting a written dispute to UEC Human Resources or the Payroll Department.

Altering, falsifying, or tampering with a time sheet may result in disciplinary action, up to and including immediate discharge. *It is strictly forbidden to tamper with another employee's time sheet.*

# Benefits

## **Eligibility for Benefits**

UEC offers a comprehensive benefits package for all eligible employees which are a significant part of total compensation. The UEC Board of Directors reserves the power at any time to modify, amend or terminate (in whole or in part) any or all of the provisions of the employee's health insurance plans that it may legally be empowered to do. Any such action shall be adopted by formal action of the UEC Board of Directors and executed by an officer authorized to act on behalf of UEC.

Generally, UEC benefits are based on eligibility and availability and may include:

- Family Medical, Dental and Vision coverage(s)
- Flex Cash option
- Life Insurance / Accidental Death and Dismemberment (AD&D)
- Employee Assistance Program
- Public Employees Retirement System (PERS)
- CalPERS 457 Supplemental Income Plan
- Education Reimbursement
- Vacation, Sick and Personal Holiday Accruals
- Paid Holidays
- Unemployment Insurance
- Workers' Compensation
- State Disability Insurance
- Social Security / Medicare (FICA).

## **Summary of Medical and Related Benefits**

UEC provides a medical, dental, vision and life insurance package to benefited UEC employees. An employee's appointment status determines their eligibility. Some benefit programs are supported fully by UEC; some benefits are supported by both the employee and UEC. The UEC Human Resources Benefits Representative will schedule a personalized benefits appointment to cover eligibility, effective date of coverage, coverage options, cost and also answer any additional benefit related questions. For current plan description summaries, please contact UEC Human Resources.

**Medical:** New benefited employees may enroll themselves and their eligible dependent(s) in UEC provided health plan of his or her choice. The effective date of one's medical coverage is the 1st day of the month following 30 days of employment as a benefited employee. UEC and the employee may share in the cost of this program. Complete details of our medical benefit

plans are described in separate materials which will be provided to you at your request or when you become eligible for this benefit.

**Dental & Vision:** New benefited employees may enroll themselves and their eligible dependent(s) in UEC provided dental and vision plan. The effective date of one's dental and/or vision coverage begins the 1st day of the month following 30 days of employment. UEC and the employee may share in the cost of these program(s). Complete details of our dental and vision benefit plans are described in separate materials which will be provided to you at your request or when you become eligible for this benefit.

**Group Term Life/AD&D Insurance:** New benefited employees will be enrolled in the Group Term Life and Accidental Death and Dismemberment (AD&D) insurances. The effective date of one's coverage begins the 1st day of the month following 30 days of employment. Benefit amounts are dependent upon employee classification and these benefits continue until the termination of employment. Employees may also elect additional Optional Life and/or Optional AD&D insurance to supplement these policies at your own expense. Complete details of these benefits are described in separate materials which will be provided to you at your request or when you become eligible for this benefit.

**Long Term Disability Insurance:** Management Plan (MP) employees are the only employees eligible for Long Term Disability insurance. UEC pays for the full cost of the premium for this coverage. Complete details of our Long Term Disability insurance plan is described in separate materials which will be provided to you at your request or when you become eligible for this benefit.

**Flex Cash Plan:** UEC offers a Flex Cash plan to help you tailor your benefit package needs. If you have medical and/or dental coverage outside UEC, the Flex Cash Plan is an optional benefit plan that allows you to waive medical and/or dental insurance plan(s) in exchange for cash. If you waive or cancel your medical and/or dental insurance plan(s), you will receive additional cash in your paycheck per pay period. The Flex Cash Plan payment is treated as taxable income and will be subject to the same payroll taxes (federal, state, social security) as regular salary. The additional cash income will be reported as income on your Form W-2 in the year it is received.

Benefited employees who have certified that they have alternative coverage(s) and that coverage has been approved by UEC are eligible for the Flex Cash Plan.

UEC strongly encourages you to make sure your medical and/or dental needs are met before you elect the Flex Cash Plan. If you decide to waive medical and/or dental coverage(s), you will be required to certify on the Flex Cash Plan Enrollment Form that you have alternative coverage(s) and those coverage(s) have been approved by UEC. Complete details of these benefits are described in separate materials which will be provided to you.

**Employee Assistance Program:** The Employee Assistance Program (EAP) provides confidential counseling and referral services to all benefited employees and members of their household 24 hours a day. This benefit is available through an external provider to assist you and your family in dealing with a wide variety of problems or concerns such as those involving

relationships, parenting, drug/alcohol abuse, depression, communication, stress, and concerns related to your job. All services are kept strictly confidential. Complete details of this benefit are described in separate materials which will be provided to you.

## Retirement Plan

**CalPERS:** UEC participates in the California Public Employees' Retirement System (CalPERS) program. Membership is mandatory for each newly hired benefited employee and for employees who reach 1,000 hours worked in a fiscal year (July-June). CalPERS is a defined benefit retirement plan that provides benefits based on members' years of service, age, and final compensation. In addition, benefits are provided for disability, death and payments to survivors or beneficiaries of eligible members.

Members are eligible to retire at the age specified in their benefit formulas. UEC employees become fully vested in their retirement benefits after five (5) years of credited service. Classic CalPERS employees are eligible to retire and receive a monthly pension benefit when they are at least age 50 and have a minimum of five years of CalPERS-credited service. Employees hired on or after January 1, 2013 are eligible to retire and receive a monthly pension benefit when they are at least age 52 and have a minimum of five years of CalPERS-credited service.

CalPERS uses contributions of the employer and the employee as well as income from investments to pay for employee retirement benefits. Employee and employer contributions are a percentage of applicable employee compensation. The employer contribution is set annually by CalPERS based on annual actuarial valuations. The employee's contribution is dependent on the employee's CalPERS membership (Classic or PEPPRA), salary, deducted every pay period, less an exclusion allowance for coordination with Social Security.

Any unused sick leave is converted to additional service credit if the employee retires within 120 days of separation from employment. Eight hours of sick leave equals one day (.004 of a year of service). It takes 250 days of sick leave to receive one year of service credit (.004 x 250 = 1 year).

Complete details of this benefit are described in separate materials which will be provided to you at your request or when you become eligible for this benefit.

**Post-Retirement Medical Policy:** University Enterprises Corporation at CSUSB shall provide medical benefits to employees whose last hire date is prior to September 11, 2009, and who have retired from UEC and CalPERS having met the age and years of service requirements under CalPERS, and who have not been reinstated from retirement pursuant to CalPERS rules regarding employment, which are currently described in CalPERS Publication 33.

The post-retiree medical benefits shall be provided according to the terms of insurance contracts entered into by UEC and the claims procedures and other procedural requirements described in the insurance documents shall apply to the benefit coverage. UEC shall serve as the named fiduciary for any fiduciary purpose related to this benefit except to the extent the insurance carrier is the fiduciary. UEC shall have full discretionary authority when acting in its fiduciary

capacity. Any delegation of fiduciary functions will include discretionary authority unless the discretion is specifically limited in writing as part of the delegation. The insurance carrier, not UEC, is responsible for paying all benefit claims and for processing all claims for benefits, but UEC shall, to the extent practicable and allowed by law, follow the claims procedures described in the insurance documents to decide questions of eligibility that are beyond the scope of the insurance carrier's authority.

This post-retirement medical policy is not a promise of benefits for life or for any other duration. This benefit is not subject to vesting and is unvested at all times both before and after retirement. University Enterprises Corporation at CSUSB Board of Directors reserves the power at any time to modify, amend or terminate (in whole or in part) any or all of the provisions of the employee's health insurance plans including the conditions and limitations on post-retirement medical benefits.

**Social Security:** Employees of UEC are covered by Social Security benefits. Social Security costs are borne by both the employee and UEC.

**CalPERS 457 Supplemental Income Plan:** UEC offers the CalPERS 457 plan, a tax-deferred, supplemental income plan. This plan will allow participants to make automatic payroll deductions to reduce a portion of their salary to invest in an available CalPERS fund of their choice.

All employees that wish to participate in the plan will have the opportunity to reduce their taxable income by the amount they elect to invest, while securing a financial future. The plan will offer a wide variety of investment options and comprehensive participant services that can accommodate future financial needs. Participants will have several options to invest based on a scale of preferred risk: aggressive, moderate, conservative, or based on retirement date.

The plan is strictly voluntary. You are not required to participate. All contributions are made by payroll deduction; UEC does not make contributions to your CalPERS 457 account.

## Holidays

The President of the University generally establishes the academic work days and holidays for the University, and UEC observes those same holidays. If classes are scheduled on a particular holiday, the President may reschedule the holiday to be observed on a different day. In order to qualify for holiday pay, eligible employees must be employed and on paid status with UEC on the date that the holiday is actually observed, as established by the University's academic calendar. Paid status is defined as performing work or taking paid leave any time during the pay period.

The following days are observed as holidays, although they may be actually observed on a different date: New Year's Day; Martin Luther King Jr.'s Birthday; Lincoln's Birthday; Washington's Birthday; Cesar Chavez's Birthday; Memorial Day; Independence Day; Labor



Day; Admission Day; Columbus Day; Veterans' Day; Thanksgiving Day; Christmas Day; and other days designated by the Governor as a public holiday.

Holiday pay will be paid on a pro rata basis to eligible employees who are regularly scheduled to work fewer than forty (40) hours per week and calculated based on the number of hours worked and leave hours used in the pay period in which the holiday is taken. Employees must report all holidays on their time sheets.

To be eligible for holiday pay, benefited employees must be regularly scheduled to work on the day on which the holiday is observed and must work your regularly scheduled working days immediately preceding and immediately following the holiday, unless the employee is on a paid leave of absence or on a paid status on either day and is approved in advance by your supervisor.

### ***Working on Scheduled Holidays***

Some situations may arise whereby it will be necessary for an employee to work on a scheduled holiday. Prior approval from your supervisor and UEC's Head of Human Resources, or their designee must be obtained before any UEC employee works on a scheduled holiday.

If a non-exempt employee is approved to work on a scheduled holiday and is eligible for holiday pay, the employee is to be compensated for both the holiday and the actual hours of work at the employee's regular rate of pay.

## **Vacation Time Accrual**

In general terms, the intent of the UEC vacation policy is to provide eligible employees with a paid period of rest and relaxation away from work. Vacation benefits begin to accrue for eligible employees immediately upon employment.

### ***Eligibility & Rate of Vacation Accrual***

Benefited employees who are regularly scheduled to work 40 hours or more per week are eligible to accrue paid vacation as follows:

<u>YEARS OF SERVICE</u>	<u>VACATION DAYS PER YEAR</u>	<u>HOURS PER QUALIFYING MONTH</u>
0 to 3 yrs.	10 days	6.67 hours
More than 3 yrs. to 6 yrs.	15 days	10.00 hours
More than 6 yrs. to 10 yrs.	17 days	11.33 hours
More than 10 yrs. to 15 yrs.	19 days	12.67 hours
More than 15 yrs. to 20 yrs.	21 days	14.00 hours
More than 20 yrs. to 25 yrs.	23 days	15.33 hours
More than 25 yrs.	24 days	16.00 hours

Benefited employees who regularly work less than 40 hours (less than 1.0 Full-Time Equivalency) per week shall accrue vacation pay at a proportionate amount that is based on the above schedule.

### ***Vacation Pay Rules & Requirements***

To use your accrued vacation pay, you must first obtain authorization from your supervisor. Requests for vacation should be made with as much advance notice as possible. It is strongly recommended that you provide this notice to your supervisor at least one (1) month prior to the date the vacation is to start. If a scheduling conflict develops, preference will be given to the employee who requested the schedule change first. UEC retains the right not to approve or deny vacation at any time and at specified times of the year in which the absence of the employee would adversely affect business operations. UEC may require employees to take vacations for scheduling or budgetary reasons.

Employees who have worked ten years or less for UEC may accrue no more than 34 days (272 hours) of vacation pay, and employees who have worked more than 10 years may accrue no more than 48 days (384 hours) of vacation pay. Once you have accrued the maximum amount of vacation pay, you will stop accruing. You will begin accruing vacation pay again once you have used some of your accrued but unused vacation pay. All accrued but unused vacation benefits are paid at the time of separation of employment.

UEC employees with no break in service transferring to a new UEC position will carry their current accruals forward unless the sponsored program or project does not allow it. In those cases in which it is not allowed, vacation accruals will be paid out, but sick time will not.

Sponsored Program employees are ***required*** to take budgeted accrued vacation time prior to the end of the sponsored program's contract period. All unused vacation accrual will be paid out to the employee at the end of the contract period. This is to prevent situations where no funds are available to pay the accrued vacation time.

Academic year instructors and adjunct instructors may not accrue vacation benefits. Non-exempt employees must take vacation time in increments of not less than 30 minutes. Exempt employees must take vacation time in increments of not less than one (1) whole working day. Vacation does not accrue during an unpaid leave of absence, and vacation accrual resumes upon return to work.

## **Personal Holiday**

In addition to an eligible employee's vacation accrual, benefited employees who have completed 30 days of employment also may accrue one (1) personal holiday, equal to eight (8) hours, per calendar year. This Personal Holiday is available for all eligible employees to use as of January 1 of each year and must be used by December 31. The Personal Holiday is capped at one (1) day each year and it must be used in full day increments. Once you accrue one personal holiday, you may not accrue additional personal holidays until that day is used. Once you use that day, you will be eligible to accrue a new personal holiday the following calendar year.

Personal Holiday time will be paid on a pro rata basis to eligible employees who are regularly scheduled to work fewer than forty (40) hours per week and calculated based on hours of work and leave hours taken during the pay period in which the personal holiday is taken. Additionally, all accrued but unused Personal Holiday time will be paid at the time of separation of employment at the employee's current rate of pay.

## **Sick Pay**

In order to minimize the economic hardships that may result from an unexpected short-term illness or injury of an employee or the employee's legal dependent, UEC provides all employees sick pay benefits for the actual illness or injury of an employee, and to care for the employee's spouse, domestic partner, parent, sibling, children, grandchild or grandparent. Sick leave may also be used for doctor appointments, preventative care, and by victims of domestic violence, sexual assault, or stalking to obtain relief, including medical attention and psychological counseling.

When employees are unable to work as scheduled, they must notify their supervisor as soon as possible in advance of the anticipated absence. While employees are off work, they are expected to maintain regular contact with their supervisor, and must make suitable arrangements to maintain communications with their supervisor. Employees must advise their supervisor of the date the doctor has authorized the employee to return to work as soon as they know.

Written verification from a health care provider that an employee is unable to return to work is required for an absence longer than five (5) consecutive working days. However, UEC may request certification from an employee for any absence that is less than five (5) consecutive working days. Employees who are absent for more than five (5) days will be ineligible to return to work until they provide a doctor's certificate that allows them to return to work.

Three (3) consecutive days of absence from the workplace without notification to your supervisor will be deemed job abandonment and may result in your immediate dismissal.

Non-exempt employees must use sick leave pay benefits in increments of not less than 30 minutes, but no more than the total hours the employee was scheduled to work each day. Exempt employees who take time off under this policy will only be paid sick pay in full-day increments, and when taking time off for less than a full day, UEC will pay the exempt employee his or her regular salary without reducing or using any available accrued sick pay. The only exception is if the employee is on a Family & Medical Leave. In the event that employment ends, no unused sick leave will be paid to any employee. Accrued and unused paid sick days must be reinstated if an employee leaves employment and then is rehired within one year

### ***Non-benefited employees (variable hour, temporary and student employees)***

Non-benefited employees, including variable hour, temporary and student employees are eligible to receive and use 24 hours paid sick leave upon commencement of employment and each calendar year thereafter. Unused sick pay for non-benefited employees is not carried over from year to year.

### ***Benefited employees***

UEC offers sick leave pay benefits to benefited employees. Benefited employees begin to accrue sick leave benefits immediately upon employment at the rate of eight (8) hours per month for employees working at least 40 hours per week. Benefited employees who work fewer than 40 hours per week may accrue sick leave pay at a proportionate rate, based upon the number of paid hours per month. An employee may not use more sick pay than has been accrued and may not receive an advance of sick pay that has not yet been accrued. There is no limit on the number of sick leave hours an employee may accrue.

If a paid holiday occurs while an employee is on a paid sick leave, the employee will receive holiday pay for that day, not sick pay. Paid sick leave will not count as time worked, therefore it will not be counted towards overtime. Sick pay does not accrue during an unpaid leave of absence. Sick pay accrual resumes upon return to work.

UEC employees with no break in service transferring to a new position in UEC will carry their accrued sick leave to the new position.

### ***Coordination of Benefits: Required Use of Paid Sick Leave***

If you are absent for a reason that qualifies you for Paid Family Leave (PFL) payments (described below), and you have no vacation pay available, you are required to use any accrued and unused sick leave during the 7-day waiting period before PFL benefits begin. PFL benefits do not replace all of your usual wages. Your PFL benefits will be supplemented with any accrued and unused sick leave pay. If you have no sick leave pay available, accrued and unused vacation will be used to supplement your PFL benefits.

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 seven (7) calendar days. If you have accrued paid sick leave, sick leave will be used for the first seven (7) days, before SDI payments begin. If you have no accrued sick leave, any accrued vacation will be used during this waiting period.

SDI benefits do not replace all of your usual wages. Your SDI benefits will be supplemented with any accrued and unused sick leave. If you have no sick leave, or once you exhaust your sick leave, accrued and unused vacation will be used to supplement your SDI benefits.

## **Catastrophic Leave Donation Program**

Regular UEC employees may donate up to sixteen (16) hours of leave balances of sick leave pay in one-hour increments to any UEC employee who has exhausted his or her accrued leave balances and is on an approved leave of absence for a catastrophic illness or injury. UEC employees may only donate to and receive from other employees that are employed by the same project or department. The recipient employee must request that sick pay be donated, and the recipient must be on an approved leave of absence expected to be for a period of at least seven

(7) calendar days. Physician verification must be provided. Conditions that are short term in nature such as colds, the flu or minor injuries are not considered catastrophic.

Employees wishing to donate leave balances may do so by contacting UEC Human Resources and submitting a Donation of Sick Pay Form indicating the number of hours they wish to donate. Requests for participation will be reviewed on a case-by-case basis. This program is voluntary to all regular benefited employees and state employees may not participate in this program. Donations are irrevocable once posted to the recipient's leave record. The employee may not revoke a donation once the amount has been transferred.

## **Educational Assistance**

The UEC Educational Assistance Program assists employees who aspire to higher levels of skills and professional competencies. Educational Assistance may be used for successful completion of approved work-related classes or accredited courses leading to an undergraduate or graduate degree that supports the mission of UEC. The Educational Assistance Program is only available to employees attending any university in the California State University system, including CSU, San Bernardino.

Educational Assistance may be provided in either the form of a tuition reimbursement or a fee waiver. A tuition reimbursement request may be made by an eligible employee who has already paid for classes and then submits proof of payment to UEC. UEC also will reimburse the employee for all expenses that are reimbursable under this policy and will be determined at the discretion of UEC. A fee waiver request may be made when an eligible employee would like UEC to work directly with Student Accounts to provide a waiver or reduction for all allowable fees.

Educational Assistance is based upon availability of funds, satisfactory job performance, appropriate approval, and is provided on a first-come, first-serve basis. This benefit will be made accessible to all regular benefited employees (except Sponsored Program employees, unless expressly allowed by the authorizing authority) who have completed at least six (6) months of continuous service. Eligible employees are required to submit for approval an "Application for Educational Assistance" form prior to enrollment in classes. To maintain eligibility for Educational Assistance benefits, the employee must work his or her regular schedule and must perform his or her job satisfactorily throughout the completion of each course.

UEC will reimburse eligible employees only for tuition, application fee, student ID card, instructional related fee, student body fee, health facilities and lab fees. The maximum amount of reimbursement under this policy is for six (6) units or two courses, whichever is greater. UEC will not pay for late fees, for repeating courses, or for books and materials. Upon demonstration of successful completion of courses taken (with a grade of a "C" or better), UEC will only reimburse eligible employee for the tuition costs or fees that do not exceed the amount of fees for an equivalent course at California State University, San Bernardino. Employees are responsible for paying any excess amount.

Campus registration fee amounts change on a quarterly basis. Therefore, tuition reimbursement or fee waiver amounts will vary. Please see UEC Human Resources for more details about this benefit.

## **Professional Development**

UEC encourages professional development of its employees. For that reason, UEC understands that employees may need to attend training programs, seminars, conferences, lectures, meetings, or other outside activities for a variety of reasons, such as for the benefit of UEC, the employee's department or the individual employee(s). Attendance at such activities, whether required by UEC or voluntarily requested by individual employees, requires the written approval of your supervisor if attendance is necessary during working hours. To obtain approval, any employee wishing to attend an activity during working hours must submit a written request detailing all relevant information, including date, hours, location, cost, expenses and the nature, purpose and justification for attendance. Attendance at any such event is subject to the following policies on reimbursement and compensation:

For attendance at events required or authorized by UEC, customary and reasonable expenses may be reimbursed upon submission of proper receipts. Acceptable expenses generally include registration fees, materials, meals, transportation and parking. Reimbursement policies regarding these expenses should be discussed with your supervisor and/or Auxiliary Financial Services in advance. Employee attendance at authorized outside activities will be considered hours worked for non-exempt employees and will be compensated in accordance with normal payroll practices.

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

## **Unemployment Insurance**

All employees are covered by unemployment insurance which provides payment to an eligible individual who becomes unemployed, is physically able to work and available to accept and actively seek employment as directed. UEC pays the entire premium for this insurance for our employees.

## **Workers' Compensation Insurance**

All employees and volunteers are covered by the UEC Workers' Compensation Insurance. The cost of the insurance is borne by UEC with no cost to the employee. The purpose of Workers' Compensation is to assist employees who have suffered a job-related injury or illness. If you are injured on the job or incur a work-related illness, please contact your supervisor and UEC

Human Resources immediately, within 24 hours, in addition to seeking medical treatment with follow-up care as required.

## **State Disability Insurance**

All of our employees are covered under the State Disability Insurance plan which provides benefits in the event you need to miss work due to a non-work-related accident or illness. A small percentage of your wages will be deducted each pay period for disability insurance. Benefits will begin from the first day you are hospitalized or after the seventh day of illness or accident if you are not hospitalized.

An employee must file a claim with the Employment Development Department (EDD) to receive any benefits. Claim forms for California State Disability benefits can be requested from your nearest EDD office or online at: <http://www.edd.ca.gov/>.

## **Paid Family Leave**

As of 2004, employees may be eligible for Paid Family Leave (PFL) wage replacement benefits, which are funded through payroll deductions and coordinated through the Employment Development Department (EDD). PFL provides limited compensation for up to six (6) weeks (after an unpaid, seven (7) day wait period) when an employee needs to take leave to care for a parent, child, spouse, or domestic partner who is seriously ill, or for a working parent who wants time to bond with his or her newborn. The PFL program does not provide employees with a right to a leave of absence; it is limited to a state-mandated wage replacement benefit. For additional information, please contact UEC Human Resources for an informational brochure concerning your rights under this law and review this Handbook regarding your eligibility for a leave of absence.

## **Staff Identification Cards and Email Accounts**

Staff identification cards and email accounts will only be issued to UEC regular benefited employees. It is the strict policy of UEC that non-benefited employees do not receive these cards or accounts. A Program Director may formally request an exception to this policy, in writing, to UEC's Head of Human Resources, or their designee only if their non-benefited employee(s) is/are researchers working on a grant funded specifically for doing research as the majority (at least 60%) of their position. If the exception is granted, it is the responsibility and liability of the program to ensure that the individual return the card when they separate employment from the program.

## **Service Awards/Recognition**

UEC recognizes many of its employees when they reach certain milestones in their tenure of employment with UEC. Service time for the purpose of employee recognition will be based on the original date of hire (even if the employee's original date of hire occurred when the employee

was a student assistant or an emergency appointment) as long as there has not been a break of service of more than three (3) months in any eligible year of service.

## **Parking**

All employees who wish to park their vehicles on campus or on State-leased property must purchase a parking permit at the Bursars Office. Contact UEC Human Resources for current rates and information on how to obtain a pass.

Parking regulations for California State University, San Bernardino are enforced by University Police. Citations issued to UEC employees by University Police are the responsibility of the employee.

UEC is not responsible for any loss or damage to employee vehicles or contents while parked on campus or State-leased property. Employees who are issued a parking permit through UEC, and have their parking fees deducted by payroll, must return the permit to the UEC Human Resources immediately upon separation of employment.



# Leaves of Absence

<b>Section 6</b>
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## **Family & Medical Leave**

Under the federal Family and Medical Leave Act (“FMLA”) and the California Family Rights Act (“CFRA”), eligible employees are entitled to take Family and Medical leave up to a combined total of 12 workweeks in any 12-month period.

### *Eligible Employees*

To qualify for a Family and Medical Leave, an employee must have worked for UEC for at least 12 months and must have provided at least 1,250 hours of service during the 12-month period prior to beginning each leave.

### *Reasons for Leave*

Eligible employees may take Family and Medical leave for the following reasons:

1. For the birth of a child or the placement of a child with the employee for adoption or foster care; leave must be taken within one year of the birth or placement of the child.
2. To care for a spouse, child, or parent who has a serious health condition; or
3. For the employee’s own serious health condition if the employee is unable to perform the essential functions of his or her job.
4. A qualifying exigency relating to a close family members military service.
5. Up to 26 weeks per 12 month period to care for an ill or injured service member.  
Applies to spouse, parent, children, or next of kin.

A “serious health condition” means an illness, injury, impairment, or physical or mental condition that involves: (1) inpatient care in a hospital, hospice or residential health care facility; or (2) continuing treatment or continuing supervision by a health care provider that also requires an absence from work, school or other regular daily activities of more than three days.

### *Duration of Leave*

Eligible employees are entitled to take Family and Medical leave of absence up to a combined total of 12 weeks in a 12-month period. Computation of the leave period starts with the first date covered after leave begins. Leave for the birth, adoption or foster placement of a child must conclude within one calendar year of the actual birth, adoption or placement. If both parents work for UEC, the parents’ combined leave for the birth or placement of a child may not exceed 12 weeks during any 12-month period. An eligible employee may take intermittent leave or may work a reduced work schedule for a serious health condition of the employee’s child, parent, spouse or of the employee when medically necessary and if certified by a health care provider. If the need for the leave or intermittent leave is foreseeable, the employee should consult with UEC and make a reasonable effort to schedule any planned treatment in cooperation with UEC, if possible, in order to minimize disruption to the workplace.

### ***Benefits during Leave***

Group health insurance coverage will continue for eligible employees taking Family and Medical leave under this policy under the same terms and conditions that applied before the leave commenced. To continue health insurance coverage, the employee must continue to make any premium contributions that he or she was required to make prior to taking leave. Premium payments are due monthly and should be made payable to UEC and delivered to Human Resources. If an employee fails to pay his or her portion within 30 days of the due date of a premium, his or her health insurance coverage may be canceled. In such cases, employees will be notified at least 15 days before coverage terminates.

Employees on Family and Medical leave do not accrue vacation, sick leave or personal holiday during any pay period where no time is worked. Vacation, sick leave and personal holiday will begin accruing when the employee returns to work. Holiday Pay will be paid to any employee that is on a Family and Medical leave and who is on paid status for the pay period in which the holiday occurs. An employee who takes a Family and Medical care leave of absence will not lose any seniority earned prior to the commencement of Family and Medical leave.

### ***Coordination of Benefits***

Family and Medical leaves are unpaid. An employee who is granted a family and medical leave of absence must utilize any accrued but unused paid time off benefits (i.e., vacation and sick leave) during the period of the leave. Any portion of a leave that occurs after all paid time off benefits have been exhausted will be without pay.

Any unpaid or paid portions of this policy shall be added together and will not extend the 12-week total leave period limitation allowed under the Family and Medical Leave policy.

### ***Notice Requirements***

Employees who need to take Family and Medical leave should contact UEC Human Resources as soon as they learn of the need for leave, even when they do not know the precise dates that the leave will begin. If the leave is foreseeable, at least 30 days' notice is required. For events that are not foreseeable 30 days in advance, but are not emergencies, the employee must give notice within 2 working days of learning of the need for the leave. If UEC determines that the notice was inadequate and that the employee knew of the need for leave in advance of the request, it may require the employee to delay his or her leave. Family and Medical leave requests apply to all UEC employment combined. If circumstances of the leave change and the employee is able to return to work earlier than indicated, the employee is required to notify UEC Human Resources at least 2 working days prior to the date he or she intends to return to work. Similarly, if an employee learns he or she will be unable to return to work on the date previously indicated, the employee is responsible for applying for an extension and furnishing a medical recertification for an extension, prior to the date that the leave expires.

### ***Medical Certification***

An employee taking leave for the serious health condition of a family member or for his or her own serious health must provide UEC with certification from a health care provider within 15

calendar days of the UEC request. Failure to provide a satisfactory medical certification may result in the denial of leave.

In cases of a leave for the serious condition of an employee, UEC may require the medical opinion of a second health care provider. A second opinion would be sought by UEC at its own expense, to substantiate the medical certification. If the second opinion is different from the first, UEC may require the opinion of a third health care provider (also at its own expense) jointly approved by both UEC and the employee. The opinion of the third health care provider will be binding on both UEC and the employee.

If an employee requests an extension of leave beyond the time estimated by the health care provider, UEC will require recertification of the employee's or the family member's serious health condition. UEC also requires employees taking leave for their own serious health condition to present a fitness-for-duty certification before returning to work. In no event will a leave be extended beyond the maximum 12-week period.

### ***Outside Employment***

You may not be employed with any employer, other than UEC, during your leave of absence. Outside employment during your leave will result in immediate termination.

### ***Reinstatement***

When an employee is able to return to work, he or she should give UEC at least two (2) weeks notice. This is important so that the employee's return to work is properly scheduled.

Under most circumstances, UEC will reinstate employees to their former or equivalent position if they return from leave within 12 weeks. Exceptions, however, may occur as permitted by law. For example, UEC cannot guarantee reinstatement if the employee is a salaried employee and among the highest paid ten percent of all employees within a 75 mile radius and reinstatement would cause substantial and grievous economic injury, or if the employee would have been subject to layoff or job elimination had the employee not taken leave. Employees should also understand that they have no greater right to reinstatement or to other benefits of employment than if they had continued to work during their leave.

Employees who do not return to work immediately upon the expiration of an approved leave of absence or within the maximum period allowed for the Family and Medical Leave will be considered to have voluntarily terminated from UEC.

### ***Loco Parentis***

A child does not need to be biological or adopted, but can include foster child, step child, legal ward, or child of person standing in loco parentis. Loco parentis is defined as parent/adult with day-to-day responsibilities to care for and financial responsibilities of the child.

### ***Other Information***

The policies and guidelines stated in this policy shall be subject to such other terms and conditions as are provided in the Family and Medical Leave Act of 1993 and applicable

California leave laws. The FMLA and CFRA make it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA or CFRA; or to discharge or discriminate against any person for opposing any practice made unlawful by FMLA or CFRA, or for involvement in any proceeding under or relating to the FMLA. 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 that provides greater family or medical leave rights. If employees have any questions about the exercise of FMLA rights, please contact a member of UEC Human Resources.

## **Pregnancy Leave**

Female employees are eligible to take an unpaid leave of absence for their own disability caused by pregnancy, childbirth or related medical conditions.

### ***Duration of Leave***

Pregnancy-related disability leave may be taken for the duration of the disability up to 4 months (the working days you normally would work in 1/3 of a year or 17 and 1/3 weeks) for each pregnancy. At the end of the employee's period of pregnancy disability (not to exceed 4 months), employees who are also eligible for a Family and Medical Leave (CFRA), as described above, may take a leave up to 12-weeks for reasons of the birth of her child. The maximum possible combined leave for both family and medical leave (CFRA) and pregnancy disability leave for the reason of the birth of the child is 29 1/3 weeks. This assumes that the employee is disabled by childbirth or related medical conditions for 17 1/3 weeks and then requests, and is eligible, for a 12-week family leave for the reason of the birth of her child. Pregnancy-related disability leave is counted towards an employee's FMLA entitlement.

### ***Transfer and Accommodation***

An employee is also entitled to a temporary transfer to another position or other reasonable accommodation based on the pregnancy-related disability so long as (1) the employee requests the transfer or reasonable accommodation and the request is based on the medical certification of a health care provider that a transfer or reasonable accommodation is medically advisable, and (2) the request can be reasonably accommodated by UEC. Employees who are transferred to accommodate a pregnancy-related disability possess the same reinstatement and other rights described below with respect to pregnancy-related disability leaves.

UEC may also require an employee to transfer temporarily to an available alternative position with the same pay and benefits in order to accommodate an employee's need for intermittent leave or a reduced work schedule.

### ***Benefits during Leave***

Group health insurance coverage will continue for eligible employees taking a pregnancy-related disability leave under this policy under the same terms and conditions that applied before the leave commenced. To continue health insurance coverage, the employee must continue to make any premium contributions that she was required to make prior to taking leave. Premium

payments are due monthly and should be made payable to UEC and delivered to UEC Human Resources. If an employee fails to pay her portion within 30 days of the due date of a premium, her health insurance coverage may be canceled. In such cases, the employee will be notified at least 15 days before coverage terminates.

An employee who takes a pregnancy-related disability leave will not lose any seniority earned prior to the commencement of her leave.

Employees on pregnancy-related disability leave do not accrue vacation or sick leave during any pay period where no time is worked. Vacation and sick leave will begin accruing when the employee returns to work. Holiday Pay will be paid to a benefited employee that is on a pregnancy-related leave and who is on paid status for the pay period in which the holiday occurs.

### ***Coordination of Benefits***

Pregnancy-related disability leaves are unpaid. An employee who is granted a pregnancy-related disability leave may elect to use any accrued but unused paid time off benefits (i.e. vacation, sick leave, or personal holiday) during the period of the leave. Any portion of a leave that occurs after all paid time off benefits have been exhausted is without pay. Any unpaid or paid portions of this policy shall be added together and will not extend the 4 month total leave period limitation allowed under this pregnancy-related disability leave policy.

### ***Medical Certification***

An employee requesting pregnancy-related disability leave must provide medical certification that she is disabled by pregnancy. Medical certification is required under the same conditions as is required for family care and medical leaves of absence, as described above. An employee taking a pregnancy-related disability leave must present a fitness for duty certification before returning to work.

### ***Notice***

Employees should contact their supervisor as soon as they learn that they will need a pregnancy-related disability leave, even when they do not know the precise dates that such leave will begin. Employees must provide at least 30 days notice when the need for pregnancy-related disability leave is foreseeable. If the need for leave is not foreseeable, notice must be given to UEC within two (2) business days of learning of the need for the leave.

Employees must indicate the estimated timing and duration of the leave and make a reasonable effort to schedule any planned medical treatment so as to minimize the disruption of the UEC activities.

If an employee requests an extension of leave beyond the time estimated by the health care provider, the employee must submit a recertification prior to the expiration date if the employee desires additional leave. Extensions will not be granted that cause the total period of the pregnancy-related disability leave to exceed the 4-month limitation.

### ***Outside Employment***

You may not be employed with any employer, other than UEC, during your leave of absence. Outside employment during your leave will result in immediate termination.

### ***Reinstatement***

When an employee is able to return to work, she should give UEC at least two (2) weeks notice. This is important so that the employee's return to work is properly scheduled.

Under most circumstances, UEC will reinstate employees to their former or equivalent position if they return from leave within 4 months. Exceptions, however, may occur as permitted by law. Employees should understand that they have no greater right to reinstatement or to other benefits of employment than if they had continued to work during their leave.

For example, an employee will not be reinstated to the same position where (1) she would not otherwise have been employed in the same position due to legitimate business reasons unrelated to her taking leave (such as layoff or job elimination), or (2) the means of preserving the job would substantially undermine the ability of UEC to operate its business safely and efficiently. In such cases, the employee will be placed in a comparable position for which the employee is qualified unless (1) no comparable position is available within 10 working days of the employee's return to work, or (2) filling the comparable position with the employee would substantially undermine the ability of UEC to operate its business safely and efficiently. Employees who fail to return to work at the conclusion of their approved leave or within the maximum period allowed for the leave will be considered to have voluntarily terminated from UEC.

## **Personal Leave**

After an employee has completed at least twelve months of employment, an unpaid personal leave of absence for a specified period of time that is no longer than thirty (30) days may be granted, at the discretion of UEC. Requests for a personal leave of absence must be presented in writing to UEC's Head of Human Resources or their designee at least thirty 30 days in advance, whenever possible. Your request will be considered on the basis of our staffing requirements, the reasons for the leave, as well as your performance and attendance record. In no case will a leave of absence be granted for a period that extends beyond the expiration date specified on the employee's appointment letter, or the end of a grant or contract year, whichever comes first.

### ***Coordination of Benefits***

Personal leaves are unpaid. An employee who is granted a personal leave of absence must utilize any accrued but unused paid time off benefits (i.e., vacation and sick leave) during the period of the leave. Any portion of a leave that occurs after all paid time off benefits have been exhausted will be without pay.

Employees on personal leave do not accrue vacation or sick leave during any pay period where no time is worked. Vacation and sick leave will begin accruing when the employee returns to work. Holiday Pay will NOT be paid to any employee that is on a personal leave. An employee

who takes a personal leave of absence will not lose any seniority earned prior to the commencement of the leave. UEC will not pay insurance premiums while an employee is on a personal leave of absence. Should you desire to maintain insurance coverage while on a personal leave of absence, you will have the option of continuing your insurance coverage by paying the full monthly insurance premiums plus 2% administrative fees as stipulated under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

### ***Reinstatement***

Before you return to work, you should notify UEC's Head of Human Resources or their designee when you are ready to return to work at least two (2) weeks before the expiration of your leave. UEC's Head of Human Resources or their designee will notify you if an opening exists. UEC cannot guarantee reemployment to employees returning from a personal leave of absence.

The following will be deemed a voluntary resignation while you are on a personal leave of absence:

1. Failure to advise UEC of your availability to work;
2. Application for unemployment benefits;
3. Obtaining another position;
4. Engaging in another business;
5. Failure to return to work when notified; or
6. Your continued absence from work beyond the time approved by UEC.

## **Bereavement Leave**

When a death occurs in the employee's immediate family which necessitates his/her losing regularly scheduled work time due to bereavement, regular benefited employees will be compensated for a maximum of five (5) days for such lost work. All other employees are not eligible for paid bereavement, although they may request the leave on an unpaid basis.

Eligible employees must complete a Request for Leave form, fill in the Bereavement Leave section, and submit to the immediate supervisor/manager for approval. In turn, the request form must be submitted to UEC's Head of Human Resources, or their designee for final approval.

Immediate family means parents, legal guardian, spouse, spouse's parents, registered domestic partner, children, brothers, brothers-in-law, sisters, sisters-in-law, grandparents, grandparents-in-law, other dependent family members, or significant others living in employee's household. Any additional time requested beyond five (5) days must be approved by a supervisor and may be charged against the employee's vacation and/or sick leave accruals or the employee may request the leave without pay.

## **Jury & Court Duty**

It is UEC policy to enable its employees to fulfill their civic obligations. If called for jury duty, notify your supervisor immediately and submit notice, summons or subpoena from the court to UEC's Head of Human Resources, or their designee no later than ten days before starting jury or witness duty.

### ***Eligibility and Pay***

Benefited employees called to jury duty are eligible for up to three (3) calendar weeks (15 working days) of paid jury duty benefits per calendar year. All other non-benefited employees, including employees working on grant, contract or gift funds, unless approved by the authorizing authority, are not eligible for paid jury duty benefits. All employees who are not eligible for pay benefits under this policy may serve on jury duty on an unpaid basis.

In addition, any amount of Jury Duty pay that you receive must be returned to UEC as a condition of you receiving this leave benefit.

### ***Work Attendance***

Evidence of jury duty attendance must be presented to UEC Human Resources. This is normally a time record provided by the Clerk of the Court. This record is necessary to authorize paid time off from UEC, and it is necessary to verify that your time off is excused. In those circumstances where no evidence is provided, an employee may be required to use accrued vacation, personal holiday, or may take leave without pay. The employee should continue to report for work on those days or parts of days when excused from jury duty or when jury duty does not conflict with his/her work.

## **Witness Duty**

An employee who is required by law to appear in court as a witness may take unpaid time off for such purpose provided they give UEC reasonable advance notice.

## **Voting Time**

Employees who are unable to vote during non-work hours may arrange in advance to take up to two (2) hours off from work with pay to vote in a public election. These two (2) hours must be taken at either the beginning or the end of the workday. In order to qualify, you must obtain approval from your supervisor at least two (2) working days in advance.

## **Military Care Giver Leave (Part of FMLA)**

For employees who are eligible for leave under the FMLA (above), UEC provides those employees up to 26 weeks of leave during a 12-month period to care for spouse, child, parent, or next of kin who is a member of the Armed Forces, National Guard, or Reserves, who is



undergoing medical treatment, recuperation, or therapy, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty.

The maximum amount of leave for any FMLA-qualifying reason that may be taken in any 12-month period is 26 weeks, provided that no more than 12 weeks of leave may be taken for any FMLA-qualifying reason other than Military Caregiver Leave.

Military Caregiver leave is taken under the same terms and conditions as Family and Medical Leave, set forth above.

## **Qualifying Exigency Leave (Part of FMLA)**

For employees who are eligible for leave under the FMLA (above), UEC provides those employees up to 12 weeks of leave during a 12-month period to assist a spouse, son, daughter, or parent on active military duty or who is called to active military in support of a contingency operation, to manage their affairs and to address certain exigencies while the family member is on active duty. Such exigencies include:

- Short Notice Deployment
- Military Events and Related Activities
- Childcare and School Activities
- Financial and Legal Arrangements
- Counseling
- Rest and Recuperation
- Post-Deployment Activities
- Additional activities not encompassed in the other categories, but agreed to by the employer and employee.

UEC requires certification that the family member is a member of the National Guard or Reserves who is on active duty or has been called to active duty in support of a contingency operation (i.e. active duty orders); and requires a written statement from the employee (including available support documentation) about the nature and details of the specific exigency, the amount of leave needed, and the employee's relationship to the military member.

Qualifying Exigency leave is taken under the same terms and conditions as Family and Medical Leave, set forth above.

## **Military Service Leave of Absence**

UEC is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is UEC's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States.

Any employee who serves in the Armed Forces, the Army National Guard, and Air National Guard for training or active service is entitled to a leave of absence.

### **Reinstatement Based On Duration**

- If service is less than 31 days or for the purpose of taking an examination to determine fitness for service, the employee must report for reemployment at the beginning of the first full regularly scheduled working period on the first calendar day following completion of service and the expiration of eight hours after a time for safe transportation back to the employee's residence.
- If service is for more than 30 days but less than 181 days, the employee must submit an application for reemployment with UEC Human Resources no later than 14 days following the completion of service.
- If service is more 180 days, the employee must submit an application for reemployment with UEC Human Resources no later than 90 days following the completion of service.
- If the employee is hospitalized or convalescing from a service-connected injury, the employee must submit an application for reemployment with UEC Human Resources no later than two years following completion of service.
- Reinstatement of an employee returning from military leave will not be made when circumstances have so changed as to make reinstatement impossible, unreasonable, if reinstatement would impose an undue hardship on UEC, or if the employee's employment was for such a brief, nonrecurrent period that there is no reasonable expectation that such reinstatement would have continued indefinitely or for a significant period.

### **Benefits**

If service is less than 30 days (paid or unpaid status), health benefits will continue uninterrupted.  
Required Documentation

Employees must submit written verification from the appropriate military authority. Upon return, employees must submit a certificate of satisfactory completion of service.

## **School Activities**

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

- Parents, guardians, or grandparents having custody of one or more children in kindergarten or grades one to twelve 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;
- For scheduling purposes, employees planning to take time off for school visitations must provide notification to their supervisor at least one week prior to the date of the school activity, so that your work duties may be covered;

- If both parents are employed by UEC, 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 their accrued personal holiday 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; and
- Employees may be required to provide their supervisor with documentation from the school verifying that the employee participated in a school activity on the day of the absence for that purpose.

### *Suspension*

If an employee, who is the parent or guardian of a child facing suspension from school, is summoned to the school to discuss the matter, the employee should alert his or her supervisor as soon as possible before leaving work.

## **Organ & Bone Marrow Donor Leave**

UEC provides employees, who have been employed with UEC for at least 90 days, with paid leave for the purpose of donating organs or bone marrow. When donating an organ to another person, an employee may take up to 30 business days in any one year period, and when donating bone marrow, an employee may take up to five business days in any one year period. The one year period for both leaves is measured from the date that the employee begins his or her leave.

Employees who wish to take leave to donate an organ or bone marrow are required to provide as much advance notice as possible and must provide UEC Human Resources with verification from a physician that the donation will take place and that there is a medical necessity for the donation. While this leave is paid, employees must first use 10 days accrued sick or vacation time when donating an organ, or five days accrued sick or vacation time when donating bone marrow. Leave taken under this policy does not constitute a break in service for things like healthcare insurance coverage, accrual of vacation or sick pay, or seniority, but this leave shall not run concurrently with an eligible employee's FMLA or CFRA leave.

Under most circumstances, an employee returning from leave under this policy will be reinstated to the same or equivalent position; however employees have no greater right to reinstatement than if they had been continuously employed during the leave. For example, if the employee would have been laid off had he/she not gone on leave, or if the position is eliminated during the leave, then he/she will not be entitled to reinstatement.

## **Time Off for Victims of Domestic Violence**

UEC is concerned about those of its employees who may become victims of domestic violence. For that reason, UEC permits employees who become victims of domestic violence to take time off to obtain a restraining order, medical treatment, psychological counseling, assistance from a shelter or similar organization, or to obtain relief to help ensure the health, safety or welfare of

the employee or of the employee's child, including time off to participate in safety planning. Employees may use their unused vacation or sick leave when taking time off due to domestic violence; otherwise the time off will be unpaid.

Employees who take time off under this policy must provide UEC with advance notice of the need to take time off, including the date and length of time off that is required. UEC will maintain the confidentiality of any employee requesting time off under this policy. In addition to advance notice, UEC also requires certification of time off due to domestic violence. Certification may be in the form of a police report, court order, or official documentation from a medical professional, counselor, or social services advocate. Failure to provide the required certification may result in a denial of the requested time off.

Employees who are victims of domestic violence also should be concerned about how their domestic situation might impact employees of UEC. That is why employees who obtain restraining orders as the result of domestic violence should provide a copy of the restraining order to UEC's Head of Human Resources, or their designee, as well as a photograph and a description of the individual who is being restrained.

## **Victims of Crime Leave**

An employee who is themselves a victim or who is the family member of a victim of a violent felony, stalking, 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 of stalking.

If you are not the victim of a violent crime or stalking, you must be an immediate family member of a victim to qualify for this type of leave. An immediate family member under this policy includes: a spouse, domestic partner, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father or stepfather. A domestic partner means a domestic partner who is registered in accordance with California state law.

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 notice 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 or personal holiday.

## **Volunteer Civil Service Personnel**

Employees also may take 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.

# *Professional Expectations*

<b>Section 7</b>
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## **Professional Culture**

UEC is committed to enhancing job satisfaction by creating a cooperative and productive work environment for all employees. In turn, all employees must meet certain performance expectations, including timely and regular attendance, dependable application of time while at work, satisfactory completion of all duties; and they are expected to present a positive and professional appearance. Please refrain from wearing any clothing that can create a safety hazard.

## **Customer Relations & Professionalism**

Employees are expected to be polite, courteous, prompt, and attentive to every customer. Customers are to be treated courteously and given proper attention at all times. Through your conduct, show your desire to assist the customer in obtaining the help he or she needs. If you are unable to help a customer, find someone who can. Never regard a customer's question or concern as an interruption or an annoyance. You must respond to inquiries from customers, whether in person, electronically or by telephone, in a prompt and professional manner. When an employee encounters an uncomfortable situation that he or she does not feel capable of handling, their supervisor should be called immediately. Never argue with a customer. If a customer is difficult or remains dissatisfied, ask your supervisor or manager to assist.

Never place a telephone caller on hold for an extended period. Direct incoming calls to the appropriate person and make sure the call is received. All correspondence and documents, whether to customers or others, must be neatly prepared and error-free. Attention to accuracy and detail in all paperwork demonstrates your commitment to those with whom we do business.

## **Business Ethics & Conflicts Of Interest**

UEC is concerned about ethical conduct and conflicts of interest between UEC and its clients and vendors, and between UEC and its employees. While you are employed with us, UEC is entitled to your undivided loyalty. That means that you have an obligation both to avoid actual and potential conflicts of interest with UEC and its clients and vendors. An obvious conflict of interest would include engaging in, or preparing to engage in, a business that competes with UEC business. Other obvious conflicts would occur if you or a close relative accepted a gratuity, gift or premium from a vendor who is seeking to do business with UEC, or where a UEC project, department, or agency enters into a business relationship with an entity that is substantially owned or operated by an employee or relative of UEC. No employee may accept a gift or gratuity from any customer, vendor, supplier, or other person doing business with UEC because doing so may give the appearance of influencing business decisions, transactions or service. You are expected to represent UEC in a positive, ethical, and loyal manner.

For these reasons, you should not engage in, directly or indirectly, either on or off the job, any conduct that is disloyal, disruptive, competitive, or damaging to UEC. For example, employees should not accept employment outside UEC if that employment is to be conducted during the hours that the employee is working for UEC, or if such employment conflicts with the effectiveness of the employee's work for UEC. Further, employees should not utilize UEC information or services for their personal use, nor should they perform activities that are unrelated to UEC work during working hours.

Additionally, materials, products, designs, plans, ideas, files, techniques, procedures, research, computer programs, formulas, patterns, methods, models, films, audio tapes, specifications, processes, strategies, bids, proposals, financial information, lists of customers, inventions, discoveries, films, tapes, programs, drawings and other data of this organization are the property of UEC and should not be used for personal gain or given to an outside firm or individual except through regular channels and with appropriate authorization by UEC management. Any transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct.

Any employee found to be in violation of the UEC conflict of interest policy will be subject to discipline, up to and including immediate termination. If you have any questions as to whether any action you take may constitute a conflict of interest or violation of this policy, you should speak to your supervisor or to UEC's Head of Human Resources, or their designee immediately.

## **Confidentiality**

It is the policy of UEC to ensure that the operations, activities and business affairs of UEC, its employees, customers, suppliers and vendors are kept confidential and divulged only to individuals within UEC with both a need to know and authorization to receive such information. Confidential information obtained through employment with UEC may not be used for the purpose of furthering either current or future outside employment or for obtaining personal gain or profit. If, during the course of your employment, you acquire confidential or proprietary information about UEC, its employees, independent agents, or clients, such information is to be handled in strict confidence and may not be discussed with anyone not employed with UEC. Employees are also responsible for the internal security of such information. If you are in doubt as to whether certain information may be divulged, you should not disclose the information. Of course, if you have any questions, you should discuss them with your manager.

All records and files maintained by UEC are confidential and remain the property of UEC. Records and files are not to be disclosed to any outside party without the express permission of the Executive Director. Confidential information includes, but is in no way limited to: financial records; business, marketing, and strategic plans; personnel and payroll records regarding current and former employees; the identity of, contact information for, and any other account information on customers, vendors, and suppliers; inventions, programs, trade secrets, formulas, techniques, and processes; and any other documents or information regarding UEC operations, procedures, or practices. Confidential information may not be removed from UEC premises without express authorization.

Employees who violate this policy of confidentiality are subject to disciplinary action, up to and including, termination of employment. Moreover, UEC reserves the right to avail itself of all legal or equitable remedies to prevent impermissible use of confidential information or to recover damages incurred as a result of the impermissible use of confidential information.

## **Employment of Relatives**

Employees' relatives will not be eligible for employment with UEC where potential problems of supervision, safety, security or morale, or potential conflicts of interest exist. Relatives of present employees will not be hired by UEC if the individual(s) concerned work is in a direct supervisory relationship. For purposes of this policy, "relatives" include a spouse, domestic partner, child, parents, sister, brother, in-laws, step parents, step siblings, step children, or any person involved in a legally binding guardianship or relationship with the employee, and/or residing in the home of the employee.

If two employees become subject to the restrictions of this policy after they are hired, one or both of the employees must seek a transfer or reassignment to eliminate the actual or potential conflict of interest as specified in this policy.

UEC reserves the right to determine that other relationships not specifically covered by this policy represent actual or potential conflicts of interest as well. Where UEC determines that the relationship between two employees presents an actual or potential conflict of interest, UEC may take appropriate action which includes, but is not necessarily limited to, transfers, reassignments, changing shifts or if necessary, possible termination.

## **Whistleblower Protection**

When employees notify an appropriate government or law enforcement agency that they have reason to believe their employer is violating a state or federal statute, or violating or not complying with a state or federal rule or regulation, those employees are protected from retaliation. Indeed, UEC has a strict policy that prohibits retaliating against employees who make such reports and that prohibits retaliating against employees who have made such reports while employed in any form of employment. UEC also does not permit retaliation against an employee who refuses to participate in an activity that would result in a violation of a state or federal statute, or a violation or noncompliance with a state or federal rule or regulation.

If you have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by UEC, we encourage you to report it immediately to your supervisor, manager, or to the Executive Director. Alternatively, you may contact the California State Attorney General's Whistleblower Hotline at 1-800-952-5225. The Attorney General will refer your call to the appropriate government authority for review and possible investigation



## Drug Free Workplace

UEC is covered by the Federal Drug-Free Workplace Act and provides a drug-free workplace. As a covered employer, UEC must certify to the contracting government agencies that it will provide a drug-free workplace in connection with the performance of its government contracts. All employees will be given and will be required to sign an Employee Notification Statement. UEC will include drug-free awareness information in its programs and will comply with the requirements that the government be notified of any employee's workplace-related drug conviction. Indeed, our failure to comply with the provisions of the drug-free workplace statutes may subject UEC to loss of payments under a government contract, termination of the contract, and debarment as a contractor for up to five years. Any questions regarding our drug-free workplace compliance efforts should be directed to UEC's Head of Human Resources.

To that end, UEC prohibits the unauthorized use of drugs or alcohol, including but not limited to, the unlawful manufacture, distribution, dispensation, possession or use of alcohol or controlled substances in the workplace. An employee who violates this policy shall be subject to discipline including immediate termination. Except as provided below, the following is strictly prohibited for all employees while on the premises of UEC or the University, while operating the vehicles or equipment of UEC or the University, or while performing UEC business regardless of the location:

1. Use of alcohol, drugs, intoxicants, or controlled substances.
2. Reporting to work, or remaining on duty, while impaired by or under the influence of alcohol, drugs, intoxicants or controlled substances.
3. Driving a vehicle on UEC business while impaired by or under the influence of alcohol, drugs, intoxicants or controlled substances.
4. Possession, sale, purchase, manufacture, transportation, dispensation or distribution of alcohol, drugs, intoxicants or controlled substances, or drug paraphernalia or an attempt to do any of the same.

The use of prescribed or over-the-counter drugs, or possession incident to such use, is not prohibited by this policy if: (a) the drug has been legally obtained and is being used for the purpose for which it was prescribed or manufactured; (b) the drug is being used at the dosage prescribed or authorized; and (c) the use of the drug does not prevent the employee from safely performing the essential functions of his or her position with or without reasonable accommodation. UEC reserves the right to require certification that the use of the drug will not impair the ability of the employee to perform his/her job properly and safely.

### *Consequences for Violating This Policy*

In the event that UEC discovers that an employee has violated this policy, the employee will be subject to discipline up to and including termination and UEC may report the violation to appropriate law enforcement authorities. An employee's conviction for the sale, possession or use of any illegal controlled substance while off the job will subject the employee to discipline up to and including termination.

In connection with UEC's drug-free workplace compliance efforts, please note the following:

- Employees must, as a condition of employment, report any conviction under a criminal drug statute for violations occurring on UEC's premises or while conducting UEC business. A report of a conviction must be made to the employee's manager and to UEC's Head of Human Resources within five days of the conviction. Within ten days of learning about an employee's conviction, UEC must notify any governmental agency with which it contracts or subcontracts of the employee's criminal drug statute conviction.
- Within 30 days of the date UEC learns of an employee's conviction, the employee will be disciplined, up to and including termination. Any employee not terminated will be required to satisfactorily participate in and complete a substance abuse assistance or rehabilitation program.
- Each employee, as a condition of employment, shall sign an Employee Notification Statement which sets forth the requirements of the Drug-Free Workplace Act.

#### *Employees Who Seek Assistance*

Employees who suspect that they may have a substance abuse problem may contact UEC Human Resources about the possibility of a leave to enroll in a professionally recognized alcohol and/or drug rehabilitation program. However, such a request does not give an employee the right to state that he or she has a substance abuse problem and expect accommodation once UEC discovers that an employee has violated this policy. Nor does it shield an employee from disciplinary action for violation of this policy.

UEC is not responsible for the cost of the employee's participation in the rehabilitation program, and any leave necessary to attend a rehabilitation program is unpaid, unless the employee is otherwise eligible to use paid time off under UEC policies. If the employee fails to return to work upon the expiration of his or her rehabilitation program leave or fails to satisfactorily complete the program, the employee will be terminated.

Nothing contained in this policy is intended to create a contract of any kind or to alter the at-will nature of the employee's employment.

#### *Questions & Confidentiality*

Employees with questions about this policy or about issues related to drug or alcohol use in the workplace may raise their concerns with their supervisor or with the UEC Executive Director. All records or communications relevant to an employee's participation in a drug or alcohol rehabilitation program or use of prescription drugs or over the counter drugs will be confidentially maintained and limited to personnel on a need to know basis.

## **Off-Duty Conduct**

While UEC does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with UEC legitimate business interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect UEC or their own integrity, reputation or credibility. Illegal or immoral off-duty

conduct by an employee that adversely affects UEC legitimate business interests or the employee's ability to perform his or her job will not be tolerated.

## **News Media Contacts**

Employees may be approached for interviews or comments by the news media. Only contact people who have been designated by the Executive Director may comment to news reporters on UEC policy or events relevant to UEC. All reporters and members of the media should be referred to the Executive Director's office.

The Executive Director will determine the appropriate spokesperson on behalf of UEC and will also refer the reporter or other media person to the appropriate source for comment.

## **Prohibited Conduct**

Our employees are expected to treat each other with dignity and respect and to abide by certain rules of conduct, based on honesty, good taste, fair play, and safety. Conduct that is immoral, unethical, or illegal will not be tolerated by UEC. Although it is not possible to provide an exhaustive list of all types of impermissible conduct, the following conduct are examples of some, but not all, conduct that will lead to disciplinary action, up to and including termination:

1. Falsification of employment records, employment information or other UEC records.
2. Recording the work time of another employee or allowing any other employee to record your work time, or allowing falsification of any timecard, either your own or another employee's.
3. Theft, deliberate or careless damage or destruction of any property of UEC or the University or the property of any employee or customer.
4. Unauthorized use or removal of property, equipment, time, materials, or facilities of UEC or the University.
5. Provoking a fight or fighting during working hours or while on the premises of UEC or the University.
6. Participating in horseplay or practical jokes on UEC time or while on the premises of UEC or the University.
7. Engaging in criminal conduct.
8. Carrying firearms or any other dangerous weapons while on the premises of UEC or the University at any time.
9. Causing, creating or participating in a disruption of any kind during working hours on the property of UEC or the University.

10. Insubordination including, but not limited to, failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a co-worker, supervisor, member of management, or customer.
11. Failure to notify a supervisor when unable to report to work.
12. Unreported absence of three consecutive scheduled workdays.
13. Failure to obtain permission to leave work for any reason during normal working hours.
14. Failure to observe working schedules, including rest and meal periods.
15. Failure to provide a physician's certificate when requested or required to do so.
16. Sleeping or malingering on the job.
17. Making or accepting excessive personal telephone calls during working hours, except in cases of emergency.
18. Unsatisfactory work performance or being incompetent.
19. Working overtime without authorization or refusing to work assigned overtime.
20. Wearing unprofessional or inappropriate styles of dress or hair while working.
21. Committing a fraudulent act or a breach of trust under any circumstances.
22. Harassing other employees or customers.
23. Soliciting or accepting gratuities from customers or clients.
24. Excessive absenteeism or tardiness.
25. Abuse of leaves of absence or sick leave.
26. Reporting to work intoxicated or under the influence of non-prescribed drugs.
27. Manufacturing, possessing, using, selling, distributing or transporting non-prescribed drugs.
28. Bringing or using alcoholic beverages on UEC premises.
29. Gambling on UEC premises.
30. Failing to maintain the confidentiality of UEC, its employees, agents or customers.

31. Failing to report accidents, breakage or damage to equipment which occurs when an employee is assigned to use such equipment.
32. Violation of any safety, health, security or policies, rules or procedures of UEC or the University.
33. Failure to follow UEC policies as outlined in this Handbook or any newly instituted policies.

Discipline may be initiated for various reasons. The severity of the action generally depends on the nature of the offense and the employee's past record, and may range from written warnings to immediate dismissal. UEC reserves the absolute right to initiate the form of discipline it deems to be appropriate.

This statement of prohibited conduct does not alter the UEC policy of at-will employment. Either you or UEC remains free to terminate the employment relationship at any time, with or without reason or advance notice.

# UEC & Employee Property

## Section 8

### **Employer & Employee Property**

UEC provides desks and other equipment for the use of its employees at the expense of UEC. Although desks are made available for the use of employees while at work, employees should remember that all desks, work areas, and similar equipment remain the sole property of UEC.

At times it may be necessary to inspect an employee's desk or work area for operational or other reasons. UEC reserves the right to conduct periodic inspections of desks or work areas, as well as any contents, effects, articles that are in desks or the work area, as well as packages or other articles (including the employee's personal property) that leave UEC premises in the possession of an employee. Such inspections may occur at any time, with or without advance notice or consent. Further, such inspections may be conducted during, before, or after working hours by any supervisor, manager, or security personnel designated by UEC. Employees who fail to cooperate in any inspection will be subject to disciplinary action, including possible suspension or termination.

If employees want to avoid inspections of their personal belongings that are brought on to UEC premises, they should refrain from bringing packages or other articles on to the premises of UEC. Prohibited materials, including weapons, explosives, alcohol and non-prescribed drugs or medications, may not be brought on to any UEC or University premises. UEC is not responsible for any articles that are lost, damaged, stolen, or destroyed while on any UEC worksite.

### **Off-Duty Use of Facilities**

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

### **Use of Electronic Media and Communication Systems**

UEC computer systems, voice mail, electronic mail (e-mail), and its access to the internet enable employees to access and exchange information quickly and efficiently. When used properly, we believe these resources greatly enhance employee productivity and knowledge. In many respects, these new tools are similar to other tools, such as stationery, file cabinets, photocopiers, and telephones.

Voice-mail, e-mail and computer systems and files used by UEC are provided *solely* to further UEC business operations. These systems and the information stored in them belong to UEC. Although employee passwords may be used for UEC-oriented security reasons, the use of such passwords is not intended to assure employees that messages or other communications generated by or stored on these systems will be kept confidential. UEC maintains the right to access these

systems and to retrieve information stored therein at any time, and all employee passwords must be made known to UEC upon demand. Further, UEC reserves the right to monitor, review or access, at any time, information revealing an employee's internet usage, including websites accessed or any information that may have been downloaded. Consequently, UEC voice mail, e-mail, and computer systems, including the internet, *should be used primarily for business purposes.*

Once again, employees should bear in mind that messages and all other data stored on UEC voice-mail, e-mail and computer systems is subject to access by UEC at any time. We therefore ask you to exercise good judgment in using these systems.

### ***Guidelines for Use***

This section sets forth guidelines concerning the appropriate use of UEC voice-mail, e-mail and computer systems.

- Since voice-mail and e-mail messages, as well as other computer-stored data, are considered business records and may be electronically retrieved, even after you "delete" them, nothing should be included in a voice-mail or e-mail message that you would not consider putting in a memorandum.
- Employees should delete unwanted voice-mail and e-mail messages as soon as practical and should log off when not using the computer system.
- Employees should delete all non-essential e-mail messages older than six (6) months to conserve storage capacity on the UEC server.
- Employees should exercise good judgment in the use of e-mail distribution lists; these lists are developed for the convenience of the addressees and unnecessary or frivolous messages should not be sent, thereby cluttering up user screens.
- Employees should not use a password, access a file, or retrieve or download any stored communication without express authorization. You also should not send e-mail or other communications that either mask your identity or indicate that someone else sent them, and you should never access another employee's voicemail, e-mail, or computer systems without express authorization.
- Passwords should be changed every three (3) months.
- Employees may not install any software on UEC computer systems without the prior authorization of the Auxiliary & Business Services and Risk Management's Assistant Vice President.

UEC voice-mail, e-mail and computer systems, including the internet, must not be used for the following purposes.

- Any illegal, discriminatory, threatening, harassing, abusive or offensive comments. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes or anything that may be construed as harassment or showing disrespect for others.

- Anything in conjunction with an employee’s outside business endeavors or sales of any product or outside service (home products, cosmetics, etc.).
- Messages or other communications violating a UEC policy or contrary to supervisory instructions.
- To copy or distribute copyrighted material unless you have confirmation from an appropriate source that UEC has the right to copy or distribute the material.
- For the illegal duplication of software and its related documentation. Employees also may not use any software on local area networks or on multiple machines that is not in accordance with the software license agreement.

Employees should notify their immediate supervisor, the network administrator or any member of management upon learning of a violation of this policy. Any violations of these “Guidelines for Use” or other provisions of this policy may result in disciplinary action, including possible termination.

***External Access & Confidentiality***

Under certain conditions, employees will need to communicate with clients and other external users via voice-mail, e-mail and/or via the internet. Employees are cautioned to exercise an additional level of discretion, professionalism, and sound judgment when communicating with third parties via these systems.

For example, all employees should safeguard UEC confidential information, as well as that of guests and others, from disclosure. Messages containing confidential information should not be left visible while you are away from your work area. E-mail messages that you send which contain confidential information should include the following statement in bold and in all capital letters at the top of the message:

**“CONFIDENTIAL: UNAUTHORIZED USE OR DISCLOSURE IS STRICTLY PROHIBITED.”**

Also, you should be aware that internet sites maintain logs of visits from users. These logs identify the company and the individual who accessed the internet website. If your work requires a high level of security, please ask your supervisor or an appropriate manager for guidance on securely exchanging e-mail or gathering information from internet sources.

***Privacy and Disclosure***

As previously noted, voice-mail, e-mail, and computer systems of UEC and the University, including the use of the Internet, are provided to facilitate the conduct of its business. All messages and other communications generated through and/or stored on these systems are considered business records. Employees who use the voice-mail, e-mail and/or computer systems should understand that information stored on these systems cannot be considered confidential or private. Indeed, UEC reserves the right to access any voice-mail, e-mail, internet usage or other computer-stored information at any time.



## Social Media

UEC acknowledges the growing popularity of social media as a means for sharing experiences, ideas, and opinions. UEC also strives to protect itself, its employees, and those with whom we do business from the improper or unlawful use of social media.

For purposes of this policy, the phrase “Social Media” refers to any type of internet-based media created through social or group interaction, where individuals primarily produce – rather than consume – the content. Examples of Social Media include: social and professional networking websites (Facebook, MySpace, LinkedIn), blogs (Twitter, industry blogs), video and image sharing websites (YouTube, Flickr, Pinterest), location-sharing websites (foursquare), consumer review websites (Yelp), virtual worlds (Second Life), and social bookmarking websites (Reddit). *The lack of reference to a specific Social Media website in this policy does not limit the extent or application of this policy.*

### Applicability

This policy applies to all employees of UEC during both working and non-working hours, and regardless of whether the employee is using UEC’s or the employees’ computers, network, internet access, equipment, or technology. Employees must understand that UEC’s other employee relations policies – including but not limited to its harassment, discrimination, standards of conduct, and confidentiality policies – apply to online conduct including the use of Social Media.

Keep in mind that an employee’s online conduct that violates UEC’s policy, that adversely affects your or your fellow employees’ job performance, that adversely affects the reputation or brand of UEC’s customers, vendors, affiliates, or business partners, or that adversely affects UEC’s legitimate business interests may result in disciplinary action, up to and including termination.

That being said, nothing in this Social Media policy is intended to prohibit employees from complying with or exercising their rights under any applicable federal, state, or local law, or from communicating about wages, hours, or other terms and conditions of employment. At the same time, employees should be aware that UEC has an open door policy and encourages every employee to address such matters with their direct supervisors or with the Executive Director. If you have any questions about this policy or its applicability, please contact UEC Human Resources.

### Guidelines

Employees who choose to use Social Media for personal or professional reasons must adhere to the following guidelines:

- Use caution and your best personal and professional judgment when contributing content about or related to UEC, or third parties such as customers, subsidiaries, vendors, affiliates, or business partners.

- Do not engage in behavior or contribute content that could be considered an act or threat of violence, bullying, or unlawful discrimination or harassment.
- Do not intentionally or negligently contribute content that could damage the reputation or brand of UEC or interfere with UEC's business relationships with its customers, subsidiaries, vendors, affiliates, or business partners.
- Employees may not contribute content in the name of UEC, on behalf of UEC, or in a manner that could reasonably be attributed to UEC without prior written authorization from the Executive Director.
- Employees may not contribute content that could be considered an endorsement of UEC's goods or services without prior authorization from the Executive Director. If you do contribute content that could be considered an endorsement of UEC's goods or services, you must disclose your employment relationship with UEC.
- Do not contribute or disclose any content or information about or related to UEC, its employees, customers, subsidiaries, vendors, affiliates or business partners *that you know to be false*. Do not disparage or defame UEC's customers, vendors, affiliates, or business partners.
- Do not contribute content that could identify UEC'S customers, vendors, affiliates, or business partners without prior consent from UEC.
- If you, as an employee of UEC, have access to proprietary information about UEC and its customers, subsidiaries, vendors, affiliates, or business partners, UEC trusts and expects you to keep this information confidential. You may not disclose it through Social Media. Note that "proprietary" includes UEC's patents, copyrights, trade secrets, inventions, internal processes, policies, reports, source code, computer programs in various stages of development, competitive analysis and strategy, marketing and development plans, potential or actual mergers and acquisitions, customer and client lists, and names of vendors and suppliers.
- Do not use UEC's logos or trademarks for commercial gain without prior consent from the Executive Director.
- Do not use your email address with UEC to register for Social Media. If you indicate that you are an employee of UEC on any Social Media, you must include a disclaimer indicating that the content you contribute is your own, and does not represent the opinion of UEC.
- Do not allow your use of Social Media to interfere with your work commitments, performance, or productivity.
- Consider whether connecting to UEC's customers, business partners, vendors, or competitors via Social Media is appropriate for your level, position, responsibilities within UEC, and relationship with the person at issue. To the extent that you do connect to UEC's customers, business partners, vendors, or competitors via Social Media,

consider using available privacy filters or settings to block any inappropriate, unprofessional, or personal content from such people.

- Employees should not speak to the media on UEC's behalf without prior approval from the Executive Director. All media inquiries should be directed there.
- Prior to posting a photograph or quoting written content that someone else has authored, contact the Executive Director to obtain the proper release form and ensure that it is signed.
- Requests for employment references or recommendations through Social Media, such as LinkedIn, should be referred to UEC's Human Resources.

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

## **Smoking and Tobacco Use**

UEC adheres to the University Smoking and Tobacco Use Policy. Please refer to the University website for the current policy.

# Safety

<b>Section 9</b>
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## **Safety**

UEC is concerned about the health and safety of its employees and others who enter UEC premises. To that end, it is the policy of UEC to comply with all applicable federal, state, and local health and safety regulations and to provide a work environment as free as feasible from recognized hazards. You are expected to comply with all safety and health requirements whether established by management or by federal, state, or local law. Please refer to our Illness and Injury Prevention Plan (“IIPP”) for further information regarding employee safety, or contact Human Resource for more information.

Any accident that occurs on UEC premises be that of a client, visitor, or employee, should be reported **immediately** to your supervisor or to UEC’s Head of Human Resources. For your own safety and the safety of others, please do not attempt to give medical aid to an injured client, visitor, or fellow employee unless you hold current certification(s) to properly administer first aid. Call the appropriate medical authorities.

UEC also requires that work areas be kept clean and orderly at all times. You are responsible for maintaining your work area in a clean and orderly fashion at all times. UEC will attempt to maintain the temperature, lighting, and noise level of its facilities at a level that is comfortable for employees yet appropriate for the nature of our operations. You should inform your supervisor of any concerns about working conditions.

## **Injury and Illness Prevention/Safety Training (IIPP)**

All new employees are required to complete safety training(s) as required by our Injury and Illness Prevention Program (IIPP) on topics such as Hazard Communication (HAZCOM), Emergency Action Plan, Fire Safety and Extinguisher use training within their first three (3) months of hire. Training information will be provided to the employee by UEC Human Resources upon completion of new hire paperwork.

## **Zero Tolerance for Workplace Violence**

UEC has zero tolerance for violence and/or threats of violence against UEC employees, UEC business associates, or any member of the campus community. UEC prohibits any violent act, threat of violence or any behavior, which by intent, action or outcome harms or intimidates another person or property on any UEC or University work site, or while conducting UEC business. Such conduct will be subject to disciplinary action up to and including termination.

We strongly encourage you to report any observations, experiences of violence or threats of violence to UEC’s Head of Human Resources, or their designee, the Executive Director, to any member of the UEC management team or UEC Human Resources.

## Code of Safe Practices

It is the policy of University Enterprises Corporation at CSUSB to protect employees from injury and illness in the workplace and to provide a safe and healthy work environment for all employees. It is the duty of each employee to obey and comply with all safety rules and standards set by University Enterprises Corporation. The following codes of safe practices may not contain every rule of safe practice but is a general guideline of what is expected in regards to safe conduct and behavior. If an employee is in doubt about how to perform a job safely, it is their duty to ask a qualified person or contact University Enterprises Corporation Human Resources Office. Supervisors and Managers will enforce safe practices and will insist that employees follow all University Enterprises Corporation, State and Federal safety standards and take action as necessary to ensure compliance. Employees who fail to follow safe practices will be subject to disciplinary action, up to and including termination. By following these rules, you will be making a significant contribution in maintaining a safe and healthy work environment.

Employees will:

- 1) Report all unsafe conditions and equipment to your Supervisor and/or University Enterprises Corporation Human Resources office.
- 2) Report all accidents, injuries and illnesses to your supervisor and University Enterprises Corporation Human Resources office immediately.
- 3) Anyone known to be under the influence of intoxicating liquor or drugs, shall not be allowed on the job while in that condition.
- 4) Horseplay, scuffling, and other acts which tend to have an adverse influence on the safety or well-being of employees are prohibited.
- 5) Means of egress (exit, doorways) shall be kept unlocked, unblocked and well lighted during work hours.
- 6) Materials and equipment will not be stored against doors, exits or fire extinguisher stations.
- 7) Stairways, aisles and hallways are to be kept clear of all items that can be tripped over.
- 8) All spills are to be wiped up immediately to avoid slip and falls.
- 9) Work areas should be maintained in a neat orderly manner. Trash and refuse are to be thrown in the proper waste containers.
- 10) Always use the proper lifting technique. Never attempt to move, lift or push an object, which is too heavy. You must contact your supervisor when help is needed to move a heavy object.
- 11) Never stack material precariously or in an unstable manner on top of lockers, file cabinets or other relatively high place to avoid falling hazards.

- 12) Never attempt to climb or stand on top of a desk, chair, cabinet or other objects that are unstable. Always use proper ladders when reaching for objects.
- 13) Maintain sufficient access and working space around all electrical equipment to permit ready and safe operations and maintenance.
- 14) All cords running into walk areas must be taped down or inserted through rubber protectors.
- 15) Report all exposed wiring and cords that are frayed or have deteriorated insulation so that they can be repaired promptly.
- 16) Tools, equipment and appliances should be kept in working order and inspected to ensure safe working condition prior to use. Do not use any defective or worn tools, equipment or appliances.
- 17) Only authorized personnel shall operate machinery or equipment.
- 18) Cleaning solvents, flammable liquids and toxic materials should be stored in the appropriate labeled container and storage space.
- 19) Be aware of potential hazards involving various chemicals stored and used in your workplace. Do not handle any chemicals and hazardous substances unless authorized. You must contact your supervisor if you are unaware of how to properly handle a substance.
- 20) Wear protective clothing, gear and/or shoes when required by your specific department or program.
- 21) When working with a Visual Display Terminal (V.D.T.) or computer workstation, have all pieces of furniture adjusted, positioned and arranged to minimize strain on all parts of the body.
- 22) Equipment such as scissors, staplers, etc., should be used for their intended use or purpose only.
- 23) Do not open more than one upper drawer at a time, particularly the top two drawers on tall file cabinets.
- 24) Never leave lower desk or cabinet drawers open that present a tripping hazard. Use care when opening and closing drawers to avoid pinching fingers.
- 25) Do not smoke indoors or light fire in work area.
- 26) Review and become familiar with established evacuation and emergency procedures/practices.

# Termination of Employment

## Section 10

### Employee References

**All requests for references must be directed to UEC Human Resources. No other manager, supervisor, or employee is authorized to release references for current or former employees.**

You should be aware that, when we receive inquiries about your employment, UEC has a strict policy of providing only limited information. Consequently, no employee (other than certain authorized people in UEC Human Resources) may provide any information regarding current or former employees (either on or off-the-record) to any non-employee without the specific written approval of the Executive Director or their designee. This includes letters of reference. The only information that UEC will provide are:

- Dates of employment; and
- Position title; and
- Wages last earned.

However, in some instances, you may want us to reveal additional information. In those instances, we require written authorization from you, permitting us to divulge such additional information. Contact UEC Human Resources for further information.

### If You Must Leave Us

While we hope that your employment with us will be lengthy and pleasant, it must be remembered that the employment policy of UEC is that all employees are employed on an at-will basis which is based on the mutual consent of you and UEC. Thus, either you or UEC may terminate the employment relationship at any time and for any reason.

Voluntary termination results when an employee voluntarily resigns his or her employment at UEC, or fails to report to work for three (3) consecutively scheduled workdays without notice to, or approval by, his or her supervisor.

If you decide to leave UEC, we would appreciate as much written notice as possible of your resignation. All employees who resign are encouraged to participate in the exit interview process, so that information and suggestions obtained in these interviews may be used to improve the work environment for other employees. If you resign, UEC retains the right to accept your resignation.

In order to comply with certain regulations, you will be required to submit a completed, supervisor authorized final time sheet to the Payroll Department on your last day worked. All UEC-owned property, including but not limited to electronic equipment, keys, identification badges, credit cards and parking permits must be returned immediately upon termination of employment.



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# Acknowledgment

<b>Section 11</b>
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## **UEC Handbook Acknowledgment of Receipt**

I acknowledge and understand that the University Enterprises Corporation at CSUSB Employee Handbook is fully available to me at the following website: <http://uec.csusb.edu> I understand that the Handbook describes important information about UEC. I understand that it is my responsibility to read the Handbook and to abide by the rules, policies and standards set forth in it. I understand that the contents of the Handbook are presented solely as a matter of information and guidance, and that the Handbook is not intended to be, nor should it be viewed as, either an express or implied contract between UEC and me.

I further understand that UEC maintains a policy of at-will employment with respect to both the duration and terms and conditions of the employment relationship. This means that UEC reserves the right to change the terms and conditions of the employment relationship or to terminate that relationship at will, with or without cause or prior notice. I also understand and agree that the UEC policy of at-will employment is not subject to change other than through an express written agreement signed by me and the Executive Director of UEC.

I understand that the foregoing agreement concerning my employment at will status and right to determine and modify the terms and conditions of employment by UEC is the sole and entire agreement between me and UEC concerning the duration of my employment, the circumstances under which my employment may be terminated, and the circumstances under which the terms and conditions of my employment may change. I further understand that this agreement supersedes all prior agreements, understandings, and representations concerning my employment with UEC. Finally, I understand that, except for the UEC policy of employment at-will, UEC reserves the right, in its sole and absolute discretion, to change, supplement or rescind all or any part of the practices, procedures or benefits described in the Handbook as it deems necessary, with or without prior notice.

_____	_____
Employee's Signature	Date
_____	_____
Employee's Name (printed)	Department

***\*Please return this original signed document to UEC Human Resources, UE-104.***

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