# Agricultural Foundation Employee Handbook

## July 1, 2008

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INTRODUCTION

Welcome to the California State University, Fresno Agricultural Foundation. We are pleased you have joined our organization, and hope you find your employment with the Foundation rewarding, challenging, and mutually beneficial.

The California State University, Fresno Agricultural Foundation at California State University, Fresno, is a nonprofit corporation. An auxiliary corporation, organized in 1954, its main purpose is to support the educational mission of California State University, Fresno. Our primary focus is to provide support for student projects within the College of Agricultural Sciences and Technology and the University Farm Laboratory.

Auxiliaries are private employers and as such possess operational flexibility not typically found in State public entities. Auxiliary organizations are required to be self-supporting and exist to promote the educational mission of each respective campus.

One of more than eighty recognized auxiliary organizations within the California State University (CSU) system, the Agricultural Foundation operates in conformance with the rules and regulations adopted by the Board of Trustees of the California State University, and is governed by a Board of Directors.

Throughout this Employee Handbook, “Ag Foundation” means the same as “Agricultural Foundation”. The terms “Employee Handbook” and “Handbook” are used interchangeably. Also, within this Handbook, the title “Executive Director” refers to the Executive Director of the Agricultural Foundation, and the title “Director of Human Resources” refers to the Director of Human Resources for Auxiliary Services.
EMPLOYMENT RELATIONSHIP

The Ag Foundation is an at-will employer. At-will means you may terminate your employment with the Ag Foundation at any time, with or without advance notice, and with or without cause, and the Ag Foundation has similar rights.

No manager, supervisor or employee of the Ag Foundation has authority to enter into any agreement for employment for any specified period of time or to make any agreement for employment other than at-will. Additionally, in its sole discretion and without advance notice, the Ag Foundation may promote, demote, increase or decrease pay, and modify job duties of any employee, as appropriate.

This Employee Handbook was developed to provide information on policies and procedures for our employees. However, it is not possible to anticipate or describe every situation that may arise in the workplace or to answer every question, and this Handbook is not intended to be all encompassing. Therefore, when appropriate, the Ag Foundation may modify its policies, practices, and benefits, in its sole discretion. Any such changes or revisions will be communicated through written notices within a reasonable time of such changes.

The Ag Foundation is not governed by collective bargaining. Although some benefits and policies may be similar to those of California State University, Fresno, the Ag Foundation has developed its own policies and procedures, some of which are outlined in this Employee Handbook.

Questions regarding policies or programs should be addressed to the Ag Foundation Human Resources Department. University employees might not be familiar with the policies and procedures of the Ag Foundation, and might not be able to provide accurate information regarding Ag Foundation policies or procedures. Therefore, it would be inappropriate to rely on University employees to explain Ag Foundation policies or programs.

This Employee Handbook, effective July 1, 2008, contains policies and revisions that supersede all prior Ag Foundation Employee or Employment Handbooks. Employees should disregard and destroy any prior handbooks to avoid confusion or misunderstandings.
EMPLOYEE RELATIONS

The Ag Foundation strives to perpetuate an environment where there is truly fair and equal opportunity for employment for all qualified employees, and applicants. To help guide us in working toward this high standard, we have created several policies including Equal Employment, Affirmative Action, prevention of harassment, and associated complaint procedures to help map a process regarding review and investigation of possible violations to one of these policies.

We strive to meet the standards of equal employment for all qualified employees, and have created these and other policies to help reach our goals. Further, each employee has an individual obligation to be observant, and report what they believe is or might be a violation of any of these policies. Obviously, we cannot address issues for which we are not aware, and each employee can and should contribute toward achieving our organizational goals by actively partaking in this endeavor.

EQUAL EMPLOYMENT OPPORTUNITY

We are committed to equal employment opportunity for all qualified persons, without regard to race, color, ancestry, national origin, religion, gender, sexual orientation, marital status, physical or mental disabilities, medical condition, age, or any other consideration protected by law. Our policy applies to all employment practices, including hiring decisions, compensation, benefits, promotions, transfers, training, disciplinary action, and terminations.

Additionally, we strive to provide reasonable accommodation to the known physical or mental limitations of an otherwise qualified disabled employee or applicant, unless undue hardship would result.

We expect all employees to show respect and sensitivity towards all employees and customers, and to demonstrate a commitment to the organization's equal opportunity and non-discrimination objectives. If you observe a violation of this policy, you should report it immediately to your supervisor or to the Director of Human Resources. Supervisors and Managers, upon receipt of such report, are required to immediately contact the Director of Human Resources.

The Director of Human Resources will take the appropriate steps to determine the extent of any violation, will recommend corrective action and/or punitive action when warranted, and will work closely with the Executive Director to help ensure practices are in place to avoid similar recurrences of violations.
AFFIRMATIVE ACTION AND NONDISCRIMINATION

We have made significant progress with our Affirmative Action initiatives and will strive to continue to provide equal employment opportunities to all applicants and employees regardless of race, color, ancestry, religion, national origin, sex, disability, medical condition, age, marital status, pregnancy, disabled veteran or Vietnam era veteran status.

The Executive Director has overall responsibility for our Affirmative Action Policy. By exercising personal and professional leadership in promoting equal opportunity and nondiscrimination in all aspects of our personnel policies and practices, we maintain an Affirmative Action Program that works to increase the employment of minority-group members, women, the disabled, and Vietnam era veterans into our work force.

To reach and maintain our objectives, the cooperation and commitment is required from all employees in the demonstration of positive attitudes and efforts that in turn reflect our affirmative action policies to others within the organization and in our community. To help ensure our employees are aware of their individual responsibilities, this policy statement is included in policy manuals and discussed in employee orientations.

The Director of Human Resources for Auxiliary Services is responsible for the implementation and administration of the Affirmative Action Program and is available to any employee who may wish to discuss our policies.

HARASSMENT

We are committed to providing a work environment free of unlawful harassment regarding our employees, customers and visitors. Unlawful harassment is not only against the law - it also negatively impacts our work culture, and prevents us from achieving our organizational objectives. Foundation policy prohibits sexual harassment and discrimination based on pregnancy, childbirth, or related medical conditions, race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, marital status, age, gender, sexual orientation or any other basis protected by law.

Obvious samples of prohibited practices include the following behavior:

1. Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
2. Visual conduct such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
3. Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis;
4. Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors; and
5. Retaliation for having reported or threatened to report harassment.

An employee who believes they have been harassed on the job or at a work related function should provide a written or verbal complaint to the Ag Foundation Human Resources Department or the Executive Director of the Ag Foundation. A complaint should include details of the incident, names of the individuals who may have witnessed the incident, or who may have been involved.

Any supervisor of any Ag Foundation employee receiving a harassment complaint must refer such complaint to the Director of Human Resources or the Executive Director. The Director of Human Resources will undertake an effective, thorough, and objective investigation of the harassment allegations.

If the Director of Human Resources determines a violation of this policy has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the Ag Foundation to have violated this policy will be subject to appropriate disciplinary action, up to and including termination.

Any action taken will be made known to the reporting employee. The Ag Foundation will not retaliate against any employee for filing a complaint and will not tolerate or permit retaliation by management, employees or coworkers. Any allegation of retaliation must be immediately reported to the Director of Human Resources or the Executive Director.

NEPOTISM

Relatives of employees will receive the same consideration as any other applicant for a job opening and will not be accorded preferential treatment in employment matters. Related employees are not permitted to work in job positions in which a conflict of interest could arise or in a direct supervisory relationship. We may require a related employee to transfer or resign if there is a conflict of interest or supervisory relationship that cannot be resolved.

Relatives of persons currently employed by the Ag Foundation may be hired only if they will not be working directly for or supervising a relative or will not occupy a position in the same line of authority within the organization. This policy applies to any relative, higher or lower in the organization, who has the authority to review employment decisions. Current employees cannot be transferred into such a reporting relationship.

OUTSIDE EMPLOYMENT
Employees may hold outside jobs subject to some restrictions. However, outside jobs should only be undertaken with great caution so as not to jeopardize employment with the Ag Foundation, which is every regular employee's first obligation and responsibility.

Outside employment or activities may not compete, conflict with or compromise the Ag Foundation's interests. Unauthorized use of any materials, tools, equipment or use of confidential information is not allowed. In addition, the solicitation or conducting of any outside business during paid working time is prohibited. Any doubts or concerns should be discussed with the Director of Human Resources or the Executive Director prior to acceptance of other employment.

Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job-related problems, such outside employment must be discontinued. If necessary, disciplinary action will be taken to deal with specific problems including termination of Ag Foundation employment.

Employees that accept outside employment are not eligible for paid sick leave when the absence is used to work on the other job, or when an injury or illness is sustained on that job. To work at other employment for short periods of time, the use of vacation or unpaid leave may be requested when there will be no adverse impact on business operations. Approval for use of vacation or unpaid leave for this purpose must be approved by the supervisor in advance.

**PERSONAL APPEARANCE AND ATTITUDE**

Appropriate dress, grooming and personal cleanliness contribute to the morale of all employees and affects the positive business image the Ag Foundation wishes to present to its customers and the public. Heavy use of colognes or perfumes is not acceptable. Employees should be considerate of the fact that many co-workers and customers may have allergies to fragrances.

During business hours, employees are expected to present a clean and neat appearance and dress according to the requirements of the position. Employees who appear for work inappropriately dressed may be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for their time away from work.

In some positions, uniforms or standard work clothes are required. Employees must consult with the supervisor as to what constitutes appropriate attire.

There are times when every employee, for a variety of reasons, may have a problem that may affect them at work. However, the Ag Foundation expects every employee to strive to practice and promote a positive attitude toward all individuals conducting business with us or with fellow employees in the organization. While we try to be understanding of an individual's problems,
employees are expected to act in a fashion that furthers the organization's best interests. Negative attitudes and conduct do not serve that purpose and will not be tolerated.

**WORKPLACE VIOLENCE**

The Ag Foundation is committed to workplace safety. As part of this commitment, the Ag Foundation is specifically committed to providing a workplace that is free of threats or acts of violence and to protecting its employees from such conduct on its premises. In keeping with this commitment, we have established a strict policy that prohibits any employee from behavior that is violent, threatening or intimidating, while on duty or conducting Ag Foundation business. This policy applies to all employees, including management and non-supervisory staff. The Ag Foundation has zero tolerance for employees who make threats, engage in threatening behavior, or commit acts of violence against others. In addition, threatening behavior on its premises by non-employees, such as visitors, guests, customers or family members of its employees will not be tolerated.

Keeping the workplace free of violence can only be accomplished if every employee takes personal responsibility for being aware of and reporting potentially violent behavior. Therefore, all employees are responsible for reporting any incident involving threats or acts of violence immediately to their direct supervisor, or the Director of Human Resources. The matter will be investigated and any appropriate corrective action taken. Violations of this policy will lead to disciplinary action, up to and including immediate dismissal.

**DRUG FREE WORKPLACE POLICY**

California State University, Fresno Agricultural Foundation (“Ag Foundation”) is committed to protecting the safety, health and well being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment. The organization encourages employees to voluntarily seek help with drug and alcohol problems.

Any individual who conducts business for the organization, is applying for a position or is conducting business on the organization's property is covered by our drug-free workplace policy. Our policy includes, but is not limited to executive management, managers, supervisors, full-time employees, part-time employees, contractors, volunteers, interns and applicants.

Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the organization. Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is our intent and obligation to provide a drug free, healthful, safe, and secure work environment.

A copy of the full policy statement will be provided each Ag Foundation. In addition, the Ag Foundation will make drug education programs available utilizing the University’s Employment Assistance and Wellness Program.
We strive to provide a drug free, healthful and safe workplace. Employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

For those employees who are legally permitted to consume alcohol, alcohol consumption may be permitted in moderation during Ag Foundation or University sponsored events, but must not result in an inability to function safely or efficiently.

Employees with questions or concerns about substance dependency or abuse are encouraged to use the Employee Assistance and Wellness at Work Program on campus. Employees may also wish to discuss these matters with their supervisor or the Human Resources Department to receive assistance through the health insurance plan or referral to appropriate resources in the community.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of disciplinary action, may request approval to take time off to participate in a rehabilitation or treatment program. Such requests shall be kept as confidential as possible.

**EMPLOYEE BENEFITS and TIME OFF**

**EMPLOYMENT CATEGORIES**

We have designed Employment Categories for purposes of determining which positions will become eligible for Ag Foundation sponsored benefits. When employees are hired they are placed in employment categories. The following definitions will help understand your employment status and eligibility for benefits. These classifications do not guarantee employment for any specified period of time and might change if the need arises.

**EXEMPT/NON-EXEMPT POSITIONS**

Every position is designated as either “Nonexempt” or “Exempt”. This particular designation has no relationship to whether or not an employee is eligible for a specific benefit, except that employees filling nonexempt positions are eligible for overtime pay when applicable. These positions typically include hourly, clerical, and secretarial types of positions.

Employees filling exempt positions are not eligible to receive overtime pay. These positions typically include exempt executive, administrative or professional employees.
Changing positions from nonexempt to exempt, or vice versa, may occur only by written approval from the Executive Director, and in some cases may require approval from the granting agency.

POSITION CLASSIFICATIONS FOR BENEFITS ELIGIBILITY PURPOSES

“Regular” employees generally include those employees who are eligible to receive Ag Foundation sponsored benefits, while “other” employees are generally ineligible for Ag Foundation benefits. Below are the definitions we use to describe eligibility for benefits.

**Regular Full-Time** employees are those who are assigned to work 40 hours per week, are paid on a salary basis, and are eligible for full benefits provided by the Ag Foundation (health insurance, vacation/sick leave, etc.).

**Regular Part-Time** employees are those who typically work less than 40 hours per week and at least 20 hours per week, and the employment is expected to last at least six (6) months. These positions are eligible for benefits provided by the Ag Foundation.

**Other** employees are considered part-time, student, temporary, casual or on-call, and are not eligible for Ag Foundation provided benefits. These employees are typically eligible for other benefits such as Workers' Compensation, Disability and Unemployment Insurance.

POSITION RECLASSIFICATIONS

Prior to a classification or reclassification of any type, the Human Resources Department must conduct a complete job responsibility audit of the position. Following the audit, the Human Resources Department will write a job description for the position. Requests for reclassification will be submitted to the Executive Director for review and approval. Granting agency approval may also be required under certain circumstances.

Reclassifications shall be effected only when the position whose range of job responsibilities has changed to a level that warrants a change in exempt status, pay grade, or a change impacting eligibility for benefits. An increase or decrease in volume of work by itself is not usually justification for a reclassification. When a reclassification results in an increase in cost to the Ag Foundation, the effective date may be dependent upon the availability of funds.

PERFORMANCE EVALUATIONS

Regular full time employees will usually receive performance evaluations on their anniversary date or before July 1st of each year. Evaluations will be reviewed in private between the supervisor and employee. Evaluations are part of the personnel file and may be considered when
making decisions affecting training needs and opportunities, pay, promotion, transfer, or continued employment.

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis so the formal performance evaluation is not the first time the employee is made aware of either good performance or performance problems with regard to the assigned job duties and expectations.

Procedures regarding performance evaluations are guidelines and the Ag Foundation reserves the right to modify or revoke these procedures from time to time. Further, satisfactory performance does not guarantee increases in salary, promotions or continued employment.

**GENERAL PAY GUIDELINES**

Pay is based on the position an employee is filling and available funds. Pay increases are based on job duties and responsibilities, performance, and availability of funds. Pay increases may be given annually, on anniversary dates or at other times during employment as recommended by the manager and approved by the Director of Human Resources and/or the Executive Director.

**EMPLOYEE BENEFITS PROGRAMS**

The Ag Foundation has established a number of employee benefits programs for eligible employees. Only those employees whose positions have adequate funding and approval by the Ag Foundation are eligible for the benefits described. Although this Employee Handbook does not restate all of the features of these benefit programs, it provides brief summaries to acquaint employees with some of their key features. Refer to official plan documents for further information regarding health, dental, 401(k), vision and life insurance benefits. These documents are available in the Human Resources Department.

While it is the Ag Foundation’s intention to continue these benefits, the Ag Foundation reserves the right to modify, curtail, reduce or eliminate any benefit in whole or in part, at any time. Neither the benefit programs nor their descriptions are intended to create any guarantees regarding employment or continued employment.

**VACATION**

The vacation plan is designed to provide our Regular Full-Time employees a period of rest and relaxation away from work without loss of pay. The amount of vacation that accrues is based on the length of service in a Regular Full-Time status. No vacation allowance is given during periods of layoff, leave or when the employee is not scheduled to work for certain months in the year. “Other” employees do not accrue paid vacation. However, Part-time employees who work at least 20 hours per week and are expected to work more than six (6) months will accrue vacation on a pro-rated basis. For every month of service or 173 hours worked, Regular Full-Time employees receive a vacation allowance according to the following schedule.
**Length of Service**  

<table>
<thead>
<tr>
<th>Length of Service</th>
<th>Accrual</th>
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<tbody>
<tr>
<td>1 month through 3 years</td>
<td>6.7 hours per month, 10 days per year</td>
</tr>
<tr>
<td>3 years, 1 month to 6 years</td>
<td>10 hours per month, 15 days per year</td>
</tr>
<tr>
<td>6 years, 1 month to 10 years</td>
<td>11.4 hours per month, 17 days per year</td>
</tr>
<tr>
<td>10 years, 1 month to 15 years</td>
<td>12.6 hours per month, 19 days per year</td>
</tr>
<tr>
<td>15 years, 1 month or more</td>
<td>14 hours per month, 21 days per year</td>
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</table>

The Ag Foundation encourages employees to take accrued vacation time during the term of their project. Typically, employees may select the time frame they wish to take their vacation. However, the supervisor must approve the requested vacation schedule in advance. It should be recognized in some cases it may not be possible to accommodate a particular vacation request and the vacation may be deferred until a time workloads or other business related factors permit the vacation to be approved. Final decisions on vacation schedules remain with the respective supervisor / manager.

Vacation can accrue up to a maximum amount as indicated on the below schedule. Once the maximum accrual is reached, no further vacation will accrue until vacation time is used and the balance drops below the maximum accrual. Any employee whose employment terminates will be paid for accrued and unused vacation time.

**MAXIMUM ACCRUAL SCHEDULE**

<table>
<thead>
<tr>
<th>Length of Service</th>
<th>Accrual</th>
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<tbody>
<tr>
<td>1 – 3 years of service</td>
<td>80 hours</td>
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<tr>
<td>3 years, one month to 11 years of service</td>
<td>100 hours</td>
</tr>
<tr>
<td>11 or more years of service</td>
<td>120 hours</td>
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**HOLIDAYS**

The Ag Foundation provides all Regular employees the following paid holidays:

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<tr>
<th>Holiday</th>
<th>Approximate Day of Year</th>
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<tbody>
<tr>
<td>New Year's Day</td>
<td>January 1&lt;sup&gt;st&lt;/sup&gt;</td>
</tr>
<tr>
<td>Martin Luther King Day</td>
<td>3&lt;sup&gt;rd&lt;/sup&gt; Monday in January</td>
</tr>
<tr>
<td>President's/Washington’s Day</td>
<td>3&lt;sup&gt;rd&lt;/sup&gt; Monday in February</td>
</tr>
<tr>
<td>Cesar Chavez Day</td>
<td>March 31&lt;sup&gt;st&lt;/sup&gt;</td>
</tr>
<tr>
<td>Memorial Day</td>
<td>Last Monday in May</td>
</tr>
<tr>
<td>Independence Day</td>
<td>July 4&lt;sup&gt;th&lt;/sup&gt;</td>
</tr>
<tr>
<td>Labor Day</td>
<td>1&lt;sup&gt;st&lt;/sup&gt; Monday in September</td>
</tr>
<tr>
<td>Veteran’s Day</td>
<td>November 10&lt;sup&gt;th&lt;/sup&gt;</td>
</tr>
<tr>
<td>Thanksgiving Day</td>
<td>4&lt;sup&gt;th&lt;/sup&gt; Thursday in November</td>
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</table>

| Christmas Day                  | December 25<sup>th</sup>         |
Note: Lincoln’s birthday, Admission’s Day and Columbus Day are observed during the week of December 28th. The Day after Thanksgiving and December 26th are not paid holidays therefore, employees are encouraged to use vacation time (or unpaid).

If a holiday falls on a Saturday or Sunday, the holiday will normally be observed on the same day it is observed by the University.

Regular employees working reduced hours (less than eight hours per day) will have a prorated holiday benefit based on the employee’s normal work schedule.

In order to be eligible for a paid holiday, an employee must work the last scheduled workday before and the first scheduled workday after the applicable holiday. If an employee is on an approved vacation or approved sick day when the holiday occurs, the holiday will be paid. A doctor's certification may be required if sick leave is used immediately prior to or after a holiday. Employees on an unpaid leave of absence are not eligible for holiday credit.

CAREER DEVELOPMENT AND EDUCATIONAL ASSISTANCE

The Agricultural Foundation recognizes the skills and knowledge of its employees are critical to the success of our organization. The educational assistance program encourages personal and professional development through formal education to assist employees in maintaining and improving job-related skills.

The educational assistance program was developed for regular full-time employees to ensure continued improvement of ability and performance for their current position. It should be understood that we cannot guarantee participation in formal education will entitle an employee to automatic advancement, a different job assignment, pay increases, or continued employment with the Agricultural Foundation.

Educational assistance is provided to employees who have completed twelve months of employment in a full-time regular status and have a record of satisfactory performance and attendance with the Agricultural Foundation. To maintain eligibility, employees must remain an active employee and be performing their job satisfactorily through completion of each course.

The Agricultural Foundation will pay one-hundred percent (100%) of the tuition expense associated with taking up to six (6) units of collegiate coursework taken during the fall or spring semester (excludes summer semester) for a total of twelve (12) units per school year. For non-exempt employees, the Agricultural Foundation may grant the employee time off with pay for three (3) units of course work per semester, with prior approval from the Director of Agricultural Operations.

To qualify for the program:
(1) Advance approval must be granted by the employee's supervisor, the Director of Agricultural Operations, and the Executive Director;

(2) The employee must have completed at least one year of satisfactory employment in a full time (or part-time with full benefits) capacity, and be actively working throughout the respective semester;

(3) The employee must pay for the course in advance, and receive a passing grade to receive reimbursement from the Agricultural Foundation for the tuition;

(4) Funds must be available in the respective employee’s unit budget. Employees must enroll in courses offered by California State University, Fresno;

(5) The coursework must be directly related to the employee’s existing job and must help maintain or improve the knowledge and skills required for that job; and

(6) The Agricultural Foundation will pay up to the maximum annual amount for CSU registration fees per semester.

Employees are encouraged to take job-related courses, regardless of whether or not they are seeking a college degree.

The maximum amount of tuition expense per employee the Agricultural Foundation will pay is $5,250 per fiscal year.

Employees who desire to enroll in courses that are not job-related are ineligible to receive reimbursement for the coursework, and will not be granted time off with pay to attend the coursework although the supervisor may approve vacation leave or time off without pay.

NOTE: The Agricultural Foundation does not pay application or testing fees, health, penalty fees, or charges for textbooks and course materials.

HEALTH INSURANCE

Various HMO and PPO plans are available to all Regular Full-time Employees and their eligible dependents. The Ag Foundation's contribution to the cost of health insurance is determined periodically as the cost of this insurance changes. Any employee's share of the premium cost is paid through payroll deduction.

Insurance coverage is effective the first day of the month following employment in a regular classification and remains in effect until the last day of the month of employment.
Employees and eligible family members must be enrolled within thirty days from the date of eligibility or wait until the next annually designated "open enrollment period".

Upon marriage, an employee may enroll the new spouse within 30 days with proof of marriage. Newborn and adopted children may be enrolled within 60 days of birth or custody.

**DENTAL INSURANCE**

Dental insurance is provided to the employee with an option for dependent coverage. Eligibility for coverage begins the first day of the month following employment in a regular classification.

**VISION**

Vision coverage is provided to the employee with an option for dependent coverage. Eligibility for coverage begins the first day of the month following employment in a regular classification.

**LIFE INSURANCE**

Term life insurance is provided for all regular employees by the Ag Foundation from the date of hire through the date active employment ends. The amount of coverage for exempt employees is $50,000 and for non-exempt employees the amount is $25,000.

**WORKERS' COMPENSATION**

All employees paid by the Ag Foundation are covered by Workers' Compensation insurance. This benefit is provided to Ag Foundation employees who become injured on the job or acquire a work-related illness. It applies to employment based illnesses or injuries that require medical or hospital treatment. Subject to certain policy requirements, costs as well as partial reimbursement for lost time are paid as a benefit to the employee under this program.

The following guidelines apply to benefits under our Workers Compensation program.

a. The amount of benefit payments are based on the employee's earnings.

b. Employees who cannot finish the work shift due to a work-related injury or illness are paid for the remainder of their shift or workday.

c. Employees must notify their supervisor immediately of any work-related illness or injury, regardless of how minor it may appear, so that any necessary medical treatment can be provided and required paperwork initiated. Failure to follow notification and documentation procedures may result in benefits under this program from being delayed or denied.
d. Benefit payments received from Workers Compensation will be integrated with sick leave and vacation, if available. Employees must contact the Payroll Department as soon as they receive notification from the Workers Compensation administrator informing them of the amount of their weekly compensation. The Payroll Department will then deduct that amount from the amount normally received by the employee for that pay period and pay the difference in sick leave and vacation, if available.

e. When injuries occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity, whether or not such activity is sponsored by the Auxiliary Corporations, those injuries are not covered under this program.

Procedures:

After verbal notification to the supervisor of an injury or illness, the applicable employee will complete the appropriate Workers Compensation forms located in the unit, or call the Human Resources Department if forms are not available.

Medical treatment:

If medical treatment is necessary, the supervisor or Human Resources will contact the applicable medical provider to authorize treatment. Any instructions or paperwork from the doctor or facility should be relayed to the Human Resources Department verbally and then immediately forwarded by mail.

If the injury or illness is not an emergency, employees should go to the medical provider listed below during normal business hours once permission from the supervisor is received. If the problem cannot wait, employees should seek care at San Joaquin Total Care or the nearest emergency facility. You may also call University Police at Extension 2132 or dial 911 for assessment and assistance. The Campus Health Center should not be used for illnesses or injuries even if the employee is registered as a student.

The following medical provider specializes in industrial injuries and illness and is familiar with our policies and procedures.

San Joaquin Total Care
5361 E. Kings Canyon
Fresno, Ca. 93727
Phone: 559-251-2225

The supervisor or a family member should take any injured employee for medical treatment in all but the most minor cases. Injured or ill employees may cause further injury to themselves or others if allowed to drive (examples: dizziness, bleeding, broken bones, and severe strains to muscles). Call the Human Resources Department for further guidance or assistance with transportation.
UNEMPLOYMENT

When employment is reduced or if it ends, Unemployment Insurance provides benefits to all eligible employees, or former employees. The Employment Development Department (EDD) establishes eligibility for these benefits, and performs administration under this program. The dollar amount of benefits you might receive for unemployment is determined by the EDD.

DISABILITY

Disability Insurance provides benefits to employees that are unable to work due to illness or injury that is not related to work.

EDD establishes eligibility for disability benefits, and performs administration for benefits under this program. The dollar amount of benefits you will receive for disability is determined by the EDD.

For ease of filing claims for Unemployment or Disability, you may visit EDD website at: http://www.edd.ca.gov/eddhome.htm, or contact them via their toll free number.

CREDIT UNIONS

Various services are currently available to employees and their family members through two credit unions. Please contact the Payroll Department for detailed information.

CHILD CARE

Although the Ag Foundation does not sponsor childcare benefits, there are child care facilities on campus and employees may enroll eligible children based on the regulations established by the facility and availability. Contact the Human Resources Department or the University Directory for telephone numbers and referral to appropriate individuals for details.

PARKING (On-Campus)

Parking on campus is permitted during enforced time periods with an appropriate parking permit only. Employees wishing to park on campus must pay for parking by purchasing a daily permit, a permanent restricted or semester parking decal. Daily parking permits are available at various entrances to the campus. Permanent restricted decal fees (year-around) are paid through payroll deduction. Semester only decals are purchased at the Joyal Administration Cashier Window for the entire semester. Both types of decals are only issued with appropriate written authorization given by the Ag Foundation Human Resources Department.

If any employee wishes to keep a permanent restricted decal during a period of layoff or authorized leave of absence, the full amount of the monthly parking will be deducted from the first full pay check after the employee’s return to work unless other arrangements are made with the Human Resources Department. A decal may be purchased or returned at any time, however
the full charge for the month will be made even if the permit is used only one day in that month. Refunds will be made only when there has been an error in a deduction. At the time of termination, all employees are required to return their parking decal to the Human Resources Department. All parking fines or towing charges are the employee's responsibility and should be addressed with University Police.

CAMPUS IDENTIFICATION CARDS

Campus Identification Cards may be required to use various facilities on campus, purchase discount or other tickets to campus events, provide identification to events, check out campus library materials, utilize check cashing privileges, or to provide identification upon request by University Police. The Identification Card is produced in the University Keycard Office only after the Human Resources Department gives appropriate authorization. It may not be loaned to another individual, and at the time of termination of employment, the card must be returned to the Human Resources Department as part of the exit interview process.

CAMPUS BLOOD BANK

Blood bank privileges are available to Ag Foundation employees and their families. If you or a family member should need units of blood, please contact the Human Resources Department. Employees who wish to donate blood may elect to do so when the University sponsors campus-wide blood drives.

EMPLOYEE ASSISTANCE & WELLNESS AT WORK (EA&W)

The Employee Assistance and Wellness at Work is a service provided at no cost to the employee and family members, and it provides a confidential means for employees to obtain professional advice, counseling or referral to other professional services in order to deal with various issues, needs and concerns. Please visit the EA&W website. Other assistance may be available by contacting the Human Resources Department.

Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA)

Through COBRA and related California laws, qualified beneficiaries have the opportunity to continue health, dental and vision insurance coverage under existing plans when a "qualifying event" would normally result in the loss of coverage or eligibility. Some qualifying events are resignation, termination of employment (except for gross misconduct), death of an employee, reduction in hours, a leave of absence, employee's divorce or legal separation, or a dependent child no longer meeting eligibility requirements.

Under COBRA, the beneficiary pays the full cost of coverage at the group rate plus an administration fee. The Ag Foundation provides eligible employees (or their beneficiaries or dependents) with a written notice describing their rights, obligations and premium costs under
COBRA when aware of a qualifying event. To qualify for coverage, all employees are obligated
to notify the Human Resources Department of a qualifying event in those instances where it
would not normally have knowledge of the qualifying event.

It must be emphasized that COBRA only extends to prior coverage. It does not continue if the
insurance coverage no longer exists or if the employee declined coverage before a qualifying
event. If amendments are made to provide different coverage limits, or to change deductibles,
premiums or contribution rates, a COBRA beneficiary is subject to those changes in the same
manner as an active employee and family members. Typically, dependents may not be added to
the insurance if they were not covered on the plan at least one day before the qualifying event.

Under most circumstances, an employee is required to elect continuation of coverage within 60
days of the qualifying event or upon written notice by the Human Resources Department. Failure
to elect coverage within this time frame or failure to pay the required premiums forfeits the
employee’s right to continued coverage. The use of any services under a plan requires that the
premium be paid for that month. Termination of coverage may be made at anytime during
COBRA continuation upon proper notification to the Human Resources Department.

Unless notification is given in advance of the date the insurance is to be canceled, the employee
may be required to pay for an additional month of insurance. Once the insurance has been
canceled, it may not be reactivated. Due to the complexities of COBRA, individuals should fully
understand their rights and obligations by contacting the Human Resources Department before
making decisions or assumptions with regard to coverage.

LEAVES OF ABSENCE

The Ag Foundation has several types of leaves available to accommodate a variety of leave
situations, depending on the circumstances. While some leaves are paid, some are provided
without pay. Please ensure you discuss your leave of absence with your direct supervisor and
Human Resources Department in advance to help ensure you have a complete understanding of
the leave you will take, and how the policies apply to your exact situation.

SICK LEAVE (Paid Absence)

Sick leave is provided so employees will not be financially burdened if unable to work due to
illness. Eight hours of Sick Leave is provided for each full calendar month worked for Regular
Full-Time employees. For Regular Part-Time employees sick leave is pro-rated depending on
the hours worked. Sick Leave is not earned during overtime, periods of unpaid disability or
unpaid leaves of absence.

Sick leave may be used for medical examinations, for the employee's own illness or injury, or to
attend to the illness of a child, grandchild, current spouse, or parent. Also, in the unfortunate
event of the death of an immediate family member (parent, parent-in-law, current spouse, child,
brother or sister, grandparent or grandchild), an employee may use up to five (5) sick leave days to arrange and attend the funeral.

Employees who are unable to report to work due to sick leave absences are required to notify the direct supervisor before the scheduled start of the workday or as soon as a required absence is known. If an employee becomes sick during the day, the supervisor or a person in management must be notified before leaving the work site. Failure to follow these procedures or other instructions given by the supervisor may result in an unexcused absence and disciplinary action.

The Ag Foundation reserves the right to require a satisfactory statement from a licensed health care provider whenever an employee uses sick leave. The employee may be asked to provide a health care provider statement which verifies that an injury or disability existed, its beginning and ending dates, and/or the employee's ability to return to work without presenting a risk to their own health or safety or the health or safety of others. When requested, such verifications and releases may be a condition for receiving sick leave benefits and returning to work.

If an illness or disability lasts more than seven (7) calendar days, or if an employee is hospitalized before the eighth day of an absence, the employee should apply for Disability Insurance. Benefit payments received from Disability Insurance will be integrated with accrued sick leave and vacation. Employees must contact the Payroll Department when they are notified of the amount of disability compensation to be received. The Payroll Department will then deduct that amount from the amount normally received by the employee for that pay period and pay the difference in accrued sick leave or vacation, if available. When an employee is absent from and is receiving Workers' Compensation benefit payments, any accrued sick Leave or vacation benefits will be used in the same manner to supplement the employee's pay.

A health care provider’s statement must be provided confirming the employee is unable to work and expected duration of absence. When released to return to work, a written statement from the health care provider indicating any restrictions and the length of time restrictions will be in place must be provided to the supervisor and the Human Resources Department.

Sick leave accrues without a maximum accrual limit. Unused sick leave is not paid to an employee at the time of termination.

**PREGNANCY AND RELATED LEAVE**

Contact the Human Resources Department as soon as you become aware of the need for a leave of absence due to pregnancy disability.

Generally, an employee is entitled to up to four (4) months of unpaid pregnancy disability leave when disabled due to pregnancy, childbirth, or related medical condition during a twelve month period as certified by a licensed health care provider. The leave ceases when the disability ends as certified by a licensed health care provider. If the pregnancy disability lasts longer than four months, considerations for a leave of absence may be applicable under other programs.
Sick leave and vacation credits may be used and integrated with Disability Insurance to provide full pay to the extent possible during the leave.

**MILITARY LEAVE**

Military leaves are granted in accordance with Uniformed Services Employment and Reemployment Rights Act. Employees subject to military duty must discuss the individual case with the Director of Human Resources so the type of military leave entitlement may be determined.

**FAMILY AND MEDICAL LEAVE or CALIFORNIA FAMILY RIGHTS ACT**

Family and medical leave, as the name implies, is granted for family and medical reasons which include the birth, or placement of a child for adoption or foster care; to care for the employee’s spouse, child or parent who has a serious health condition; or when the employee is unable to work because of their own serious health condition. Family and Medical Leave also permits a spouse, son, daughter, parent or next of kin to care for a member of the Armed Forces who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. Please contact the Human Resources Department as soon as you become aware of the need for a family or medical leave. Please contact Human Resources to obtain further information on eligibility regarding FMLA leave for an Armed Forces family member.

**Eligibility:** Any employee, regardless of whether or not they work full time or part time, is eligible for benefits under this program if they meet the following criteria:

The employee has worked for the Ag Foundation for at least 12 months, has worked at least 1,250 hours over the previous 12 months for the Ag Foundation, and works at a location where at least 50 employees are employed by the Ag Foundation within a 75 mile radius.

**Leave Available:** Eligible employees may receive up to a total of 12 workweeks of unpaid leave during a 12-month period. The methodology of determining the 12-month leave period is a rolling period measured backward from the date an employee uses any leave under this program.

Under some circumstances employees may take family and medical leave intermittently, which means taking leave in blocks of time, or by reducing the normal weekly or daily work schedule. A health care provider’s certification is needed outlining the need and the time frame required.

**Notice and Certifications:** Employees seeking to use family and medical leave are required to provide: (1) 30-days notice when the need for the leave is foreseeable, or as soon as possible when the need is unpredictable; (2) medical certification (both prior to the leave and prior to reinstatement); and, (3) periodic re-certification and reports given to the Human Resources
Department during the leave. Any request for an extension of leave must be made at least two weeks prior to the end of the leave.

**Compensation During Leave:** Family and medical leave is unpaid unless available Sick Leave or Vacation is used to cover some or all of the leave. Other benefits may be integrated, such as Disability Insurance when an absence is due to an employee's own illness.

**Benefits During Leave:** We maintain group insurance coverage for an employee on family leave for up to a maximum of 12 work weeks if such insurance is in effect before the leave is taken. Group insurance is maintained on the same terms as if the employee had continued to work. If a leave is approved past the twelve (12) weeks, benefits may be covered if sufficient Vacation time is available to continue the employee's pay while on leave. Vacation or Sick Leave will not accrue during the leave. Employees who do not receive continued paid coverage for their medical insurance may continue their group insurance through COBRA.

**Job Reinstatement:** Under most circumstances, upon return from family and medical leave an employee will be reinstated to their original job, or offered an equivalent job with equivalent pay, benefits, and other employment terms and conditions. This applies if the job still exists or if a comparable job is available and the employee is qualified. In addition, an employee's use of family and medical leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using such leave.

**JURY AND WITNESS DUTY**

Employees who are summoned to serve jury duty will be allowed up to 10 days of paid leave during any one-year period. A jury duty notice must be given to the supervisor as soon as received and forwarded to the Human Resources Department prior to commencing jury duty.

Jury duty pay is calculated on the employee’s base pay rate. If required to serve beyond the 10-day period, employees may request to use vacation, or an unpaid leave may be approved on a case by case basis. On an unpaid leave, employees are responsible for health and dental insurance premiums that normally would be covered by the employer. Accrual of other benefits will be suspended while unpaid leave is taken. As previously stated, the salary of exempt employees will not be reduced for any week in which any work is performed, but may be reduced if no work is performed in a week. The paid leave is only given during the time that an employee would normally be scheduled to work and only if the fees for service are remitted to the Ag Foundation (except mileage which the employee may retain). It will not be paid if the employee is on leave or if the job ends for any reason while serving jury duty.

Evidence of jury duty attendance must be presented to the Human Resources Department. Employees should continue to report for work on those days or parts of days when excused from jury duty or when jury duty does not conflict with the work schedule.

If subpoenaed as a witness, but not as a party or an expert witness, an employee is granted time off with pay provided that the witness fee is remitted to the Ag Foundation. If the witness fee is
not remitted, the time off will be without pay unless vacation credits are used. All time required serving as a witness in a Ag Foundation matter will be with full pay.

PARENTS LEAVE FOR CHILDREN IN SCHOOL

An employee who is the parent or guardian of children in kindergarten through 12th grade may take up to four (4) hours of unpaid leave during each school year, per child, to visit the school. The purpose of the leave is to allow employees to attend meetings and other events at the child's school and to be involved in the child's education. Reasonable notice should be given to the immediate supervisor when requesting leave.

To be eligible for a school-discipline leave, an employee must be the parent or guardian of the child and be actually living with the child, and must have received a written notice from the principal of the school requiring attendance at a conference to discuss discipline or the child's suspension from school. A written verification of the conference will be required.

TIME OFF TO VOTE

The Ag Foundation encourages employees to fulfill civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after the regular work schedule. However, if employees are unable to vote during non-working hours, the Ag Foundation will grant up to two (2) hours of paid time off with advance approval by their supervisor.

Employees must request any time off in writing, from the supervisor at least two (2) working days prior to the election day so that necessary time off can be scheduled at the beginning or end of the work day, or whatever time provides the least disruption to the normal work schedule. A voter's receipt on the first working day following an election is required to receive paid time off.

LITERACY LEAVE

The Ag Foundation will make reasonable accommodations for any employee who reveals a literacy problem and requests assistance in enrolling in an adult literacy program. Assistance to employees will also be given by providing information on the location of local literacy programs or arrangements made for a job-site visit by a special literacy education provider.

Upon request, the use of vacation or personal leave may be granted by the supervisor for participation in a literacy program.

PERSONAL LEAVE OF ABSENCE

An employee who has worked for the Ag Foundation for at least one year in a regular status may be granted a personal leave without pay for a period not to exceed thirty (30) days. Approval for
a leave under this program may be granted to an employee who desires schooling or training to improve quality of service, is temporarily incapacitated by illness, or for other reasons not covered under other policies. Unless mandated by law, a personal leave of absence is an employee privilege, not a right, and must be approved by the employee's supervisor and the Director of Human Resources. All requests are approved or denied with consideration given to the employee's length of service, performance and work record, the reason for the request, the business impact, and the ability to temporarily replace the employee during the leave.

All vacation credits must be used before a leave of absence begins. A leave because of illness will not be granted until all sick leave has been exhausted. The cost of all insurance premiums is the responsibility of the employee while on a personal leave of absence.

If an employee fails to report to work at the expiration of the approved leave, the Ag Foundation will assume the employee has resigned.

PAYROLL AND TIMEKEEPING

The following policies have been developed to help ensure all employees are paid on time and accurately. It is very important to follow these policies.

Effective May 1, 2008 employees are required to sign the information sheet or transaction form whenever there is a change to their payroll record. Failure to do so will result in the delay of the transaction being processed. The employee will receive a copy of the processed form for their records.

PAY DAYS

Salaried employees are paid on the fifteenth and the last day of the month. When the pay date falls on a holiday or weekend, the last workday before the normal pay date will be the payday.

Employees who are paid hourly are paid seven (7) working days after the end of the month and seven (7) working days after the fifteenth of the month. Pay dates usually fall on the 7th and 22nd of the month. However, if these dates fall on a weekend or a holiday, then the preceding Friday or last working day is the payday.

PAYCHECKS

Paychecks are normally available in the work unit. However, each employee should consult with their supervisor as to the procedures and place where their paycheck will be available. If an employee is not available on the payday due to vacation or other reason, the paycheck will be mailed to your home address.

Employees who discover a mistake in their paycheck, or lose the check should notify the Payroll Department immediately. Confirmed errors will be corrected, and in the case of loss or theft, a new check will be issued. The Ag Foundation cannot be responsible for the loss or theft of a
check if it cannot stop payment on the check. Any loss will be the responsibility of the employee.

**DIRECT DEPOSIT**

As a service to our employees, direct deposit is offered to most employees, and we strongly encourage participation in this program. Inquiries should be directed to the Payroll Department regarding availability of this program.

**DEDUCTIONS FROM PAY**

On each payday employees will receive a statement showing gross pay, deductions, and net pay, in addition to their pay check or deposit confirmation notice. Local, state, federal and Social Security taxes will be deducted automatically. No other deductions will be made unless required or permitted by law, contract, or employee obligation. Employees may elect to have additional voluntary deductions taken from their pay only if they authorize the deductions in writing.

**Tax Sheltered Annuities** are deductions that regular employees may take advantage of through a salary reduction agreement initiated by the employee. Annuities offer the benefit of reducing the amount of current taxable income and increasing the amount of income in a future period when the expected earnings and tax bracket are lower. Only federal and state taxes are reduced by the annuity, and those taxes are paid at the time of withdrawal or retirement.

The Ag Foundation does not contribute to annuities or take responsibility for a company's management of funds. Individuals may enter into agreements with the company of their choice. We are prohibited from recommending any annuity or from recommending any particular company handling annuities. Therefore, managers and supervisors should be fully aware that recommending an individual or company to any employee is prohibited.

**Garnishments** from pay that are court ordered under state or federal law will be honored and deducted from the employee's pay as ordered. Garnishments may only be stopped if the employee brings an official release from the court or agency to the Payroll Department.

**TIME CARDS, ATTENDANCE REPORTS, AND OTHER WORK RECORDS**

All employees are to use the appropriate forms for reporting hours worked as well as hours not worked which are to be compensated, such as sick leave and vacation. These forms are available from the Ag Foundation payroll department, or on the website.

Salaried employees that are nonexempt (those who may qualify for overtime) must accurately record their hours worked and hours taken off (including the reason). Employees are to complete the report and submit it to their supervisor for approval.
Employees that are exempt (those who do not qualify for overtime) must record all time taken off on an Attendance Report. All time taken off and the reason is to be accurately recorded on the monthly attendance report.

All employees are required to submit their completed and accurate time and attendance reports to their supervisor on the first working day after the pay period. Time sheet and/or Attendance Reports are due in the Ag Foundation payroll department no later than 5 working days after the end of the pay period. Late submissions to the payroll department of a time and attendance report will result in late payment of wages to the employee. Further, it should be understood that if an employee does not submit a time and attendance report, in whatever form required for that employees, the employee will not be paid.

Willful falsification of any time record will result in disciplinary action, up to and including termination of employment.

**SALARY GUIDELINES FOR EXEMPT EMPLOYEES**

Generally, exempt employees receive full salary for any week in which any work is performed, subject to the following rules:

1. An employee's salary may be reduced for complete days of absence due to vacation, personal business, before sick leave benefits accrue or after they are exhausted, and incomplete initial and final weeks of work. Partial days of absence are not deducted.

2. Salary will not be reduced due to partial weeks of work because of service as a juror or witness, military service, or for lack of work. However, in order to receive full salary, exempt employees must remit to the Ag Foundation any fee that is received for any jury duty, witness duty, or military leave for that week.

Employees are encouraged to bring any questions concerning their salary pay to the Director of Human Resources so that any inadvertent error can be corrected.

**HOURS OF WORK**

Each employee is assigned by the supervisor to a workday or week, which is necessary for the operation of a particular area or unit. Normally the work period is eight hours and the workweek is forty hours, with the standard workweek being Sunday at 12:00 a.m. through Saturday 11:59 p.m.

Exempt employees’ work hours are as many as needed to satisfactorily accomplish the requirements of the position, to give proper supervision, and to be appropriately available to the supervisor and to those under their direction.

Generally, nonexempt employees who work over eight hours in a day or over forty hours in a week are paid overtime pay. Overtime pay is based on actual hours worked. Time off on sick
leave, vacation, reporting time pay, or any leave of absence is not considered hours worked for purposes of computing overtime.

Overtime should be approved in writing prior to work being performed that would result in overtime compensation. Employees that work overtime without permission may be subject to disciplinary action.

REPORTING TIME PAY

An employee who reports to work on a scheduled workday, but is not put to work or is furnished with less than half his/her usual or scheduled day’s work, will be paid the greater of one-half (1/2) his/her usual or scheduled day’s work (up to four hours), or two (2) hours at his/her regular rate of pay.

An employee, who reports to work a second time in a scheduled workday and is furnished less than two hours of work, will be paid for two hours at his/her regular rate of pay.

These provisions shall not apply where the failure to provide the scheduled amount of work results from specific causes beyond the Ag Foundation’s control, such as (1) an inability to commence or continue operations because of threats to employees or to property, or because of the recommendation of civil authorities; (2) a failure of the sewer system or of public utilities to supply electricity, water, or gas; (3) an interruption of work caused by an act of God or other cause outside of the Ag Foundation’s control; (4) instances where an employee makes a request to leave work early for personal reasons; or (5) where an employee reports to work unfit.

UNCONTROLLED STANDBY

Where an employee is not required to remain on the Ag Foundation’s premises, but is merely required to leave word with the Ag Foundation about where he/she may be reached, or when an employee is required to carry a cell phone if he/she is on-call and where the employee is sufficiently unrestricted so that the time can be spent predominantly for his/her own purposes, such time is not considered hours worked and will not be compensated. In such cases, the employee will not be required to respond to a call or a page in less than 20 minutes.

Where an employee responds to a call from the Ag Foundation to perform extra work without prearrangement after his/her scheduled hours of work have ended, the working time involved is deemed a call-back and will be paid at no less than two (2) hours at his/her regular rate of pay. Time spent in travel for call-backs to and from the Ag Foundation’s regular place of business is not paid.

REST AND MEAL PERIODS

All nonexempt employees are provided with two rest periods of at least ten (10) minutes for each four (4) hours of work. To the extent possible, rest periods will be provided in the middle of work periods. Since rest periods are paid as time worked, employees must not be absent from the
workstation beyond the allotted time. Breaks are not to be added to the beginning or end of the work shift, and may not be accumulated for a later time or used to extend lunch breaks.

Employees working an eight-hour workday will be given a one-hour unpaid meal period. In some cases, the meal period will be less than one hour, but will not be less than 30 minutes. During the summer, the work schedule for some employees will change to conform to the University’s summer schedule where the meal period may be limited to 30 minutes. Since not all employees work this summer schedule, the supervisor shall identify the schedule to be worked.

Supervisors are to schedule meal periods to accommodate operating requirements and to ensure that employees are relieved of all active work responsibilities and restrictions during meal periods.

**BUSINESS AND TRAVEL EXPENSES**

The Ag Foundation will reimburse employees for reasonable business travel expenses while on assignment away from the regular work location. All business travel must be approved in advance by the immediate supervisor and any expense or reimbursement is based on the Ag Foundation’s Travel Policy.

Employees that are involved in an accident while traveling on business must promptly report the incident to the immediate supervisor. Vehicles owned, leased, or rented by the Ag Foundation may not be used for personal use without prior approval.

With prior approval from your supervisor, a family member or friend may accompany employees on business travel when it will not interfere with business objectives. Generally, employees are also allowed to combine personal travel with business travel, as long as time away from work is approved and additional expenses arising from such non-business travel are paid by the employee. Abuse of the business travel expense policy, including falsifying expense claims, may result in disciplinary action, up to and including termination of employment.

**DRIVING ON AG FOUNDATION BUSINESS**

If driving is a requirement for an Ag Foundation position, the Ag Foundation employee is required to attend a Defensive Driver Training course before they are authorized to operate any vehicles or claim mileage for operating a privately owned automobile. In addition, employees must possess a valid California driver license and have a good driving record, as verified by the Department of Motor Vehicles.

To obtain specific information concerning the criteria for driving on Ag Foundation business or to secure the required authorization contact Human Resources.
TERMINATION OF EMPLOYMENT

Regular employees separating from their employment must be referred to the Human Resources Department for an exit interview to discuss such issues as employee benefits and the return of Ag Foundation property. Individuals wishing to apply for new job opportunities within the Ag Foundation or with other auxiliaries are welcome to do so, however, there are no rights or preference given to such other employment. If a position terminates for any reason, the Ag Foundation cannot displace other employees to provide continuation of employment.

WORK CONDITIONS AND EMPLOYEE CONDUCT

The Ag Foundation desires to perpetuate a safe work environment for all of its employees, and to maintain an environment whereby our employees operate within a general and specific Code of Conduct. While the specific Code of Conduct is presented later in this Handbook, in general we expect all employees to remain honest and professional in all of their Ag Foundation related dealings, which includes such things as the need for employees to cooperate in internal investigations, maintaining Ag Foundation business and proprietary information in confidence, avoiding conflicts of interest, not misusing or abusing Ag Foundation property or assets, and complying with all Ag Foundation policies, including non-discrimination and anti-harassment policies. Further areas of concern regarding work conditions and employee conduct are presented below.

SAFETY

To assist in providing a safe and healthful work environment for employees, customers, and visitors, the Ag Foundation has established an Injury and Illness Prevention Program. The Human Resources Director is responsible for implementing, administering, monitoring, and evaluating the program. Its success depends on the alertness and personal commitment of all employees.

Information to employees about workplace safety and health issues is provided through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos and other written communications. A safety committee, comprised of various employees from the Ag Foundation, helps monitor the safety program, inspects facilities, and provides communications about workplace safety and health issues. Employees and supervisors receive periodic workplace safety training, which covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with the supervisor, bring them to the attention of a safety committee member, or to the Director of Human Resources. Employees may report concerns or offer suggestions anonymously if they wish, and without fear of reprisal. Forms for this purpose may be requested from unit offices or the Human Resources Department.
Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy a situation, may be subject to disciplinary action, up to and including termination of employment.

If an injury or accident does occur, refer the matter to the supervisor and follow the directions given in the workers' compensation section of this Handbook.

**EQUIPMENT AND VEHICLES**

Equipment and vehicles essential in accomplishing job duties can cause great bodily harm if used improperly, and are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Notify the appropriate supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. In addition, damaged or faulty furnishings such as chairs or other items used in the course of work or for visitors’ use should be reported to ensure safety.

**ATTENDANCE AND PUNCTUALITY**

Punctuality and dependability are of prime importance to the efficient running of the Ag Foundation. Whenever employees are late or absent, the functions of the department cannot continue with the same degree of efficiency that would be possible if every employee were on time and at work. Absenteeism and tardiness place a burden on other employees and are generally disruptive. If a supervisor feels an employee's attendance is poor or there is excessive tardiness, disciplinary action may be taken to correct the problem.

Employees finding it necessary to be late to work for any reason or absent because of personal business, illness, or death in the family, are expected to follow the proper procedures of notifying their supervisor and/or getting advance permission when possible as follows:

1. Obtain advance permission (written or verbal) from your immediate supervisor when possible;

2. In case of illness, call the immediate supervisor no later than one (1) hour after the scheduled work time; and

3. When an absence will be longer than one (1) day, notify the immediate supervisor daily or as often as needed to keep the supervisor informed as to the date of probable return to work. Failure to report for work for three (3) days without notification or permission will be considered an automatic resignation of employment.
A verification of illness or appointments may be required if, in the opinion of the supervisor, absenteeism is excessive or questionable.

**SOLICITATION AND DISTRIBUTION OF LITERATURE**

In an effort to assure a productive and harmonious work environment, employees and persons not employed by the Ag Foundation may not solicit or distribute literature (except for official University or Ag Foundation approved literature) in the workplace at any time for any purpose unless specifically authorized by the Director of Human Resources. Employees should contact the supervisor or the Human Resources Department for any clarification needed with respect to this policy.

**WORK RULES AND PERFORMANCE STANDARDS**

In addition to the Code of Conduct presented in this Handbook, the following work rules and performance standards apply. It is not possible to provide a complete list of every work rule or performance standard. As a result, the following rules and standards are presented only as examples. They have no contractual significance and do not change the at-will employment policy. Employees are responsible for understanding and following these standards and work rules, and individuals that do not comply may be subject to disciplinary action, up to and including possible termination.

- Insubordination or misconduct of any kind.
- Abuse, misuse, theft, or the unauthorized possession or removal of Ag Foundation property or the personal property of others.
- Falsifying or making a material omission on company records, reports, or other documents, including payroll, personnel, and employment records.
- Disorderly conduct in the workplace, including fighting or attempted bodily injury, the use of profane, abusive, or threatening language toward others, or possession of a weapon or explosive.
- Violation of any law adversely affecting the organization, or conviction in court of any crime which may cause the employee to be regarded as unsuitable for continued employment.
- Violation of alcohol, drugs, and controlled substances policy.
- Falsifying a pay record or document of another employee or knowingly allowing another employee to do so.
- Excessive absenteeism or any absence without notice.
- Violation of safety rules.
• Violation of the MIS Policy, or Code of Conduct Policy
• Discrimination or harassment of other employees.

DISCIPLINE

The Ag Foundation's own best interest lies in ensuring that disciplinary action is prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory performance in the future.

Disciplinary action may take the form of a verbal warning, written warning, suspension, or termination of employment. Depending on the particular circumstances, the Ag Foundation has sole discretion to determine what will constitute appropriate disciplinary action.

CODE OF CONDUCT

The purpose of this Code of Conduct, hereinafter referred to as “Code”, is to guide the conduct of those acting for or on behalf of the Ag Foundation.

This Code applies to all board members, officers, representatives, committees, affiliates, and employees of the Ag Foundation (hereinafter collectively referred to as “staff”).

1. Respect for the Law

Staff, in common with all citizens, have an obligation to observe all applicable federal, state, and local laws, regulations, ordinances, and authoritative orders, and are required to conduct themselves accordingly.

2. Respect for Persons

The Ag Foundation seeks to create an environment where all persons are treated equitably and with respect, where persons’ rights are respected and where staff are encouraged and their achievements given due recognition.

Respect for persons extends to the manner in which individuals deal with one another, with employees of the university, with students, as well as members of the community. The Ag Foundation regards a staff member’s behavior towards and interaction with others as a vital part of the duties of their position.

A collegial working environment is particularly encouraged.

3. Courtesy and Responsiveness
Staff are expected to be responsive, courteous and prompt in dealing with others, whether with other staff, employees of the university, students, or members of the community.

4. **Obligations of Staff Supervising Other Staff**

Individuals who supervise other staff members have special responsibilities to treat their staff members fairly and to afford them equality of opportunity, to maintain open and honest communication with them and to ensure their staff understand performance standards expected of them. Evaluations of staff performance must be undertaken against these standards objectively and without bias.

5. **Making Fair Decisions**

When making a decision, taking action of a discretionary nature or resolving a grievance that may adversely affect a person’s rights, liberties, interests or legitimate expectations, the principles of procedural fairness must be applied. Specifically, persons affected must have the opportunity to respond to allegations or assertions made and to have a decision made without bias. Decisions must be based on considerations relevant to the matter at hand. Decisions may be accepted more readily if reasons are given.

6. **Staff Must Not Discriminate**

Staff must treat other persons equitably, irrespective of gender, sexual orientation, race, disability, medical condition, cultural background, religion, marital status, age, or political conviction.

7. **Harassment is Unacceptable**

As previously stated, staff must not engage in conduct that amounts to or may be perceived as sexual, racial, or gender-based harassment. Staff must not behave towards other persons in a manner that may reasonably be perceived as intimidating, overbearing or unreasonable.

8. **Avoidance of Conflicts of Interest**

A. Staff must avoid conflicts between their private interests and their staff responsibilities and must avoid situations where there is a reasonable basis for the perception of such a conflict. In this regard, staff must refrain from participating in making decisions affecting said individual’s financial interests, as well as in decisions affecting another person with whom said staff member has a personal relationship (i.e., spouse, relative, close personal relationship, etc.).

B. A “transaction” is defined as a business arrangement whereby one party provides property or services to the other in exchange for compensation. The above definition of the word “transaction” does not include gift agreements between a
donor and the Ag Foundation. With specific regard to financial interests, the following transactions are absolute conflicts of interest, and are hereby proscribed:

1. A transaction between the Ag Foundation and a member of any governing board or committee thereof;
2. A transaction between the Ag Foundation and a partnership or unincorporated association of which any member of the governing board or committee of the Ag Foundation is a partner or of which he/she is the owner or holder, either directly or indirectly, of a proprietorship interest.
3. A transaction between the Ag Foundation and a corporation in which any member of a governing board or committee of the Ag Foundation is the owner or holder, directly or indirectly, of 5% or more of the outstanding common stock.
4. A transaction in which a member of the governing board or committee of the Ag Foundation is financially interested other than as specified in subsections 8(A)(1) – (3) above, and either: (i) the member fails to first disclose such interest to the governing board or committee at a public meeting of the board or committee, or (ii) the member influences, or attempts to influence another member or members of the board or committee into entering into the transaction.

Staff who are members of the governing board or a committee, have an absolute duty to disclose actual or potential conflicts of interest and all material facts related thereto, to the governing board or committee. If said member is financially interested in a potential transaction other than as specified in section 8(A) above, said transaction may be allowed if all of the following occur, and the board or committee (without involvement of the interested member) vote to approve the transaction:

1. The fact of such financial interest is disclosed to or known by the governing board or committee, and noted in the minutes thereof. Once the actual or potential conflict is disclosed or known, the financially interested person will be allowed to make a presentation to the board or committee, after which he or she shall leave the board room for discussion and prior to any voting thereon.
2. If necessary, appointment of a person or committee to investigate the situation prior to any voting thereon, and to investigate alternatives to the proposed transaction or arrangement.
3. Consideration of the findings of the above-referenced investigative effort and determination of the board as to whether the transaction is just and reasonable and whether it could obtain a more advantageous transaction or arrangement with an entity for which there is no actual or potential conflict.
of interest. If it cannot obtain a more advantageous transaction or arrangement, the board may, in its discretion, vote to approve the proposed transaction or arrangement.

C. It is unlawful for staff to utilize any information, not a matter of public record, that is received by that person by reason of his or her employment by, or contractual relationship with, the Ag Foundation, the Trustees of the California State University, the California State University, or any other auxiliary organization of the California State University, for personal pecuniary gain, not contemplated by the terms of the employment or contract, regardless of whether the person is or is not so employed or under contract at the time the gain is realized.

9. Receipt of Gifts

Staff must not ask for or encourage the giving of any form of gift or benefit in connection with the performance of their duties. Receipt of gifts can be perceived as an inducement to act in a particular way, thus creating a real or apparent conflict of interest. However, a staff member may, of course, give or accept an occasional gift of nominal value that is offered in accordance with social or cultural practice.

10. External Activities and Public Comment

Staff are free to engage in party-political, professional, interest group and charitable activity, provided that participation does not give rise to a conflict of interest or impede the performance of a staff member’s duties. Where a staff member comments publicly in connection with party political or interest group activities, it must be made clear that such comment is made on behalf of the political party or association which they represent, and not in their capacity as members of staff of the Ag Foundation.

Public comment by staff in their capacity as private citizens is certainly permitted. In making private comment (including electronic means such as electronic mail), every effort must be made to ensure that the opinions expressed are not represented as an official view of the Ag Foundation.

11. Diligence

A. The Ag Foundation aims to achieve the highest standards in the conduct of its business, which ultimately serves to advance the educational interests of the University. All staff contribute to the achievement of this aim when they carry out their duties honestly and to the best of their ability. In this regard, staff are expected to carry out their duties in a professional, responsible, impartial and conscientious manner, and are accountable for their official conduct and decisions.
B. Staff should endeavor to maintain and enhance their skills and expertise and keep up to date the knowledge associated with their particular field or area of work. High standards of performance are expected. Staff must not allow outside work to interfere with the performance of their Ag Foundation duties.

C. Staff must exercise due care in undertaking their activities, particularly where others rely on advice or information offered. Staff have a duty to take reasonable care to avoid causing harm (including physical harm) to anyone. Thus, staff must actively promote safe working practices and environments for everyone using Ag Foundation facilities. In this connection, staff must ensure the personal use of alcohol or other drugs does not affect work performance or the safety and well-being of others.

D. Fraud, corrupt conduct or malfeasance is contrary to law and is to the detriment of the Ag Foundation, as well as ultimately to the University. Staff members are required to report genuinely suspected or known fraud or corrupt conduct in accordance with section 13 hereof.

E. Appropriate measures to ensure proper internal control with respect to Ag Foundation assets must be observed at all times. Staff members must not be assigned job duties or allowed to engage in conduct that may compromise the maintenance of proper internal control.

12. Economy and Efficiency

Staff has a responsibility to ensure Ag Foundation resources are managed effectively. In this regard, material, financial and computerized resources should only be used for Association purposes. Though staff members may occasionally need to use Ag Foundation resources for personal reasons, such as personal telephone calls, such usage must be kept to a minimum, and must not result in additional expense to the Ag Foundation. Additionally, equipment, materials and facilities must be treated with appropriate care and secured against theft and misuse in order to ensure that the maximum level of resources are available to discharge Ag Foundation functions.

13. Violations of the Code

Subject to section (A) below, actual or suspected violations of this Code by any Staff member shall be reported to the Executive Director of the Ag Foundation, or to the Director of Human Resources. If the report is made to the Director of Human Resources, he/she shall promptly inform the Executive Director of the report. The Executive Director and/or the Director of Human Resources shall then, in his or her discretion, conduct a reasonable investigation of the facts of the alleged or suspected violation(s), or appoint other competent staff who is not alleged to be involved in the violation, to conduct the same. Findings of all investigations not conducted by the Executive Director shall be reported to the Executive Director for consideration thereof and resolution of the
matter. If the Executive Director, Director of Human Resources, or anyone else acting on behalf of the Ag Foundation wishes to receive assistance in conducting the investigation, such assistance may only be utilized after first consulting with the Executive Director. The Executive Director shall have the authority to either dismiss a staff member found to have violated this Code, or discipline said staff member in a manner that the Executive Director, in his or her discretion, deems appropriate. If the staff member alleged to have violated this Code is the Executive Director, or a member of the Board of Directors of the Ag Foundation, the allegation of the violation shall be made to Director of Human Resources, who shall promptly report the allegation to the Executive Committee of the Ag Foundation Board of Directors for investigation and resolution. Prior to such resolution, the Executive Committee and/or its designee(s) shall conduct any reasonable investigation of the facts of the alleged violation as it deems appropriate. The Executive Committee shall have the authority to either dismiss the staff member found to have violated this Code, or discipline said staff member in a manner that it deems appropriate, in its discretion. No member of the Executive Committee who is alleged to be involved in the violation shall take part in the investigation or resolution of such alleged violation.

(A) Reports of, investigations of, and resolutions of allegations of fiscal misconduct shall be administered exclusively in accordance with the University Procedures for Investigating Suspected Employee Fiscal Misconduct.

WHISTLEBLOWER POLICY

Any person employed with the Ag Foundation may report a complaint under this policy. The Ag Foundation will investigate any possible fraudulent or dishonest use or misuse of Ag Foundation resources or property by contractors, self-employed individuals, employees, faculty, staff, volunteers, or students. Anyone found to have engaged in fraudulent or dishonest conduct is subject to disciplinary action by the Ag Foundation up to and including dismissal or expulsion, and civil or criminal prosecution when appropriate.

All employees of the Ag Foundation are encouraged to report possible fraudulent or dishonest conduct. An employee should report his or her concerns to the Director of Human Resources. If, for any reason, an employee finds it difficult to report his or her concern to the Director of Human Resources, the employee may report it directly to the Executive Director.

The Director of Human Resources will conduct or direct an investigation of reports of suspected fraudulent or dishonest conduct, and will communicate all such reports to the Ag Foundation Executive Director within 3 business days of receipt of such a report.

For purposes of this Whistleblower Policy, the following definitions apply.

Definitions

Fraudulent or Dishonest Conduct: a deliberate act or failure to act with the intention of obtaining an unauthorized benefit. Examples of such conduct include, but are not limited to:
• forgery or alteration of documents
• unauthorized alteration or manipulation of computer files
• fraudulent financial reporting
• pursuit of a benefit or advantage in violation of Ag Foundation policy's
• misappropriation or misuse of Ag Foundation resources, such as funds, supplies, or other assets
• authorizing or receiving compensation for goods not received or services not performed
• authorizing or receiving compensation for hours not worked

Whistleblower: an employee or former employee who reports an activity to the Director of Human Resources or Executive Director, when that person believes that activity to be fraudulent or dishonest.

Baseless Allegations: allegations made with reckless disregard for their truth or falsity. Employees and former employees making such allegations are subject to disciplinary action and/or legal claims by individuals accused of such conduct.

**Rights and Responsibilities**

**Managers or Supervisors**
Managers or supervisors are required to report suspected fraudulent or dishonest conduct to the Director of Human Resources. In addition, managers or supervisors are responsible for maintaining a system of management controls that detect and deter fraudulent or dishonest conduct. Failure by a manager or supervisor to establish management controls or report misconduct within the scope of this policy may result in adverse personnel action against the manager or supervisor. Human Resources is available to assist management in establishing management systems and recognizing improper conduct.

Reasonable care should be taken in dealing with suspected misconduct to avoid:

• baseless allegations
• premature notice to persons suspected of misconduct and/or disclosure of suspected misconduct to others not involved with the investigation
• violations of a person's rights under law

Accordingly, a manager or supervisor faced with suspected misconduct in their respective areas:

• shall report the suspected misconduct as outlined in this Policy
• shall direct all inquiries from the media to the University's Public Relations Office, or in the event that Public Relations cannot be contacted, to the Executive Director.
• shall direct all inquiries from any attorney retained by the suspected individual to the Director of Human Resources

• should not contact the person suspected to further investigate the matter or demand restitution

• should not discuss the case with anyone other than the Director of Human Resources, Executive Director, Staff Counsel, or a duly authorized law enforcement officer

Whistleblower Protection

The Ag Foundation will protect Whistleblowers as defined below.

• The Ag Foundation will use best efforts to protect Whistleblowers against retaliation, as described below. However, it cannot guarantee absolute confidentiality, and there is no such thing as an "unofficial" or "off the record" report. Human Resources will keep the Whistleblower's identity confidential, unless (1) the person agrees to be identified; (2) identification is necessary to allow Human Resources or law enforcement officials to investigate or respond effectively to the report; (3) identification is required by law; or (4) the person accused of violations is entitled to the information as a matter of legal right in disciplinary proceedings.

• Ag Foundation employees may not retaliate against a Whistleblower with the intent or effect of adversely affecting the terms or conditions of employment or enrollment (including but not limited to, threats of physical harm, loss of job, punitive work assignments, or impact on salary or wages). Whistleblowers who believe they have been retaliated against may file a written complaint with the Director of Human Resources, or Executive Director. A proven complaint of retaliation shall result in a proper remedy for the person harmed and the initiation of disciplinary action, up to and including dismissal, against the retaliating person. Protection from retaliation is not intended to prohibit managers or supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.

• Whistleblowers must be cautious to avoid baseless allegations (as described earlier in the definitions section of this policy).

Procedures

The Human Resources office shall conduct or direct investigations of all suspected fraudulent or dishonest conduct, in consultation with Staff Counsel, or outside counsel, as may be necessary or appropriate. Cases involving possible fiscal misconduct or violations of criminal law will be handled in concert with applicable California State University policies.

If the conclusions of the investigation determine that fraudulent or dishonest conduct occurred, the appropriate Ag Foundation official will initiate disciplinary action in a manner consistent with applicable Ag Foundation policy. If it is determined that fraudulent or dishonest conduct
has not occurred, Human Resources will explain to the person who presented the report the basis for its determination and advise the person of any other available reporting channels.

This Whistleblower Policy is intended to complement and supplement existing policies and legal requirements. No statement in this Policy is intended to authorize, or to prohibit disciplinary and/or legal action against a Ag Foundation employee who knowing discloses information recognized or designated as confidential under law. Where provisions exist elsewhere under law or Ag Foundation policy governing information disclosure rights and obligations, and/or retaliation relative to such disclosures, those shall apply in lieu of those contained in this Policy.

SECURITY INSPECTIONS

The Ag Foundation desires to maintain a workplace free of illegal drugs, alcohol, firearms, explosives, or other improper materials. We require the cooperation of all employees in our efforts to enforce this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of the Ag Foundation. Any articles found within them can be inspected by any agent or designated representative of the organization at any time, with or without prior notice. Therefore, any employee who wishes to avoid inspection of any articles or materials should not bring them into the workplace.

INTERNAL MAIL

The mail system (US Postal Service) is for business purposes and employees must refrain from sending or receiving personal mail at the workplace.

PROBLEM RESOLUTION

The Ag Foundation strives to ensure equal treatment of all employees and expects managers, supervisors, and employees to treat each other with mutual respect and make every attempt to resolve problems and misunderstandings.

If individuals disagree with established rules of conduct, policies, or practices, concerns may be expressed through the problem resolution procedures. No employee will be penalized, formally or informally, for voicing a complaint with the Ag Foundation in a reasonable, business-like manner, or for using the problem resolution procedures.

If a situation occurs when an employee believes that a condition of employment or decision affecting them is unjust or inequitable, the following steps may be used. The employee may discontinue the procedure at any step.

INFORMAL REVIEW
• The employee presents the problem to the immediate supervisor after the incident occurs. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, **OR** the problem has not been resolved with the immediate supervisor, the employee may present the problem to the Director of Human Resources.

• If the employee believes the problem has still not been resolved satisfactorily at this point, a request for a formal review process may be made.

**FORMAL REVIEW**

• The first level of the formal review is by the highest line of management in the employee's operational unit. The completed form should be submitted to that manager by **fourteen calendar days** from the date the problem or complaint was discussed with the Director of Human Resources. **The Formal Review Form is available from the Human Resources Department.**

• If the first level of review decision does not resolve the problem, the employee should, within **five working days**, request a second level review.

• The second level of review is by the Ag Foundation Executive Director, or person designated by the Ag Foundation Executive Director, and this review decision is final to this process. Whenever possible, the decision will be given within **five working days**.

Failure on the employee's part to take further action within five working days after receipt of the written decision from either the first or second level of review, absent compelling reasons, will be presumed to constitute a dropping of the complaint. The time limits specified above may be extended to a definite date agreeable to the employee and the reviewer concerned.

**INTERNET, E-MAIL, HARDWARE, AND SOFTWARE POLICIES**

**USING E-MAIL AND VOICE MAIL**

The use of e-mail and voice mail is reserved solely for the conduct of Ag Foundation business and may not be used for personal reasons. All messages composed, sent or received on the e-mail and voice systems are and will remain the property of the Ag Foundation. The systems shall not be used to create any offensive or disruptive messages. The Ag Foundation will review, audit, intercept, access and disclose all messages created, received or sent over the electronic mail system whenever there is a business need to do so. Employees who violate these policies or use the system for improper purposes shall be subject to discipline, up to and including termination.

**INTERNET USAGE**
Transmittal and receipt of information over the Internet, software downloaded through the Internet, and information accessed on the Internet must be in compliance with the Ag Foundation’s software license policy and in accordance with applicable laws. Employees shall conduct Internet browsing with caution and concern for the possibility of downloading a computer virus. Confidential and proprietary information must not be transmitted over the Internet.

The use of information accessed on the Internet must be for Ag Foundation related business activities and consistent with our rules of conduct. Sexually explicit material may not be accessed, displayed, archived, stored, distributed, edited, or recorded using the Ag Foundation’s network or computer resources.

The use of the Internet is subject to periodic monitoring. Computers may be audited for software downloaded through the Internet.

**HARDWARE and SOFTWARE USE**

Hardware devices, software programs, and network systems purchased and provided by the Ag Foundation are to be used only for creating, researching, and processing Ag Foundation related materials, and other tasks necessary for discharging one’s employment duties. By using the Ag Foundation’s hardware, software, and network systems you assume personal responsibility for their appropriate use and agree to comply with this policy and other applicable company policies, as well as all public laws and regulations.

All software / hardware acquired for or on behalf of the Ag Foundation or developed by its employees or contract personnel on behalf of the Ag Foundation is and at all times shall remain Ag Foundation property. All such software / hardware must be used in compliance with applicable licenses, notices, contracts, and agreements.

**COPYRIGHT**

Each employee is individually responsible for reading, understanding, and following all applicable licenses, notices, contracts, and agreements for software / hardware that he or she uses or seeks to use on Ag Foundation computers. If an employee needs help in interpreting the meaning/application of any such licenses, notices, contracts and agreements, he/she will contact Ag Foundation MIS for assistance. Unless otherwise provided in the applicable license, notice, contract, or agreement, any duplication of copyrighted software, except for backup and archival purposes, may be a violation of federal and state law.

Employees who need any software / hardware other than provided on their computer must request such software / hardware from the Ag Foundation MIS department. Each request will be considered on a case-by-case basis.
USE OF PHONE SYSTEMS

Personal use of telephones for outgoing or incoming calls should be kept to a minimum. Where possible, employees should receive or make personal calls or conduct personal business during breaks, lunch, or at other non-work times. Ag Foundation telephones are for conducting Ag Foundation business and lines must be made available for incoming and outgoing calls. Anyone abusing the use of business telephones may find that their future use may be denied or restricted to emergencies only. Additionally, personal long distance calls must be reimbursed to the Ag Foundation.

To ensure that we are providing excellent telephone service to other employees and the public, employees should always use an approved greeting and speak in a courteous and professional manner. Confirm information received from the caller and hang up only after an offer to take a message is given or an offer for further assistance is made. All employees must remember that a rude or unhelpful person answering the telephone reflects negatively not only on the individual, but also on the organization as a whole and will not be tolerated.

CELL PHONE USAGE

This policy outlines the use of personal cell phones at work, the personal use of business cell phones and the safe use of cell phones by employees while driving. Some Agricultural Foundation units require that an employee be accessible at all times by electronic means, including communication devices. Communication devices provided by the Ag Foundation shall be used for business-related purposes and any personal use of such devices must satisfy the conditions set forth in Section VI.B. The policies and procedures contained herein are intended to conform to Internal Revenue Service regulations governing employer-provided communication devices for use by employees. A copy of the Ag Foundation’s Cell Phone Policy is available at the Human Resources Department.

1. Personal Cellular Phones

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of Ag Foundation phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees should not receive or make personal calls if those calls would interfere with their work tasks, except for emergency calls. Employees are asked to make personal calls on non-work time where possible and to ensure that friends and family members are aware of the company's policy. Flexibility will be provided in circumstances demanding immediate attention.

The Ag Foundation will not be liable for the loss of personal cellular phones brought into the workplace.
3. Safety Issues for Cellular Phone Use

Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use are expected to refrain from using their phone while driving. Safety must come before all other concerns. Employees are not permitted to place or accept a call unless the vehicle is stopped.

Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a cell phone for business use, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

4. Special Responsibilities for Managerial Staff

As with any policy, managers are expected to serve as role models for compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy, as well as all policies.

RESOLUTION PROCEDURE FOR EMPLOYEE PROBLEMS AND COMPLAINTS

OPEN DOOR POLICY

The Open Door Policy is a voluntary process that allows you to talk to your immediate supervisor or to a higher level of management without fear of retaliation. Although you are encouraged to solve your problem at the lowest possible level, you may take it as far up the chain of command as needed.

You are free to raise your concerns to any level of management. However, whenever possible, you should try to resolve any problems with your immediate supervisor. Because this person is close to your situation, he or she may already be aware of the problem or be in a position to offer a new perspective or some new facts that may be helpful to you.

If you are dissatisfied with your immediate supervisor's response or need to talk to someone other than your supervisor, you may take your problem to the next higher level of supervision. You are encouraged to follow the specific chain of command in your department or work group, because that is often the most direct way of getting matters resolved. However, you may take a problem or concern directly to Human Resources at any time.

For those situations involving problems that, for whatever reason, cannot be resolved in-house, the Association has adopted a private, professional way outside the Association to settle them. This outside process involves binding arbitration. Arbitration means presenting the dispute to a neutral third party for a final binding decision. Other resolution processes may be available upon request with the Association’s consent.
MEDIATION

If you are dissatisfied with the result from the Open Door Policy, you may request the Association to participate with you in mediation. However, neither you nor the Association is required to submit the dispute to mediation and either the Association or you can proceed directly to arbitration at their choice.

Mediation is a meeting in which a neutral third party, called a mediator, helps you and the Association come to an agreement on your own, based on your needs and interests. Mediation is a non-binding process—that means the mediator can make suggestions, but you and the Association are responsible for resolving your dispute. All mediations in this program will use private mediators as agreed upon by the parties.

To request mediation, submit your written request to the attention of the Human Resources Department. Once you have made this request, the Association will determine whether to participate in the mediation process. If the Association agrees to mediation, the parties will mutually select a local private mediator to mediate the dispute. Both parties may be represented by counsel or any person whom they wish to designate during the mediation process. If you agree not to be represented by counsel at the mediation, then the Association will also agree not to be represented by counsel at the mediation.

If mediation does not resolve the dispute, you or the Association may submit the dispute to arbitration for a final and binding decision.

BINDING ARBITRATION

Arbitration is a process by which a dispute is presented to a neutral third party, the arbitrator, for a final and binding decision. The arbitrator makes this decision after both sides present their arguments at the arbitration hearing. While there is no jury, the arbitrator can award any relief either party might seek through a court of law.

The neutral third party arbitrator runs the proceedings, which are held privately. Although arbitration is much less formal than a court trial, it is an orderly proceeding, governed by the rules of civil procedure and legal standards of conduct. It is an alternative procedure to a court or jury trial. Both parties have the right to be represented by counsel or any person whom they wish to designate during the arbitration process.

By selecting Arbitration both you and the Association are agreeing the use this mechanism rather than the Court System to resolve disputes. To elect this option you should sign the agreement to arbitrate disputes.
List of Web Links for Other Policies

Ag Foundation Web Site http://www.auxiliary.com/agriculture/index.htm
EMPLOYEE ACKNOWLEDGMENT

This Employee Handbook describes important information about the California State University, Fresno Ag Foundation, and presents many of the policies associated with my employment. I understand that I should consult the Human Resources Department regarding any questions not answered in this Handbook.

I have entered into my employment relationship with the Ag Foundation voluntarily, and acknowledge and agree there is no specified length of employment. I understand the Ag Foundation is an at-will employer, which means I can terminate my employment at any time, with or without advance notice, and with or without cause, and the Ag Foundation has similar rights.

No manager, supervisor or employee of the Ag Foundation has authority to enter into any agreement for employment for any specified period of time or to make any agreement for employment other than at-will.

Since the information, policies, and benefits described are subject to change, I acknowledge such changes and revisions may occur, and those changes may modify, eliminate, reduce or improve existing policies and benefits, and that such changes will be communicated through appropriate notices.

I agree to read the Employment Handbook, whether in paper form or electronic form, and I agree to comply with the policies contained in the Handbook and any revisions made to it.

__________________________________________________ __________________
Employee’s Signature       Date

EMPLOYEE’S NAME:  ________________________________________________  
Print Name