



Personnel Manual 2019-2020

ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK

PLEASE READ THE EMPLOYEE HANDBOOK AND SUBMIT A SIGNED COPY OF THIS STATEMENT TO THE EXECUTIVE DIRECTOR.

EMPLOYEE NAME: _____

I ACKNOWLEDGE that I have received a copy of the Employee Handbook. I have read and understood the contents of the Handbook, and I agree to abide by its directions and procedures. I have been given the opportunity to ask any questions I might have about the policies in the Handbook. I understand that it is my responsibility to read and familiarize myself with the policies and procedures contained in the Handbook. I also understand that if I am ever unclear on any language, or policies and procedures in this Handbook, it is my responsibility to seek clarification from Roads Education.

I understand that the statements contained in the Handbook are guidelines for employees concerning some of Roads Education’s policies and benefits, and are not intended to create any contractual or other legal obligations or to alter the at-will nature of my employment with Roads Education. In the event I do have an employment contract which expressly alters the at-will relationship, I agree to the foregoing except with reference to an at-will employment status.

I understand that except for employment at-will status, any and all policies or practices can be changed at any time by Roads Education.

I understand that other than the Board of Roads Education, no person has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; only the Board has the authority to make any such agreement and then only in writing signed by the Board President.

Employee’s Signature: _____ Date: _____

**Please sign/date, tear out, and return to Roads Education,
and retain this Handbook for your reference.**

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INTRODUCTION TO HANDBOOK

This Handbook is designed to help employees get acquainted with Roads Education Organization (hereinafter referred to as “Roads Education”). It explains some of our philosophies and beliefs, and describes some of our employment guidelines in general terms. Although this Handbook is not intended to be an exclusive or comprehensive policies and procedures manual, we hope that it will serve as a useful reference document for employees throughout their employment with Roads Education. Employees should understand, however, that this Handbook is not intended to be a contract (express or implied), nor is it intended to otherwise create any legally enforceable obligations on the part of Roads Education or its employees. In no way does the Handbook replace any official plan documents (e.g., health insurance, retirement plan, etc.) or insurance contracts, which will govern in all cases. This Handbook supersedes and replaces all previous personnel policies, practices, and guidelines.

Due to the fact that Roads Education is a growing and changing organization, it reserves full discretion to add to, modify, or delete provisions of this Handbook, or the policies and procedures on which they may be based, at any time without advance notice. Roads Education also reserves the right to interpret any of the provisions set forth in this Handbook in any manner it deems appropriate.

No individual other than the Board of Directors has the authority to enter into any employment or other agreement that modifies Roads Education policy. Any such modification *must* be in writing.

This Handbook is the property of Roads Education, and it is intended for personal use and reference by employees of Roads Education. Circulation of this Handbook outside of Roads Education requires the prior written approval of the Executive Director.

Employees must sign the acknowledgment form at the beginning of this Handbook, tear it out, and return it to the Executive Director. This will provide Roads Education with a record that each employee has received this Handbook.

CONDITIONS OF EMPLOYMENT

Equal Employment Opportunity Is Our Policy

Roads Education is an equal opportunity employer. It is the policy of Roads Education to afford equal employment and advancement opportunity to all qualified individuals without regard to:

- Race (including traits historically associated with race, such as hair texture and hairstyle, including but not limited to braids, locks, and twists);
- Color;
- Gender (including gender identity, gender expression, and transgender identity, whether or not the employee is transitioning or has transitioned);
- Sex (including pregnancy, childbirth, breastfeeding, and medical conditions related to such);
- Religious creed (including religious dress and grooming practices);
- Marital/registered domestic partner status;
- Age (forty (40) and over);
- National origin or ancestry (including native language spoken and possession of a driver's license issued to persons unable to prove their presence in the U.S. is authorized by federal law);
- Physical or mental disability (including HIV and AIDS);
- Medical condition (including cancer and genetic characteristics);
- Taking of a leave of absence pursuant to the Family Medical Leave Act ("FMLA"), Pregnancy Disability Leave ("PDL") law, Americans with Disabilities Act ("ADA"), California Family Rights Act ("CFRA"), the Fair Employment and Housing Act ("FEHA") or laws related to domestic violence, sexual assault and stalking;
- Genetic information;
- Sexual orientation;
- Military and veteran status; or
- Any other consideration made unlawful by federal, state, or local laws.

This policy extends to all job applicants and employees and to all aspects of the employment relationship, including the hiring of new employees and the training, transfer, promotion, discipline, termination, compensation and benefits of existing employees.

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

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the Executive Director with day-to-day personnel responsibilities and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job, or if unknown, what job duties the disability impairs. Roads Education will then conduct an investigation to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform the job. Roads Education will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, Roads Education will

make the accommodation.

Employment At-Will

Except if stated expressly otherwise by employment contract, it is the policy of Roads Education that all employees are considered “at-will” employees of Roads Education. Accordingly, either Roads Education or the employee can terminate this relationship at any time, for any reason, with or without cause, and with or without advance notice.

Nothing contained in this Handbook, employment applications, Roads Education memoranda or other materials provided to employees in connection with their employment shall require Roads Education to have “cause” to terminate an employee or otherwise restrict Roads Education’s right to release an employee from their at-will employment with Roads Education. Statements of specific grounds for termination set forth in this Handbook or elsewhere are not all-inclusive and are not intended to restrict Roads Education’s right to terminate at-will. No Roads Education representative, other than the Board of Directors or its designee, is authorized to modify this policy for any employee or to make any representations to employees or applicants concerning the terms or conditions of employment with Roads Education that are not consistent with Roads Education’s policy regarding “at-will” employment.

This policy shall not be modified by any statements contained in this Handbook or employee applications, Roads Education memoranda, or any other materials provided to employees in connection with their employment. Further, none of those documents whether singly or combined, or any employment practices shall create an express or implied contract of employment for a definite period, nor an express or implied contract concerning any terms or conditions of employment.

Child Abuse and Neglect Reporting

California Penal Code section 11166 requires any child care custodian who has knowledge of, or observes, a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident.

Roads Education will provide annual training on the mandated reporting requirements, using the online training module provided by the State Department of Social Services, to employees who are mandated reporters. Mandated reporter training will also be provided to employees hired during the course of the school year. This training will include information that failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Penal Code section 11166, is a misdemeanor punishable by up to six (6) months confinement in a county jail, or by a fine of one-thousand dollars (\$1,000), or by both that imprisonment and fine.

All employees required to receive mandated reporter training must provide proof of completing the training within the first six (6) weeks of each school year or within the first six (6) weeks of that employee’s employment.

By acknowledging receipt of this Handbook, employees acknowledge they are child care custodians and are certifying that they have knowledge of California Penal Code section 11166 and will comply with its provisions.

Criminal Background Checks

As required by law, all individuals working or volunteering at Roads Education will be required to submit to a criminal background investigation. No condition or activity will be permitted that may compromise Roads Education's commitment to the safety and the well-being of students taking precedence over all other considerations. Conditions that preclude working at Roads Education include conviction of a controlled substance or sex offense, or a serious or violent felony. Additionally, should an employee, during his/her employment with Roads Education, be charged or convicted of any offense, the employee must immediately report the charge or conviction to the Executive Director.

Tuberculosis Testing

All employees of Roads Education must submit written proof from a physician of a risk assessment examination for tuberculosis (TB) within the last sixty (60) days. If TB risk factors are identified, a physician must conduct an examination to determine whether the employee is free of infectious TB. The examination for TB consists of an approved TB test, which, if positive, will be followed by an x-ray of the lungs, or in the absence of skin testing, an x-ray of the lungs. All employees will be required to undergo TB risk assessments and, if risk factors are found, the examination at least once every four (4) years. Volunteers may be required to undergo a TB examination as necessary. The TB risk assessment and, if indicated, the examination is a condition of initial employment with Roads Education and the cost of the exam will be borne by the applicant.

Food handlers may be required to have annual TB exams. Documentation of employee and volunteer compliance with TB risk assessments and examinations will be kept on file in the office. This requirement also includes contract food handlers, substitute teachers, and student teachers serving under the supervision of an educator. Any entity providing student services to Roads Education will be contractually required to ensure that all contract workers have had TB testing that shows them to be free of active TB prior to conducting work with Roads Education students.

Immigration Compliance

Roads Education will comply with applicable immigration law, including the Immigration Reform and Control Act of 1986 and the Immigration Act of 1990. As a condition of employment, every individual must provide satisfactory evidence of his or her identity and legal authority to work in the United States. However, Roads Education will not check the employment authorization status of current employees or applicants who were not offered positions with Roads Education unless required to do so by law.

Roads Education shall not discharge an employee or in any manner discriminate, retaliate, or take any adverse action (*e.g.*, threatening to report the suspected citizenship or immigration status of an employee or a member of the employee's family) against any employee or applicant for employment because the employee or applicant exercised a right protected under applicable law. Further, Roads Education shall not discriminate against any individual because he or she holds or

presents a driver's license issued per Vehicle Code § 12801.9 to persons who have not established their federally-authorized presence in the United States. Finally, in compliance with the Immigrant Worker Protection Act, Roads Education shall not allow a federal immigration enforcement agent to enter any nonpublic areas of Roads Education without a judicial warrant, or voluntarily give consent to an agent to access, review or obtain employee records without a subpoena or judicial warrant.

Professional Boundaries: Staff/Student Interaction Policy

Roads Education recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning conducive environment possible.

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student.

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property.

For clarification purposes, the following examples are offered for direction and guidance of Roads Education personnel:

- A. Examples of PERMITTED actions (NOT corporal punishment)
 - 1. Stopping a student from fighting with another student;
 - 2. Preventing a pupil from committing an act of vandalism;
 - 3. Defending yourself from physical injury or assault by a student;
 - 4. Forcing a pupil to give up a weapon or dangerous object;
 - 5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
 - 6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

- B. Examples of PROHIBITED actions (corporal punishment)
 - 1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
 - 2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
 - 3. Paddling, swatting slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

Acceptable and Unacceptable Staff/Student Behavior

This policy is intended to guide all Roads Education faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify the boundaries between students and staff.

Although this policy gives specific, clear direction, it is each staff member's obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, "Would I be engaged in this conduct if my family or colleagues were standing next to me?"

For the purposes of this policy, the term "boundaries" is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust.

Some activities may seem innocent from a staff member's perspective, but can be perceived as flirtation or sexual insinuation from a student or parent point of view. The objective of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as, sexual misconduct.

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities. Although sincere, competent interaction with students certainly fosters learning, student/staff interactions must have boundaries surrounding potential activities, locations and intentions.

Duty to Report Suspected Misconduct

When any employee reasonably suspects or believes that another staff member may have crossed the boundaries specified in this policy, he or she must immediately report the matter to a Roads Education administrator. All reports shall be as confidential as possible under the circumstances. It is the duty of the administrator to investigate and thoroughly report the situation. Employees must also report to the administration any awareness or concern of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.

Examples of Specific Behaviors

The following examples are not an exhaustive list:

Unacceptable Staff/Student Behaviors (Violations of this Policy)

- (a) Giving gifts to an individual student that are of a personal and intimate nature.
- (b) Kissing of any kind.
- (c) Any type of unnecessary physical contact with a student in a private situation.
- (d) Intentionally being alone with a student away from the school.

- (e) Making or participating in sexually inappropriate comments.
- (f) Sexual jokes.
- (g) Seeking emotional involvement with a student for your benefit.
- (h) Listening to or telling stories that are sexually oriented.
- (i) Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- (j) Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.
- (k) Using terms of endearment instead of a student's name, (e.g. Honey, Sweetheart, Baby).

Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission

(These behaviors should only be exercised when a staff member has parent and supervisor permission.)

- (a) Giving students a ride to/from school or school activities.
- (b) Being alone in a room with a student at school with the door closed.
- (c) Allowing students in your home
- (d) Meeting a student or their family at their home or the home of the staff person.

Cautionary Staff/Student Behaviors

(These behaviors should only be exercised when a reasonable and prudent person, acting as an educator, is prevented from using a better practice or behavior. Staff members should inform their supervisor of the circumstance and occurrence prior to or immediately after the occurrence)

- (a) Remarks about the physical attributes or development of anyone.
- (b) Excessive attention toward a particular student.
- (c) Sending emails, text messages or letters to students if the content is not about school activities

Acceptable and Recommended Staff/Student Behaviors

- (a) Getting parents' written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- (c) Emails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (Communication should be limited to School technology).
- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.

- (j) Involving your supervisor if conflict arises with the student.
- (k) Informing the Executive Director about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another staff member to be present if you will be alone with any type of special needs student.
- (o) Asking another staff member to be present when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them.
- (q) Pats on the back, high fives and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.
- (s) Asking yourself if your actions are worth your job and career.

Policy Prohibiting Unlawful Harassment, Discrimination, and Retaliation

Roads Education is committed to providing a work and educational atmosphere that is free of unlawful harassment, discrimination, and retaliation. Roads Education's policy prohibits unlawful harassment, discrimination, and retaliation based upon: race (including traits historically associated with race, such as hair texture and hairstyle, including but not limited to braids, locks, and twists); color; gender (including gender identity, gender expression, and transgender identity, whether or not the employee is transitioning or has transitioned); sex (including pregnancy, childbirth, breastfeeding, and related medical conditions); religious creed (including religious dress and grooming practices); marital/registered domestic partner status; age (forty (40) and over); national origin or ancestry (including native language spoken and possession of a driver's license issued to persons unable to prove their presence in the U.S. is authorized by federal law); physical or mental disability (including HIV and AIDS); medical condition (including cancer and genetic characteristics); taking a leave of absence authorized by law; genetic information; sexual orientation; military and veteran status; or any other consideration made unlawful by federal, state, or local laws.

Employees, volunteers, unpaid interns, individuals in apprenticeship programs, and independent contractors shall not be harassed, or discriminated or retaliated against, based upon the characteristics noted above.

Roads Education does not condone and will not tolerate unlawful harassment, discrimination, or retaliation on the part of any employee (including supervisors and managers) or third party (including independent contractors or other person with which Roads Education does business). Supervisors and managers are to report any complaints of unlawful harassment to the Executive Director or designee.

When Roads Education receives allegations of unlawful harassment, discrimination, or retaliation, the Board (if a complaint is about the Executive Director) or the Executive Director or designee will conduct a fair, timely and thorough investigation that provides all parties an appropriate process and reaches reasonable conclusions based on the evidence collected. The investigation will be handled in as confidential a manner as possible, although complete confidentiality cannot

be guaranteed. Complainants and witnesses shall not be subject to retaliation for making complaints in good faith or participating in an investigation. Roads Education is committed to remediating any instances where investigation findings demonstrate unlawful harassment, discrimination, or retaliation has occurred.

Prohibited Unlawful Harassment

- Verbal conduct such as epithets, derogatory jokes or comments or slurs;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement, or interfering with work because of sex, race or any other protected basis;
- Retaliation for reporting or threatening to report harassment; or
- Disparate treatment based on any of the protected classes above.

Prohibited Unlawful Sexual Harassment

Roads Education is committed to providing a workplace free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to, and including dismissal, of the offending employee.

Sexual harassment consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire, when: (1) submission to the conduct is either made explicitly or implicitly a term or condition of an individual's employment; (2) an employment decision is based upon an individual's acceptance or rejection of that conduct; and/or (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

It is also unlawful to retaliate in any way against an employee who has articulated a good faith concern about sexual harassment against him or her or against another individual.

All supervisors of staff will receive two (2) hours of sexual harassment prevention training within six (6) months of hire or their assumption of a supervisory position and every two (2) years thereafter. All other employees will receive one (1) hour of sexual harassment prevention training within six (6) months of hire and every two (2) years thereafter. Such training will address all legally required topics, including information about the negative effects that abusive conduct has on both the victim of the conduct and others in the workplace, as well as methods to prevent abusive conduct undertaken with malice a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. Abusive conduct includes but is not limited to repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. Supervisors shall also be trained on how to appropriately respond when the supervisor becomes aware that an employee is the target of unlawful harassment. Other staff will receive sexual harassment prevention training as required by law.

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, in particular those with supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other

prohibited behavior, immediate action should be taken to address such conduct. Any employee who believes they have been sexually harassed or has witnessed sexual harassment is encouraged to immediately report such harassment to the Executive Director. See **Appendix A** for the “Harassment/Discrimination/Retaliation Complaint Form.” See **Appendix B** for the general “Internal Complaint Form.”

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults and
 - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another’s body, or poking another’s body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
 - Sexually oriented gestures, notices, remarks, jokes, or comments about a person’s sexuality or sexual experience.
 - Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or disparate treatment for rejecting sexual conduct.
 - Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee’s job more difficult because of the employee’s sex.
- Sexual or discriminatory displays or publications anywhere at the workplace by employees, such as:
 - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing to work or possessing any such material to read, display or view at work;
 - Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic; and
 - Displaying signs or other materials purporting to segregate an employee by sex in an area of the workplace (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this policy. Moreover, please note that while in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory

responsibilities. As such, consensual relationships in the workplace may violate Roads Education policy.

Whistleblower Policy

Roads Education requires its directors, officers, employees, and volunteers to observe high standards of ethics in the conduct of their duties and responsibilities within Roads Education. As representatives of Roads Education, such individuals must practice honesty and integrity in fulfilling all responsibilities and must comply with all applicable laws and regulations. The purpose of this policy is to create an ethical and open work environment, to ensure that Roads Education has a governance and accountability structure that supports its mission, and to encourage and enable directors, officers, employees, and volunteers of Roads Education to raise serious concerns about the occurrence of illegal or unethical actions within Roads Education before turning to outside parties for resolution.

All directors, officers, employees, and volunteers of Roads Education have a responsibility to report any action or suspected action taken within Roads Education that is illegal, unethical or violates any adopted policy of Roads Education, or local rule or regulation. Anyone reporting a violation must act in good faith, without malice to Roads Education or any individual at Roads Education and have reasonable grounds for believing that the information shared in the report indicates that a violation has occurred. A person who makes a report does not have to prove that a violation has occurred. However, any report which the reporter has made maliciously or any report which the reporter has good reason to believe is false will be viewed as a serious disciplinary offense. No one who in good faith reports a violation, or who, in good faith, cooperates in the investigation of a violation shall suffer harassment, retaliation, or adverse employment action. Further, no one who in good faith discloses, who may disclose, or who Roads Education believes disclosed or may disclose, information regarding alleged violations to a person with authority over the employee or another employee who had responsibility for investigating, discovering or correcting the purported violation shall suffer harassment, retaliation, or adverse employment action.

Drug and Alcohol Free Workplace

Roads Education is committed to providing a drug and alcohol free workplace and to promoting safety in the workplace, employee health and well-being, stakeholder confidence and a work environment that is conducive to attaining high work standards. The use of drugs and alcohol by employees, whether on or off the job, jeopardizes these goals, since it adversely affects health and safety, security, productivity, and public confidence and trust. Drug or alcohol use in the workplace or during the performance of job duties is extremely harmful to employees and to other Roads Education stakeholders.

The bringing to the workplace, possession or use of intoxicating beverages or drugs on any school premises or during the performance of work duties is prohibited and will result in disciplinary action up to and including termination.

Employees are prohibited from being on campus or at a school event, even “after hours,” and even if no one else is present on campus, if they have had any amount of alcoholic beverages or intoxicating substances. Violation of this policy may result in disciplinary procedures up to and

including termination.

Confidential Information

All information relating to students, personal information, schools attended, addresses, contact numbers and progress information is confidential in nature, and may not be shared with or distributed to unauthorized parties. All records concerning special education pupils shall be kept strictly confidential and maintained in separate files. Failure to maintain confidentiality may result in disciplinary action, up to and including release from at-will employment. Staff must be aware of their voices, and any discussions about students must take place in an appropriate location. No student records may be visible to other students, parents or non-confidential staff. Teachers who violate this policy may be reprimanded or terminated.

Conflict of Interest

All employees must avoid situations involving actual or potential conflict of interest. An employee involved in any relationships or situations which may constitute a conflict of interest should immediately and fully disclose the relevant circumstances to the Executive Director, or the Board of Directors, for a determination about whether a potential or actual conflict exists. If an actual or potential conflict is determined, Roads Education may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

No Smoking

All Roads Education facilities are no smoking facilities. No employee, volunteer, parent, visitor or student shall be permitted to smoke on the school grounds or on any school related activity.

THE WORKPLACE

Work Schedule

Business hours are normally 8:00 a.m. – 5:00 p.m. Monday through Friday. The regular workday schedule for nonexempt employees is eight (8) hours; the regular workweek schedule is forty (40) hours. Exempt and nonexempt employees are generally expected to be present during business hours and to commit whatever additional time is necessary to satisfactorily complete all job requirements.

Exempt employees may choose work hours of either 8:00 a.m. until 4:00 p.m. or 8:30 a.m. until 4:30 p.m. if they take a “working lunch”. If an exempt employee chooses to take a lunch break free from work, he/she should work 8:00 a.m. to 4:30 p.m. with a thirty (30) minute lunch break. Each campus must have at least two (2) employees reporting at 8:00 a.m. consistently, each day. Exempt employee hours assume that the exempt employee does not leave school for a meal period. If the exempt employee takes an off-campus meal period, they must make up that time on the day that the off-campus meal period is taken in order to fulfill their forty (40) hour a week minimum requirement.

Employees should never be alone on any campus at any time of day. Employees must have advance approval from the Executive Director to be on campus after hours (earlier or later plus or minus one (1) hour before or after normal business hours) and permission will only be granted for purposes of completing work which cannot otherwise be completed during the normal workday. Employees should not be on campus during days they are not scheduled to work or days outside their work calendar.

Exempt employee work calendars are as follows:

- Ten (10)-month exempt employees are expected to work ten (10) months full-time for forty (40) hours per week. The ten (10)-month calendar for these positions include one hundred ninety (190) work days. The Site Administrator position is two hundred five (205) workdays.
- Eleven (11)-month exempt employees are expected to work eleven (11) months full-time for forty (40) hours per week, on the twelve (12)-month administrative work calendar. Since this position is an eleven (11)-month position for two hundred twenty (220) workdays, but with important duties that must be completed over the summer, the extra four (4) work weeks off will be taken periodically throughout the year. Weeks off must be taken in one (1) week increments between July 1 and August 15 or between October 1 and June 30. Two (2) weeks may be taken back to back if scheduled for the month of July, or if one (1) of the weeks overlaps with spring break. A maximum of two (2) weeks may be taken off in a single summer (June 15 through August 15). No weeks off may be taken August 15 through September 30.
- Twelve (12)-month exempt employees are expected to work twelve (12) months full-time for forty (40) hours per week. The twelve (12)-month administrative work calendar for these positions include two hundred forty-one (241) work days.

Meal and Rest Periods

Nonexempt employees working at least five (5) hours are provided with a thirty (30) minute meal period, to be taken approximately in the middle of the workday but by no later than the end of the 5th hour of work. Nonexempt employees are requested to take an hour long lunch break if they are on campus from 8:00 a.m. until 5:00 p.m. An employee may waive this meal period if the day's work will be completed in no more than six (6) hours, provided the employee and Roads Education mutually consent to the waiver in writing. This waiver may be denied or rescinded for any reason at any time. Specifically, the campus must have at least two (2) employees on site by 8:00 a.m. consistently. If there are not two (2) exempt employees available to open the campus every day at 8:00 a.m., a nonexempt employee may have to be present at this time.

Nonexempt employees are also provided with a ten (10) minute rest period for every four (4) hours worked which should be scheduled towards the middle of the four (4) hour work period as practicable. Employees are prohibited from combining meal and rest period time. An employee's supervisor must be aware of and approve scheduled meal and rest periods. Employees must immediately inform their supervisor if they are prevented from taking their meal and/or rest periods.

Employees are expected to observe assigned working hours and the time allowed for meal and rest periods.

If a nonexempt employee does not receive their meal or rest periods, the employee must immediately notify the Director of Human Resources. If possible, employees should provide written notice of any such concern.

Lactation Accommodation

Roads Education accommodates lactating employees by providing a reasonable amount of break time to any employee who desires to express breast milk for an infant child. The break time shall, if possible, run concurrently with any break time already provided to the employee. Any break time provided to express breast milk that does not run concurrently with break time already provided to the nonexempt employee shall be unpaid.

Roads Education will make reasonable efforts to provide employees who need a lactation accommodation with the use of a room or other private location that is located close to the employee's work area. Such room/location shall not be a bathroom. Employees with private offices will be required to use their offices to express breast milk. Employees who desire lactation accommodations should contact their supervisor to request accommodations.

Attendance and Tardiness

All employees, whether exempt or nonexempt, are expected to arrive at work consistently and on time. Absenteeism and tardiness negatively affects Roads Education's ability to implement its educational program and disrupts consistency in students' learning.

If it is necessary to be absent or late, employees are expected to text or email their direct supervisor and the Director of Human Resources as soon as possible but no later than one-half ($\frac{1}{2}$) hour before the start of the workday. If an employee is absent from work longer than one (1) day, he or she is expected to keep the Director of Human Resources sufficiently informed of the situation. Upon returning to work, an employee is expected to submit a Time Off or Sick Day form to the Director of Human Resources.

As noted in the section of this Handbook concerning prohibited conduct, excessive or unexcused absences or tardiness may result in disciplinary action up to and including release from at-will employment with Roads Education. Absence for more than three (3) consecutive days without notifying the Director of Human Resources will be considered a voluntary resignation from employment.

Roads Education recognizes that life happens and staff may need to schedule appointments for themselves and family members during work hours. Roads Education requests that employees whose job duties include the supervision of students schedule these appointments after 3:00 p.m. whenever possible in order to avoid disruption of the educational program for our students and the operations of the School. A Request for Time Off form must be completed and submitted to the Director of Human Resources and the employee's direct supervisor in advance of the appointment. Such time off will not be regarded as vacation or sick time for exempt employees provided that the requested time off occurs after 3:00 p.m. and is not excessive. If requested time off falls outside of these parameters or is considered excessive, the requested time off may be applied toward allotted paid time off for exempt employees. Any exempt employees who must leave campus for personal obligations are still responsible for completing their assigned duties.

Time Cards/Records

By law, Roads Education is obligated to keep accurate records of the time worked by nonexempt employees. Such employees are required to utilize Roads Education's time card system.

Nonexempt employees must accurately clock in and out of their shifts as this is the only way the payroll department knows how many hours each employee has worked and how much each employee is owed. The time card indicates when the employee arrived and when the employee departed. All nonexempt employees must clock in and out for arrival and departure, along with lunch and for absences like doctor or dentist appointments. All employees are required to keep the office advised of their departures from and returns to Roads Education premises during the workday.

Exempt employees may also be required to utilize the time card system. Tracking of exempt employees' time shall not be utilized by Roads Education to determine how much each exempt employee is owed in compensation. Rather, such tracking of exempt employees' time shall be utilized in evaluating performance of exempt employees, as well as fulfillment of independent study program requirements.

Nonexempt employees are solely responsible for ensuring accurate information on their timecards and remembering to record time worked. If an employee forgets to mark their time card or makes an error on the timecard, the employee must contact the Director of Human Resources to make the correction and such correction must be initialed by both the employee and the Director of Human Resources.

Nonexempt employees are prohibited from performing off-the-clock work, including but not limited to checking emails before/after work hours, performing work in the morning before logging in, and running School errands after logging out. Nonexempt employees are never required to respond to student inquiries after business hours or on a weekend.

No one may record hours worked on another's worksheet. Any employee who violates any aspect of this policy may be subject to disciplinary action, up to and including release from at-will employment with Roads Education.

Use of Email, Voicemail, Devices, and Internet Access

Roads Education will permit employees to use its email, voicemail systems and Internet access subject to the following:

1. Minimal personal use as long as it does not interfere with timely job performance and is consistent with law and appropriate protocols. Employees have no expectation of privacy in their use of Roads Education's electronic media systems.
2. **The Email system and Internet access is not to be used in any way that may be disruptive, offensive to others, or harmful to morale.** For example, sexually explicit images, ethnic slurs, racial epithets, or anything else that may be construed as harassment

or disparagement of others based on their race, national origin, sex, sexual orientation, age, religious beliefs or political beliefs may not be displayed or transmitted.

3. Employee use of Roads Education equipment and email may be subject to disclosure pursuant to the California Public Records Act.
4. Employees shall not attempt to gain access to another employee's personal file of email or voicemail messages without the latter's express permission.
5. Roads Education staff will not enter an employee's personal email files or voicemail unless there is a business need to do so. Roads Education retains a copy of all passwords; passwords unknown to Roads Education may not be used. System security features, including passwords and delete functions, do not neutralize Roads Education's ability to access any message at any time. Employees must be aware that the possibility of such access always exists.
6. Employees must have an identifying professional signature line when using email from a Roads Education account. Employees must include their official title, Pivot Charter Schools, their phone number(s), fax number if applicable, the school website link and the confidentiality statement. A professional signature must be added to any device from which an employee sends emails, such as cell phones and tablets.
7. Communications with students and parents via email is to occur only through the Pivot official email. Staff shall not use their personal email to conduct Pivot business.
8. If any employee abuses the privilege to have a computer, they will lose their privilege to use a computer and may be jeopardizing further employment. These computers are the property of Pivot Charter Schools and only Pivot staff members may use them. Family members may not use the computers or the internet access provided to Pivot employees. If a computer is lost or damaged as a result of misuse, Pivot will not replace the employee's computer.
9. Employees should not use personal devices or email accounts for School-related communications. Such communications should only take place using School-issued devices and via the employee's email account. Use of personal devices or email accounts for School-related communications may be subject to disclosure under the Public Records Act.

Personal Business

Roads Education's facilities for handling mail and telephone calls are designed to accommodate Roads Education business. Employees should have personal mail directed to their home address and limit personal telephone calls to an absolute minimum. Personal calls should not be made outside the immediate dialing area. Do not use Roads Education material, time or equipment for personal projects.

Personal Conduct

Employees of Roads Education Organization are expected to show professionalism and high standards of behavior in the workplace.

All employees must:

1. Uphold the mission, values, and policies of Pivot Charter School.
2. Be collaborative and open for communication with colleagues.
3. Treat staff and students kindly, respectfully, fairly, and with impartiality.
4. Never disparage or publicly display aggravation towards or students, parents, or colleagues. This includes in staff rooms.
5. Always be respect professional boundaries in discussions with students, parents, or colleagues.
6. Keep information about colleagues and students confidential.

Communication and Media Contact

All forms, memos, flyers and letters intended for general distribution to either students, parents, or the public must be approved by the Executive Director prior to distribution.

All communications with students and parents via email is to occur only through the Pivot official email. Staff shall not use their personal email to conduct Pivot business.

Employees are asked to direct any media questions or concerns to the Executive Director. Do not submit to interviews, questioning, or hold media events, etc. without the prior approval of the Executive Director.

Authorizing District, County Offices of Education, and Attorney Contact

All communication from authorizing Districts, County Offices of Education and attorneys or advocates must be brought to the attention of the Executive Director or a Leadership Team member immediately. Do not respond to correspondence from such parties unless authorized to do so.

Leadership Team Members include the Chief Business Officer, Director of Special Education, Director of Systems and Accountability, Director of Student Services, Director of Human Resources and the Director of Operations.

Social Media

In light of the explosive growth and popularity of social media technology in today's society, Roads Education has developed the following policy to establish rules and guidelines regarding the appropriate use of social media by employees.

If an employee decides to post information on the Internet (i.e., personal blog, Facebook, Instagram, Twitter, etc.) that discusses any aspect of his/her workplace activities, the following restrictions apply:

- Roads Education equipment, including Roads Education computers and electronics systems, may not be used for these purposes;
- Student and employee confidentiality policies must be strictly followed;

- Employees must make clear that the views expressed in their blogs are their own and not those of Roads Education;
- Employees may not use Roads Education's logos, trademarks and/or copyrighted material and are not authorized to speak on Roads Education's behalf;
- Employees are not authorized to publish any confidential or proprietary information maintained by Roads Education;
- Employees are prohibited from making discriminatory, defamatory, libelous or slanderous comments when discussing Roads Education, the employee's supervisors, co-workers and competitors;
- Employees must comply with all Roads Education policies, including, but not limited to, rules against unlawful harassment and retaliation;
- Employees are prohibited from inviting students to join social networks unless they (a) are school related, and (b) approved in advance by an administrator.

Roads Education reserves the right to take disciplinary action against any employee whose social media postings violate this or other Roads Education policies.

Solicitations, Distributions and Access

In order to maintain and promote efficient operations, discipline and security, Roads Education maintains rules applicable to all employees that govern solicitation, distribution of written material and entry onto the premises and work areas. All employees are expected to comply with these rules, which will be strictly enforced. Any employee who is in doubt concerning the application of these rules should consult with his or her supervisor immediately. These rules are:

- No employee shall sell merchandise or solicit or promote support for any cause or organization during his or her working time or during the working time of the employee(s) at whom such activity is directed. As used in these rules, working time excludes meal and break periods.
- No employee shall distribute or circulate any written or printed material, other than those approved by management for business purposes which will be limited to matters of public concern, during his or her working time or during the working time of the employee(s) at whom such activity is directed.
- No employee shall enter or remain in Roads Education work areas for any purpose except to report for, be present during, and to conclude a work period. Work area does not include Roads Education parking lots, gates or other similar outside areas unless an employee is assigned to work in such areas.
- Employees may not permit non-employee visitors to enter any Roads Education facility without obtaining approval. Such non-employee visitors must sign in at the front office before entering Roads Education property.

Personal Appearance/Standards of Dress

Roads Education employees serve as role models to the students. All employees should therefore maintain professional standards of dress and grooming. Just as overall attitude and instructional competency contribute to a productive learning environment, so do appropriate dress and grooming.

Employees are encouraged to wear clothing that will add dignity to the educational profession, will present an image consistent with their job responsibilities, and will not interfere with the learning process. Staff shall not wear torn or disheveled clothing. Staff must not wear provocative or revealing attire. Staff must wear appropriate and safe footwear while on campus. Flip flops do not constitute professional and appropriate footwear.

Attire should not appear revealing, suggestive, or disheveled.

Employee Children at Work Policy

The presence of an employee's child in the workplace during the employee's work hours is inappropriate and is to be avoided except in emergency situations. If the employee's children are students at Pivot, they cannot be under the employee's direct supervision during work hours. Consideration will not be given to allow a child with an illness to come to work with the employee. This policy is established to avoid disruptions in job duties of the employee and co-workers, reduce liability, and help maintain the organization's professional and educational work environment. If bringing a child to work is unavoidable, you must contact your direct supervisor and the Director of Human Resources or Executive Director as soon as possible to discuss the situation and the best course of action. Each individual circumstance must be approved in advance and if approved a child should not be in the employee's room while the employee is working.

Below are some of the reasons for this policy. We appreciate your understanding of and adherence to this new policy.

1. School employees are responsible for the students in their custody and control. The presence of an employee's child diminishes the staff member's ability to prioritize the safety and care of students.
2. Charter schools accept public funds for the purpose of educating students. Funding is not intended for the care of non-students and activities outside of the school's educational mission.
3. The school is potentially liable for any injuries that occur on its campus. Student accident insurance covers student injuries, but it would not cover non-students.
4. If a parent becomes ill or injures his/herself in the workplace, the employee's child could be left unattended.
5. Non-student children can be a distraction to other staff members.

Health and Safety Policy

Roads Education is committed to providing and maintaining a healthy and safe work environment for all employees.

Employees are required to know and comply with Roads Education's General Safety Rules and to follow safe and healthy work practices at all times. Employees are required to report immediately to the Executive Director any potential health or safety hazards, and all injuries or accidents.

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

Food Service Policies and Procedures

In order to maintain the health and safety of all students, staff, and members of the public, Pivot Charter School has established policies and procedures regarding the proper storage, handling, preparation, and distribution of food items. Additional procedures have been adopted to ensure and document compliance with legal requirements for providing meals to students.

Legal Requirement to Provide Meals to Needy Pupils

California Assembly Bill 1871 established requirements for charter schools to provide meals to needy students. Education Code now requires Pivot to provide a meal to each student who qualifies for free or reduced price meals who is scheduled to attend two or more hours of site based educational activities on any given school day.

Pivot staff shall maintain various records and logs to ensure compliance with this requirement:

- Daily attendance rosters for all site based activities (including but not limited to program time and field trips)
- Daily count of meals “in stock” to prove sufficient quantities were available for all eligible students
- Names of students who actually take meals each day

General Safety & Hygiene

Whenever serving food or beverages of any kind, the following requirements apply:

- Check the expiration date of all items. Only serve items which have not expired.
- Clean and disinfect all surfaces which will be used to prepare, serve, or consume food. Cleaning must be done immediately prior to their being used for this purpose. Let the surfaces air dry. Do not dry with towels (towels can re-contaminate the surfaces). This requirement also applies to tables on which pre-packaged foods/beverages will be arranged, and tables at which people will eat.
- Wash your hands thoroughly with soap and hot water immediately prior to handling any/all food products. This includes pre-packaged foods and bottled water. Using hand sanitizer does not count as washing your hands.

Selecting Food Products

Individuals selecting food items for school purchase should always place priority on pre-packaged individual servings. If this is not possible, choose items which require the least amount of cleaning and preparation. Some examples of good selections are:

- Nuts or dried fruits packaged into small servings, such as mini boxes of raisins or pouches of almonds
- Granola bars
- Bananas
- Oranges
- Pre-washed pre-packaged fruits and vegetables, such as a vegetable platter or large bag of

ready-to-eat baby carrots

Managing Food Products

Most of the food provided by Pivot Charter School will be shelf stable at room temperature and pre-packaged into individual servings, but some hot or cold items may be served. All items need to be stored, prepared, and served under safe and sanitary conditions.

- Food Storage Sanitation: Ensure all containers used to store food and beverages are clean. If you notice a spill in the refrigerator, clean and disinfect it immediately. Refrigerators will be routinely cleaned and disinfected by custodial personnel, but individual staff members are responsible for cleaning up any spills they create or discover.
- Cold Items: Items such as milk should be kept in the refrigerator at all times except when being immediately served. Do not allow cold items to be out of the refrigerator for more than one hour. Do not store items tightly packed in the refrigerator. Allow space for air to circulate around items as much as possible.
- Hot Items: If hot items are served, such as for a catered meeting, do not allow hot items to be kept at room temperature for more than one hour. Refrigerate any leftover hot foods immediately.

Preparing & Serving

In order to avoid contaminating consumables, specific requirements must be enforced when preparing and/or serving foods and beverages not pre-packaged into individual servings. Follow these rules:

- Remove accessories such as watches and jewelry.
- Wear an apron.
- Contain hair with a hairnet.
- Immediately prior to handling, preparing, or serving food, use hot soapy water to wash your hands and arms up to the elbow. Hands should be washed after removing accessories and putting on an apron/hairnet. After rinsing and drying your hands/arms, put on single use disposable gloves.
- After putting on gloves, do not touch anything except the food items and utensils needed to prepare and serve the items. If you touch something else (such as a doorknob, light switch, or your body/face) with your gloved hands, throw the gloves away and put on a new pair of gloves.
- Change your gloves any time you switch the type of food you are handling. For example, if you finish handling meat products, change your gloves before you switch to handling vegetables.
- Do not eat or drink anything while you are preparing/serving.
- When serving, always use utensils. Individuals receiving non-packaged foods should not be allowed to take them with their bare hands. For example, students/families attending a school barbecue should not be allowed to take a handful of chips from a large serving bowl. At minimum, a utensil for serving the chips should be provided. The best choice is for a staff member wearing gloves to use the utensil to serve the chips to individuals.
- Keep all non-packaged foods covered when not immediately being served.
- Require individuals receiving food to get a new plate if they come back for seconds. If a

serving utensil touches a plate which has been eaten from and then goes back to the serving dish, the entire serving dish full of food may become contaminated.

Security Protocols

Roads Education has developed guidelines to help maintain a secure workplace. Be aware of unknown persons loitering in parking areas, walkways, entrances and exits and service areas. Report any suspicious persons or activities to the Executive Director. Employee desk or office should be secured at the end of the day. When an employee is called away from his or her work area for an extended length of time, valuable or personal articles should not be left around a work station that may be accessible. The security of facilities as well as the welfare of employees depends upon the alertness and sensitivity of every individual to potential security risks. Employees should immediately notify the Executive Director when keys are missing or if security access codes or passes have been breached.

Occupational Safety

Roads Education is committed to the safety of its employees, vendors, contractors and the public and to providing a clear safety goal for management.

The prevention of accidents is the responsibility of every Roads Education supervisor. It is also the duty of all employees to accept and promote the established safety regulations and procedures. Every effort will be made to provide adequate safety training. If an employee is ever in doubt how to perform a job or task safely, assistance should be requested. Unsafe conditions must be reported immediately.

It is the policy of Roads Education that accident prevention shall be considered of primary importance in all phases of operation and administration. Roads Education's management is required to provide safe and healthy working conditions for all employees and to establish and require the use of safe practices at all times.

Failure to comply with or enforce Roads Education safety and health rules, practices and procedures could result in disciplinary action up to and including possible termination.

Accident/Incident Reporting

It is the duty of every employee to immediately, or as soon as is practical, report any accident or injury occurring during work or on Roads Education premises so that arrangements can be made for medical or first aid treatment, as well as for investigation and follow-up purposes.

Reporting Fires and Emergencies

It is the duty of every employee to know how to report fires and other emergencies quickly and accurately. Employees should report any such emergency by calling management. In addition, all employees should know the local emergency numbers such as 911.

EMPLOYEE WAGES AND HEALTH BENEFITS

Payroll Withholdings

As required by law, Roads Education shall withhold Federal Income Tax, State Income Tax, Social Security (FICA) and State Disability Insurance from each employee's pay as follows:

1. Federal Income Tax Withholding: The amount varies with the number of exemptions the employee claims and the gross pay amount.
2. State Income Tax Withholding: The same factors which apply to federal withholdings apply to state withholdings.
3. Social Security (FICA): The Federal Insurance Contribution Act requires that a certain percentage of employee earnings be deducted and forwarded to the federal government, together with an equal amount contributed by Roads Education.
4. State Disability Insurance (SDI): This state fund is used to provide benefits to those out of work because of illness or disability.

Every deduction from an employee's paycheck is explained on the check voucher. If an employee does not understand the deductions, he or she should ask the Director of Human Resources to explain them.

Employees may change the number of withholding allowances claimed for Federal Income Tax purposes at any time by filling out a new W-4 form and submitting it to the Director of Human Resources. The office maintains a supply of these forms.

All Federal, State, and Social Security taxes will be automatically deducted from paychecks. Federal Withholding Tax deduction is determined by the employee's W-4 form. The W-4 form should be completed upon hire and it is the employee's responsibility to report any changes in filing status to the Director of Human Resources and to fill out a new W-4 form.

At the end of the calendar year, a "withholding statement" (W-2) will be prepared and forwarded to each employee for use in connection with preparation of income tax returns. The W-2 shows Social Security information, taxes withheld and total wages.

Overtime Pay

Whether an employee is exempt from or subject to overtime pay will be determined on a case-by-case basis and will be indicated in the employee's job description. Generally, teachers and administrators are exempt. Nonexempt employees may be required to work beyond the regularly scheduled workday or workweek as necessary. Only actual hours worked in a given workday or workweek can apply in calculating overtime for nonexempt employees. Roads Education will attempt to distribute overtime evenly and accommodate individual schedules. All overtime work must be **previously authorized** by the employee's direct supervisor using the Overtime Time Request Form. Roads Education provides compensation for all overtime hours worked by nonexempt employees in accordance with state and federal law as follows:

For employees subject to overtime, all hours worked in excess of eight (8) hours

in one workday or forty (40) hours in one workweek shall be treated as overtime. Compensation for hours in excess of forty (40) for the workweek or in excess of eight (8) and not more than twelve (12) for the workday, and for the first eight (8) hours on the seventh consecutive day in one workweek, shall be paid at a rate of one and one-half times the employee's regular rate of pay. Compensation for hours in excess of twelve (12) in one workday and an excess of eight (8) on the seventh consecutive workday of the workweek shall be paid at double the regular rate of pay.

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

Makeup Time

Nonexempt employees can make up work time that he or she has lost or will lose as a result of a personal obligation. This time must be made up in the same work week as the time lost. An employee can work no more than eleven (11) hours on another workday, and no more than forty (40) hours in a workweek, to make up the time off. Makeup time can be used by an employee only with prior approval from the employee's direct supervisor using the Makeup Time Request Form.

Pivot Charter School will not grant compensatory time to any employees.

Paydays

Paydays are scheduled on the 15th and the last calendar working day of each month. If an employee observes any error in his/her check, it should be reported immediately to the Director of Human Resources.

Stipends and Allowances

Exempt and nonexempt employees working twenty-five (25) hours a week or more will receive \$50 a month as a phone allowance during the months the employee is working. Additional allowances and stipends based on Roads Education compensation policies will be paid to employees working twenty-five (25) hours a week or more. Certain stipends or allowances may be prorated based on Full-Time Equivalency.

Compensation Policies

Additional Compensation for Longevity and Expertise

5-Year Bonus

Employees who have been employed full-time with Roads Education Organization / Pivot Charter Schools will receive a \$1,500 bonus at the end of each fifth year of full-time employment, provided that they have been rehired for the subsequent school/fiscal year. This bonus will be awarded on June 30th at the end of each 5th year of service. This bonus will not be added to the employee's base salary in the year it is awarded or thereafter. A full-time position is forty (40) hours per week.

This policy applies to all employees, both classified and credentialed, but not to anyone considered an independent contractor.

Stipend for Additional Credential(s)

Certificated/credentialed employees who are employed full-time with Roads Education Organization / Pivot Charter Schools will receive a \$50 stipend monthly (\$25 per semimonthly payroll period) with written proof of each additional single subject CA Commission on Teacher Credentialing (CTC) issued core content credential attained, up to \$150 total per month (up to three (3) additional credentials). The stipend will be awarded to the employee starting with the next payroll after documentation of the credential is received by Human Resources. This stipend may total up to \$500 annually per credential (up to \$1,500 annually for up to three (3) additional credentials). It will be awarded only over the 10 months of the school year, for a total of up to twenty (20) payments of \$25 per credential if the credential remains valid and the employee remains employed for the entire school year. “Core” is defined as English Language Arts, Math, Sciences or Social Sciences. If the employee does not maintain the credential and it is no longer a valid CTC issued credential, the stipend will be removed starting with the next payroll following the date of expiration of the credential.

Stipend for Master’s Degree

Certificated/credentialed employees who are employed full-time with Roads Education Organization / Pivot Charter Schools will receive a \$50 stipend monthly (\$25 per semimonthly payroll period) with written documentation of an accredited American institution awarded master’s degree. This stipend may total up to \$500 annually, awarded over the ten (10) months of the school year, for a total of up to twenty (20) payments of \$25 each, if the employee remains employed full-time for the entire school year and holds a qualifying Master’s degree appropriately documented with Human Resources for the entire school year. Any employee who receives a Master’s degree after July 1, 2016 will be awarded the first stipend payment on the next payroll after official documentation of the Master’s degree is received by Human Resources.

Wage Attachments and Garnishments

Under normal circumstances, Roads Education will not assist creditors in the collection of personal debts from its employees. However, creditors may resort to certain legal procedures such as garnishments, levies or judgments that require Roads Education, by law, to withhold part of an employee’s earnings in their favor.

Employees are strongly encouraged to avoid such wage attachments and garnishments. If Roads Education is presented a second garnishment request concerning an employee, the Executive Director will discuss the situation with the employee.

Vendors and Check Requests

An employee of Roads Education can request a vendor check with the approval of the Chief Business Officer using the Check Request Form. The employee can expect payment to the vendor seven (7) to ten (10) working days after the Check Request Form and **backup** documentation are submitted.

No one individual employee, with the exception of the Executive Director, Chief Business Officer, Director of Human Resources, and Director of Student Services, has permission to contact Pivot's attorneys without authorization. Any Pivot business that requires legal attention must go through the Director of Student Services.

Spending and Reimbursement Policies

Public Funds

Most of the funding for Pivot Charter Schools comes from taxpayer dollars. These are public funds, and all employees have a duty to ensure that these funds are spent wisely. Please consider this every time a purchase approval is requested. Only request approval for purchases which contribute to the effective education of students and the successful operation of Pivot Charter Schools.

Approval to Spend

All School related purchases made by employees or volunteers require advance approval by the Chief Business Officer, except as specified below. All reimbursement requests must be accompanied by an expense reimbursement form in order to be considered, and these forms also require Chief Business Officer approval in order to be processed and paid. Whenever possible, employees and volunteers should arrange for the school to pay for goods and services, instead of paying with their own money and getting reimbursed. Any purchases made with school credit cards must also be approved in advance.

Monthly Pre-Approved Spending:

Employees of Roads Education Organization may submit expense reimbursement forms for legitimate school expenses, up to the amounts listed below, without prior approval. Employees may not pool their monthly pre-approved monies with other employees, and may not "roll over" monthly amounts (e.g. an Educational Coordinator may not spend \$50 one month and then spend \$0 the next month to make up for it). Volunteers do not have any pre-approved spending amount; all purchases made by volunteers must be requested and approved in advance.

- **Educational Coordinators, Education Specialists, and all other employees not listed below:** Up to \$25 per month on school related items for students and staff. This monthly pre-approved amount may not be used for any meals/food, or any type of rewards for individual students. This money is meant to cover small (often unforeseen) expenses necessary to complete job duties, such as replacing a broken power cord for one's laptop or purchasing materials for a project based learning activity that was only planned a few days in advance.
- **Site Coordinators:** Up to \$50 per month on school related items for students and staff. This monthly pre-approved amount may not be used for any meals/food. This money should be reserved for things that are time sensitive or cannot be ordered by the school through usual channels. Examples include having keys made for new staff members, purchasing copier paper if the site is about to run out, or replacing a power strip if one dies.

- **Site Administrators and other Administrators:** Up to \$100 per month on school related items for students and staff. This may include staff or student meals/food purchased for a valid staff meeting, professional development session, or student event as long as the food is served and consumed on school grounds during the school day (8:00 am-4:30pm). Any staff meals/food must be accompanied by the meeting agenda, as backup documentation for the necessity of the expense. If an administrator wishes to purchase meals/food that do not meet this requirements, advance approval is always required and the expense cannot be paid for with the pre-approved monthly \$100.

Field Trips Approved by Site Administrator:

Site Administrators have the authority to approve expenses for up to two (2) field trips per month, as long as the expenses are less than \$400 per trip, paid for only by Pivot employees, and the Site Administrator sends information detailing the approved expenses to the Chief Business Officer.

General Spending & Reimbursement Policies

- Online purchases approved to be made by employees (or paid for using the monthly pre-approved amount) must be in the employee's name and shipped to a valid school address. No reimbursements will be approved for purchases made in any other name or shipped to a home address.
- All purchases through Amazon.com should be added to the school's wish list and purchased by the school. Employees should not submit expense reimbursement forms for any Amazon purchases unless they were approved in advance by the Chief Business Officer.
- Teacher induction programs for Pivot employees will be paid for in full by the school if completed with one of Pivot's partner induction programs, using Pivot staff as mentors. If a teacher participates in an induction program through any other agency, which is not partnered with Pivot, the employee must pay all associated costs and may be reimbursed for up to \$1,500 upon successful completion of the program year (see additional information below).
- Professional development expenses will not be approved for fees associated with obtaining or renewing teaching credentials or other licenses required for an employee's position.
- Approved professional development expenses over \$200 which relate to an employee's credentialing or certifications, such as courses taken to acquire knowledge needed for additional teaching credentials or to clear a preliminary credential, may only be submitted for reimbursement upon completion. In addition to a receipt, a transcript or proof of completion must be provided with the expense reimbursement form. Professional development expenses of this type may be approved and reimbursed up to a maximum of \$1,500 per employee per school year, depending on available school funds.
- Requests for mileage reimbursement over 100 miles per round trip require advance approval by the Chief Business Officer. Employees should generally use a rental car for any trip exceeding 100 miles. Permission to be reimbursed for more than 100 miles round trip is automatically approved for the Executive Director, Director of Student Services,

Regional Director, and Chief Business Officer.

- The fiscal year is July 1 – June 30. Staff who work fewer than 12 months must submit all final reimbursement forms for the fiscal year before leaving work for summer vacation. For employees working over summer, all reimbursement forms for the ending fiscal year must be submitted by July 7.
- Absolutely no alcohol may be reimbursed or purchased with school funds.

Travel Spending & Reimbursement Policies

It is sometimes necessary for employees to travel for work. Necessary expenses incurred while traveling for work will be reimbursed in accordance with applicable school policies. With the exception of the Site Administrator approved field trips listed above, all employee travel must be approved in advance by the Executive Director with associated expenses approved by the Chief Business Officer. The following restrictions apply to all travel expenses including those incurred on field trips, whether paid for with the employee's personal funds with the intent to get reimbursed, or whether paid for with a school credit/debit card:

- Food and incidentals may total no more than \$60 per individual per day while traveling for work. Shorter trips, such as half day field trips, will allow lower amounts.
- Each individual meal must be \$35 or less per person, and must be accompanied by an itemized receipt showing what was ordered.
- Meals including employees who are not traveling must be approved in advance, and the \$35 per person per meal maximum still applies.
- Flights, hotels, and rental cars for employee travel should all be booked by the Administrative Assistant. Employees should not pay for these or submit these expenses for reimbursement. If a situation arises that may warrant an exception, request approval from the Chief Business Officer.
- Itemized receipts must be provided for meals purchased through hotel room service or at hotel restaurants. Even if the meal is charged to the room and paid for by the school, an itemized receipt is still required to prove that no alcohol was included.
- Appropriate tips/gratuities for restaurant meals (or other services required for employee travel where tipping is customary) will be reimbursed as long as the amount is reasonable. If a tip is deemed excessive or unreasonable, it may be only partially reimbursed, or not reimbursed at all. Gratuities up to 25% will be considered reasonable for restaurant meals. Remember to keep a copy of the receipt where the tip was specified, and include it with the itemized receipt and reimbursement form. Contact the Chief Business Officer if you have questions about allowable tips/gratuities.
- Food/snacks/drinks should not be purchased for students on field trips unless the trip is at least a full day trip (6+ hours). Students should be encouraged to bring their own food and beverages, or money to purchase them, on all field trips less than 6 hours in duration. Students who are socioeconomically disadvantaged, or who forget to bring food/money, may have a meal purchased by the school if the field trip occurs over a meal period, but this should be the exception.
- Staff who need to reserve rental cars for field trips may make their own reservations only

if the following criteria are met:

- The reservation must be made through Enterprise using Pivot's account.
- A copy of the reservation must be forwarded to the Administrative Assistant and Chief Business Officer, along with a brief note about what the rental car is for (e.g. "NV community service field trip").
- The base daily rate of the vehicle must not exceed \$60 per day.
- Gas for rental cars will be reimbursed if purchased at a gas station prior to returning the vehicle. Employees must return rental cars with a full tank. If refueling charges are listed on a rental car invoice, the employee will be disciplined. Employees are responsible for reviewing rental car agreements upon vehicle pickup, as well as receipts issued upon vehicle drop off. Employees are responsible for ensuring all charges are correct, and that no erroneous refueling charges are listed.
- Transportation via rideshare apps like Uber and Lyft for approved travel may be reimbursed. Always include the start and end locations of each trip along with the receipt, and remember to list the description of where you were going and why on the Expense Reimbursement Form.

Requirements for Documenting Purchases

All Expense Reimbursement Forms and backup documentation for Pivot credit card purchases should be sent via email to the Accounts Payable Clerk. When submitting these forms and documentation, employees must include sufficient information:

- Descriptions: The description of each item on the expense reimbursement form or credit card documentation must demonstrate that it is a school-related expense, and which school it's for. Example: "Gas" is insufficient, but "Gas for rental car - NB Slide Ranch field trip" is good.
- Meals: Any meals submitted for reimbursement should list the number of staff who were fed. Example: "SD staff professional development - lunch for 5 staff"
- Signature: Please sign and date the bottom of every Expense Reimbursement Form. Forms missing signatures will not be processed.
- Backup Documentation: All expenses must have backup documentation attached in the form of itemized receipts. Meals are especially important to provide itemized receipts for, as this proves that no alcohol is being paid for with school funds. Remember to also include receipts where tip/gratuity is indicated.

CASH/CHECK COLLECTION POLICY

Payments

Parents, students, and members of the community may occasionally make donation payments to Pivot Charter Schools. Because there are laws restricting the situations in which schools can require payment, no Pivot employee may demand payment from students or their parents unless officially approved by the Chief Business Officer. Most goods and services associated with student/parent payment are provided by Pivot for a suggested donation amount. In general, all

payments and donations should be made via check and mailed to or dropped off at the appropriate school site.

Checks

Checks are preferred for all payments to the school. All checks should be made out to “Pivot Charter Schools” and the note/memo line should include a description of what the money is for. Staff will collect checks and send them to the Director of Human Resources for deposit unless instructed otherwise by the Chief Business Officer or Director of Human Resources. If checks will not be sent in to be deposited right away, they should be stored in the locked cash box described below. No receipts need to be issued for checks; the check itself is confirmation of receipt, and a photocopy of each check will be retained in Pivot’s records.

Cash

Collecting cash should be avoided because it is much riskier than collecting checks. **No cash is to be collected by Pivot from anyone, for anything, unless approved by the Chief Business Officer.** Cash collection is sometimes necessary, however, so certain situations will have cash collection approved. All cash paid to the school will be kept in a locked cash box along with a cash collection log. Every person who pays cash will be given a receipt listing the date, the reason for the payment, and the exact amount paid. A school copy of every receipt will be retained in the collection log inside the cash box. Cash will be removed from the cash box by authorized personnel and deposited into the school’s bank account periodically. No cash is ever to be removed from the cash box except by a person authorized by the Chief Business Officer to deposit it into the bank account. The only exception is if someone paying cash needs change (e.g. someone wants to pay \$16 but only has a \$20 bill – in this case it is acceptable to remove \$4 from the cash box to issue the person’s change). Funds from the cash box may never be used directly to purchase goods or services.

Field Trips

Contributions for field trips are common and are greatly appreciated. All payments related to field trips should be made via check and sent to the school address. However, sometimes a student or parent may wish to pay for his/her own admission to a field trip. In this situation, parents/students attending a field trip are allowed to pay the vendor directly if Pivot has not already paid for those individuals. For example, if a teacher is leading a field trip to a museum and it is required to pay admission at the door, any contributions from students/parents should be paid directly to the museum at the time of admission so that individuals are essentially paying for their own cost of admission. Any remaining balance will be paid by the school, or paid for by a staff member who may then be reimbursed. It is important for the transactions to be processed separately, so that the receipt issued to the Pivot staff member only shows the amount that was paid after students/parents paid for their own admission(s). In these situations, **DO NOT** collect money from students/parents and then proceed to pay the entire bill for all attendees’ admission. This puts the Pivot employee and the school in a vulnerable position regarding fraud liability.

403(b) Retirement Plan

Roads Education 403(b) Plan matching formula will be effective starting with the first payroll period in which 403(b) plan contributions are made. Roads Education will match 100% of qualifying employee elective deferrals, up to a maximum of 3% of the employee's total eligible compensation per pay period. Employees who qualify for matching are classified staff regularly working at least twenty (20) hours per week.

Medical Benefits

Eligibility

An employee is eligible for medical coverage if he or she is a regular employee working for Roads Education at least twenty-four (24) hours per week.

Employees who go from part-time to full-time employment become eligible for full benefits on the first day of the month following the effective date of the change.

When Coverage Starts

Employee coverage will begin on the first day of employment or if hired mid-month it will start on the first day of the next month. An enrollment form must be submitted to the Director of Human Resources as soon as possible. This form serves as a request for coverage, and authorizes any payroll deductions necessary to pay for coverage.

COBRA Benefits

When coverage under Roads Education's medical and/or dental plans ends, employees or their dependents can continue coverage for eighteen (18) or thirty-six (36) months, depending upon the reason benefits ended. To continue coverage, an employee must pay the full cost of coverage - the employee contribution and Roads Education's previous contribution plus a possible administrative charge.

Medical coverage for an employee, his/her spouse, and eligible dependent children can continue for up to eighteen (18) months if coverage ends because:

- Employment ends, voluntarily or involuntarily, for any reason other than gross misconduct; or
- Hours of employment are reduced below the amount required to be considered a full-time employee or part-time, making an employee ineligible for the plan.

This eighteen (18) month period may be extended an additional eleven (11) months in cases of disability subject to certain requirements. This eighteen (18) month period may also be extended an additional eighteen (18) months if other events (such as a divorce or death) occur subject to certain requirements.

An employee's spouse or domestic partner and eligible dependents can continue their health

coverage for up to thirty-six (36) months if coverage ends because:

- The employee dies while covered by the plan;
- The employee and his/her spouse or domestic partner become divorced or legally separated;
- The employee becomes eligible for Medicare coverage, but his/her spouse or domestic partner has not yet reached age sixty-five (65); or
- The employee's dependent child reaches an age which makes him/her ineligible for coverage under the plan.

Rights similar to those described above may apply to retirees, spouses or domestic partners, and dependents if the employer commences a bankruptcy proceeding and those individuals lose coverage.

Roads Education will notify employees or their dependents if coverage ends due to termination or a reduction in work hours. If an employee becomes eligible for Medicare, divorced or legally separated, die, or when a dependent child no longer meets the eligibility requirements, the employee or a family member are responsible for notifying Roads Education within thirty (30) days of the event. Roads Education will then notify the employee or his/her dependents of the employee's rights.

Health coverage continuation must be elected within sixty (60) days after receiving notice of the end of coverage, or within sixty (60) days after the event causing the loss, whichever is later.

There are certain circumstances under which coverage will end automatically. This happens if:

- Premiums for continued coverage are not paid within thirty (30) days of the due date;
- The employee (or his/her spouse, domestic partner, or child) become covered under another group health plan which does not contain any exclusion or limitation with respect to any pre-existing condition the employee (or the employee's spouse, domestic partner, or child, as applicable) may have;
- Roads Education stops providing group health benefits;
- The employee (or the employee's spouse, domestic partner, or child) become entitled to Medicare; or
- The employee extended coverage for up to twenty-nine (29) months due to disability and there has been a final determination that the employee is no longer disabled.

PERSONNEL EVALUATION AND RECORD KEEPING

Employee Reviews and Evaluations

Each employee will receive periodic performance reviews conducted by the Executive Director. Performance evaluations will be conducted annually. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

Performance evaluations may review factors such as the quality and quantity of the work performed, knowledge of the job, initiative, work attitude, and attitude toward others. The performance evaluations are intended to make employees aware of their progress, areas for improvement, and objectives or goals for future work performance. Favorable performance evaluations do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of Roads Education and depend upon many factors in addition to performance. After the review, the employee will be required to sign the evaluation report simply to acknowledge that it has been presented to them, that they have discussed it with the Executive Director, and that they are aware of its contents.

Newly hired employees may have their performance goals reviewed by the Executive Director within the first ninety (90) days of employment.

Salary and potential for advancement will be based largely upon job performance. On a periodic basis, the Executive Director will review the employee's job performance with an employee in order to establish goals for future performance and to discuss current performance. Roads Education's evaluation system will in no way alter the at-will employment relationship.

Personnel Files and Record Keeping Protocols

At the time of employment, a personnel file is established for each employee. It is each employee's responsibility to keep the Executive Director advised of changes that should be reflected in their personnel file. Such changes include: change in address, telephone number, marital status, number of dependents and person(s) to notify in case of emergency. Prompt notification of these changes is essential and will enable Roads Education to contact an employee should the change affect their other records.

Employees have the right to inspect documents in their personnel file, as provided by law, in the presence of a Roads Education representative, at a mutually convenient time. Employees also have the right to obtain a copy of your personnel file as provided by law. Employees may add comments to any disputed item in the file. Roads Education will restrict disclosure of employee personnel files to authorized individuals within Roads Education. A request for information contained in the personnel file must be directed to the Executive Director. Only the Executive Director or designee is authorized to release information about current or former employees. Disclosure of information to outside sources will be limited. However, Roads Education will cooperate with requests from authorized law enforcement or local, state or federal agencies conducting official investigations or as otherwise legally required.

Credible complaints of substantiated investigations into or discipline for egregious misconduct will not be expunged from an employee's personnel file unless the complaint is heard by an arbitrator, administrative law judge, or the Board and the complaint is deemed to be false, not credible, unsubstantiated or a determination was made that discipline was not warranted.

HOLIDAYS, VACATIONS AND LEAVES

Holidays

Roads Education's calendar reflects any and all holidays observed by Roads Education. These are paid holidays for all employees working thirty (30) hours a week or more including administrative eleven (11) and twelve (12)-month employees, classified, and credentialed staff. The schools are closed on these days. The following holidays are generally observed by public entities, including public schools:

- Martin Luther King Jr. Birthday
- President's Day
- Memorial Day
- Fourth of July
- Labor Day
- Indigenous People's Day
- Veterans Day
- Monday - Friday of Thanksgiving Break
- December 23rd - January 1st

Other days during the school year, such as days during Roads Education's calendared breaks, shall not be paid time for nonexempt employees in active status. Recognized religious holidays may be taken off by an employee whose religion requires observance of the particular day. Employees must request the day off in advance using the Request for Time Off Form submitted to the employee's direct supervisor and the Director of Human Resources. The employee will be paid if the religious holiday is taken as an earned paid leave day (i.e. vacation, personal necessity day, etc., as applicable). The employee will not be paid if the religious holiday is taken as a personal leave of absence day. Employees on any leave of absence do not earn holiday pay.

Paid Days Off

All eleven (11) and twelve (12) month employees shall be granted additional Paid Days Off during scheduled school calendar breaks. These Paid Days Off are not vacation days, do not accrue, and cannot be traded for other days off in the year.

- Thanksgiving: Five (5) days of the holiday week, Monday through Friday.
- Winter break: December 23rd through January 1 off, returning January 2nd of every year.

Vacation

While Roads Education recognizes the importance of vacation time as a period of rest and rejuvenation away from the job, vacations must be scheduled with due consideration for "peak traffic periods" in Roads Education. With this in mind, it is expected that vacation time will be taken when school is not in session.

Unless otherwise specified in an employee's employment agreement, full-time employees are

entitled to vacation leave based upon length of service and status with Roads Education. Full-time classified employees shall accrue five (5) days of paid vacation each year for the first three (3) years of employment. Full-time classified employees who have been employed by Roads Education for more than three (3) years shall accrue ten (10) days of paid vacation each year. Full-time classified employees who have been employed by Roads Education for more than six (6) years shall accrue fifteen (15) days of vacation each year. Full-time eleven (11) month administrative employees shall accrue five (5) days of paid vacation for their first five (5) years of employment. Full-time eleven (11) month administrative employees who have been employed by Roads Education for more than five (5) years shall accrue ten (10) days of paid vacation each year. Full-time twelve (12) month administrative employees shall accrue ten (10) days of paid vacation each year for the first five (5) years of employment. Full-time twelve (12) month administrative employees who have been employed by Roads Education for more than five (5) years shall accrue fifteen (15) days of paid vacation each year. Full-time credentialed teaching staff shall accrue two (2) days of paid vacation each year. Employees working on part-time basis (less than 25 hours per week) shall not earn vacation days.

Any vacation leave taken must be approved by the employee's direct supervisor. Requests for vacation leave should be submitted to the employee's direct supervisor and the Director of Human Resources at least two (2) weeks in advance. No vacation time may be taken from August 5th to September 15th unless specifically authorized by the Executive Director. All vacation requests must be in writing and sent to the employee's direct supervisor and Director of Human Resources.

Vacation time is figured on a fiscal year beginning July 1st. Time will accrue over the course of the year at the rate of one (1) day per month until all vacation is accrued. Vacation can accrue up to a maximum of one and one-half (1½) times the number of days the employee may accrue on an annual basis. Once this cap is reached, no further vacation will accrue until some vacation is used. When some vacation leave is used, vacation time will begin to accrue again. There is no retroactive grant of vacation compensation for the period of time the accrued vacation compensation was at the cap. Upon termination of employment, the unused vacation days will be paid out to the employee. Employees are not entitled to pay in lieu of taking vacation except upon termination of employment.

Full-time classified or administrative employees of Roads Education who receive both vacation days and sick leave may combine the number of days for Paid Time Off (PTO) that will accrue and rollover at the same rate as vacation days. After all PTO has been used, all future days off will be unpaid for the remainder of the fiscal year.

Unpaid Leave of Absence

Roads Education recognizes that special situations may arise where an employee must leave his or her job temporarily. At its discretion, Roads Education may grant employees leaves of absence. Any unpaid leave of absence must be approved in advance by Roads Education.

The granting of a leave of absence always presumes the employee will return to active work by a designated date or within a specific period.

During a Family and Medical Leave Act, California Family Rights Act leave, and/or Pregnancy Disability Leave, the employee's medical and dental benefits will remain in force, provided the

employee pays the appropriate premiums. Otherwise, benefits are terminated the month any other type of leave begins. If an employee fails to return from a leave and is subsequently terminated, the employee is entitled to all earned but unused vacation pay, provided that the vacation pay was earned prior to the commencement of leave. No vacation time is accrued during any type of unpaid leave of absence.

Sick Leave

To help prevent loss of earnings that may be caused by accident or illness, or by other emergencies, Roads Education offers paid sick leave to its employees. Sick leave may be taken to receive preventive care (including annual physicals or flu shots) or to diagnose, treat, or care for an existing health condition. Employees may also use sick leave to assist a family member (i.e., children, parents, spouses/domestic partners, grandparents, grandchildren, or siblings) who must receive preventative care or a diagnosis, treatment, or care for an existing health condition. Employees may also take paid sick leave to receive medical care or other assistance to address instances of domestic violence, sexual assault, or stalking. Additionally, employees may also take paid sick leave when the School is closed due to a public health emergency or to care for a child who's childcare or school is closed due to a public health emergency.

Paid sick leave is available to all Roads Education employees who work at least thirty (30) days within the span of a single calendar year from the commencement of employment. All eligible employees shall be credited with forty (40) hours of sick leave at the beginning of each work year. Accrued sick leave does not carry over from year to year and the School does not pay employees in lieu of unused sick leave.

If an employee is absent longer than three (3) days due to illness, medical evidence of their illness and/or medical certification of their fitness to return to work satisfactory to Roads Education may be required. Roads Education will not tolerate abuse or misuse of the sick leave privilege. If Roads Education suspects abuse of sick leave, Roads Education may require a medical certification from an employee verifying the employee's absence.

Once an employee has exhausted sick leave, the employee may continue on an unpaid medical leave depending upon the facts and circumstances of the employee's basis for leave beyond accrued sick leave. Employee requests for unpaid medical leave must be approved in advance by Roads Education.

Family Care and Medical Leave

This policy explains how Roads Education complies with the federal Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA"), both of which require Roads Education to permit each eligible employee to take up to twelve (12) workweeks (or twenty-six (26) workweeks where indicated) of FMLA leave in any twelve (12)-month period for the purposes enumerated below. For purposes of this policy, all leave taken under FMLA or CFRA will be referred to as "FMLA leave."

- Employee Eligibility Criteria

To be eligible for FMLA leave, the employee must have been employed by Roads

Education for a total of at least twelve (12) months, worked at least 1,250 hours during the twelve (12) month period immediately preceding commencement of the FMLA leave, and work at a location where the School has at least fifty (50) employees within seventy-five (75) miles, (except for purposes of baby-bonding where the threshold is twenty (20) employees).

- Events That May Entitle an Employee To FMLA Leave

The twelve (12)-week (or twenty-six (26) workweeks where indicated) FMLA allowance includes any time taken (with or without pay) for any of the following reasons:

1. To care for the employee's newborn child or a child placed with the employee for adoption or foster care. Leaves for this purpose must conclude twelve (12) months after the birth, adoption, or placement. If both parents are employed by Roads Education, they will be entitled to a combined total of twelve (12) weeks of leave for this purpose.
2. Because of the employee's own serious health condition (including a serious health condition resulting from an on-the-job illness or injury) that makes the employee unable to perform any one or more of the essential functions of his or her job (other than a disability caused by pregnancy, childbirth, or related medical conditions, which is covered by Roads Education's separate pregnancy disability policy).
 - a. A "serious health condition" is an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or a child, parent, or spouse/domestic partner of the employee that involves either inpatient care or continuing treatment, including, but not limited to, treatment for substance abuse.
 - b. "Inpatient care" means a stay in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity. A person is considered an "inpatient" when a health care facility formally admits him/her to the facility with the expectation that he/she will remain at least overnight and occupy a bed, even if it later develops that such person can be discharged or transferred to another facility and does not actually remain overnight.
 - c. "Incapacity" means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.
 - d. "Continuing treatment" means ongoing medical treatment or supervision by a health care provider.
3. To care for a spouse, domestic partner, child, or parent with a serious health condition or military service-related injury. When an employee is providing care to a spouse, son, daughter, parent, or next of kin who is a covered Armed Forces service member with a serious injury or illness, the employee may take a maximum

of twenty-six (26) weeks of FMLA leave in a single twelve (12)-month period to provide said care.

4. For any “qualifying exigency” because the employee is the spouse/domestic partner, son, daughter, or parent of an individual on active military duty, or an individual notified of an impending call or order to active duty, in the Armed Forces.

- Amount of FMLA Leave Which May Be Taken

1. FMLA leave can be taken in one (1) or more periods, but may not exceed twelve (12) workweeks total for any purpose in any twelve (12)-month period, as described below, for any one, or combination of the above-described situations. “Twelve workweeks” means the equivalent of twelve (12) of the employee’s normally scheduled workweeks. For a full-time employee who works five (5) eight-hour days per week, “twelve workweeks” means sixty (60) working and/or paid eight (8) hour days.
2. In addition to the twelve (12) workweeks of FMLA leave that may be taken, an employee who is the spouse/domestic partner, son, daughter, parent, or next of kin of a covered Armed Forces service member shall also be entitled to a total of twenty-six (26) workweeks of FMLA leave during a twelve (12) month period to care for the servicemember.
3. The “twelve month period” in which twelve (12) weeks of FMLA leave may be taken is the twelve (12) month period immediately preceding the commencement of any FMLA leave.
4. If a holiday falls within a week taken as FMLA leave, the week is nevertheless counted as a week of FMLA leave. If, however, Roads Education’s business activity has temporarily ceased for some reason and employees are generally not expected to report for work for one or more weeks, such as the Winter Break, Spring Break, or Summer Vacation, the days Roads Education’s activities have ceased do not count against the employee’s FMLA leave entitlement. Similarly, if an employee uses FMLA leave in increments of less than one (1) week, the fact that a holiday may occur within a week in which an employee partially takes leave does not count against the employee’s leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday.

- Pay during FMLA Leave

1. An employee on FMLA leave because of his/her own serious health condition must use all accrued paid sick leave at the beginning of any otherwise unpaid FMLA leave period. If an employee is receiving a partial wage replacement benefit during the FMLA leave, Roads Education and the employee may agree to have Roads Education-provided paid leave, such as vacation or sick time, supplement the partial wage replacement benefit unless otherwise prohibited by law.

2. An employee on FMLA leave for child care or to care for a spouse, domestic partner, parent, or child with a serious health condition may use any or all accrued sick leave at the beginning of any otherwise unpaid FMLA leave.
3. If an employee has exhausted his/her sick leave, leave taken under FMLA shall be unpaid leave.
4. The receipt of sick leave pay or State Disability Insurance benefits will not extend the length of the FMLA leave. Sick pay accrues during any period of unpaid FMLA leave only until the end of the month in which unpaid leave began.

- Health Benefits

The provisions of Roads Education’s various employee benefit plans govern continuing eligibility during FMLA leave, and these provisions may change from time to time. The health benefits of employees on FMLA leave will be paid by Roads Education during the leave at the same level and under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period. When a request for FMLA leave is granted, Roads Education will give the employee written confirmation of the arrangements made for the payment of insurance premiums during the leave period. If an employee is required to pay premiums for any part of his/her group health coverage, Roads Education will provide the employee with advance written notice of the terms and conditions under which premium payments must be made.

If an employee is required to pay premiums for any part of his/her group health coverage, the School will provide the employee with advance written notice of the terms and conditions under which premium payments must be made.

Roads Education may recover the health benefit costs paid on behalf of an employee during his/her FMLA leave if:

1. The employee fails to return from leave after the period of leave to which the employee is entitled has expired. An employee is deemed to have “failed to return from leave” if he/she works less than thirty (30) days after returning from FMLA leave; and
2. The employee’s failure to return from leave is for a reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to FMLA leave, or other circumstances beyond the control of the employee.

- Seniority

An employee on FMLA leave remains an employee and the leave will not constitute a break in service. An employee who returns from FMLA leave will return with the same seniority he/she had when the leave commenced.

- Medical Certifications

1. An employee requesting FMLA leave because of his/her own or a relative's serious health condition must provide medical certification from the appropriate health care provider on a form supplied by Roads Education. Absent extenuating circumstances, failure to provide the required certification in a timely manner (within fifteen (15) days of Roads Education's request for certification) may result in denial of the leave request until such certification is provided.
 2. Roads Education will notify the employee in writing if the certification is incomplete or insufficient, and will advise the employee what additional information is necessary in order to make the certification complete and sufficient. Roads Education may contact the employee's health care provider to authenticate a certification as needed.
 3. If Roads Education has reason to doubt the medical certification supporting a leave because of the employee's own serious health condition, Roads Education may request a second opinion by a health care provider of its choice (paid for by Roads Education). If the second opinion differs from the first one, Roads Education will pay for a third, mutually agreeable, health care provider to provide a final and binding opinion.
 4. Recertifications are required if leave is sought after expiration of the time estimated by the health care provider. Failure to submit required recertifications can result in termination of the leave.
- Procedures for Requesting and Scheduling FMLA Leave
 1. An employee should request FMLA leave by completing a Request for Leave form and submitting it to the Executive Director. An employee asking for a Request for Leave form will be given a copy of Roads Education's then-current FMLA leave policy.
 2. Employees should provide not less than thirty (30) days' notice for foreseeable childbirth, placement, or any planned medical treatment for the employee or his/her spouse, domestic partner, child, or parent. Failure to provide such notice is grounds for denial of a leave request, except if the need for FMLA leave was an emergency or was otherwise unforeseeable.
 3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt Roads Education's operations.
 4. If FMLA leave is taken because of the employee's own serious health condition or the serious health condition of the employee's spouse, domestic partner, parent or child, the leave may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition.

5. If FMLA leave is taken because of the birth of the employee's child or the placement of a child with the employee for adoption or foster care, the minimum duration of leave is two (2) weeks, except that Roads Education will grant a request for FMLA leave for this purpose of at least one day but less than two (2) weeks' duration on any two (2) occasions.
 6. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment for the employee or a family member, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits and that better accommodates recurring periods of leave than the employee's regular position.
 7. Roads Education will respond to an FMLA leave request no later than five (5) business days of receiving the request. If an FMLA leave request is granted, Roads Education will notify the employee in writing that the leave will be counted against the employee's FMLA leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.
- Return to Work
 1. Upon timely return at the expiration of the FMLA leave period, an employee (other than a "key" employee whose reinstatement would cause serious and grievous injury to Roads Education's operations) is entitled to the same or a comparable position with the same or similar duties and virtually identical pay, benefits, and other terms and conditions of employment unless the same position and any comparable position(s) have ceased to exist because of legitimate business reasons unrelated to the employee's FMLA leave.
 2. When a request for FMLA leave is granted to an employee (other than a "key" employee), Roads Education will give the employee a written guarantee of reinstatement at the termination of the leave (with the limitations explained above).
 3. Before an employee will be permitted to return from FMLA leave taken because of his/her own serious health condition, the employee must obtain a certification from his/her health care provider that he/she is able to resume work.
 4. If an employee can return to work with limitations, Roads Education will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from Roads Education.
 - Limitations on Reinstatement
 1. Roads Education may refuse to reinstate a "key" employee if the refusal is necessary to prevent substantial and grievous injury to Roads Education's operations. A "key" employee is an exempt salaried employee who is among the highest paid 10% of Roads Education's employees within seventy-five (75) miles

of the employee's worksite.

2. A "key" employee will be advised in writing at the time of a request for, or if earlier, at the time of commencement of, FMLA leave, that he/she qualifies as a "key" employee and the potential consequences with respect to reinstatement and maintenance of health benefits if Roads Education determines that substantial and grievous injury to Roads Education's operations will result if the employee is reinstated from FMLA leave. At the time it determines that refusal is necessary, Roads Education will notify the "key" employee in writing (by certified mail) of its intent to refuse reinstatement and will explain the basis for finding that the employee's reinstatement would cause Roads Education to suffer substantial and grievous injury. If Roads Education realizes after the leave has commenced that refusal of reinstatement is necessary, it will give the employee at least ten (10) days to return to work following the notice of its intent to refuse reinstatement.

- **Employment during Leave**

No employee, including employees on FMLA leave, may accept employment with any other employer without Roads Education's written permission. An employee who accepts such employment without Roads Education's written permission will be deemed to have resigned from employment at Roads Education.

Pregnancy Disability Leave

This policy explains how Roads Education complies with the California Pregnancy Disability Act, which requires Roads Education to give each female employee an unpaid leave of absence of up to four (4) months per pregnancy, as needed, for the period(s) of time a woman is actually disabled by pregnancy, childbirth, or related medical conditions.

- **Employee Eligibility Criteria**

To be eligible for pregnancy disability leave, the employee must be disabled by pregnancy, childbirth, or a related medical condition and must provide appropriate medical certification concerning the disability.

- **Events That May Entitle an Employee to Pregnancy Disability Leave**

The four (4) -month pregnancy disability leave allowance includes any time taken (with or without pay) for any of the following reasons:

1. The employee is unable to work at all or is unable to perform any one or more of the essential functions of her job without undue risk to herself, the successful completion of her pregnancy, or to other persons because of pregnancy or childbirth, or because of any medically recognized physical or mental condition that is related to pregnancy or childbirth (including severe morning sickness); or
2. The employee needs to take time off for prenatal care.

- Duration of Pregnancy Disability Leave

Pregnancy disability leave may be taken in one or more periods, but not to exceed four months total. “Four months” means the number of days the employee would normally work within four months. For a full-time employee who works five (5) eight (8) hour days per week, four (4) months means 693 hours of leave (40 hours per week times 17 1/3 weeks).

For employees who work more or less than forty (40) hours per week, or who work on variable work schedules, the number of working days that constitutes four (4) months is calculated on a pro rata or proportional basis. For example, for an employee who works twenty (20) hours per week, “four months” means 346.5 hours of leave entitlement (20 hours per week times 17 1/3 weeks). For an employee who normally works forty-eight (48) hours per week, “four months” means 832 hours of leave entitlement (48 hours per week times 17 1/3 weeks).

At the end or depletion of an employee’s pregnancy disability leave, an employee who has a physical or mental disability (which may or may not be due to pregnancy, childbirth, or related medical conditions) may be entitled to reasonable accommodation. Entitlement to additional leave must be determined on a case-by case basis, taking into account a number of considerations such as whether an extended leave is likely to be effective in allowing the employee to return to work at the end of the leave, with or without further reasonable accommodation, and whether or not additional leave would create an undue hardship for Roads Education. Roads Education is not required to provide an indefinite leave of absence as a reasonable accommodation.

- Pay during Pregnancy Disability Leave

1. An employee on pregnancy disability leave must use all accrued paid sick leave and may use any or all accrued vacation time at the beginning of any otherwise unpaid leave period.
2. The receipt of vacation pay, sick leave pay, or state disability insurance benefits, will not extend the length of pregnancy disability leave.
3. Vacation and sick pay accrues during any period of unpaid pregnancy disability leave only until the end of the month in which the unpaid leave began.

- Health Benefits

Roads Education shall provide continued health insurance coverage while an employee is on pregnancy disability leave consistent with applicable law. The continuation of health benefits is for a maximum of four (4) months in a twelve (12) -month period. Roads Education can recover premiums that it already paid on behalf of an employee if both of the following conditions are met:

1. The employee fails to return from leave after the designated leave period expires.

2. The employee's failure to return from leave is for a reason other than the following:
 - The employee is taking leave under the California Family Rights Act.
 - There is a continuation, recurrence or onset of a health condition that entitles the employee to pregnancy disability leave.
 - There is a non-pregnancy related medical condition requiring further leave.
 - Any other circumstance beyond the control of the employee.

- Seniority

An employee on pregnancy disability leave remains an employee of Roads Education and a leave will not constitute a break in service. When an employee returns from pregnancy disability leave, she will return with the same seniority she had when the leave commenced.

- Medical Certifications

1. An employee requesting a pregnancy disability leave must provide medical certification from her healthcare provider on a form supplied by Roads Education. Failure to provide the required certification in a timely manner (within fifteen (15) days of the leave request) may result in a denial of the leave request until such certification is provided.
2. Recertifications are required if leave is sought after expiration of the time estimated by the healthcare provider. Failure to submit required recertifications can result in termination of the leave.

- Requesting and Scheduling Pregnancy Disability Leave

1. An employee should request pregnancy disability leave by completing a Request for Leave form and submitting it to the Executive Director. An employee asking for a Request for Leave form will be referred to Roads Education's then current pregnancy disability leave policy.
2. Employee should provide not less than thirty (30) days' notice or as soon as is practicable, if the need for the leave is foreseeable. Failure to provide such notice is grounds for denial of the leave request, except if the need for pregnancy disability leave was an emergency and was otherwise unforeseeable.
3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt Roads Education's operations.
4. Pregnancy disability leave may be taken intermittently or on a reduced leave schedule when medically advisable, as determined by the employee's healthcare provider.

5. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits that better accommodates recurring periods of leave than the employee's regular position.
6. Roads Education will respond to a pregnancy disability leave request within ten (10) days of receiving the request. If a pregnancy disability leave request is granted, Roads Education will notify the employee in writing and leave will be counted against the employee's pregnancy disability leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.

- Return to Work

1. Upon timely return at the expiration of the pregnancy disability leave period, an employee is entitled to the same position unless the employee would not otherwise have been employed in the same position at the time reinstatement is requested. If the employee is not reinstated to the same position, she must be reinstated to a comparable position unless one of the following is applicable:
 - a. The employer would not have offered a comparable position to the employee if she would have been continuously at work during the pregnancy disability leave.
 - b. There is no comparable position available, to which the employee is either qualified or entitled, on the employee's scheduled date of reinstatement or within sixty (60) calendar days thereafter. Roads Education will take reasonable steps to provide notice to the employee if and when comparable positions become available during the sixty (60)-day period.

A "comparable" position is a position that involves the same or similar duties and responsibilities and is virtually identical to the employee's original position in terms of pay, benefits, and working conditions.

2. When a request for pregnancy disability leave is granted to an employee, Roads Education will give the employee a written guarantee of reinstatement at the end of the leave (with the limitations explained above).
3. In accordance with Roads Education policy, before an employee will be permitted to return from a pregnancy disability leave of three (3) days or more, the employee must obtain a certification from her healthcare provider that she is able to resume work.
4. If the employee can return to work with limitations, Roads Education will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from Roads Education.

- Employment during Leave

No employee, including employees on pregnancy disability leave, may accept employment with any other employer without Roads Education's written permission. An employee who accepts such employment without written permission will be deemed to have resigned from employment.

Industrial Injury Leave (Workers' Compensation)

Roads Education, in accordance with State law, provides insurance coverage for employees in case of work-related injuries. The workers' compensation benefits provided to injured employees may include:

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

To ensure employees receive any worker's compensation benefits to which they may be entitled, employees will need to:

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

It is Roads Education's policy that when there is a job-related injury, the first priority is to ensure that the injured employee receives appropriate medical attention. Roads Education, with the help of its insurance carrier has selected medical centers to meet this need. Each medical center was selected for its ability to meet anticipated needs with high quality medical service and a location that is convenient to Roads Education's operation.

- If an employee is injured on the job, he/she is to go or be taken to the approved medical center for treatment. If injuries are such that they require the use of emergency medical systems (EMS) such as an ambulance, the choice by the EMS personnel for the most appropriate medical center or hospital for treatment will be recognized as an approved center.
- All accidents and injuries must be reported to the Executive Director and to the individual

responsible for reporting to Roads Education's insurance carrier. Failure by an employee to report a work-related injury by the end of his/her shift could result in loss of insurance coverage for the employee. An employee may choose to be treated by his/her personal physician at his/her own expense, but he/she is still required to go to Roads Education's approved medical center for evaluation. All job-related injuries must be reported to the appropriate State Workers' Compensation Bureau and the insurance carrier.

- When there is a job-related injury that results in lost time, the employee must have a medical release from Roads Education's approved medical facility before returning to work.
- Any time there is a job-related injury, Roads Education's policy requires drug/alcohol testing along with any medical treatment provided to the employee.

Military and Military Spousal Leave of Absence

Roads Education shall grant a military leave of absence to any employee who must be absent from work due to service in the uniformed services in accordance with the Uniformed Services Employment and Re-Employment Rights Act of 1994 ("USERRA"). All employees requesting military leave must provide advance written notice of the need for such leave, unless prevented from doing so by military necessity or if providing notice would be impossible or unreasonable.

If military leave is for thirty (30) or fewer days, Roads Education shall continue the employee's health benefits. For service of more than thirty (30) days, employee shall be permitted to continue their health benefits at their option through COBRA. Employees are entitled to use accrued vacation or paid time off as wage replacement during time served, provided such vacation/paid time off accrued prior to the leave.

Except for employees serving in the National Guard, Roads Education will reinstate those employees returning from military leave to their same position or one of comparable seniority, status, and pay if they have a certificate of satisfactory completion of service and apply within ninety (90) days after release from active duty or within such extended period, if any, as required by law. For those employees serving in the National Guard, if he or she left a full-time position, the employee must apply for reemployment within forty (40) days of being released from active duty, and if he or she left part-time employment, the employee must apply for reemployment within five (5) days of being released from active duty.

An employee who was absent from work while fulfilling his or her covered service obligation under the USERRA or California law shall be credited, upon his or her return to Roads Education, with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. Exceptions to this policy will occur wherever necessary to comply with applicable laws.

Roads Education shall grant up to ten (10) days of unpaid leave to employees who work more than twenty (20) hours per week and who are spouses/domestic partners of deployed military servicemen and servicewomen. The leave may be taken when the military spouse/domestic partner is on leave from deployment during a time of military conflict. To be eligible for leave, an employee must provide Roads Education with (1) notice of intention to take military spousal leave

within two (2) business days of receiving official notice that the employee's military spouse/domestic partner will be on leave from deployment, and (2) documentation certifying that the employee's military spouse/domestic partner will be on leave from deployment during the time that the employee requests leave.

Bereavement Leave

Employees are entitled to a leave of up to eight (8) work days without loss of pay due to a death in the immediate family (parent, spouse/domestic partner, son/daughter, sister/brother, parents-in-law, son/daughter-in-law, grandparents, grandchild). Bereavement pay will not be used in computing overtime pay. Any scheduled days off (including weekends, holidays and vacations) falling during the absence will be counted as both bereavement leave and scheduled days off.

Jury Duty or Witness Leave

For all exempt employees, Roads Education will pay for time off if an employee is called to serve on a jury provided the employee continues to perform work duties as assigned. For all nonexempt employees, Roads Education will pay for up to three (3) days if the employee is called to serve on a jury.

Voting Time Off

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

School Appearance and Activities Leave

As required by law, Roads Education will permit an employee who is a parent or guardian (including a stepparent, foster parent, or grandparent) of school children, from kindergarten through grade twelve (12), or a child enrolled with a licensed child care provider, up to forty (40) hours of unpaid time off per school year (up to eight (8) hours in any calendar month of the school year) to participate in activities of a child's school or child care. If more than one (1) parent or guardian is an employee of Roads Education, the employee that first provides the leave request will be given the requested time off. Where necessary, additional time off will also be permitted where the school requires the employee(s) appearance.

The employee requesting school leave must provide reasonable advanced notice of the planned absence. The employee must use accrued but unused paid leave (e.g., vacation or sick leave) to be paid during the absence.

When requesting time off for school activities, the employee must provide verification of participation in an activity as soon as practicable. When requesting time off for a required

appearance, the employee(s) must provide a copy of the notice from the child's school requesting the presence of the employee.

Time Off for Victims of Crime

An employee who is the victim of certain crimes (violent felonies, felony thefts, and serious felonies as defined by law) or is the immediate family member, registered domestic partner, or child of the registered domestic partner of such a victim will be given time off as necessary in accordance with the law to attend judicial proceedings in relation to the crime. As a condition of taking time off, employees may be required to provide reasonable advance notice if feasible and documentation establishing the right to such time off. This time off is unpaid. Employees may choose to use their accrued vacation, but this is not required. Roads Education will make every effort to maintain the confidentiality of any employee requesting crime victim leave.

Bone Marrow and Organ Donor Leave

As required by law, eligible employees who require time off to donate bone marrow to another person may receive up to five (5) workdays off in a 12-month period. Eligible employees who require time off to donate an organ to another person may receive up to thirty (30) workdays off in a 12-month period.

To be eligible for bone marrow or organ donation leave ("Donor Leave"), the employee must have been employed by Roads Education for at least ninety (90) days immediately preceding the Donor Leave.

An employee requesting Donor Leave must provide written verification to Roads Education that he or she is a donor and that there is a medical necessity for the donation of the organ or bone marrow.

An employee must first use five (5) days of accrued paid leave for bone marrow donation and two (2) weeks of accrued paid leave for organ donation. If the employee has an insufficient number of paid leave days available, the leave will otherwise be paid.

Employees returning from Donor Leave will be reinstated to the position held before the leave began, or to a position with equivalent status, benefits, pay and other terms and conditions of employment. Roads Education may refuse to reinstate an employee if the reason is unrelated to taking a Donor Leave. A Donor Leave is not permitted to be taken concurrently with an FMLA/CFRA Leave.

Victims of Abuse Leave

Roads Education provides reasonable and necessary unpaid leave and other reasonable accommodations to employees who are victims of domestic violence, sexual assault, or stalking. Such leave may be taken to attend legal proceedings or to obtain or attempt to obtain any relief necessary, including a restraining order, to ensure the employee's own health, safety or welfare, or that of the employee's child or children. Employees may also request unpaid leave for the following purposes:

- Seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
- Obtain services from a domestic violence shelter, program, or rape crisis center.
- Obtain psychological counseling for the domestic violence, sexual assault, or stalking.
- Participate in safety planning, such as relocation, to protect against future domestic violence, sexual assault, or stalking.

To request leave under this policy, an employee should provide Roads Education with as much advance notice as practicable under the circumstances. If advance notice is not possible, the employee requesting leave under this policy should provide Roads Education one (1) of the following certifications upon returning back to work:

1. A police report indicating that the employee was a victim of domestic violence, sexual assault, or stalking.
2. A court order protecting the employee from the perpetrator or other evidence from the court or prosecuting attorney that the employee appeared in court.
3. Documentation from a licensed medical professional, domestic violence or sexual assault counselor, licensed health care provider, or counselor showing that the employee's absence was due to treatment for injuries or abuse from domestic violence, sexual assault, or stalking.

Employees requesting leave under this policy may choose to use accrued paid leave. In addition, Roads Education will provide reasonable accommodations to employees who are victims of domestic violence, sexual assault or stalking for the employees' safety while at work. To request an accommodation under this policy, an employee should contact the Executive Director.

Returning from Leave of Absence

Employees cannot return from a medical leave of absence without first providing a sufficient doctor's return to work authorization.

When business considerations require, the job of an employee on leave may be filled by a temporary or regular replacement. An employee should give the Executive Director thirty (30) days' notice before returning from leave. Whenever Roads Education is notified of an employee's intent to return from a leave, Roads Education will attempt to place the employee in his former position or in a comparable position with regard to salary and other terms and conditions for which the employee is qualified. However, re-employment cannot always be guaranteed. If employees need further information regarding Leaves of Absence, they should be sure to consult the Executive Director.

DISCIPLINE AND TERMINATION OF EMPLOYMENT

Rules of Conduct

The following conduct is prohibited and will not be tolerated by Roads Education. This list of prohibited conduct is illustrative only and is not meant to be an exhaustive list. It applies to all employees of Roads Education; other types of conduct that threaten security, personal safety, employee welfare and Roads Education's operations also may be prohibited. Further, the specification of this list of conduct in no way alters the at-will employment relationship as to at-will employees of Roads Education. If an employee is working under a contract with Roads Education which grants procedural rights prior to termination, the procedural terms in the contract shall apply.

1. Insubordination - refusing to perform a task or duty assigned or act in accordance with instructions provided by an employee's manager or proper authority.
2. Inefficiency - including deliberate restriction of output, carelessness or unnecessary wastes of time or material, neglect of job, duties or responsibilities.
3. Unauthorized soliciting, collecting of contributions, distribution of literature, written or printed matter is strictly prohibited on Roads Education property by non-employees and by employees. This rule does not cover periods of time when employees are off their jobs, such as lunch periods and break times. However, employees properly off their jobs are prohibited from such activity with other employees who are performing their work tasks.
4. Damaging, defacing, unauthorized removal, destruction or theft of another employee's property or of Roads Education property.
5. Fighting or instigating a fight on Roads Education premises.
6. Violations of the drug and alcohol policy.
7. Using or possessing firearms, weapons or explosives of any kind on Roads Education premises.
8. Gambling on Roads Education premises.
9. Tampering with or falsifying any report or record including, but not limited to, personnel, absentee, sickness or production reports or records, specifically including applications for employment and time cards.
10. Recording the clock card, when applicable, of another employee or permitting or arranging for another employee to record the clock card.
11. Use of profane, abusive or threatening language in conversations with other employees and/or intimidating or interfering with other employees.
12. Conducting personal business during business hours and/or unauthorized use of telephone lines for personal calls.
13. Excessive absenteeism or tardiness, excused or unexcused.
14. Posting any notices on Roads Education premises without prior written approval of management, unless posting is on a Roads Education bulletin board designated for employee postings.
15. Immoral or indecent conduct.
16. Conviction of a criminal act.
17. Engaging in sabotage or espionage (industrial or otherwise)
18. Violations of the sexual harassment policy.
19. Failure to report a job-related accident to the employee's manager or failure to take or follow prescribed tests, procedures or treatment.

20. Sleeping during work hours.
21. Release of confidential information without authorization.
22. Any other conduct detrimental to other employees or Roads Education's interests or its efficient operations.
23. Refusal to speak to supervisors or other employees.
24. Dishonesty.
25. Failure to possess or maintain the credential/certificate required of the position.

For employees who possess an employment contract which provides for other than at-will employment, the procedures and process for termination during the contract shall be specified in the contract.

Off-Duty Conduct

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

While employed by Roads Education, employees are expected to devote their energies to their jobs with Roads Education. For this reason, second jobs are strongly discouraged. The following types of additional employment elsewhere are strictly prohibited:

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

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

Termination of Employment

Should it become necessary for an employee to terminate their at-will employment with Roads Education, employees should notify the Executive Director regarding this intention as far in advance as possible. At least two (2) weeks' notice is expected whenever possible.

When an employee terminates their at-will employment, they will be entitled to all earned but unused vacation pay. If an employee is participating in the medical and/or dental plan, they will be provided information on their rights under COBRA.

INTERNAL COMPLAINT REVIEW

The purpose of the “Internal Complaint Review Policy” is to afford all employees of Roads Education the opportunity to seek internal resolution of their work-related concerns. All employees have free access to the Executive Director or Board of Directors to express their work-related concerns.

Specific complaints of unlawful harassment, discrimination, and retaliation are addressed under Roads Education’s “Policy Prohibiting Unlawful Harassment, Discrimination, and Retaliation.”

Internal Complaints

(Complaints by Employees Against Employees)

This section of the policy is for use when a Roads Education employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Executive Director or designee:

1. The complainant will bring the matter to the attention of the Executive Director as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate; and
2. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Executive Director or designee will then investigate the facts and provide a solution or explanation;
3. If the complaint is about the Executive Director, the complainant may file his or her complaint in a signed writing to the President of Roads Education’s Board of Directors, who will then confer with the Board and may conduct a fact-finding or authorize a third-party investigator on behalf of the Board. The Board President or investigator will report his or her findings to the Board for review and action, if necessary.

This policy cannot guarantee that every problem will be resolved to the employee’s satisfaction. However, Roads Education values each employee’s ability to express concerns and the need for resolution without fear of adverse consequence to employment.

Policy for Complaints Against Employees

(Complaints by Third Parties Against Employees)

This section of the policy is for use when a non-employee raises a complaint or concern about a Roads Education employee.

If complaints cannot be resolved informally, complainants may file a written complaint with the office of the Executive Director or Board President (if the complaint concerns the Executive

Director) as soon as possible after the events that give rise to the complainant's concerns on the Complaint Against Personnel Form that can be obtained from the Executive Director or the Director of Human Resources. The written complaint should set forth in detail the factual basis for the complaint.

In processing the complaint, Executive Director (or designee) shall abide by the following process:

1. The Executive Director or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
2. In the event that the Executive Director (or designee) finds that a complaint against an employee is valid, the Executive Director (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Executive Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Executive Director (or designee) decision relating to the complaint shall be final unless it is appealed to the Board of Directors. The decision of the Board shall be final.

General Requirements

1. Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.
2. Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.
3. Resolution: The Board (if a complaint is about the Executive Director) or the Executive Director or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

AMENDMENT TO EMPLOYEE HANDBOOK

This Employee Handbook contains the employment policies and practices of Roads Education in effect at the time of publication.

Roads Education reserves the right to amend, delete or otherwise modify this Handbook at any time provided that such modifications are in writing and duly approved by the employer.

Any written changes to the Handbook will be distributed to all employees. No oral statements can in any way alter the provisions of this Handbook.

APPENDIX A

HARASSMENT/DISCRIMINATION/RETALIATION COMPLAINT FORM

It is the policy of Roads Education that all of its employees be free from harassment, discrimination, and retaliation. This form is provided for you to report what you believe to be harassment, discrimination, or retaliation so that Roads Education may investigate and take appropriate disciplinary or other action when the facts show that there has been harassment, discrimination, or retaliation.

If you are an employee of Roads Education, you may file this form with the Executive Director or Board President.

Please review Roads Education's policies concerning harassment, discrimination and retaliation for a definition of such unlawful conduct and a description of the types of conduct that are considered unlawful.

Roads Education will undertake every effort to handle the investigation of your complaint in a confidential manner. In that regard, Roads Education will disclose the contents of your complaint only to those persons having a need to know. For example, to conduct its investigation, Roads Education will need to disclose portions of your factual allegations to potential witnesses, including anyone you have identified as having knowledge of the facts on which you are basing your complaint, as well as the alleged offender.

In signing this form below, you authorize Roads Education to disclose to others the information you have provided herein, and information you may provide in the future. Please note that the more detailed information you provide, the more likely it is that Roads Education will be able to address your complaint to your satisfaction.

Charges of harassment, discrimination, and retaliation are taken very seriously by Roads Education both because of the harm caused by such unlawful conduct, and because of the potential sanctions that may be taken against the offender. It is therefore very important that you report the facts as accurately and completely as possible and that you cooperate fully with the person or persons designated to investigate your complaint.

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you believe harassed, or discriminated or retaliated against you or someone else:

List any witnesses that were present: _____

Where did the incident(s) occur? _____

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any

verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

I acknowledge that I have read and that I understand the above statements. I hereby authorize Roads Education to disclose the information I have provided as it finds necessary in pursuing its investigation.

I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief.

Signature of Complainant

Date: _____

Print Name

Received by: _____

Date: _____

APPENDIX B

INTERNAL COMPLAINT FORM

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you have a complaint against: _____

List any witnesses that were present: _____

Where did the incident(s) occur? _____

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

I hereby authorize Roads Education to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand providing false information in this regard could result in disciplinary action up to and including termination.

Signature of Complainant Date: _____

Print Name

To be completed by Roads Education:
Received by: _____ Date: _____