

# **GOLDEN RAIN FOUNDATION EMPLOYEE HANDBOOK**

*(Revised August 2024)*

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# GOLDEN RAIN FOUNDATION

## EMPLOYEE HANDBOOK

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### ***INTRODUCTION***

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#### **ABOUT THIS HANDBOOK**

This handbook is intended to help all employees become acquainted with the Golden Rain Foundation (“GRF” or the “Foundation”) by providing current information about Foundation policies, rules and benefits. This handbook supersedes and replaces all previous personnel policies, practices, guidelines and handbooks. Please read the entire handbook carefully to understand the policies, rules and benefits that relate to your employment with the Foundation. It is important for you to know and understand the information it contains. You will find it very helpful during your employment with the Foundation.

The world around us changes constantly and the Foundation is a growing and changing organization. Because it is not possible for GRF to foresee all contingencies or circumstances which may arise, it may be necessary to depart from the policies set forth in this handbook when, in the sole discretion of the Foundation, individual circumstances warrant. Thus, other than those provisions which establish and affect your at-will employment relationship, which can be modified only through a written agreement signed by you and the General Manager, the Foundation reserves the right to add to, modify, or delete any of the provisions of this handbook or terms and conditions of your employment at any time without notice.

If you cannot find the information you need in this handbook or have questions after reading this material, talk with your supervisor or Human Resources.

This handbook is the property of the Golden Rain Foundation, and it is intended for your personal use and reference as an employee of the Foundation only. Circulation of this handbook outside of the Foundation requires the prior written approval of the General Manager.

**NOTE:** Except as otherwise specifically provided in a collective bargaining agreement or other written employment contract, the policies and practices set forth in this handbook apply to all employees of the Golden Rain Foundation without regard to length of service with the Foundation, job title, or job duties.

Foundation employees have rights as employees under labor and employment laws. The Foundation always intends to follow the law and respect these rights, and supports employee rights under the National Labor Relations Act. For example, regardless of anything stated or implied in these policies differently, non-supervisory Foundation employees are free to discuss, debate, criticize, record, or share with others information about their and/or other Foundation employees’ wages, hours, working conditions, conditions of employment, employee bargaining representatives, or other personal information related to employment. Foundation employees are also free to engage in other activities in support of employee rights

under Section 7 of the National Labor Relations Act and are equally free to choose not to engage in any of the above activities. There are two provisos to this exemption: working time at the Foundation is for work, and employees cannot engage in any conduct that interferes with any legal obligations of the Foundation, such as, for example, those related to customer security requirements.

Please read the handbook and acknowledge your receipt of, understanding of the policies, and agreement to comply with the policies contained in this handbook by electronically signing the Handbook Acknowledgement Form provided to you. Return the acknowledgment form to the Human Resources Department within one week from date of receipt. Newly hired employees should sign and return the acknowledgement form during their onboarding process.

### **MISSION STATEMENT**

The mission of GRF shall be to provide services and community facilities to the Rossmoor mutuels. GRF shall operate and manage the Improvements (community facilities, streets and other amenities) and provide administrative and recreational services for the benefit of the members of the mutuels and their successors on a non-profit basis.

Adopted by the Board of Directors of The Golden Rain Foundation on August 29, 2019.

### **GRF BOARD VISION AND STATEMENT OF VALUES**

The following Vision statement was adopted by the Board of Directors of the Golden Rain Foundation on August 25, 2022:

#### **VISION**

Our Vision is to maintain Rossmoor as a desirable, inclusive active adult community, in concert with the mutuels/Homeowners' Associations in which our members reside, and to provide services and facilities that enable our members to lead active, healthy and purposeful lives.

The following Statement of Values was adopted by the Board of Directors of the Golden Rain Foundation in their August 29, 2019, meeting:

#### **STATEMENT OF VALUES**

To achieve our mission, we will endeavor

- To maintain Rossmoor as a safe, stable, attractive, innovative, environmentally responsible community;
- To encourage a diverse and inclusive community;
- To provide our members with a wide choice of healthy and stimulating activities with attractive and supporting facilities and sound infrastructure;
- To be sensitive to the challenges of aging;
- To foster transparent, fiscally responsible, representative self-governance;

- To treat our members, staff, mutuals/Homeowners' Associations, suppliers, and neighbors with respect and integrity;
- To support our mutuals/Homeowners' Associations; and
- To be responsive to the changing needs of our residents and to the world around us.

## **EMPLOYEE STRATEGIC GOAL AND CORE VALUES**

In support of this vision, the strategic goal of Foundation employees is highly satisfied residents, and this goal is achieved through commitment to these three core values:

*Integrity*  
*Compassion*  
*Professionalism*

In operation, this means that all Foundation employees are expected to:

- Treat everyone with dignity and respect;
- Create and maintain cooperative relationships characterized by open and honest communications;
- Foster a safe, healthy and comfortable environment in which we can strive for excellence in the delivery of services;
- Encourage flexibility and innovation;
- Honor the commitments we make;
- Use the resources entrusted to us with prudence, responsibility and in keeping with appropriate accountability.

The Golden Rain Foundation is a non-profit mutual benefit corporation formed to manage the community facilities and to provide services for the benefit of all members of the Rossmoor community. As Trustee, the Golden Rain Foundation manages and operates the common properties within Rossmoor, including the clubhouses and recreational facilities such as the swimming pools, tennis courts, and fitness center, as well as the golf courses. In addition, the Golden Rain Foundation provides property management services to most of the twenty-three mutual housing corporations ('Mutuals') in Rossmoor.

Organizationally, the General Manager is hired by the Board of Directors of the Foundation and is responsible for the administration of the policies established by that Board. At the time of the publication of this handbook (August 2024), the staff numbers 254 employees, including 203 full-time employees, 7 part-time employees, and 44 part-time on-call and seasonal employees.

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## **GENERAL POLICIES**

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### **CONFLICTS OF INTEREST**

GRF employees, including all supervisors, managers, directors and the General Manager, are expected to devote their best efforts and attention to the full-time performance of their jobs. Employees are expected to use good judgment, to adhere to high ethical standards, and to avoid situations that create an actual or potential conflict between the employee's personal interests and the interests of the Foundation.

A conflict of interest exists when the employee's loyalties or actions are divided between the Foundation's interests and those of another, such as a competitor, supplier, relative, or resident. Both the fact and the appearance of a conflict of interest should be avoided.

Employees unsure as to whether a certain transaction, activity, or relationship constitutes a conflict of interest should discuss it with their supervisor, director, Human Resources, or the General Manager for clarification. Any exceptions to this guideline must be approved in writing by the General Manager.

This guideline does not attempt to describe all possible conflicts of interest that could develop. Some of the more common conflicts from which employees should refrain, however, include the following:

1. Being called on to make a decision or take action after accepting personal gifts or gratuities;
2. Working for a competitor, vendor or resident or resident group/club during employment with the Foundation; this must be approved in writing in advance by the appropriate Director and Human Resources;
3. During employment with the Foundation, engaging in self-employment in competition with the Foundation or in a manner that is contrary to the best interests of, or a position taken by the Foundation;
4. Using proprietary or confidential Foundation information for personal gain or to the Foundation's detriment;
5. Having a direct or indirect financial interest in or relationship with a vendor, the selection of which you have some input;
6. Using Foundation assets or labor for personal gain;
7. Acquiring any interest in property or assets of any kind for the purpose of selling or leasing it to the Foundation.

If an employee or someone with whom an employee has a close relationship (a family member or close companion) has a financial or employment relationship with a competitor, vendor or potential vendor, the employee must disclose this fact in writing to the General Manager or Human Resources. Employees should be aware that if they enter into a romantic or platonic personal relationship with a

subordinate employee or with an employee of a competitor or supplier, a conflict of interest may exist that requires full disclosure to the Foundation.

Failure to adhere to this guideline, including failing to disclose any potential conflicts or to seek an exception, may result in corrective action up to and including termination of employment.

#### **DRUG AND ALCOHOL POLICY SUMMARY**

Because of the importance of safety in the workplace, it is Foundation policy to provide a workplace free of drugs and alcohol. In support of this policy, the Golden Rain Foundation strictly prohibits the possession, sale, distribution, purchase or use of alcohol or drugs while on the job or on Foundation premises except as explicitly permitted and strictly prohibits working, attempting to work or reporting to work while under the influence of alcohol (defined as a blood/alcohol level or urine equivalent of .04 or higher), marijuana, or other drugs, including prescribed medications being used under the direction of a qualified physician, which cause impairment. Any employee violating this prohibition is subject to corrective action up to and including termination of employment.

The Foundation reserves the right, as part of its drug and alcohol policy, to search all vehicles and containers brought onto Foundation property or placed in a Foundation vehicle where reasonable suspicion of a policy violation exists. An employee's failure to submit to such a search may be grounds for corrective action up to and including termination.

The Foundation reserves the right to test its employees and employment applicants for use of drugs and alcohol, as allowed by applicable law. Employment may be denied if a drug test comes back positive for prohibited substances.

Any employee who is involved in any incident or accident involving GRF property damage while on duty (either in Rossmoor or off-site) is required, when possible, to submit to a post-accident drug and/or alcohol test as part of the Foundation's investigation of the incident if the employee's action or failure to act appears to have played a part in the event. All such tests will be conducted as soon as possible after the Foundation learns of the event, after any necessary emergency medical aid has been administered.

All employees covered by Department of Transportation (DOT) regulations, including bus drivers and other employees holding commercial licenses, and employees in regulated safety-sensitive positions, are subject to random drug testing in accordance with current applicable DOT policy. All employees in DOT-regulated safety-sensitive positions are required to comply with all applicable DOT safety standards and requirements.

All employees are provided with a current copy of the Drug and Alcohol policy, including Golden Rain's testing policy, during orientation. The most recent version of the GRF Drug and Alcohol Policy is available from Human Resources.

## **EMPLOYMENT RELATIONSHIP**

The employment relationship between you and Golden Rain is at-will. This handbook is not intended to create an expressed or implied employment contract that is inconsistent with the fact that you and the Foundation have entered into an at-will employment relationship. Thus, despite any other provisions set forth in this handbook, your employment can be terminated at any time by you or by the Golden Rain Foundation, for any reason, with or without cause, and with or without notice.

The General Manager is the only Foundation representative who has the authority to promise or to enter into any contract or agreement for employment for any specified period of time or to make any binding commitment which is contrary to your at-will employment status, or to make any agreement restricting the Foundation's right in its sole discretion to modify the terms and conditions, job assignments, level of compensation, and benefits of your employment. To be enforceable, any such agreement must express a clear intent to alter the at-will nature of your employment status and must be in writing and signed by you and the General Manager. Your at-will employment relationship cannot otherwise be amended or altered by any practice or oral or written statement, and no implied contract concerning any employment related decision or terms and conditions of employment can be established by any other statement, policy, or practice.

## **EQUAL OPPORTUNITY EMPLOYER**

### **Policy Prohibiting Discrimination, Harassment and Retaliation**

It is the Foundation's policy to provide an equal employment opportunity in all aspects of the employer-employee relationship, including recruiting, hiring, promoting, training, compensation, benefits, transfers, corrective action, and all privileges and conditions of employment.

In addition, it is the Foundation's policy to provide a work environment free of harassment, discrimination and/or retaliation, in compliance with Federal law, the California Fair Employment and Housing Act ("FEHA") and other applicable state and local laws, ordinances, or regulations.

This policy applies to all persons involved in the operations of the Golden Rain Foundation and prohibits unlawful discrimination, including harassment, by any employee of the Foundation, including members of management, supervisors, and co-workers, as well as by any person doing business with or for the Foundation, including its customers.

Unlawful discrimination, including harassment in any form, which includes verbal, physical and visual conduct, threats, demands and retaliation, is prohibited. Additionally, the Foundation will not tolerate any retaliation against any employee for making a complaint of unlawful discrimination or harassment or for cooperating in an investigation.

The Foundation may not unlawfully discriminate on the basis of age; race (including traits historically associated with race, including, but not limited to, hair texture and protective hairstyles); height; weight; religion; caste; creed (including religious

dress and grooming practices); color; national origin; ancestry; sex; sexual orientation; gender (including gender identity and expression); alienage or citizenship status; military or veteran status; physical or mental disability (actual or perceived); medical condition; AIDS/HIV status; denial of family and medical care leave; genetic information; predisposition or carrier status; pregnancy status; childbirth; breastfeeding (or related medical conditions); marital status or registered domestic partner status; political activity or affiliation; status as a victim of domestic violence, sexual assault or stalking; arrest record; taking or requesting statutorily protected leaves; off-duty marijuana use (when protected by law); reproductive health decision-making; or any other classification protected by federal, state, or local laws.

The Foundation also prohibits discrimination based on the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics. This commitment applies to all persons involved in the operations of the Foundation, and prohibits unlawful discrimination by any employee of the Foundation, including supervisors and co-workers. The Foundation will not discriminate against or allow harassment of any employee, applicant, unpaid intern, or volunteer for associating with individuals in a protected category or because the employee sympathizes with, encourages, or participates in groups organized for the protection or assertion of rights related to a protected category.

As part of its policy to comply with all applicable EEO laws, the Foundation not only prohibits discrimination in employment against otherwise qualified applicants and employees on account of a physical or mental disability, but it also prohibits discrimination based on a perception of, or association with persons who have, such a disability. In addition, the Foundation will provide a reasonable accommodation to any individual with a known physical or mental disability if such accommodation would not impose an undue hardship on the Foundation, and would enable the individual to apply for, or perform the essential functions of, the position in question.

It is the responsibility of every applicant or employee with a physical or mental disability to make the employee's need for a reasonable accommodation known to the Foundation by submitting a written request to Human Resources.

The Foundation also will endeavor to reasonably accommodate the religious beliefs of our employees to the extent such accommodation does not pose an undue hardship on the operation of our business. If an employee believes that the employee needs an accommodation to perform the job duties because of a religious belief, the employee should submit a written request to Human Resources.

Employees who have questions or concerns about any type of perceived discrimination in the workplace, or believe they have been discriminated against in violation of this policy, should immediately contact their supervisor or Human Resources. Employees can raise concerns and make reports without fear of retaliation. The Foundation's anti-retaliation policy also prohibits retaliation against any individual who requests an accommodation for the employee's disability

or religious belief, regardless of whether the accommodation was actually granted. It is the obligation of every employee to comply with this policy.

### **Sexual Harassment and Other Unlawful Harassment and Discrimination**

The Foundation is committed to ensuring a work environment that respects the dignity and worth of each individual. Inappropriate workplace behavior and unlawful harassment create conditions that are wholly inconsistent with this commitment. The purpose of the policy set forth below is not to regulate the personal morality of employees, but rather to foster a work environment that is free from all forms of harassment or discrimination on the basis of any legally protected characteristic, including age; race (including traits historically associated with race, including, but not limited to, hair texture and protective hairstyles); caste; religion; creed (including religious dress and grooming practices); color; national origin; ancestry; height; weight; sex; sexual orientation; gender (including gender identity and expression); alienage or citizenship status; military or veteran status; physical or mental disability (actual or perceived); medical condition; AIDS/HIV; denial of family and medical care leave; genetic information; predisposition or carrier status; pregnancy status; childbirth; breastfeeding (or related medical conditions); marital status or registered domestic partner status; political activity or affiliation; arrest record; status as a victim of domestic violence, sexual assault, or stalking; taking or requesting statutorily protected leaves; off-duty marijuana use (when protected by law); reproductive health decision-making; or any other classification protected by federal or state law or local ordinance or regulation.

Discrimination, harassment, and retaliation are unlawful and violate both the spirit of equal opportunity and the rights of the individual. This behavior undermines the integrity of the employment relationship and can destroy the morale and commitment of the individuals involved. Even if an employee's conduct does not violate local, state, or federal law, such conduct may be found to have violated the policy against harassment, discrimination, and retaliation.

This policy prohibiting harassment, discrimination, and retaliatory conduct covers all employees of the Foundation (including, but not limited to, all supervisors and managers of the Foundation), applicants, paid and/or unpaid interns, volunteers, persons providing services to the Foundation pursuant to a contract, and other third parties over whom the Foundation has control (regardless of their status). It also prohibits harassment, discrimination and retaliation based on the perception that anyone has any of the protected characteristics or is associated with a person who has or is perceived as having any of those characteristics.

Workplace "harassment" is defined as unwelcome disrespectful or unprofessional conduct by a supervisor, coworker, vendor, or customer, including disrespectful or unprofessional conduct based on any of the protected characteristics. Unlawful harassment may include pervasive unwelcome words or conduct which threatens, mocks, disparages, demeans or otherwise subjects an individual to ridicule or hostility and which is unwelcomed by the targeted employee and might be considered offensive by a reasonable person. Harassment can be verbal (such as slurs, jokes, insults, epithets, gestures, or teasing), visual (such as the posting or



distribution of offensive posters, symbols, cartoons, drawings, computer displays, or e-mails), or physical conduct (such as physically threatening another person, blocking someone's way, or making physical contact in an unwelcome manner).

Unlawful harassment is not limited to conduct of a sexual nature. Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment which is severe and pervasive and related in any way to any legally protected category may constitute unlawful workplace harassment. However, unlawful harassment does not include reasonable bona fide criticism of an employee's job performance in the context of employment.

As used in this policy, "discrimination" is defined as the unequal treatment of an employee or applicant in any aspect of employment, based solely or in part on the employee's, or applicant's, protected characteristic, including their perceived protected characteristic. Discrimination includes unequal treatment based upon the employee's or applicant's association with a member of these protected classes.

Discrimination may include, but is not necessarily limited to, hostile or demeaning behavior toward applicants or employees because of their protected characteristic; allowing the applicant's or employee's protected characteristic to be a factor in hiring, promotion, compensation or other employment-related decisions unless otherwise permitted by applicable law; and providing unwarranted assistance or withholding work-related assistance, cooperation, and/or information to applicants or employees because of their protected characteristic.

As used in this policy, "sexual harassment" is defined as harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression or sexual orientation. It may include all of the actions described above as "harassment," as well as other unwelcome sex-based conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature. Sexually harassing conduct need not be of a sexual nature or be motivated by sexual desire. It may include situations that began as reciprocal relationships but that later cease to be reciprocal.

Sexual harassment occurs when:

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

**Disrespectful or unprofessional conduct based on a protected category as defined by current Federal, State and/or local law, regulation, or ordinance, is considered harassment for the purposes of this policy.**

## Examples of Prohibited Conduct

Examples of unlawful discrimination or harassment include and are not limited to:

1. Discrimination or harassment in any form based on any unlawful basis;
2. Verbal or written expressions, such as racial, ethnic or religious epithets, derogatory comments, slurs, or unwanted sexual advances, invitations, or comments;
3. Visual expressions, such as derogatory posters, photography, movies, cartoons, drawings, or gestures and other visual media;
4. Physical conduct such as unnecessary or unwanted touching, impeding or blocking normal movement, or interfering with work, which is directed at an employee because of sex or any other prohibited basis;
5. Making threats and demands to submit to sexual requests in order to keep a job or to avoid some other loss, offering job benefits in return for sexual favors, and making or threatening reprisals after a negative response to sexual advances; and/or
6. Retaliation against others for opposing or filing a complaint regarding discrimination or harassment or otherwise participating in a discrimination or harassment investigation proceeding or hearing.

**It is important to note that violating a Foundation policy, even if not explicitly included in the above list, can result in corrective action up to and including termination of employment.**

## Complaint Procedure

Every employee has a right to redress unlawful discrimination or harassment. If an employee believes they are being or have been unlawfully discriminated against or harassed on the job, the employee should submit a complaint as follows:

- The complaint, preferably in writing, should be submitted to the Director of Human Resources; or any supervisor, department manager or director as soon as possible after the conduct complained of occurs;
- The complaint should include the details of the incident or incidents, the names of the individuals involved, and the names of any witnesses;
- If for any reason an employee is unwilling or unable to communicate this information in writing, they are directed to make their complaint verbally to any supervisor or manager or the Human Resources Generalist or the Director of Human Resources, as soon as possible after any incident believed to be prohibited conduct. Verbal complaints of this nature will be referred to the Director of Human Resources for investigation;
- Upon receipt of a verbal or written allegation of harassment or discrimination, the employee filing the complaint will be asked to provide details of the incident or incidents, the names of the individuals involved, and the names of any witnesses;

- Supervisors will refer all such complaints to the Director of Human Resources, who will ensure that qualified personnel to conduct a fair, impartial, timely, and thorough investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected;
- This investigation will be completed with as much confidentiality as is possible, consistent with the Foundation's need to comply with applicable law and to undertake a prompt, full, and thorough investigation. However, GRF cannot promise that the information regarding the complaint will be kept entirely confidential, since an investigation must be conducted, and the accused individual(s) confronted;
- The Foundation will utilize appropriate documentation and tracking to ensure reasonable progress, timely response to the complaint, and timely closure of the investigation;
- A determination regarding the allegations will be made and communicated as soon as practical. Upon completion of the investigation, the Foundation will resolve the complaint and take appropriate remedial measures if misconduct is found during the investigation. Remedial actions may include, but are not necessarily limited to, oral or written counseling, referral to formal counseling, disciplinary suspension or probation, and/or discharge from the Foundation. Actual measures taken against an accused individual may not be shared due to confidentiality requirements.

The Foundation does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one's duties. Accordingly, to the extent permitted by law, the Foundation reserves the right not to provide a defense or pay damages assessed against an employee for conduct in violation of this policy.

An individual who reports or assists in reporting incidents that the employee believes to be violations of this policy, or who is involved in or participates in the investigation of or proceedings arising out of a violation of this policy, will not be subject to reprisal or retaliation. As used in this policy, "retaliation" is defined as any adverse employment action taken against an applicant or employee because that person engaged in activity protected under this policy or reasonably thought to be protected under this policy.

An "adverse employment action" is conduct or an action that materially affects the terms and conditions of the applicant's or employee's employment status or is reasonably likely to deter the person from engaging in protected activity. Even an action that does not result in a direct loss of compensation or in termination may be regarded as an adverse employment action when considered in the totality of the circumstances.

Examples of retaliation under this policy include, but are not limited to, demotion; suspension; reduction in pay; denial of a merit salary increase; failure to hire or consider for hire; refusing to promote or consider for promotion because of reporting a violation of this policy; harassing another employee for filing a complaint; denying

employment opportunities because of making a complaint or for cooperating in an investigation; changing someone's work assignments for identifying harassment or other forms of discrimination in the workplace; treating people differently, such as denying an accommodation; not talking to an employee when otherwise required by job duties; or excluding the employee from job-related activities because of engagement in activities protected under this policy.

Retaliation is a serious violation of this policy and should be reported immediately.

The report and investigation of allegations of retaliation will follow the procedures set forth in this policy. Any person found to have retaliated against an individual for reporting discriminatory harassment or participating in an investigation of allegations of such conduct will be subject to appropriate disciplinary action.

Employees are encouraged to report any incidents of discrimination or harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

### **Training**

The Foundation has provided all California-based employees with the California Civil Rights Department ("CRD") brochure on sexual harassment, CRD-185. If another copy is needed, please contact Human Resources. The form may also be accessed online, in both English and Spanish, at [www.calcivilrights.ca.gov](http://www.calcivilrights.ca.gov).

All California-based employees are required to attend mandatory sexual harassment training, including a component on abusive conduct, as well as harassment based on gender identity, gender expression, and sexual orientation, in accordance with applicable law. All California-based employees will receive this training within six months of their hire and, if applicable, assumption of a supervisory position.

Thereafter, all California-based employees will receive this training at least once every two years. All California-based seasonal or temporary employees, or any other employees hired to work for less than six months, will receive this training within 30 calendar days after their hire date or within 100 hours worked, whichever occurs first.

The CRD provides free online training courses on preventing sexual harassment and abusive conduct in the workplace that satisfy California's legal training requirements and which may be accessed at the CRD website at <https://www.calcivilrights.ca.gov/shpt/>.

### **LACTATION ACCOMMODATION**

The Foundation supports an employee who chooses to breastfeed and will provide reasonable accommodations, including a reasonable amount of break time, during the workday to accommodate an employee's need to express milk each time the employee has the need to express. The Foundation recognizes that the schedule may need to vary over time. Therefore, break times for this purpose should, if possible, be taken concurrently with other break periods already provided, but may be scheduled as frequently as necessary. Any break time to express breast milk that does not run concurrently with the rest breaks described in the Rest Breaks and Meal

Periods Policy shall be unpaid for non-exempt employees as long as no work is performed during the break.

The Foundation will provide designated rooms or other accommodations for employee privacy, in accordance with applicable law. The Foundation will provide a lactation area that is clean and free of hazardous materials, contains a chair and surface space for a breast pump, and has access to electricity. The Foundation will also provide, in close proximity to the employee's work area, access to a refrigerator (where the employee can store breast milk) and a sink with running water. Should the lactation area be made available for non-lactation uses, an employee's lactation breaks will take precedence over other uses and the Foundation will provide notice to other employees of the room's primary function.

Employees have a right to request a lactation accommodation. An employee should notify the employee's supervisor or Human Resources to request a lactation accommodation under this policy. The Foundation will respond to a request for lactation accommodation within five business days. The Foundation will engage in an interactive process with any employee requesting accommodation under this policy to determine the appropriate lactation break periods and location. If, in response to a request for lactation accommodation, the Foundation does not provide the required accommodation, the Foundation will provide the employee a written response that identifies the basis upon which it has denied the request.

Retaliation against an employee for exercising rights under this policy is prohibited. An aggrieved employee may file a complaint with the Labor Commissioner for any violation of a right under this policy.

## **COMMUNICATION AND DISPUTE RESOLUTION POLICY**

At the Golden Rain Foundation, we recognize that our continued success depends in large part on you. We value good relations with our employees as a sound business practice in the best interest of all of us. To a large extent, good relations with others are built on good communications -- horizontally and vertically, throughout the organization. That's why we've established a variety of communication channels -- some formal, some informal . . . all available to you.

### **Open Door Policy**

We believe that in many cases problems, concerns, or misunderstandings can be cleared up by frank and open discussion. Thus, we strongly encourage open, ongoing communications between employees and the Foundation's management team. In keeping with our spirit of willingness to listen and our practice of fair dealing, GRF believes in their managers practicing an open-door policy.

Under our open-door policy, you are encouraged to see your supervisor with work-related concerns, such as concerns about your work, employee benefits, Foundation policies or procedures, feelings of well-being, or related matters.

Responding to your need may require your supervisor or the manager to enlist the aid of other Foundation personnel. Employees are encouraged to raise work-related concerns as soon as possible after the events that cause the concern. Employees

are further encouraged to pursue discussion of work-related concerns until the matter is fully resolved. Although the Foundation cannot guarantee that the employee will be satisfied with the result, the Foundation will attempt to explain the result to the employee, if the employee is not satisfied.

If your concerns are regarding your direct supervisor, and you cannot resolve the concerns with them directly, you are encouraged to reach out to the Human Resources department to assist in resolving the matter.

Additionally, you may exercise the privilege of requesting a meeting with any management representative without regard to the employee's position with the Foundation, with the understanding that this conversation may not be confidential and may be shared with Human Resources and/or your supervisor based on the need and with the goal of properly addressing a reported concern.

### **Problem Solving Procedure**

If you have a work-related concern or feel that a Foundation policy, rule, or procedure has not been fairly administered, we want to hear from you. At the Golden Rain Foundation, we recognize that prompt handling of a problem is important to maintaining good employee relations. Our problem-solving procedure is a communications tool available to all employees to constructively solve complaints and/or problems. The Foundation will attempt to keep employee concerns and the results of any investigation associated with this problem-solving procedure as confidential as possible without hindering the Foundation's ability to conduct a full and fair investigation.

To that end, if you have a work-related concern that you have not been able to resolve through our open-door policy, you should use the following problem-solving procedure.

**Step 1:** Describe your complaint, concern, and/or problem in writing, sign it, and submit it to your supervisor or the Director of Human Resources. Your description should be written in clear terms. Explain all important facts and include dates of important events and the names of witnesses. You and your supervisor are encouraged to discuss the problem after the written statement has been submitted. Your supervisor or the Director of Human Resources may discuss the matter separately with others who are named in the complaint or who may have knowledge of the facts set forth in the complaint. If satisfaction is not achieved or you do not feel comfortable bringing your complaints to your supervisor or the Director of Human Resources, you should progress to Step 2.

**Step 2:** If you do not receive a satisfactory response to your complaint, concern, and/or problem, or if you do not wish to bring your complaint to your supervisor or the Director of Human Resources, present your issue in writing to the General Manager. After receiving the written explanation from you, the General Manager may provide you with an opportunity to personally present your problem. The General Manager may also discuss the matter separately with others who are named in the complaint, or who may have knowledge of the facts set forth in the complaint and may assign an appropriate person to investigate your

complaint. The General Manager will provide you with a response to your complaint, concern, and/or problem.

Concerns related to unlawful harassment, discrimination, and retaliation should follow the procedure set forth in the Policy Prohibiting Discrimination, Harassment and Retaliation.

### **Dispute Resolution Policy**

Virtually all workplace disagreements can be resolved informally by open communication with your supervisor or through the Open Door Policy and Problem-Solving Procedure discussed above. In those rare instances when a dispute arises which cannot be resolved, the Foundation requires employees as a condition of employment to arbitrate such matters. Arbitration provides both parties with an expedient alternative to costly and time-consuming litigation.

With this in mind, the Foundation has developed and implemented an alternative dispute resolution policy. While we hope your employment will be free of legal employment disputes, we believe that our alternative dispute resolution policy will provide an efficient and equitable means for resolving all such disputes. Participation in this program is a condition of employment. Details of this program are fully explained in a separate document called the Mutual Arbitration Agreement which each employee should review carefully.

### **CORRECTIVE ACTION POLICY SUMMARY**

The Golden Rain Foundation recognizes that from time to time employees may fail to meet the established standards of productivity, quality and professionalism required for their position. It is in the best interests of the Foundation and the employee that appropriate corrective actions are taken to assist the employee in meeting those standards and to provide the employee with ample opportunity to improve, as well as timely warning of improvements needed, before termination of employment. In addition, violation of Golden Rain rules, policies or procedures, depending on the severity of the violation, may result in corrective action.

The Foundation, in its sole discretion, reserves the right to apply the corrective action it deems appropriate given the circumstances. Corrective action may include any of the following, as appropriate: coaching, oral or written warnings, probation, retraining, reassignment, suspension with or without pay, and/or termination of employment. Corrective action may follow a progression, from coaching to oral and/or written warnings, to performance plans, retraining or reassignment, or termination of employment. Such progression is not required, as managers, in consultation with Human Resources, determine the appropriate corrective action to be utilized for a given situation.

The use of progressive corrective action, counseling, and retraining is solely at the Golden Rain Foundation's discretion.

It is important to note that violating any company policy - even if not specifically listed in this handbook - may lead to corrective action up to and including

termination of employment. The Foundation will consider each issue on a case-by-case basis and determine the appropriate response.

## **WHISTLEBLOWER POLICY**

The California Legislature has declared it the public policy of the State of California to encourage employees to notify an appropriate government or law enforcement agency when they have reason to believe their employer is violating laws enacted for the protection of employees and the general public. Employees who do so are protected from retaliation by the employer when the employee making the complaint has reasonable cause to believe that the information discloses a violation of state or federal statute, or a violation or noncompliance with a state or federal rule or regulation. All GRF employees who make such a report to an appropriate local, state or Federal agency are protected under various ‘whistleblower’ laws.

In addition, all employees are required to notify their manager of possible unsafe conditions or unsafe actions they observe. Employees should also notify the Human Resources Director or another appropriate manager when they have reason to believe a violation of law or GRF policy has occurred. Such complaints will be kept as confidential as possible, and GRF will investigate the complaint and take prompt action as found appropriate.

Further, the Board of Directors of the Golden Rain Foundation has established a Whistleblower Policy for residents, Policy 204.0 entitled “Whistleblower Policy” to extend to similar protection for good faith allegations of wrongdoing to Board and committee members, residents, employees, outside vendors, GRF contractors and others.

For purposes of this policy, “wrongdoing” is defined as:

- possible violations of, or non-compliance with, laws, regulations, and GRF policies;
- unsafe working conditions;
- questionable accounting or audit matters;
- fraud; or
- unethical activities

For purposes of this policy, “good faith” is defined as having reasonable grounds for believing the information disclosed accurately reports a matter described above.

The policy broadly defines a general process for receipt, retention, and handling of such allegations; forbids retaliation against anyone making such a good faith allegation through adverse consequences resulting from those allegations; and further outlines the processes for reporting good-faith allegations; the process of validating and investigating said allegations; the confidentiality of allegations; and the availability of other remedies. Complaints received under this policy, from non-employee individuals, will be investigated, and the matter referred to the proper



authority (i.e., Mutual Board, Foundation Board of Directors, General Manager, etc.) for final action.

Employees interested in reading Board Policy 204, “Whistleblower Policy”, are directed to the Human Resources office.

## **INVESTIGATION PROCESS OVERVIEW**

As a general rule, allegations of wrongdoing (for example, safety violations, timecard and time reporting fraud, theft of property, whistleblower statements, etc.) are investigated by the Human Resources office. Depending on the nature of the allegation, Human Resources may perform investigative work under the direction of a Foundation-retained attorney.

The investigation process includes collecting a complete statement from the complainant (the person bringing the complaint); collecting evidence (for example, checking time reporting records against other records); speaking to witnesses or others who may know something about the issue at hand; taking a complete statement from the alleged wrong-doer; providing the General Manager, other relevant managers, and/or the attorney with a summary of the investigation; acting as a resource in determining what actions are appropriate and responsive to the situation; and providing a high-level summary of the outcome to the complainant.

Employees are required as a condition of employment to participate fully and honestly in such an investigation. To the extent possible depending on the nature of the issue, confidentiality regarding the complainant and witnesses will be maintained. At the close of the investigation, the complainant will be provided with a high-level summary of the investigation; details of any responsive actions to the situation may not be included in that summary.

## **PERSONAL PROPERTY**

The Foundation attempts to make the workplace as safe as possible. However, the Foundation cannot guarantee the security of personal items. The Foundation is not responsible for lost or stolen items left in the office or brought on the premises. Employees are encouraged to avoid leaving valuable personal items in the workplace to the extent practical. Valuables you choose to bring to work (purse, keys, wallet, money clip, cell phone, etc.) should be placed out of sight or in a secure location when you leave your workspace for any length of time.

## **ENERGY CONSERVATION**

All employees are expected to practice energy conservation in their daily work. The appropriate methods will differ among GRF staff, depending on the nature of the relevant job requirements. Examples include obeying the speed limit (25 MPH); limiting the amount of engine idling time when operating a vehicle within Rossmoor; printing only what is needed; printing double-sided copies where appropriate, etc. Employees are encouraged to suggest energy conservation ideas to their managers for consideration.

## **SAFETY**

Every employee is responsible for safety and must be safety conscious. To achieve our goal of achieving a solid safety culture and providing a safe workplace, the Golden Rain Foundation has developed an Injury and Illness Prevention Program (IIPP) and a Workplace Violence Prevention Plan, administered by the Public Safety Manager, Human Resources Director and GRF Safety Committee. Employees receive a copy of the IIPP and WVPP at their orientation and the contents of the IIPP and WVPP are reviewed with employees on a regular basis.

Each employee is responsible for knowing and complying with the IIPP and WVPP programs as well as all posted safety rules. As an employee, you are subject to corrective action for engaging in any unsafe or unhealthy work practice, workplace violence, or for violating established safety rules. You must report any unsafe or hazardous conditions and workplace violence hazards to your supervisor or manager, or to the Public Safety Manager or Human Resources Director immediately. Failure to do so may result in corrective action up to and including termination of employment.

Employees and supervisors receive periodic workplace safety and violence prevention training. The training covers potential safety, and health, and workplace violence hazards and safe work practices and procedures to eliminate or minimize hazards.

Employees are encouraged to submit suggestions, concerns, or ideas for the improvement of workplace safety to the the Public Safety Manager, Human Resources Director and GRF Safety Committee. Reports and concerns about workplace safety may be made anonymously if the employee desires, and all reports can be made without fear of reprisal.

Employees should immediately notify their supervisor, foreman, or shift team lead of accidents that result in injury (regardless of how insignificant the injury may appear), workplace violence, threats of workplace violence, or other workplace violence concerns. You are also directed to notify Human Resources and the Public Safety Manager immediately.

**All personal injuries must be reported to your manager, Human Resources, and Public Safety immediately.**

Failure to report injuries is a violation of Foundation rules and may result in corrective action up to and including termination of employment. Failure to report injuries can also result in a violation of legal requirements and may lead to difficulties in processing insurance and benefit claims. The Golden Rain Foundation carries workers' compensation insurance and will assist you in obtaining all benefits to which you are legally entitled.

Because the Foundation believes employee safety is important, employees who deliberately or knowingly violate a Foundation safety standard, including traffic regulations, city, county, state and Federal law, regulation and/or rules are subject to appropriate corrective action, up to and including termination of employment.

The Foundation maintains other policies related to health and safety. Please reach out to Human Resources for more information regarding these policies.

## **EMERGENCY CONDITIONS**

In the event of an emergency condition, the Foundation will not, unless otherwise permitted by applicable law: (1) take or threaten adverse action against any employee for refusing to report to, or leaving, a workplace or worksite within the affected area because the employee has a reasonable belief that the workplace or worksite is unsafe or (2) prevent any employee from accessing the employee's mobile device or other communications device for seeking emergency assistance, assessing the safety of the situation, or communicating with a person to verify their safety.

When feasible, an employee shall notify the Foundation of the emergency condition requiring the employee to leave or refuse to report to the workplace or worksite prior to leaving or refusing to report. When prior notice is not feasible, the employee must notify the Foundation of the emergency condition that required the employee to leave or refuse to report to the workplace or worksite after leaving or refusing to report as soon as possible.

For the purposes of this policy, "emergency condition" means the existence of one of the following: (1) conditions of disaster or extreme peril to the safety of persons or property at the workplace or worksite caused by natural forces or a criminal act or (2) an order to evacuate a workplace, a worksite, a worker's home, or the school of a worker's child due to natural disaster or a criminal act. "Emergency condition" does not include a health pandemic.

## **STANDARDS OF CONDUCT**

Laws are made so that people can live and work together happily with respect to their personal and legal rights. Foundation standards are made for exactly the same reason.

The following Foundation standards are presented not as an all-inclusive list, but as examples of conduct which cannot be tolerated. These standards apply equally to all employees and are for the protection of every employee of the Golden Rain Foundation.

The severity of corrective action taken in a given situation is at the sole discretion of management. While the Golden Rain Foundation reserves its right to terminate any employee's at-will employment, for any reason, without cause, for illustrative purposes only, corrective action up to and including termination will result from the following actions:

### **Alcohol or any illegal substances:**

- Use or sale of alcoholic beverages, marijuana, or illegal drugs on Foundation property or during working hours;
- Reporting to work or attempting to work while under the influence of alcohol, marijuana, or drugs or being otherwise unfit for work.

**Behavior threatening to the reputation of the Foundation**

- Unprofessional conduct, indecency, or use of profane, malicious or abusive language to any person on Foundation property or during working hours;
- Being discourteous to the public, including residents, guests, vendors, contractors, and other employees.

**Dishonesty or falsifying Foundation documents or records**

- Dishonesty in any form, including, but not limited to knowingly making an unauthorized entry in the time recording system for another employee, altering your own or another employee's time recording entry without proper authority (also known as "theft of time"), deliberately supplying false information during an investigation;
- Falsifying any Foundation record, including work records, time records, personnel records and/or employment application forms;
- Deliberately corrupting, changing, modifying or altering electronic records so as to render them unusable to the Foundation;
- Using the time recording system to clock in or out from work outside of your scheduled shift without prior supervisor approval.

**Disrupting the work environment**

- Inability or refusal to work in harmony or cooperation with fellow employees so as to cause friction, conflict, or lowering of group morale, including deliberate spreading of false rumors;
- Engaging in "horseplay," scuffling, throwing objects, or causing confusion by disruptive behavior on Foundation property or during working hours;
- Sleeping or otherwise loafing during working hours;
- Smoking in restricted areas, or where no-smoking signs are posted or when prohibited for safety reasons.

**Engaging in destructive conduct**

- Deliberate or willful destruction of or damage to the property of the Foundation;
- Deliberate or willful destruction of or damage to the property of others on Foundation property or during working hours;
- Neglect or mishandling of vehicles, shop tools, or other Foundation property and supplies.

**Excessive absenteeism or unacceptable patterns of absenteeism**

- When not protected by applicable law, excessive absenteeism or tardiness or other failure to observe work schedules regarding starting and quitting times, rest and meal periods and overtime;

- Displaying a pattern of absences that is abusive of Foundation policy and applicable law.

**Harassment, Intimidation, Discrimination, Retaliation**

- Sexual, racial, ethnic, religious, disability, age or other unlawful harassment, intimidation, discrimination, or retaliation of any kind.

**Insubordination**

- Failure to follow management directives or perform in accordance with instructions and established standards;
- Being uncooperative with supervisors, employees, customers and/or regulatory agencies;
- Failing to cooperate honestly and completely with any Foundation-sponsored investigation;

**Job performance**

- Habitual or gross negligence or incompetence in the performance of assigned duties;
- Causing unnecessary damage to Foundation tools and equipment.

**Leaving the worksite without approval**

- Leaving the work area during work hours without proper approval from a supervisor;
- Using working time for non-working purposes (also known as “theft of time”).

**Misuse of computers, codes, and passwords**

- Excessive or inappropriate use of GRF computers for personal business;
- Using GRF computers for any discriminatory use or harassing purpose or any unlawful purpose;
- Using another employee’s login information for unlawful or prohibited purposes.

**Possessing firearms or weapons**

- The possession, sale, or use of knives, explosives, firearms, or other dangerous weapons on Foundation property or during working hours.

**Threatening employees, residents, contractors or vendors**

- Provoking a fight, fighting, or engaging in physical aggression or attempting to inflict bodily injury upon any person on Foundation property or during working hours;
- Threatening, intimidating, coercing, or interfering with any person on Foundation property or during working hours.

### **Theft, fraud, embezzlement and other acts of dishonesty**

- Theft of Foundation or Mutual money or property;
- Removal or unauthorized use of Foundation vehicles and other property belonging to the Foundation;
- Theft, removal, or unauthorized use of property belonging to another.

### **Willful violation of safety standards**

- Deliberately not wearing required Personal Protective Equipment (PPE);
- Failing to follow current DMV driving regulations, including and not limited to obeying the speed limit; failure to use hand's free devices; failure to wear a seat belt, etc. (see the Use of Foundation Vehicles policy for a more extensive list)
- Ignoring posted safety warnings.

### **Working overtime**

- Working overtime without prior authorization from supervisor;
- Refusing to work assigned overtime.

This policy is not intended to, should not be construed to and does not create a term of employment and does not limit or modify the Foundation's right to terminate an employee's employment or to alter the terms and conditions of an employee's employment, including compensation and position, at any time for any (or no) reason, without notice.

This policy is not intended to conflict with or limit employees' rights under the National Labor Relations Act.

## **WORKPLACE VIOLENCE**

The Foundation is committed to providing a safe, violence-free workplace. In this regard, the Foundation prohibits employees, consultants, residents, visitors, or anyone else on Foundation premises or engaging in Foundation-related activity from behaving in a violent or threatening manner. Employees who behave in a violent or threatening manner are subject to corrective action up to and including termination of employment.

Workplace violence includes, but is not limited to:

- Threats of any kind;
- Threatening, physically aggressive, or violent behavior, such as intimidation of or attempts to instill fear in others.

Threats include, and are not limited to, any indication of intent to harm a person, to harm another person's property, or to damage GRF property. Threats may be direct or indirect, and they may be communicated verbally or nonverbally.

The chart below offers examples of threats and acts that shall be considered violent when performed on Foundation premises or while engaging in a Foundation-related activity. Note that this list provides examples only and is in no way all-inclusive:

Example	Type of Threat
Saying, “Do you want to see your next birthday?”	Indirect
Writing, “Employees who kill their supervisors have the right idea.”	Indirect
Saying, “I’m going to punch your lights out.”	Direct
Making a hitting motion or other motion that suggests bodily harm or making an obscene gesture.	Nonverbal
Throwing any object at another person, with or without intent to actually hit that person.	Extreme
Displaying weapons of any sort.	Extreme
Stalking or otherwise forcing undue attention on someone, whether romantic or hostile in nature.	Extreme
Taking actions likely to cause bodily harm or property damage.	Acts of violence

Employees **may not** bring weapons or firearms of any kind on Foundation premises, including Foundation parking lots, nor carry weapons or firearms of any kind while conducting Foundation business. If any employee observes or becomes aware of any of the above-listed actions or similar behavior by any employee, resident, consultant, visitor, or anyone else, the employee **MUST** notify a human resources representative, the Public Safety Manager, and/or security personnel immediately.

Human Resources should be notified immediately of any restraining order that is in effect, or if a potentially violent non-work-related situation exists that could result in violence in the workplace. All reports of workplace violence will be investigated promptly and thoroughly. Full cooperation in such investigations is expected of all employees. Employees who refuse to cooperate in investigations of workplace violence or any other workplace issue may be subject to corrective action up to and including termination.

If the Foundation determines that workplace violence has occurred, the Foundation will take appropriate corrective action, up to and including termination of employment of offending employee(s).

## PROFESSIONALISM

### Courtesy

You should always keep in mind that you are a representative of the Golden Rain Foundation and that the impression people have of you will often be their impression of the Foundation. You should be courteous, professional, tactful, and fair in your relations with others, whether they are residents, vendors, guests, or fellow employees. This behavior will create a favorable impression of the Foundation, will



make our work environment more pleasant and efficient, and will enhance your happiness and satisfaction and that of everyone who comes into contact with the Golden Rain Foundation.

As a representative of the Foundation, you are expected to be courteous and professional to all with whom you come into contact, especially the residents. Be friendly; greet people; ask if they need assistance; help them locate the proper person; always use respectful terms of address; never place a telephone caller on hold for an extended period; direct incoming calls to the appropriate person and make sure the call is received. Courtesy and professionalism are not accidental; they take effort and practice to become an easy habit. You are expected to work at improving your levels of courtesy and professionalism, as they are a significant part of your job.

Employees of the Foundation are expected to treat each other with courtesy and civility at all times. Unfortunately, many of us have a tendency to become careless and indifferent when dealing with people, particularly in written and telephone communications. While this is usually unintentional, such carelessness is unacceptable at the Golden Rain Foundation. You are expected to make a concentrated effort to avoid such conduct by dealing with others in a professional manner.

### **Appearance**

You never get a second chance to make a good first impression. All employees are expected to maintain a neat, clean appearance. The Foundation may lawfully impose dress and/or appearance standards but will not do so in a manner that discriminates against or unduly burdens a protected class member in their employment (such as, for example, restrictions on the wearing of protective hairstyles historically associated with race), nor will the Foundation do so in a manner that prevents or limits the wearing of union-supportive clothing. Employees may dress consistent with their gender identity or gender expression.

Variations in working conditions may result in different requirements for specific clothing, and safety requirements must always be met. However, clothing with slogans of an offensive, political, religious, or suggestive nature is never acceptable. Examples of inappropriate clothing are items that are more in line with active wear - such as clothing for the beach and other outdoor sports activities, or sleepwear types of clothing. Your supervisor, along with the General Manager, will set appropriate standards for your department.

### **QUALITY STANDARD**

The Golden Rain Foundation has established and strives to maintain a reputation for dealing honestly and fairly with residents, employees, suppliers, and competitors. GRF is a quality-driven organization. The Foundation strives to provide quality services every day to every resident on every matter, regardless of the size.

As an employee, you are expected to conduct yourself in accordance with this philosophy by maintaining the highest standard of business and personal conduct, to

try your best on every task and by constantly attempting to improve your knowledge and performance.

## **WORK AREA ACTIVITIES**

All employees are expected to keep their work areas clean, sanitary and organized. Eating and/or drinking at your desk or work area will depend on your position and job duties, and must have approval from your department supervisor. Employees may not take their breaks in other working areas unless the employees in that area are also on break. Being on your break is not a license to disturb others, or to eat your snacks or meal in another work area.

Employees are expected to use the facilities provided for eating and drinking during rest breaks and meal periods. Common areas such as lunchrooms, locker areas and rest rooms should be kept clean by those using them. Clean up after yourself when your meal is over, and properly dispose of your trash.

### **Eating and drinking**

Eating or drinking may be permissible at your work desk or office with approval from your department supervisor. Employees are responsible for cleaning up after themselves on a daily basis.

### **Employee Smoking Policy**

Foundation facilities are for the enjoyment of residents and their guests. Employee activities should never encroach on or interfere with resident/guest use and enjoyment. In furtherance of this general requirement and consistent with California law and City of Walnut Creek ordinances on public smoking, the Golden Rain Foundation prohibits smoking by employees except in specifically designated employee smoking areas and only during designated meal and rest breaks.

Under no circumstances are employees permitted to smoke:

- In any area not approved by applicable local/state law;
- inside any building whatsoever;
- in/on any company owned vehicles whatsoever;
- in common areas provided for use of residents or their guests, including clubhouses, pool decks, golf courses, tennis courts, etc.;
- in an area without an approved cigarette disposal receptacle (improper disposal of cigarettes and related materials presents a health and safety hazard and is unsightly, causing co-workers to expend work hours cleaning up)
  - An exception to this rule is made for Golf employees who are permitted to smoke while on break at their point of rest location in an irrigated, out-of-play area and at least 25 feet from other people and equipment. Employees are required to retain their cigarette butts and not discard them on the ground;
- within twenty-five feet (25') of any building entrance or window; or

- within twenty-five feet (25') of GRF residents or guests, many of whom may be particularly susceptible to the health hazards of secondhand smoke.

The Foundation will endeavor to post appropriate “No Smoking” signs in all buildings and vehicles. However, the absence of a sign shall not be a waiver of this requirement. Employees may obtain a list/map of designated employee smoking areas from HR if necessary. If there is not an approved employee smoking area and receptacle in the vicinity of your workstation, contact HR.

For purposes of this policy, the terms, “smoking” and “smoke” include the use of tobacco and related products, bidi, herbal and/or clove cigarettes, cigars, e-cigarettes, vaping, hookahs and all similar or related devices.

Employees found violating any of the provisions of this Policy may be subject to discipline up to and including termination based on the severity/frequency of violations.

## **VIOLATIONS OF POLICY**

GRF employees, regardless of title or seniority, are expected to comply with all Foundation policies, processes, and procedures. If questions arise, they are to be discussed with the appropriate manager, director, Human Resources, or the General Manager. Ignorance of a policy is not a defense for policy violations, and all violations of policy whether or not specifically listed in this handbook, can result in corrective action up to and including termination of employment.

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## **GENERAL EMPLOYEE INFORMATION**

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### **HIRING RELATIVES**

It is Foundation practice to encourage employees to refer well-qualified people for job openings at the Foundation. As a matter of good practice, GRF discourages the hiring of relatives of current employees. Exceptions to this practice are considered on an individual basis and must have the approvals noted below before an offer can be extended.

Relatives of a management-level employees cannot be considered for employment without the prior written approval of the General Manager and Human Resources. Relatives of current employees will not be considered for employment without the prior approval of the relevant senior department manager and Human Resources. Under no circumstances may relatives work under the supervision or financial audit review of a relative.

### **HIRING RESIDENTS**

In compliance with GRF Policy 401.0, residents (defined for the purposes of this Handbook as anyone living in or owning property in Rossmoor) are not eligible for employment by the Golden Rain Foundation.

### **CHILDREN IN THE WORKPLACE**

For reasons related to safety and insurability, GRF does not permit employees to bring their minor children under age 18 to the workplace.

## **VEHICLE ACCESS TAGS**

All employees of the Foundation are required to apply for and always use a radio frequency identification tag (RFID) tag for their vehicle(s). The access tag allows entrance through the resident entrance lanes 3 and 4 at the Rossmoor entrance gate. Hours of access are determined by your manager and reflect your individual work shifts or work needs. Newly hired employees must apply for and receive their access tag within 3 business days of beginning work.

Foundation employees will receive up to two free access tags for their personal vehicle(s). This tag must be affixed to a vehicle that is owned or leased by the employee and is the employee's primary vehicle(s). Employees must notify the Foundation and the Security office if this vehicle is replaced, changes ownership, and is no longer owned by the employee; a new RFID tag will be authorized for the new primary employee vehicle.

Employees may purchase an access tag for an additional vehicle at the cost current on the day of purchase. No more than 3 access tags per employee are permitted. The access tag application form for an additional access tag must indicate the same days and hours of access as the first RFID tag and must also be signed by your manager. Access tag applications require a valid California driver's license, and current registration and proof of insurance for the vehicle receiving the tag.

## **IDENTIFICATION CARDS**

All employees of the Foundation are issued a photo identification card. While all employees are encouraged to carry their ID cards while at work, employees who do not wear a Foundation-supplied uniform are required to carry their photo identification card while working at Rossmoor. Newly hired employees must apply for and receive their photo identification card within 3 days of beginning work. Those employees who from time to time use a car that does not have a Rossmoor vehicle access tag must show the Gate security officer their photo identification card to gain entrance to Rossmoor. All employees will present their photo identification card when requested to do so by any resident or other employee, or when presenting themselves for entry into a residence. If an identification card is lost, stop by the Securitas office to obtain a new one.

## **EMPLOYEE PARKING**

Employee parking is limited to specified areas. Designated parking areas or spaces shall be established and assigned by the General Manager, division director or assigned delegate. If you have any questions about where you are authorized to park, check with your supervisor.

## **TRAFFIC REGULATIONS IN ROSSMOOR**

The California Vehicle Code is always enforced within Rossmoor: Walnut Creek police officers patrol the streets of Rossmoor. Employees are required to observe all posted traffic signs and regulations including those pertaining to speed limits, use of hands-free cell phones, and wearing safety belts.

Any employee cited for a traffic regulation violation while driving Foundation vehicles or on Foundation business must notify the employee's supervisor at once. In this case, the employee is considered to have violated Foundation safety standards, is responsible for paying all fines and may be subject to corrective action up to and including termination.

## EMPLOYEE CLASSIFICATIONS

All employees fall in one of the following classifications:

1. **Newly Hired:** All employees with less than six continuous months of employment; also known as the 'initial employment period'.
2. **Full-Time:** Any employee paid a salary or an hourly wage rate who is regularly scheduled to work 32 hours or more per week (excluding meal breaks), and who has completed the initial employment period.
3. **Part-Time:** Any employee paid a salary or an hourly wage rate who is hired to work less than 32 hours per week (excluding meal breaks) and who has completed the initial employment period.
4. **Part-Time/On-Call (Relief), Temporary and Seasonal:** An employee who is hired on a temporary basis because of abnormal workloads or emergencies, or employees hired on a seasonal basis, usually for not more than 180 calendar days in a calendar year.

Employees are encouraged to talk with Human Resources if they have questions about which category they are in, and/or the benefits for which they are eligible. Additionally, employees will also fall into one of the following two categories as defined by applicable Federal and state laws:

5. **Non-Exempt Employees:** Non-exempt employees are all those employees who are eligible to be paid for overtime work in accordance with the provisions of applicable wage and hour laws.
6. **Exempt Employees:** Exempt employees are all those employees who are not eligible for overtime pay in accordance with the provisions of applicable wage and hour laws.

Since all employees are hired for an unspecified duration, these classifications do not guarantee employment for any specific length of time.

## NEW HIRE PERIOD (INITIAL EMPLOYMENT PERIOD)

The Golden Rain Foundation recruits carefully and strives to hire the best employee for each available position. It is to the advantage of both the Foundation and the employee to have an initial period of employment in which the employee can assess the Foundation and job content, and the Foundation can appraise the employee's job performance.

For the first six continuous months of employment all new employees are considered to be newly hired. This initial employment period is a get acquainted period, during which the employee's initial response to training, ability to do the job assigned, general attitude and ability to work with others will be evaluated by the Foundation.

*Revised August 2024*

Such evaluation is in no way intended to serve as a compensation review, and the new hire period may be extended at the sole discretion of the Foundation. Additionally, successful completion of the new hire period does not change an employee's at-will employment status or entitle the employee to remain employed for any definite or specific period of time, or to receive an increase in wages. Both the employee and the Foundation are free, at any time, for any reason, with or without notice and with or without cause, to end the employment relationship.

## **EMPLOYMENT VERIFICATION AND RECOMMENDATIONS**

All requests for information about current or former employees, including requests for references or verification of employment, must be directed to Human Resources so that control may be maintained on the dissemination of information. No other supervisor or employee outside of Human Resources is authorized to provide any employment references or release employment information for current or former employees. Current employees at all levels are not authorized to provide "off-the-record" references or written recommendations.

The Foundation will respond to written requests for references or employment verification only. Verbal and phone requests will not be answered. Written requests must contain signature consent or other confirmed consent by the current or previous GRF employee. Requests for a release of information along with signature consent may be mailed to GRF, Attn: Human Resources, 800 Rockview Drive, Walnut Creek CA 94595 or sent by email to HR@Rossmoor.com.

The Foundation will provide the dates of employment and the title of the last position held for current and former employees. If an employee provides written authorization, the Foundation will also provide information on the amount of salary or wages last earned by that employee.

## **PERSONNEL RECORDS**

Employees must immediately report any changes of personal data to the Human Resources department, or submit these change through the Paylocity payroll system. This information includes home mailing address, phone contact number(s), email, number of dependents for applicable benefits related purposes, and persons to be contacted in the event of emergency. All other requests for changes in personal information must be made in writing to Human Resources.

As an employee of the Golden Rain Foundation, you have the right to inspect your personnel file during business hours at a time mutually convenient for you and the Foundation upon reasonable notice. Such reviews take place in the Human Resources office with a member of Human Resources present to answer questions. In addition, employees have the right to request copies of all employment-related documents that they have signed, and may not photograph or otherwise copy any document they did not sign. Employees may take notes on the contents of their file. Employees may inspect only their own personnel file in the presence of a Foundation representative only.

Personnel files are the property of the Foundation and may not be removed from the Foundation's premises without written authorization from the Human Resources

Director. If you wish to review your file, contact Human Resources to set up an appointment.

## **PERFORMANCE REVIEWS**

Performance evaluations are intended to ensure that the Foundation's most valuable resources, its people, meet the high standards of performance necessary for our continued success. Periodic evaluations also benefit our employees by providing a mechanism for ensuring that an individual is properly recognized for continuing productive efforts.

All employees will be evaluated on criteria appropriate for their jobs, which may include these or other categories:

1. Performance of the specific job based upon the job description, written and agreed-to goals and performance expectations;
2. Ability to learn, develop and progress on the job;
3. Technical competence and knowledge;
4. Productivity and ability to perform assigned tasks in a timely manner;
5. Ability to get along with residents, fellow employees, and management;
6. Effective use of working time;
7. Attitude, professionalism and spirit of cooperation and team work;
8. Dependability; and
9. Judgment, discretion and common sense.

While evaluation is a day-to-day ongoing process, formal written evaluations may be scheduled on a periodic basis and become a part of the employee's personnel record. Please note a satisfactory performance evaluation does not guarantee a salary increase, advancement, or continued employment.

## **TRANSFERS AND ASSIGNMENTS**

From time to time, the Foundation may transfer, promote, demote, or reassign an employee to a different location, position, job responsibility, or compensation level when, in its sole discretion, individual circumstances warrant that action.

The General Manager is the only Foundation representative who has authority to promise or to enter into any contract or agreement restricting the Foundation's right to do this, and to be enforceable, any such agreement or promise must be in writing and signed by you and the General Manager.

Management's right to transfer, promote, demote, or otherwise reassign job responsibilities or compensation levels cannot otherwise be amended or altered by any practice or oral or written statement.

## **TERMINATION OF EMPLOYMENT**

Employment with the Golden Rain Foundation is based on mutual consent at the will of both the Foundation and employee. Therefore, both you and the Golden Rain

Foundation have the right to terminate your employment at any time, for any reason, with or without cause. There are five types of terminations:

1. **Resignation**. Employees who decide to terminate their service with the Golden Rain Foundation with written notice are considered to have resigned. Employees are encouraged to provide at least two weeks' written notice of their intention to leave the Foundation. Employees who do not provide such notice may be ineligible for rehire by the Foundation. If for any reason you plan to resign, please discuss your plans with your supervisor or Human Resources before making your final decision. Once accepted, a letter of resignation cannot be withdrawn, unless expressly authorized in writing by the General Manager. Please understand that the Foundation reserves the right to accept a resignation immediately or to accelerate the final date of employment.
2. **Quit**. This is the term applied when an employee voluntarily leaves the Foundation without submitting written notice. An employee who fails to report to work for more than three (unless more time is required by applicable law) consecutively scheduled workdays without notice to, or approval by the employee's supervisor, will be considered to have abandoned the job and voluntarily quit employment with the Foundation. Employees who quit may be ineligible for rehire by the Foundation.
3. **Layoff**. This term refers to the termination of employment by the Golden Rain Foundation due to a lack of work or change in operations. The Foundation will choose the order of layoff in its sole discretion, using factors such as ability, aptitude, personal professional qualifications, experience and record with the Foundation. Employees who are laid off may be eligible for rehire by the Foundation.
4. **Release**. Release is Foundation-initiated termination of employment, also called "involuntary termination of employment. Employees who are released may be ineligible for rehire.
5. **Retirement**. Retirement is the voluntary ending of employment with the Foundation when eligible to begin drawing a pension or 401(k) required minimum distributions. Once accepted, a notice of retirement cannot be withdrawn, unless expressly authorized in writing by the General Manager.

Upon termination, employees are required to return all Foundation property in their possession, arrange to clear any outstanding debts with the Foundation, and will receive their final pay, sundry required forms and other information.

When feasible and appropriate, Human Resources will schedule an exit meeting with employees who leave the Foundation. This interview allows employees to communicate their views on their work with the Foundation and the job requirements, operations and training needs. It also provides exiting employees an opportunity to discuss issues concerning the continuation of benefits and insurance.



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## ***BENEFITS***

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### **HEALTH BENEFITS ELIGIBILITY CRITERIA**

Eligibility for participation in Foundation-sponsored health benefits (currently medical, dental, vision, and flexible spending plans) is based on the non-represented employee's regularly scheduled work hours as follows:

Non-represented Full-Time employees regularly scheduled to work 32-40 hours per week are eligible to participate in all Foundation-sponsored benefit plans.

Non-represented Part-Time employees regularly scheduled to work 20-31 hours per week are eligible to participate in the medical plan and may be eligible for other Foundation-sponsored benefits.

Non-represented Part-Time employees regularly scheduled to work less than 20 hours per week are not eligible to participate in medical and other health benefit plans and may be eligible for other Foundation-sponsored benefits.

Non-represented Temporary, Part-Time/On-Call, and Seasonal employees are not eligible for Foundation-sponsored benefits unless required under applicable law.

Eligibility criteria may change from time to time as the Foundation deems appropriate and/or in compliance with applicable laws and regulations. Employees in non-represented job classifications will be advised of their benefits eligibility as part of their orientation meeting. Contact the Payroll/Benefits Administrator if you have specific questions about your benefits eligibility.

Employees in represented job classifications are eligible to participate in union-sponsored health and welfare plans on the first day of the month following their second month of employment regardless of the number of hours regularly scheduled. Represented employees will be given contact information for the union at their union orientation meeting.

### **HEALTH BENEFITS OVERVIEW**

The Golden Rain Foundation currently maintains group medical, dental and vision plans, a flexible spending arrangement program, term and voluntary supplemental life insurance programs, and other benefit plans for eligible employees. Available benefits may change from time to time as the Foundation deems appropriate. Contact the Payroll/Benefits Administrator if you have any questions about benefits coverage, eligibility, etc.

Health insurance coverage for eligible employees and their dependents is offered in accordance with the terms of the current medical, dental and vision insurance plans and eligibility requirements and applicable laws and regulations. Other requirements as well as coverage specifics are subject to change from time to time.

Knowingly enrolling people who do not meet the current plan definition of "authorized or qualified dependent" is considered fraud and will result in corrective action up to and including termination, and repayment of premium monies paid by the Foundation for fraudulently covered dependents. All employees are responsible for familiarizing themselves with health plan definitions. Employees may from time

to time be asked to prove that a person listed as a dependent meets the definition. This may mean providing marriage certificates, birth certificates or other equivalent proof as requested.

Benefits availability (i.e., the type of plans, extent of coverage, amount of employee co-pay, etc.) is subject to change when in the sole opinion of the Foundation such changes are necessary. Employees will be given advance notification of benefits availability changes as required by law, and in the absence of such law, will be given a minimum of 30 days advance notice.

## **HOLIDAYS**

Currently, the Foundation has designated eleven (11) holidays in the calendar year. These holidays are: New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving and the following Friday, Christmas Eve and Christmas Day. The holiday schedule for the upcoming year is posted and made available to employees no later than first December paycheck release of the prior year.

All non-exempt full-time and part-time employees regularly scheduled to work a minimum of 20 hours per week are eligible for holiday benefits. Eligible part-time employees will receive holiday pay equal to their average workday. Part-time employees regularly scheduled to work less than 20 hours/week, temporary, on-call, relief, and seasonal employees are not eligible for holiday pay.

In order to be eligible for holiday benefits, a qualified employee must, unless excused from work by the Foundation, work the last scheduled workday before and the first scheduled workday after the Foundation-recognized holiday.

The Foundation may, in its sole discretion, require some or all employees to work on a Foundation-recognized holiday. In the event the Foundation requires a non-represented employee entitled to holiday benefits to work on a Foundation-recognized holiday, that employee will receive holiday pay, plus the employee's regular rate of pay for all straight-time hours worked on the holiday and overtime pay for any overtime hours worked. Represented employees will be compensated in accordance with the current collective bargaining agreement.

Employees scheduled to work on a Foundation-recognized holiday who are sick and unable to work will receive holiday pay for the missed day, and their sick leave will not be charged provided they otherwise comply with the policies for reporting sick leave. An employee who fails to call in and report for scheduled work on a Foundation-recognized holiday for any reason not protected by applicable law is not eligible for holiday pay benefits unless medical certification is provided.

If a Foundation-recognized holiday falls within an employee's scheduled and approved vacation period, the employee will not be charged vacation time for that holiday. If a Foundation-recognized holiday falls during an unpaid leave of absence, no pay will be given for the holiday.

## **SICK LEAVE AND KIN CARE LEAVE**

### **Accrued Sick Leave (Full Time and Part Time Scheduled 20+ Hr./Week)**

Golden Rain has established an accrual-based sick leave policy to help employees with the financial burden of lost work incurred because of scheduled health appointments, personal illness or to attend to the scheduled health appointments and/or illness of their child, parent (including parent-in-law), spouse, or registered domestic partner, grandparent, grandchild, sibling, or designated person.

In compliance with applicable law, “spouse” refers to a legally married partner, and “child” refers to the biological, adopted and/or foster child(ren) of the employee, and those of a spouse or registered domestic partner. In addition, accrued sick leave may be used by an employee who is a victim of domestic violence, sexual assault, or stalking. The sick leave policy is designed to cover medical emergencies and occasional and infrequent absences and should not be abused.

Sick leave is authorized at the discretion of the Foundation for bona fide illnesses and injuries and planned medical appointments that prevent the employee from performing normal job duties. To the extent permitted by applicable law, a health provider’s verification may be required at the sole discretion of the Foundation, whether leave is being used for the employee’s own appointments or illness, or the appointments or illness of their child, parent (including parent-in-law), spouse, registered domestic partner, or registered domestic partner’s child, grandparent, grandchild, sibling, or designated person.

To use sick leave for planned medical appointments, employees must provide their supervisor with reasonable written notification of planned medical appointments, typically at least 2 days prior to the appointment. (Requests for related time off through the payroll system (Paylocity) are acceptable as having provided written notification.) Any communications regarding medical-related leaves or absences should be made through email or by a written document to your supervisor or Human Resources. For unplanned absences, absent mitigating circumstances, employees must notify their supervisor as soon as practicable, typically at least one hour before their scheduled start time on the date of the absence to be eligible for sick leave. Abuse or fraudulent use of sick leave will result in corrective action up to and including termination.

### **California Paid Sick Leave (Part Time Less than 20 Hr./Week, Temporary, Part-Time On-Call (PTOC), Seasonal)**

In compliance with the state’s paid sick leave law, the Foundation grants the greater of 5 days or 40 hours of paid sick leave to part-time employees regularly scheduled to work less than 20 hours per week, and to temporary on-call, relief, and seasonal employees. This grant is made immediately upon hire and is available for use following completion of the statutory eligibility period (30 days of work for the Foundation). The maximum amount of paid sick leave for employees in these employment status categories is capped at 40 hours per calendar year.

For continuing employees in one of these categories, another grant of 5 days (40 hours) of paid sick leave will be made on January 1 of each following year. Unused paid sick leave is not paid out at termination.

Employees granted paid sick leave under this law may use this leave for their own illness or appointments, or for the illness or appointment of a child, parent (including parent-in-law), spouse, registered domestic partner, grandparent, grandchild, sibling, or designated person. In addition, paid sick leave may be used by an employee who is a victim of domestic violence, sexual assault or stalking.

Paid sick leave is authorized at the discretion of the Foundation for bona fide illnesses and injuries and planned medical appointments that prevent the employee from performing normal job duties. To the extent permitted by applicable law, a health provider's verification may be required at the sole discretion of the Foundation, whether leave is being used for the employee's own appointments or illness, or the appointments or illness of their child, parent (including parent-in-law), spouse, registered domestic partner, or registered domestic partner's child, grandparent, grandchild, sibling, or designated person.

To use sick leave for planned medical appointments, employees must provide their supervisor with reasonable written notification of planned medical appointments, typically at least 2 days prior to the appointment. (Requests for related time off through the payroll system (Paylocity) are acceptable as having provided written notification.) Any communications regarding medical-related leaves or absences should be made through email or by a written document to your supervisor or Human Resources. For unplanned absences, absent mitigating circumstances employees must notify their supervisor as soon as practicable, typically at least one hour before their scheduled start time on the date of the absence to be eligible for sick leave. Abuse or fraudulent use of sick leave will result in corrective action up to and including termination.

### **Sick Leave Computation**

Full-time accrue sick leave at the rate four hours per pay period up to a maximum of 12 days or 96 hours of paid sick leave per year. Consistent with applicable law, part-time employees scheduled to work more than 20 hours per week will receive prorated sick time based on how many hours they are regularly scheduled to work. Unused sick leave can be carried forward to the following year. However, eligible employees cannot accrue more than 240 hours (30 days) of sick leave at any time.

Part-time employees regularly scheduled to work less than 20 hours per week Temporary, Part-Time On-Call (PTOC) and Seasonal employees are eligible to take paid sick leave after completion of 30 days of work with the Foundation. These employees are granted the greater of 5 days or 40 hours of paid sick leave upon hire and may begin using their leave on the 31<sup>st</sup> day of work. Employees hired into these employment status categories may carry over any remaining sick leave from their first year of employment into their second year. The maximum amount of paid sick leave for employees in these employment status categories is capped at 40 hours per calendar year.

Part-time employees regularly scheduled to work less than 20 hours per week, Temporary, Part-Time On-Call and Seasonal employees whose employment continues will receive an annual grant of up to the greater of 5 days or 40 hours paid sick leave in subsequent years, effective January 1 of each ensuing year worked. Unused paid sick leave at the end of each year will carry over into the next year subject that, together with the 5 days/40 hours frontloaded each January 1, does not exceed a maximum cap of 40 hours of paid sick leave per year. All paid sick leave in excess of 40 hours at the end of the year will be forfeited and will not be paid out at separation. Sick leave grants, in compliance with current state law, are allocated yearly. Unused time is not paid out at the end of employment. If you have questions about how California Paid Sick Leave works, please contact Human Resources.

Paid sick time may be taken in increments of two-hours. Exempt employees should enter no more than eight hours of sick time for a single day absence.

For non-exempt employees, paid sick time will be paid at the employee's regular rate of pay in effect at the time the paid sick leave is taken. For exempt employees, paid sick time will be calculated in the same manner the Foundation calculates wages for other forms of paid leave time (i.e. vacation).

### **Integration of Benefits**

Sick pay to which an employee is entitled is normally integrated with any state disability pay, Paid Family Leave benefits, or Workers' Compensation temporary disability payments for which the employee is eligible. Employees who have sufficient sick leave to cover their anticipated leave period may choose to not integrate their benefits during this time. Request not to have accrued sick leave benefits integrated must be confirmed in writing to Human Resources.

In the event of occupational injury or illness and if the employee has accrued sick leave, the Foundation will pay sick time to an eligible employee during the normal three-day waiting period before the employee is paid Workers' Compensation benefits pursuant to applicable law, regulation, and ordinance.

Similarly, if the employee has accrued sick leave, the Foundation will pay sick-leave benefits during the normal seven-day waiting period before the eligible employee is paid benefits from either state unemployment disability or other insured unemployment disability plan.

In accordance with applicable law, the Foundation will pay accrued sick leave benefits for the mandatory waiting period. When the waiting period has expired, sick leave benefits will cease. However, at the employee's option, sick leave benefits may be continued as long as the employee has accrued sick leave available for use. In this case, the employee will continue to receive sick pay less disability benefits actually received, or the disability benefits that would have been received had the employee made timely application.

Employees must notify HR and Payroll in writing if they wish to continue to receive sick leave benefits after the expiration of the waiting period.

As sick pay benefits are designed only to assist an employee who misses work due to a medical appointment, an actual illness, injury, medical leave of absence or other approved time off for health related reasons, no sick leave benefits are paid upon termination of employment for any reason, nor can sick leave benefits be applied as extra vacation.

The Foundation will not discriminate or retaliate against any employees seeking to exercise their rights under this policy.

## **VACATION LEAVE**

Vacation benefits are offered to full-time and regularly scheduled part-time employees. Vacation leave is for pre-planned absences from work. In general, employees may take accrued vacation time anytime during the year, subject to proper notice, work and staffing requirements and prior Foundation approval.

**Vacation leave approval is not automatic and requested vacation time may not be taken until the leave request is approved by your supervisor or manager. Unless otherwise directed by your supervisor, any communications regarding planned absences should be made through a submitted vacation request through Paylocity.**

You are encouraged to submit your request for vacation to your supervisor through Paylocity as far in advance as possible. Your supervisor will tell you how much advance notice is required for your department. In the interest of avoiding undue interruption of our operations, it may be necessary to schedule your vacation at a time different than originally requested. In the case of a vacation scheduling conflict, vacations will be approved at the sole discretion of the Foundation.

The Foundation is convinced that everyone needs some time off for relaxation and personal enjoyment. Vacation time away for personal enjoyment can support renewed focus and interest in work, thus improving performance overall. Accordingly, it is our policy that vacations must be taken and in general, employees will not receive pay in lieu of vacation except on termination of employment as set forth in subparagraph (B) below. However, under limited circumstances, and at the General Manager's discretion, exceptions may be granted. Employees interested in an exception are directed to Human Resources for information regarding vacation payout criteria.

Vacation accrual may not exceed two times an employee's annual accrual. Once this cap is reached, no further vacation will accrue until some accrued vacation time is used. Once some accrued vacation time is used, vacation time will again begin to accrue. There is no retroactive grant of vacation time for the period of time the accrued vacation level was at the cap. Additionally, if vacation time again accrues to the cap, the accrual of vacation will again cease until some vacation time is used.

Exempt-level employees who have accrued sufficient vacation leave are required to use vacation pay for related absences in increments of 4 hours when working less than a normal work day.

Employees are expected to manage their vacation accrual and are reminded that reaching the vacation accrual limit (“capping”) does not guarantee automatic approval of a vacation request. Vacation leave must be requested in advance and approved by the supervisor or manager before it can be taken.

Additional vacation time is not generally granted if you are sick during your vacation period. If, however, you become seriously ill while on vacation leave, the Director of Human Resources may, upon your written request and receipt of a doctor’s note, classify your time off work as sick leave and not vacation.

### **Vacation Accrual**

1. In the first through fourth years of continuous employment, full-time employees will accrue vacation time at the rate of .0385 hours for all hours worked up to a maximum of 10 vacation days per year. Regularly scheduled part-time employees will accrue on a prorated basis.
2. In the fifth through ninth years of continuous employment, full-time will accrue vacation time at the rate of .0577 hours for all hours worked up to a maximum of 120 hours or 15 workdays of vacation per year. Regularly scheduled part-time employees will accrue on a prorated basis.
3. In the tenth year of continuous employment and each year of continuous employment thereafter, full-time employees will accrue vacation time at the rate of .0769 hours for all hours worked up to a maximum of 160 hours or 20 workdays of vacation per year. Regularly scheduled part-time employees will accrue on a prorated basis.

### **Vacation Rights Upon Termination**

Accrued and unused vacation will be paid out at separation subject to the applicable maximum cap. Pay will not be granted in lieu of using accrued vacation during employment. However, the Foundation reserves the right to cash out all, or any portion, of accrued vacation benefits at any time.

### **Vacation Pay Computation**

1. Vacation hours for eligible employees will be paid at the average straight-time hourly rate in effect at the time the vacation hours are paid. The equivalent straight-time hourly rate for salaried employees will be determined by dividing their base weekly salary by 40, or their equivalent regularly scheduled weekly hours.
2. Vacation hours are accrued only on straight-time hours actually worked or paid (holidays, vacations, paid sick leave, jury duty and paid bereavement leave) up to a maximum of 40 such hours per week. Employees shall not accrue vacation hours for unpaid sick leave or unpaid leaves of absence, unless otherwise required by law, regulation, or ordinance.

### **OTHER TIME OFF**

In accordance with applicable laws, GRF offers a number of other leaves listed below. Leaves must be approved by Human Resources and employees are

encouraged to contact Human Resources for details regarding eligibility and documentation requirements.

### **Bereavement**

In the event of the death of an immediate family member as defined below, full-time employees will receive up to three days paid time off to handle the necessary details and attend the funeral or related services. Part-time employees regularly scheduled for 20 - 31 hours per week are also eligible for up to three days paid time off and will receive bereavement pay equal to their average workday. An additional 2 days of unpaid time off for bereavement purposes is available to all employees for a total of up to five days of paid or unpaid leave, depending on eligibility, per qualifying bereavement policy reasons and under the following conditions:

1. Bereavement leave must be completed within three months of the death of the family member.
2. Bereavement leave can be used intermittently during the three months following death of a qualified family member.
3. Bereavement leave is only available to employees who have been employed for at least 30 days.
4. Documentation to support the requested leave should be submitted to Human Resources or Payroll for the time requested.

Employees must provide documentation to support leave for bereavement purposes. Acceptable documents may include a death certificate; a published obituary; or a verification of death, burial or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution or government agency. In the event that an employee has to travel more than 300 miles one way to attend services in connection with the death in the employee's immediate family, with proof of travel provided to HR, full and part-time employees will be allowed to be absent from work up to four (4) working days with pay.

For purposes of bereavement leave only, immediate family is defined as the spouse, domestic partner, child, son-in-law, daughter-in-law, sister, sister-in-law, brother, brother-in-law, mother, father, mother-in-law, father-in-law, grandparent, grandchild, aunt, uncle, niece or nephew of the employee. This leave does not affect accrued vacation or sick leave, however accrued sick or vacation time may be used to supplement unpaid time off for qualified bereavement purposes.

Part-time employees regularly scheduled to work less than 20 hours per week Temporary, Part-Time On-Call (PTOC) and Seasonal employees do not receive paid bereavement but may take up to 5 days of unpaid time off for bereavement related purposes for qualifying reasons.

The Foundation will not retaliate or discriminate against an individual because of their exercise of their right to bereavement leave or because of the individual giving information or testimony as to their own bereavement leave, or another person's



bereavement leave, in an inquiry or proceeding related to rights guaranteed by California Government Code 12945.7. The Foundation will not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right to bereavement leave under applicable law.

The Foundation will maintain the confidentiality of any employee requesting leave under this policy. Any documentation provided to the Foundation under this policy will be maintained as confidential and will not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

### **Civil Air Patrol**

Employees who are members of the Civil Air Patrol may take up to 10 days unpaid leave in a calendar year for required Civil Air Patrol duty. The leave for a single emergency mission cannot exceed three days, unless the mission is extended by the entity in charge, and the Foundation approves the employee's leave extension. Employees are eligible for Civil Air Patrol leave after 90-days of employment. Employees who are eligible for this leave may use accrued vacation, or take the time as unpaid, as they prefer. The leave should be requested in advance if possible, and appropriate documentation must be provided. Failure to provide the required certification will result in denial of protected leave status. Contact Human Resources for other eligibility requirements, and the documentation required to take this leave.

### **Survivors of Domestic Violence Employment Leave Act**

#### **1. Crime Victims - Judicial Proceedings**

Employees who are the victims of specific crimes, or whose immediate family member is the victim of a covered crime, are entitled to a protected unpaid leave of absence to attend judicial proceedings related to the crime. Leave must be requested in advance whenever possible, and a copy of the judicial notice must be provided; failure to provide required documentation will result in denial of protected leave status. In compliance with the state law, employees who are eligible for this leave may use accrued sick leave or vacation, or take the time as unpaid, as they prefer. Employees who are the victims of a crime should contact Human Resources to determine if they are eligible for this protected unpaid leave, and the documentation required to take this leave.

#### **2. Crime Victims - Victims' Rights Proceedings**

Employees who are the victims of specific crimes, or whose immediate family member is the victim of a covered crime, are entitled to take protected unpaid time off to attend proceedings related to covered crimes in which a right of the victim is at issue. Leave should be requested in advance and appropriate documentation must be provided; failure to provide required documentation will result in denial of protected leave status. Employees may use accrued sick leave or vacation time or take this leave as unpaid, as they prefer. Contact Human Resources for eligibility requirements, and the documentation required to take this leave.

### 3. Survivors of Domestic Violence and Sexual Assault

An employee who is a victim of stalking, domestic violence, sexual assault, a crime that caused the employee physical injury or mental injury and a threat of physical injury, or whose immediate family member is deceased as the direct result of a crime, may take time off from work to obtain assistance from service providers, to locate a shelter or other safe living quarters, to participate in safety planning, or take other actions to enhance safety from future domestic violence or sexual assault, including temporary or permanent relocation. Employees may use accrued sick leave or vacation time or take this leave as unpaid, as they prefer.

Leave should be requested in advance and appropriate documentation must be provided. When an unscheduled absence occurs, the Foundation may choose to require that the employee provide a certification within a reasonable time after the absence. Time off for reasons that are covered under the Family Medical Leave Act will run concurrently with any FMLA-leave to which an employee is eligible. Protected leave under the FMLA will be capped at 12-weeks in accordance with such law.

The Foundation shall maintain the confidentiality of any employee requesting leave under this policy to the extent allowed by law.

The Foundation will not discriminate or retaliate against an employee because of the employee's status as a victim of crime or abuse or an immediate family member of an individual who is deceased as the direct result of a crime.

The Foundation will provide reasonable accommodations for the safety of employees while at work who disclose that they are the victims of domestic violence, sexual assault or stalking.

Employees who believe they may qualify for protected unpaid time off under this law should see Human Resources for additional information.

### **Jury Duty**

GRF recognizes every employee's civic duty with respect to serving on juries or as a witness when called. Accordingly, if you are summoned as a witness or for jury duty, notify your supervisor immediately. GRF provides for up to two weeks (a maximum of eighty hours) of paid jury duty leave per calendar year. For longer trials, additional unpaid time off will be granted. You are required to provide proof of jury/witness service. This leave does not affect accrued vacation or sick leave.

### **School Activities**

Employees who are the parent or guardian of a school-age child are eligible for School Activities Leave. If available, eligible employees must use accrued vacation leave for this time. If accrued vacation leave is not available, this would be regarded as unpaid leave. Contact Human Resources for eligibility requirements, and the documentation required to take this leave.

## **Volunteer Civil Service**

Employees who are volunteer firefighters, reserve police officers, or emergency rescue personnel may take up to 14 unpaid days per calendar year for volunteer civil service duty and/or training for these duties. If available, eligible employees may use accrued vacation leave for this time or take this time as unpaid, as the employee prefers. Contact Human Resources for eligibility requirements, and the documentation required to take this leave.

## **Voting Leave**

Employees may take up to two hours paid leave to vote in a statewide election when the employee does not have sufficient time outside of work to do so. Voting leave must be taken at the beginning or end of the regular shift, employees must provide a minimum of two (2) working days advance written notification of their intent to take voting leave, and proof of voting is required.

In addition to the above protected leaves, GRF also provides for the following emergency leave:

## **Forced Time Off (Emergency Office Closing)**

When the Foundation is forced to temporarily suspend normal business activities (for example, after an earthquake, or as the result of a power outage), and it is safe to do so, employees currently at work will be sent home and will be paid for their normal working shift on that day. Employees scheduled to work who are notified to not come in due to the closing will also be paid their normal shift hours for the date of notification. Subsequent time off due to the emergency that requires the office to remain closed is unpaid; employees may use accrued vacation if desired.

## **RETIREMENT PROGRAMS**

GRF maintains a 401(k) benefit program for eligible non-represented employees which may be subject to changes from time to time. The 401(k) plan currently includes a GRF contribution equal to 3% of the employee salary, and a match of up to 2% of the employee salary for participating employees. Contact the Foundation Benefits Administrator or Human Resources for current plan details and eligibility requirements.

Represented employees participate in a pension plan through their Union. Contact the Union Benefits Administrator for current plan details and for any other information desired.

## **GOVERNMENT BENEFITS**

Federal and state laws require employers to provide employees with certain benefits. These statutory benefits include programs such as Social Security, unemployment insurance, workers' compensation, and paid family leave (PFL). GRF pays the entire cost of unemployment insurance and workers' compensation and contributes to the cost of employee Social Security benefits. Statutory benefits may provide employees and their families with financial assistance, in addition to Foundation-sponsored benefits.

## **Social Security (SS)**

The Social Security Act provides a wide range of programs to ensure you enjoy a basic level of benefits in the event of death, disability, or retirement. Most of these benefits are financed by payroll taxes.

Your Social Security benefits include retirement insurance, survivor's insurance, disability insurance, Medicare, supplemental security income, and unemployment insurance.

Social Security benefits are adjusted frequently, and rules and regulations change. You should contact your local Social Security office to obtain the latest information about the benefits to which you are entitled.

## **Workers' Compensation and Occupational Health Insurance (WC)**

California's workers' compensation and occupational health laws prescribe certain medical, hospital, disability compensation, rehabilitation, and/or death benefits to be paid in the event of injury or death due to accidents or illness arising out of and in the course of employment. Golden Rain Foundation pays the full cost of insurance to cover these statutory benefits. GRF employees are automatically covered by this insurance while employed by the Foundation.

**If you are injured while at work, you must immediately report your injury to your supervisor and to Human Resources. Remember that minor injuries (which at the time may seem trivial but which may later require medical attention) may also be covered and should be reported as soon as possible after they occur and no later than the next business day after the injury occurs.**

## **State Disability Insurance (SDI)**

Employees of Golden Rain are covered under California's Disability Insurance (SDI) program. This program provides short-term partial compensation replacement when employees are unable to work due to non-work-related injury or illness. The state disability insurance program is administered by the California State Employment Development Department (EDD), which determines eligibility. Employees are expected to apply for SDI when appropriate if off work for non-work-related injuries or illnesses.

## **Unemployment Insurance (UI)**

Golden Rain pays the State of California for unemployment insurance for California employees who lose their jobs or who have had their regularly scheduled hours reduced through no fault of their own. Unemployment insurance is coordinated through the California State Employment Development Department (EDD), which determines a person's eligibility.

## **Paid Family Leave Benefits (PFL)**

Paid Family Leave (PFL) is a benefit program administered by the California Employment Development Department (EDD), not the Foundation. PFL is not a type of leave and is not a protected leave program. PFL is a partial wage replacement

program for employees who are unable to work because they must care for a family member and is administered by the EDD.

Paid Family Leave is a wage replacement program and is not a separate leave. Receiving PFL benefits from the State does not entitle an employee to take any additional time off during a qualifying leave of absence. The EDD decides whether an employee is eligible for PFL benefits and employees must apply for PFL benefits through the EDD. The requirements and benefits are determined by the State and may change from time to time. Interested employees should check the EDD website to confirm their eligibility. Employees who wish to apply for PFL must use the EDD's website at [www.edd.ca.gov](http://www.edd.ca.gov).

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## ***ATTENDANCE POLICIES***

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### **ATTENDANCE**

Tardiness and unplanned absences cause problems for the residents, your fellow employees and your supervisor. When you are absent, others must perform your workload, just as you must assume the workload of others who are absent. Consequently, all Golden Rain employees are expected to maintain regular attendance, be on time, and work as scheduled. Prompt arrival at the beginning of each workday and after rest and meal breaks is essential.

For purposes of this policy the following definitions apply:

**EXCUSED ABSENCE**: An excused absence is one that is approved in advance, where there are mitigating circumstances, one that receives subsequent approval from the manager, or is otherwise protected by applicable law.

**UNEXCUSED ABSENCE**: Except in unusual instances, an unexcused absence is taking time off without prior approval. Common examples that result in unexcused absences include failing to obtain advance approval for a vacation day.

### **ABSENCE NOTIFICATION**

In general, except when such absence is protected by applicable law, no employee is to be absent unless permission has been secured in advance from the employee's supervisor. In order to limit problems caused by absence or tardiness of employees, Golden Rain has adopted the following policy, which applies to absences not previously approved by management.

If you are unable to report for work for any reason on a scheduled workday, notify your supervisor by telephone, email or text as soon as possible, preferably at least one hour before your scheduled time to begin work. You may call email or text your supervisor directly. Some departments, at the discretion of the department manager, may request that staff members report their absences using the Foundation's absence call-in number. **The absence call-in number is (925) 988-7606.** When calling, leave your name, your supervisor's name, the date, the reason for your absence and the date you expect to return to work.; Your supervisor will be notified of your call-in absence. You must call-in or contact your supervisor every day that you are sick, to the extent feasible, or unable to work unless on an approved leave of absence.

If you will be late to work and call less than one-half hour before your scheduled time to begin work, you will be considered tardy for that day unless extenuating conditions satisfactory to your supervisor are present. Absent mitigating circumstances, such as where the absence is protected by applicable law, if you fail to report to work without any notification to your supervisor, your absence will be considered unexcused, regardless of the reason for the absence.

### **ABSENTEEISM**

The Foundation defines “absenteeism” as being away from the job on a recurrent or habitual basis through either the improper use of sick leave or through recurrent or habitual unpaid time off. A pattern of absenteeism (for example, frequently calling in “sick” the day before or after regularly scheduled days off) will result in investigation and appropriate responsive action. Absent any compelling explanation, excessive absenteeism or tardiness will result in corrective action up to and including termination of employment. Any unexcused absence is considered by Golden Rain to be excessive, as are any three instances of unexcused tardiness during any six-month period.

### **MAKE-UP TIME**

The Foundation realizes that non-exempt employees occasionally need time off and may wish to avoid reductions in their sick leave or vacation bank. To meet this need, the Foundation has established a Make-Up Time policy. Make-Up Time is for occasional use and may be used no more than 4 times a year for any individual non-exempt employee.

Make-up time may be used when **ALL** the following criteria are met:

- Requested in writing in advance; **AND**
- Time will be made up during the employee’s regular workweek; **AND**
- Time will be made up in the same employee work week as the time missed; **AND**
- Make-up time may not exceed 2 additional hours in a single day and may not result in more than 40 hours worked in the employee work week; **AND**
- Must be worked before the missed time occurs; **AND**
- Must be requested by the employee and cannot be required by the supervisor; **AND**
- Must be approved in advance in writing by the supervisor or manager; **AND**
- The original signed form must be provided to HR within 1 business day.

**Make-up time cannot be used to compensate for tardiness or unplanned absences.**

A copy of the written request and approval must be attached to the timecard; failure to do so will result in an unexcused absence.

Regular or frequent use of make-up time to avoid reductions in sick leave or vacation banks is not allowed. As a guideline, absent mitigating circumstances approved by Human Resources, no more than 4 instances or 8 hours of make-up time per year may be approved for any single employee.

## **JOB ABANDONMENT**

The Foundation expects all employees to report to work as scheduled, or to call in when unable to work, as outlined above. Absent mitigating circumstances approved by the relevant Director and the Human Resources Director (for example, documented inability to notify the Foundation), any employee who misses more than three (3) (or other such time as required by applicable law) consecutive scheduled work days without notifying the Foundation will be deemed to have abandoned the job and their employment will be terminated.

## **TELECOMMUTING**

The Foundation permits certain employees to telecommute. Telecommuting, however, is not an employee entitlement. All telecommuting relationships are at the discretion of the Foundation and may be terminated by the Foundation at any time for any or no reason, subject to applicable law. The Foundation's employment policies as outlined in this Handbook apply equally to telecommuting employees. In addition, due to the nature of telecommuting, additional terms and conditions will apply to telecommuters. In any instance in which telecommuting is permitted, the Foundation and the employee will execute a written agreement defining the terms and conditions that will apply, including, but not limited to, the work duties that are deemed suitable for telecommuting, the hours or work schedule that will be in effect, and the employee's responsibilities and obligations as a telecommuter.

The Foundation will comply with all applicable laws with regards to the telecommuting arrangement, including any applicable laws based on the employee's remote work location. The Foundation will pay for all reasonable and necessary business expenses incurred due to telecommuting to the extent required by California law.

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## ***PAY POLICIES***

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### **HOURS OF WORK, OVERTIME, PAY DATES**

The basic workday for full time non-exempt personnel is eight hours, which does not include mealtimes. The basic workweek for full time non-exempt personnel is five workdays. For payroll purposes, the workweek starts at 12:01 AM Monday and ends at 12 Midnight Sunday for all employees. The standard work schedule is Monday through Friday. However various positions may be assigned a different working schedule (for example, Tuesday through Saturday; Sunday through Thursday, etc.) to meet the business needs of the Foundation.

Employees working in regular full-time or part-time positions are scheduled to work a set number of hours each work week on a consistent basis. It is expected that employees work their full number of regularly scheduled hours, except for qualifying reasons for time off from work such as vacation, illness, jury duty, qualifying leaves

of absence, or for other reasons protected under federal or state laws. *(For example, employees working a full-time weekly schedule of 40 hours are expected to work no less than 40 hours each week.)* Time-off without pay is not permitted unless approved by the Department Head and the Human Resources Director, or covered by a qualifying leave of absence.

Depending on the need for time off from work, accrued vacation or sick leave benefits may be used for qualifying reasons. Vacation may be required if time off without pay is reported but not supported by a qualifying reason. However, a lack of accrued leave benefits does not automatically permit an employee to take time off from their regularly scheduled work week without pay. Employees who are not able to meet the attendance requirements of their regularly scheduled work week without a qualifying reason may be subject to corrective action up to and including termination of employment.

### **Meal Breaks and Rest Periods**

In accordance with applicable law, and as a matter of Foundation policy, non-exempt employees receive a one-half hour (30 minutes) unpaid meal break close to the middle of their workday which must begin before the 5<sup>th</sup> hour of the shift, and ideally between the 4<sup>th</sup> and 5<sup>th</sup> hour of the shift. Non-exempt employees who work no more than six hours per day can waive their right to an unpaid meal period, with the consent of the Foundation. Non-exempt employees who work more than 10 hours in a day are provided a second unpaid, off-duty 30-minute meal period. However, any employee covered by this policy who works no more than 12 hours can waive the second meal period, but only if the first one was not waived in any manner. Any waiver of the second meal period must be in writing and submitted before the second meal period. See Human Resources if you would like to sign and submit a form that waives your right to a second meal period, as explained above.

Employees are encouraged to take their meal periods and are not expected to and should not work during their meal periods. Employees are relieved of all duties and should not work during the meal period. When taking a meal period, employees should be completely off work for at least 30 minutes. Employees are prohibited from working “off the clock” during their meal periods. Employees must clock out for their meal periods. Employees are expected to clock back in and then promptly return to work at the end of any meal period.

Non-exempt employees scheduled to work three and a half hours or more per day are provided one fifteen-minute rest period every four hours or major fraction thereof worked. Rest periods should be taken at the approximate midpoint of each four-hour period as is practical. Employees should notify their supervisor or Human Resources immediately if anyone interferes with their ability to take their required rest and meal breaks.

**In compliance with state law, rest breaks may not be waived, combined with each other or with the meal break, or applied to the start or end time of the work shift.**



All meal breaks and rest periods may be taken outside the employee's work area. Employees will be relieved of all duties and responsibilities and restrictions during meal breaks and rest periods and are free from the Foundation's control. You should not visit or socialize with employees who are working while you are taking your rest break or meal period. You may leave the premises for your meal periods and, where practicable, your rest breaks. Employees are free to silence any mobile device during any meal and/or rest period.

**Non-exempt employees are not required to work through their meal period.**

Employees who are unable to take their meal period or unable to take their meal break before the 5<sup>th</sup> hour will be compensated with a meal premium based on state wage and hour laws. Employees who habitually work through their meal period in non-emergency situations and/or without prior supervisor approval are subject to corrective action up to and including termination.

Employees may notify Human Resources if they believe they are being pressured or coerced by any manager, supervisor, or other employee to not take any portion of a provided rest break or meal period.

## **Overtime**

Various factors, such as workloads, resident needs, operational efficiency, and staffing requirements, may require variations in an employee's starting and quitting times and total hours worked each day or each week. Employees may be assigned jobs other than their usual assignments and may be required to work overtime or hours or days other than those normally scheduled, whenever necessary.

When employees are required to work outside their normally scheduled work hours, the Foundation will attempt to provide as much advance notice as possible. Non-exempt employees who are required or permitted to work overtime will receive overtime pay in accordance with the requirements of the federal and state laws and the following compensation policies:

1. All overtime must be approved in advance by the employee's immediate manager. Absent mitigating circumstances approved by the manager and Human Resources, employees who work unauthorized overtime may be subject to corrective action up to and including termination of employment.
2. All hours worked in excess of 40 in one payroll workweek or eight in one workday will be treated as overtime, unless the employee is utilizing make-up time.
3. Overtime compensation for hours in excess of 40 for the payroll workweek, or in excess of eight for the workday, and for the first eight hours on the seventh consecutive day of work in one payroll workweek, shall be paid at a rate of one and one-half times the employee's regular rate of pay.
4. Overtime compensation for hours in excess of 12 in one workday and in excess of eight on the seventh consecutive workday in a payroll workweek shall be paid at double the regular rate of pay.

5. Weekend work does not automatically qualify for overtime compensation. Hours worked on such days qualify for premium pay only if they otherwise qualify as overtime hours.
6. Overtime is computed on the basis of an employee's total hours actually worked in a day or a payroll workweek.
7. Non-exempt represented employees will be paid overtime in compliance with the current collective bargaining agreement.
8. Non-exempt employees who report for work, including holidays, and for whom work is provided, shall receive not less than four (4) hours pay, except when prevented from working by factors beyond the control of GRF.
9. Non-exempt employees who are asked to work on a regularly scheduled day off or previously requested and approved day off, or asked to return to work after working a normal day's schedule, shall be paid at a rate of one and one-half times the employee's regular rate of pay for such hours worked.

### **Pay Periods**

GRF pay periods are from the 1st to the 15th and from the 16th to the end of each month. Employees are paid semi-monthly, on the 7<sup>th</sup> and 22<sup>nd</sup> of the month. In months where the 7<sup>th</sup> and/or the 22<sup>nd</sup> falls on a weekend or a Foundation-recognized holiday, pay checks will be issued on the previous business day closest to the 7th and the 22nd of the month. Each paycheck covers work performed through the completion of the previous pay period.

### **Reporting Time Pay**

Each workday that a non-exempt employee is required to report to work and either is not put to work or is furnished with less than half of the employee's usual or scheduled day's work, the employee will be paid for half the usual or scheduled day's work, but in no event for less than two hours or more than four hours, at the employee's regular rate of pay. In addition, if an employee is required or asked to report to work a second time in any one workday and is furnished with less than four hours of work on the second reporting, the employee will be paid for four hours at the employee's regular rate of pay.

The Foundation will not pay employees for reporting under the following circumstances:

- interruption of work because of threats to employees or property, or because civil authorities recommend that work not begin or continue;
- interruption of work because of the failure of any or all public utilities; or
- interruption of work because of natural causes or other circumstances beyond the Foundation's power to control

### **RECORDING HOURS**

All hourly employees are required to record their time in our electronic time and attendance recording system (Paylocity). Additionally, hourly employees are

required to record their meal breaks by punching out and back in at the conclusion of their meal break. Your recorded hours in Paylocity provides the necessary information from which a payroll check is computed. You are required to punch in (or record your start times) when you report to work and to punch out (or record your stop times) promptly at the end of your shift. In the unusual event you are unable to punch in or out using Paylocity, you should record your start or end times, then input these times into the system at the next convenient opportunity for review and approval by your supervisor.

Time entries into Paylocity must accurately reflect the total hours you have worked each day, and accurately specify the times worked. This includes an accurate accounting of each work stop and start when applicable, such as when taking a meal break. All time recording schedules must reflect the actual start and stop times. Failure to comply with these requirements will result in corrective action up to and including termination of employment.

Note that time sheets cannot be processed by payroll until all time is entered with any missing information or corrections made by the employee, and then reviewed and approved electronically by the Manager. Employees will be asked to complete any missing time schedule information.

In accordance with state and federal law, the Foundation pays for exact time worked. For example, if you are scheduled to work at 8:00 AM but clock in at 7:58 AM, you will be paid based on this exact starting time and the exact time you clock out. There is no rounding of time. However, **this does not authorize employees to start work earlier or later than scheduled, or to leave work earlier or later than scheduled without prior approval from the managing supervisor.** Also, any employee who is more than five minutes late is considered tardy.

If it becomes necessary for you to leave your work area or the Foundation's premises during working hours, excluding designated meal breaks and rest periods, permission must first be obtained from your supervisor. Except during designated rest periods, if you leave the premises for personal business or business that is not part of your job, you must punch or sign out when you leave. You may also be asked to sign a statement verifying that you requested the opportunity to leave for personal reasons.

If you discover that you made an error after your recorded time has been processed or after your paycheck has been received, you are responsible for notifying your supervisor. The correction will then be made on the next paycheck. If, however, an error by the payroll department is discovered on your paycheck, notify your supervisor immediately and, if necessary, a separate check will be issued as soon as possible.

If for any reason an employee who incorrectly enters their time into Paylocity, the employee should request a time correction in the system for their supervisor to review and approve the change.

Additionally, the following rules must be observed regarding time and attendance recording:

1. An employee should not work or sign in more than five minutes before their shift begins or five minutes after the shift ends. Exceptions are permitted only when an employee has received advance approval from their supervisor to work overtime.
2. No employee is permitted to record work time in Paylocity for another employee unless provided with management authority to do so.
3. Recording time in or out for another employee using Paylocity is considered time reporting falsification (timecard/time reporting fraud), and all parties to timecard/time reporting falsification are subject to termination.
4. Non-exempt employees must punch out and in all meal periods and when leaving the premises for personal reasons.
5. Working “off the clock” for any reason, or requesting that another employee work “off the clock,” is considered a violation of Foundation policy.
6. Falsifying a time reporting record will result in corrective action up to and including immediate termination of employment.

**Persistent or recurrent failure to accurately record work time may result in corrective action up to and including termination of employment.**

## **PAYROLL DEDUCTIONS**

The law requires the Foundation to make deductions from your gross pay for: (1) federal income tax, (2) Social Security tax (FICA), (3) state income tax, and (4) state disability insurance tax (SDI). Your paycheck will reflect these deductions.

Withholding for federal and state income taxes is deducted from each paycheck based on your earnings and exemptions. You must complete a withholding exemption certificate when you are hired for both federal and state. After the end of the calendar year, you will receive a W-2 statement of your withheld earnings and other taxes.

If you wish to make changes to your W-4 after your initial hire, contact the Benefits Administrator or Human Resources. You can also make these changes directly by logging into your account in Paylocity.

All employees should review their pay stubs regularly. Employees are directed to bring any inaccurate or unclear deductions to the attention of their manager or the Payroll Administrator for immediate explanation and correction.

If you leave the Foundation before the end of the year, the withholding tax statement will be mailed to your last known address.

## **REIMBURSEMENT**

### **Mileage**

Golden Rain will pay an employee’s mileage costs in excess of the employee’s normal commuting mileage when traveling on Foundation business in a personal vehicle. Per-mile reimbursement amounts are established by the Internal Revenue

Service. The current reimbursable cost per mile is on file with the Accounting Department and will be provided upon request to the Accounting Department.

1. **Covered Expenses:** In accordance with Internal Revenue Service regulations, the mileage allowance includes all vehicle expenses associated with the use of the employee's personal automobile while on Foundation business. Those expenses include, but are not limited to depreciation, fuel, oil, insurance coverage, license, taxes, and all maintenance costs. Commute mileage is not eligible for reimbursement.
2. **Employee Responsibility:** The employee is responsible for meeting the minimum insurance standards set by the State of California Department of Motor Vehicles and maintaining the vehicle in proper and safe operating condition.

## Travel

If approved in advance by the Foundation, employees will be reimbursed for reasonable and necessary travel expenses arising from authorized, job-related meetings and conferences. Original receipts are required, and expenses must be in accordance with the following guidelines:

1. **Authorization:** Employee travel must be approved in advance by the department director. Director travel must be approved in advance in writing by the General Manager.
2. **Registration Fees:** GRF will prepay with a Foundation check registration fees required for attendance at authorized conferences and meetings. Exceptions must be discussed with Accounting and approved in advance by the Controller or CFO, and your manager.
3. **Meal Allowance:** Reimbursement will be made for the reasonable costs incurred when business and official duties preclude the individual from taking meals in the customary manner. Original receipts are required.
4. **Lodging Expenses:** Reimbursement for hotel or motel room expenses, considered by GRF to be reasonable and necessary and in connection with Foundation business, will be paid on the basis of actual expenditure as indicated by original receipts.

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## **LEAVES OF ABSENCE**

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### **GENERAL NOTIFICATION & TIMING OF REQUESTS**

Absent legal notification requirements employees must request a leave of absence as early as possible. The Foundation would prefer 30 days' written notice; in the absence of mitigating circumstances, at least 2 weeks' written advance notice is expected. Provide written notification of your leave request to the Human Resources Director or HR Generalist 2, who will work with you and your supervisor regarding the leave request. Your leave request must include the following information:

1. The reason the leave of absence is being requested;

2. The anticipated dates the leave of absence will begin and end;
3. For medically related leaves, a physician's certification or other medical proof acceptable to the Foundation of your inability to perform your work duties.

In addition, you must provide immediate notification of a need to change the duration of your leave of absence and are expected to provide periodic updates to Human Resources concerning your status, expected date of return, and continued intent to return to work when your leave expires.

Participation in health insurance during leaves of absence varies. If not addressed in this handbook, contact the Benefits Administrator for information. Also note that vacation and sick leave are not accrued during unpaid leaves of absence.

**NOTE: ALL communications regarding medical-related leaves or absences should be made through email or by a written document.**

## **PROTECTED LEAVES OF ABSENCE**

Certain leaves of absence are accompanied by statutory protection of an employee's right to return to work. Qualifying criteria and length of leave vary according to the relevant statutes and may change from time to time. Protected leaves are identified in the following sections. Note that protected leaves may be unpaid; when the leaves are unpaid, employees have the right to use available accrued sick leave (where applicable) and/or vacation to make up for lost wages. Employees may also be eligible for state-provided wage replacement programs for certain qualifying leaves.

While most protected leaves have a statutory limit, individual situations may qualify for other protected leaves as well. The Foundation will evaluate each situation individually to ensure employees have access to all legal protections applicable. For further information regarding protected leaves, contact Human Resources.

## **FAMILY MEDICAL LEAVE ACT & CALIFORNIA FAMILY RIGHTS ACT LEAVE (FMLA & CFRA)**

Upon reasonable notification (30 days in advance when the need for the leave is foreseeable, or as soon as practicable when not foreseeable), the Foundation may authorize family care and medical leave for eligible employees. Once approved, FMLA and CFRA leaves are unpaid protected leaves. During such unpaid protected leaves, employees may use their accrued sick leave to cover their leaves and may also use accrued vacation at their option.

Employees who: (1) have been employed by the Foundation for at least one year and (2) have worked at least 1,250 hours for the Foundation over the previous 12 months, are eligible to request leave for one of the following reasons:

1. Birth of a child of the employee.
2. Placement of a child by adoption or foster care with an employee.
3. To care for a child of any age, parent, spouse, registered domestic partner of the employee, parent, parent-in-law, grandparent, grandchild, designated person, or sibling with a serious health condition; or

#### 4. Serious health condition of the employee.

A serious health condition is defined as an illness, injury, impairment, or physical or mental condition which involves either (1) in-patient care in a hospital, hospice, or residential health care facility; or (2) continuing treatment or continuing supervision by a health care provider.

Where the leave is for a serious health condition, the Foundation will request certification from the health care provider of the individual requiring care. This certification must contain the following information: (1) a statement from the health care provider that a serious health condition either prevents the employee from performing the employee's duties or warrants the participation of the employee to provide care during a period of the treatment or supervision of the child, parent, spouse, registered domestic partner or other qualifying family member (the health care provider shall not specify the nature of the condition); (2) where applicable, an estimate of the amount of time that the health care provider believes the employee needs to care for the child, parent, spouse, registered domestic partner or other qualifying family member; (3) the name, address, telephone number, and signature of the health care provider; (4) the date on which the serious health condition commenced; and (5) the probable duration of the condition.

The Foundation may require periodic recertification during a leave and in the case of an employee's serious health condition, certification of that employee's ability to return to work. Appropriate certification for leaves for the birth or placement of a child for adoption or foster care may also be required.

Family care and medical leave may be taken in one continuous period, intermittently, or in one or more intervals and may last up to, but generally may not exceed, 12 weeks in a rolling 12-month period. In addition, when both parents are employed by the Foundation and seek family care leave in connection with the birth, adoption or foster care of a child, the total amount of family care leave taken by both parents shall not exceed 12 weeks in a rolling 12-month period. A rolling 12-month period is measured backward from each date an employee uses any family care and medical leave.

In cases where intermittent time off is required (for example, when an employee is required to take a dependent for tests or recurrent appointments), the Foundation may require advance notification of required leave in the form of a written appointment schedule from the medical provider.

During the leave period, employees may use any accrued sick leave and vacation. If the leave is unpaid and for the employee's own serious medical condition (i.e., the employee is not eligible for short-term disability, paid family leave wage replacement, or workers' compensation temporary disability payments), employees must use accrued sick leave and may use accrued vacation leave. In this case, sick leave will be debited first, and when exhausted, accrued vacation will be debited until exhausted. If the employee is receiving a partial wage-replacement benefit during CFRA/FMLA leave, the employee and the Foundation may agree to have

accrued and unused vacation and sick days supplement the partial wage-replacement benefit. The Foundation may require the employee to use all accrued vacation for any CFRA/FMLA-qualifying purpose for an otherwise unpaid portion of the CFRA/FMLA leave. Use of such benefits does not extend the employee's maximum potential care beyond 12 weeks for an FMLA or CFRA medical, child bonding or family care leave and 26 weeks when service member family leave is taken. Additional vacation and sick leave will be accrued while the employee is using sick and vacation leave. When all vacation and sick leave is exhausted, the leave is unpaid and sick and vacation leave accrual ends.

An employee who is unable to work due to the employee's serious health condition is eligible, and should apply, for SDI benefits through any local office of the California Employment Development Department ("EDD"). Information on SDI benefits can be reviewed on the EDD's website: [https://edd.ca.gov/en/disability/disability\\_insurance/](https://edd.ca.gov/en/disability/disability_insurance/). An employee who is unable to work due to the need to care for a child, spouse, domestic partner, parent, grandparent, sibling, or grandchild with a serious health condition; to bond with the employee's new child or the new child of the employee's spouse or registered domestic partner, or to bond with a child in connection with the adoption or foster care placement of the child with the employee or the employee's spouse or registered partner; or to participate in a qualifying exigency related to the covered activity duty or call to covered active duty of the employee's spouse, domestic partner, child, or parent in the Armed Forces is eligible and should apply for Paid Family Leave Insurance through any local office of the EDD. Information on such benefits, referred to as "Paid Family Leave" or "PFL" benefits by the EDD, can be reviewed on the EDD's website at <https://edd.ca.gov/en/disability/paid-family-leave/>.

Any Foundation employee disabled by reason of pregnancy, childbirth, or related medical condition may be eligible for additional unpaid leave up to a maximum of another four months. See Pregnancy Disability Leave below for further information regarding this leave.

Under most circumstances, upon return from family care and medical leave, an employee will be reinstated to the employee's original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. In no event shall this family care or medical leave policy modify an employee's at-will employment status. Hours worked before the family care and medical leave began will be credited to the employee.

The Foundation, in compliance with the National Defense Authorization Act (NDAA), will provide up to 12 weeks unpaid Family and Medical Leave Act leave to eligible employees who are a spouse, child or parent of a member of the armed forces called to active duty in the U.S. military for certain military exigencies. The Foundation will also provide up to 26 weeks of unpaid leave, in compliance with the NDAA to eligible employees who are caring for family members suffering from a serious injury or illness as a result of serving in the U.S. military. During the single 12-month period in which an employee takes service-member family leave, the employee shall



be entitled to a total of 26 weeks of family and medical leave for any purpose. Employees seeking to utilize this leave option should consult with Human Resources to request leave.

Where possible, and in compliance with applicable law, FMLA and CFRA leaves will run concurrently.

Benefits coverage will be continued during a protected FMLA and/or CFRA leave, on the same basis as while not on leave. This means the employee is required to continue to pay their portion of the relevant benefit premiums. Questions regarding this should be addressed to Human Resources.

### **PREGNANCY DISABILITY LEAVE (PDL)**

The Foundation will grant Pregnancy Disability Leave of up to four months to eligible employees disabled by pregnancy, with pregnancy-related disabilities, or as required due to regulatory changes. PDL runs concurrently with FMLA and requires appropriate medical certification of pregnancy-related disability. As required by state law, PDL may not be taken for baby-bonding.

The Foundation will also engage in a good-faith interactive process with an employee who requests reasonable accommodation for that employee's known limitations related to pregnancy, childbirth or a related medical condition. Examples of reasonable accommodation by the Foundation include, but are not limited to, temporarily modifying the employee's work duties or schedule, providing furniture or modifying equipment, allowing more frequent breaks, and providing lactation breaks. In addition, the Foundation will transfer an employee to a less strenuous or hazardous position (where one is available) if medically needed because of the employee's pregnancy. Depending on the accommodation requested, the Foundation may require medical certification of the limitation.

PDL is an unpaid protected leave of absence. Therefore, eligible employees have the option to use their available sick leave when on PDL. Employees may also choose to use their accrued vacation leave while on PDL. When available sick and/or vacation leave is exhausted, PDL continues as an unpaid leave of absence. An employee disabled from working because of pregnancy, childbirth or a related medical condition may be eligible, and should apply, for SDI benefits through any local office of the California Employment Development Department. (See <https://edd.ca.gov/en/disability/paid-family-leave/>.)

Under most circumstances, upon return from pregnancy disability leave, an employee will be reinstated to the employee's original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. In no event shall this pregnancy disability leave policy modify an employee's at-will employment status.

Benefits coverage will be continued during a protected pregnancy disability leave, on the same basis as while not on leave. This means the employee is required to continue to pay their portion of the relevant benefit premiums. Questions regarding this should be addressed to Human Resources.

Please contact Human Resources for additional information including eligibility, benefits and reinstatement criteria.

### **WORKERS' COMPENSATION LEAVE (WC)**

Workers' Compensation is a no-fault insurance system for employees injured on the job in the course of their duties. Workers' Compensation provides for temporary disability benefits, medical expenses, and when there is a permanent disability, may also result in an award based on the long-term effects of the injury.

Employees injured on the job must complete an accident report and other related forms and reporting processes within 1 business day or as soon as feasible after the injury. Failure to comply with this requirement may result in corrective action up to and including termination of employment. Additionally, employees must provide periodic updates to their supervisor and the Human Resources Director or HR Generalist 2 regarding their status, expected date of return, and continued intent to return to work upon expiration of the leave. Employees must provide a copy of all work status reports to Human Resources immediately after receiving the report from the treating medical personnel.

The Foundation will retain employees on an extended leave of absence for work-related disabilities until one of the following situations takes place:

1. The employee is released to return to work by a physician;
2. The Foundation receives medical evidence satisfactory to it that the employee will be unable to return to work;
3. The employee resigns or actually or constructively informs the Foundation that the employee does not intend to return to the Foundation's employ;
4. The employee fails to comply with the notification requirements set forth above;  
or
5. The employee's extended absence causes an undue hardship upon the Foundation and its operations.

Where possible and in compliance with applicable law, Workers' Compensation and FMLA/CFRA leave will run concurrently.

The Foundation assists injured employees in returning to work through a Return to Work program, in cooperation with the Foundation's Workers' Compensation insurance provider, and provides, when possible, restricted or alternate work assignments that meet the medical restrictions. Such work assignments are regularly reviewed for compliance with medical restrictions and the Foundation's ability to continue the assignment. Contact Human Resources for details regarding this program.

### **MILITARY SERVICE LEAVE**

All employees are eligible to apply for a military leave of absence to serve in the uniformed services. A military leave of absence without pay will be granted for up to a maximum total of five years cumulative length of all absences from employment due to military service (subject to certain statutory exceptions).

Uniformed services is defined as the Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard, and the Reserves of each of those branches of service; the United States National Guard; the California National Guard; commissioned corps of the Public Health Service; commissioned corps of the National Oceanic and Atmospheric Administration; System members of the National Urban Search and Rescue Response System during a period of appointment into Federal service under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; and any other category of persons designated by the President of the United States or the Governor of the State of California in the time of war or emergency.

“Service” is defined as active duty, active duty for training, initial active duty for training, full-time National Guard duty, absences for examinations to determine fitness for duty, military funeral honors duty, or certain activations in response to a national emergency for a federal agency, such as the Federal Emergency Management Agency.

An employee must notify the employee’s immediate supervisor as soon as the employee knows the required dates of service and furnish the supervisor with a copy of the official orders or instructions. Upon return from an excused military leave, the employee will be reinstated to the employee’s former position, or another position, to the extent required by applicable law, regulation, and ordinance. In order to be eligible for reinstatement, the employee must (1) report to the Foundation or submit an application for employment within the period required by federal and state laws, and (2) provide a certificate of satisfactory completion of service, as well as appropriate documentation to establish that the employee is eligible for reinstatement. Vacation and sick-leave benefits do not accrue during any unpaid period of military leave.

An employee whose service is completed in 30 or fewer days will continue receiving health benefits on the same terms as the employee received prior to commencing military leave. For service beyond 30 days, the employee has the ability to continue medical, dental and vision benefit plans in which the employee was receiving pursuant to applicable federal and state law. See Human Resources for further information regarding health benefits while on unpaid protected leave.

Upon an employee’s return to work, the Foundation will count the time spent on active duty as time worked (1) for determining eligibility for FMLA or CFRA leave, and (2) for retirement plan eligibility, vesting, and vacation and sick leave accrual. With regard to any compensation or benefits, the Foundation will comply with all federal and state laws in effect.

## **MILITARY SPOUSE LEAVE**

Full-time and part-time employees who are regularly scheduled for more than 20 hours per week, and have a spouse in the Armed Forces, National Guard or Reserves who have been deployed during a period of military conflict, are eligible for up to 10 unpaid days per year off when their spouse is on leave from military deployment.

Eligible employees must request this leave in writing within 2 business days of receiving official notice that their spouse will be on leave. Employees requesting

this leave are required to attach written documentation certifying the spouse will be on leave from deployment to their leave request. The leave request should be provided to the supervisor and to Human Resources.

## **REPRODUCTIVE LOSS EVENT LEAVE**

All employees who have been employed by the Foundation for at least 30 days may take up to five days of reproductive loss event leave within the three months following a reproductive loss event. A “reproductive loss event” means the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction.

If an employee experiences more than one reproductive loss event within a 12-month period (using the same counting method as used under the Foundation’s CFRA policy), the employee may take up to 20 days of reproductive loss event leave in that 12-month period. The days of reproductive loss event leave need not be consecutive.

Reproductive loss event leave is unpaid, but employees may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee to cover this time.

If, prior to or immediately following a reproductive loss event, an employee is on or chooses to go on leave from work pursuant to CFRA, PDL or any other leave entitlement under state or federal law, the employee shall complete their reproductive loss leave within three months of the end date of the other leave.

For the purposes of this policy, the following terms are defined as follows:

- “Assisted reproduction” means a method of achieving a pregnancy through an artificial insemination or an embryo transfer and includes gamete and embryo donation. “Assisted reproduction” does not include any pregnancy achieved through sexual intercourse.
- “Failed adoption” means the dissolution or breach of an adoption agreement with the birth mother or legal guardian, or an adoption that is not finalized because it is contested by another party. This event applies to a person who would have been a parent of the adoptee if the adoption had been completed.
- “Failed surrogacy” means the dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the surrogate. This event applies to a person who would have been a parent of a child born as a result of the surrogacy.
- “Miscarriage” means a miscarriage by a person, by the person’s current spouse or domestic partner, or by another individual if the person would have been a parent of a child born as a result of the pregnancy.
- “Stillbirth” means a stillbirth resulting from a person’s pregnancy, the pregnancy of a person’s current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy that ended in stillbirth.

- “Unsuccessful Assisted Reproduction” means an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure. This event applies to a person, the person’s current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy.

The Foundation will not retaliate or discriminate against an individual because of their exercise of their right to reproductive loss event leave or because of the individual giving information or testimony as to their own reproductive loss event leave, or another person’s reproductive loss event leave, in an inquiry or proceeding related to rights guaranteed by California Government Code 12945.6. The Foundation will not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right to reproductive loss event leave under applicable law.

The Foundation will maintain the confidentiality of any employee requesting leave under this policy in accordance with applicable law and to the maximum extent possible consistent with the appropriate administration of the leave. Any information or documentation provided to the Foundation under this policy will be maintained as confidential, will be kept separate from an employee’s personnel file, and will not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

#### **UNPROTECTED/UNPAID PERSONAL LEAVE OF ABSENCE**

From time to time it may be necessary for an employee to request a leave of absence for a reason not covered above. While not obligated to grant such a request, the Foundation will consider such a request on a case-by-case basis. If granted, the leave is unprotected - i.e., there is no guarantee that the job will be held available for the absent employee. For further information, contact Human Resources.

#### **UNPAID PERSONAL LEAVE OF ABSENCE**

A personal leave of absence without pay may be granted at the discretion of the Foundation. To be eligible for a leave of absence, generally an employee must have at least six months of continuous service with Golden Rain. Requests for personal leave should be in writing and should be limited to unusual circumstances requiring an absence of longer than ten working days. Approved personal absences of shorter duration are not normally treated as leaves, but rather as excused absences with or without pay. Except in the cases of emergencies, approval for such short-term excused absences must be obtained in writing from your supervisor at least 48 hours in advance of the absence. Generally, requests for unpaid personal leaves in excess of 30 days will not be approved without extenuating circumstances.

Requests for unpaid personal leaves of absence will be considered on the basis of the employee’s length of service, performance, responsibility level, the reason for the request, whether other individuals are already out on leave, and the expected impact of the leave on the Foundation. Employees must use all accrued vacation leave (and accrued sick leave if applicable) before an unpaid leave of absence will be granted. Employees will not accrue vacation, sick leave, or other benefits during an unpaid personal leave of absence.

It is the employee's responsibility to report to work at the end of any approved leave. An employee who fails to return to work on the day after the leave expires or who accepts other employment or applies for unemployment benefits while on leave will be considered to have voluntarily terminated their employment.

## **INSURANCE COVERAGE WHILE ON LEAVE**

### **Protected Leaves**

In the absence of accrued vacation and/or sick leave, or when accrued vacation and/or sick leave is exhausted, protected leaves are unpaid. An employee who is approved to take Family Medical (FMLA), California Family Rights (CFRA), Pregnancy Disability (PDL), and/or Military Service leave is entitled to continue to participate in insurance plans and retirement plans in accordance with applicable law.

The Foundation will continue to pay its share of the health plan premium ordinarily provided to the employee for the legally required length of the protected leave, if such was provided before the leave, on the same terms as if the employee had continued to work. The employee must continue to pay the employee's share of the health plan premium on or by the required due date. In some instances, the Foundation may recover all or part of the premiums it paid to maintain health coverage for an employee who fails to return to work following protected leave.

### **Workers' Compensation Leave**

Employees on Workers' Compensation leave continue to participate in health benefits on the same basis the employee received prior to commencing Workers' Compensation leave, for as long as the employee has sick and/or vacation time which covers the employee's share of the health plan premiums. When accrued sick and/or vacation leave is exhausted, the leave is unpaid, benefit coverage ends, and the employee is provided with benefit continuation (COBRA) information. This does not affect the continuing medical care provided for the Workers' Compensation injury and does not affect on-going job protection while on an approved Workers' Compensation leave of absence.

### **Other Unpaid Leaves**

Employees who take unpaid leaves of less than 30 days will see no difference in their health benefits. Health benefits will be discontinued for employees whose unpaid leave extends past 30 days. In this case, employees can elect to continue their health benefits through COBRA and the Benefits Administrator will mail COBRA information to affected employees. Employees planning unpaid leaves that may extend past 30 days are urged to request information regarding COBRA, including eligibility requirements, length of COBRA coverage, and payment criteria, in advance of their planned leave from the Benefits Administrator.

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## **FOUNDATION RESOURCE POLICIES**

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### **COMMUNITY FACILITIES, AMENITIES AND SERVICES USAGE**

Non-management employees are prohibited from using community facilities, amenities or services except when specifically accompanied by a resident and authorized by their division director in advance.

Rossmoor is a restricted-access residential community. Except when specifically authorized by their manager, hourly employees are authorized to be in Rossmoor during their regularly scheduled shift only. Hourly employees who frequently or consistently enter Rossmoor outside of their regularly scheduled shift, absent mitigating circumstances, will be subject to appropriate corrective action.

As a general rule, employees may not authorize other non-residents to enter Rossmoor. Non-management employees who wish to invite family members, for example, to come in at lunchtime or for a brief visit while on break, must be authorized in writing, in advance, by their manager and/or Director. Such visits should be of short duration, and care must be taken to not unduly disturb other employees at their work.

This is a working environment and is not child safe. The Foundation, in the interests of the child's safety as well as resident and general workplace safety, and in light of the inherent liability issues involved, does not allow children to accompany their employee parent during the workday.

### **CONFIDENTIAL / PROPRIETARY INFORMATION**

Foundation property includes not only tangible property like vehicles, desks, and computer equipment, but also intangible property such as information. Of particular importance are proprietary and confidential information. Proprietary information includes all information relating in any manner to the business of the Foundation and its consultants, residents, and vendors that is produced or obtained by Foundation employees during the course of their work. This handbook, for example, contains proprietary information. Confidential information is any Foundation information that is not known generally to the public. Member lists, resident files, personnel files, computer records, and financial data are examples of confidential information.

Employees must not use or disclose proprietary or confidential information that they produce or obtain during employment with the Foundation, except to the extent such use or disclosure is required in their jobs. This obligation remains even after an employee's employment relationship with the Foundation ends.

Employees are expected to keep proprietary and confidential information secure from persons who do not have a legitimate reason to see or use such information. Failure to adhere to this policy will result in corrective action up to and including termination.

Nothing in this policy is intended to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment or otherwise conflict with or limit employees' rights under the National

Labor Relations Act. Additionally, nothing herein prevents employees from discussing or disclosing information about unlawful acts in the workplace, such as harassment or discrimination or any other conduct that they have reason to believe is unlawful.

### **Notice of Immunity for Confidential Disclosure of a Trade Secret to an Attorney or the Government or in a Court Filing**

Federal law provides certain protections to individuals who disclose a trade secret to their attorney, a court, or a government official in certain, confidential circumstances. Specifically, federal law provides that an individual shall not be held criminally or civilly liable under any federal or state trade secret law for the disclosure of a trade secret under either of the following conditions:

- Where the disclosure is made (i) in confidence to a federal, state, or local government official, either directly or indirectly, or to an attorney; and (ii) solely for the purpose of reporting or investigating a suspected violation of law; or
- Where the disclosure is made in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal. See 18 U.S.C. § 1833(b)(1).

Federal law also provides that an individual who files a lawsuit for retaliation by an employer for reporting a suspected violation of law may disclose the trade secret to the attorney of the individual and use the trade secret information in the court proceeding, if the individual (A) files any document containing the trade secret under seal; and (B) does not disclose the trade secret, except pursuant to court order. See 18 U.S.C. § 1833(b)(2).

Employees with questions concerning the coverage of this policy should contact Human Resources.

### **ELECTRONIC RESOURCES POLICY SUMMARY**

The Golden Rain Foundation's electronic resources (including and not limited to Foundation supplied desktop and laptop computers, personal digital assistants, Internet access, electronic mail, intranet, telephones, iPhones, smart phones, voice mail, scanners, and copy and fax machines) enable employees quickly and efficiently to access and exchange information throughout the Foundation. When used properly, these resources greatly enhance productivity and knowledge.

All electronic files residing on GRF electronic resources, systems and/or other electronic storage media are the sole property of GRF. Computer records, internet usage records, texting records, voicemail and email are not private and may be accessed by the Foundation and disclosed to others as appropriate. Deleted or erased messages can be recreated and will be disclosed as appropriate or required. Further, all GRF materials, including and not limited to correspondence, memos, financial information and Foundation plans are confidential and proprietary and may not be disclosed outside the Foundation without prior written authorization from



the Foundation. Violators will be subject to corrective action up to and including termination.

Golden Rain electronic resources are also covered by GRF policies prohibiting workplace violence, discrimination, harassment, and retaliation. Sending, saving, accessing or viewing offensive materials via GRF electronic resources and/or systems is forbidden. Offensive materials regarding any protected category, the perception of being a member of any of any protected category, associating with a person who is a member or who is perceived to be a member of a protected category, or any other basis made unlawful by applicable federal, state, or local law, ordinance or regulation, are strictly prohibited. In addition, Golden Rain electronic resources may not be used for any form of threat or threatening material. Violators will be subject to corrective action up to and including termination.

The Foundation does not use, nor does it condone the use of social media in the workplace. Social media is a set of Internet tools that aid in the facilitation of interaction between people online. Non-Foundation related use of Internet based social networking programs including and not limited to Facebook, Instagram, and X during working time is a violation of Foundation policy. Use of these programs either on Foundation owned property or on your personal property during working time can result in corrective action up to and including termination. Employees who have specific questions about which programs the Foundation deems to be social media should consult with Human Resources.

Similarly, the Foundation does not use, nor does it condone the use of blogs in the workplace for any purpose. Blogs are web-based journals, which can include commentary, personal reflections, descriptions of events, and other material including graphics, video clips and links to other web sites and are often interactive. Use of Foundation resources to access, update or respond to blogs during working time is a violation of Foundation policy and doing so either on Foundation owned property or on your personal property during working time can result in corrective action up to and including termination.

The content of any incidental and occasional personal use of Foundation electronic resources and systems is subject to the same content restrictions as set forth in the above paragraph. There is no right of privacy for such use: GRF reserves the right to access and disclose as necessary all messages sent via the GRF electronic resources and systems without regard to content or permission of the sender.

GRF reserves the right to review electronic media at any time when in the sole discretion of the Foundation such review is necessary. Any use of GRF electronic resources to threaten, harass, or discriminate is unlawful and strictly prohibited by GRF and violators will be subject to corrective action up to and including termination. The Foundation does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one's duties. Accordingly, to the extent permitted by law, the Foundation reserves the right not to provide a defense or pay damages assessed against an employee for conduct in violation of this policy.

All hardware and electronic devices used in conjunction with the Foundation's network must be approved in advance by the IT Department and in most cases must also be purchased through the IT Department. Any exceptions to this policy must be approved in advance, in writing, by the applicable Director, IT Manager and Human Resources. This helps to ensure the security and integrity of our network and our data. Only software authorized for use on Foundation computers and purchased by the Foundation may be installed on Foundation computers. Employees may not install personal, unlicensed, or unauthorized software on any GRF computer. Foundation computers may be audited for unauthorized software at any time. Unauthorized software will be removed, and the employee responsible subject to corrective action. In addition, unauthorized duplication of software may subject users and/or GRF to both civil and criminal penalties under the United States Copyright Act. Civil damages can amount to \$100,000.00 per work copied, and criminal penalties include fines and imprisonment. GRF will not defend any employee who uses GRF electronic resources and systems to unlawfully duplicate software.

All employees are provided with a current copy of the Electronic Resources policy during orientation. The most recent version of the GRF Electronic Resources policy is available from Human Resources.

This policy is not intended to conflict with or limit employees' rights under the National Labor Relations Act.

## **SOLICITATION AND DISTRIBUTION OF LITERATURE**

Generally, employees of the Foundation may not solicit funds or support nor distribute literature on Foundation premises without prior written approval from Human Resources. Employees may not distribute political and religious literature at any time for any purpose in Rossmoor. Employees may not solicit from residents at any time for any purpose unless specifically authorized to do so by their manager and approved by HR.

In order to avoid disruption of Foundation operations, the following rules shall apply to solicitations and distribution of literature on Foundation property:

OUTSIDERS. Persons who are not employed by the Foundation may not solicit or distribute literature on Foundation property at any time for any purpose.

### EMPLOYEES OF THE FOUNDATION.

- Employees of GRF may not solicit during working time for any purpose.
- Employees may not distribute literature during working time for any purpose.
- Silent solicitation in designated areas is permissible, as long as said solicitation meets stated Foundation criteria. Human Resources must approve materials for silent solicitation prior to placement.

### RESIDENT SOLICITATION.

Residents may from time to time request employees to sign a petition, letter, or other document in support of a particular position or opinion. Employees are not

authorized to do so, and are further expected to decline to comment in favor of or in opposition to various perspectives voiced by residents.

Similarly, employees may not request residents to sign a petition, letter, or other document in support of a particular position or opinion comment in favor of or in opposition to various perspectives voiced by employees.

**SILENT SOLICITATION.** For purposes of this policy, “silent solicitation” refers to the placement of materials soliciting employee participation in non-Foundation-sponsored events. Examples of acceptable silent solicitation include order forms for youth group and school-sponsored products (i.e., Girl Scout cookies; candy sales) and charitable events (i.e., sponsoring a runner/walker in a charity marathon). **Such materials, after approval by Human Resources, may be placed in areas set aside for unpaid meal breaks only.**

**WORKING TIME.** For purposes of this policy, “working time” includes the working time of both the employee doing the soliciting and distributing and the employee to whom the soliciting or distributing is being directed. Working time does not include designated break periods, meal periods, or any other specified periods during the workday when employees are properly not engaged in performing their work tasks.

**WORKING AREA.** For purposes of this policy, “working area” includes both the assigned place of work (cubicle, truck, resident site, etc.) of the employee doing the soliciting/distribution and the employee to whom the soliciting or distributing is being directed. Working area does not include the areas set aside for unpaid meal breaks.

## **TELEPHONES**

The Foundation’s telephone lines are intended solely for business use. Employees should use discretion in making or receiving personal telephone calls during work times, unless there is an emergency. Necessary calls should be made during break periods or other non-work times whenever possible. No personal long-distance or toll calls are to be made on the Foundation’s phones without the prior approval of the General Manager.

Employees are expected to limit use of their personal cell phones to rest and meal breaks and other non-work times, except in emergency situations. Be considerate of others and turn your personal cell phone to silent while working. Personal calls should be made in the break room or outside the office, so as to not disturb co-workers.

## **USE OF FOUNDATION PROPERTY**

Desks, storage areas, work areas, lockers, file cabinets, credenzas, computer systems (including laptops, tablets and pads), telephones, modems, facsimile machines, duplicating machines, cell phones, PDAs, tools, storage units, vehicles issued or provided by the Foundation, and any and all other business equipment are Foundation property and must be maintained according to this policy. All Foundation property must be kept clean and in good repair, and may be used only for work purposes, except as provided in this policy. Golden Rain reserves the right

at all times and without prior notice to inspect and search any and all Foundation property. Such inspections may be conducted by any supervisor, manager or security personnel designated by the Foundation during or outside business hours and in the presence or absence of the employee.

Employees have no right of privacy as to any information or file maintained in or on Foundation property or transmitted or stored through the Foundation's computer systems, voice mail, E-mail or other electronic resources. No unauthorized passwords or codes may be utilized, and the Foundation may override any applicable passwords or codes. All documentation related to the use of Foundation equipment or property are the property of Golden Rain Foundation and may be reviewed and used as the Foundation considers appropriate.

Each division leader is responsible for maintaining control and safekeeping of all keys and electronic keys used within its division. Foundation property including, but not limited to, desks and lockers shall be locked only with locks and keys that are the property of Golden Rain.

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## ***FOUNDATION VEHICLES***

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### **CELLULAR TELEPHONE AND TEXT MESSAGING**

The Foundation **never requires** an employee to use a cell phone when driving a Foundation vehicle. However, should a call be made while driving, a handsfree supporting device must be used. Employees are encouraged to avoid, or at least limit, the use of cell phones while driving a Foundation vehicle. Employees are encouraged to go to the nearest safe parking area and stop the Foundation vehicle before using such equipment.

In compliance with state law, employees are expressly forbidden to read, write or send text messages while driving a Foundation vehicle. Employees are also specifically prohibited from reading documents (paper or electronic), tape-recording (analog or digital), writing notes, using pagers, laptop computers, talking via handheld radio, and/or using any other electronic devices while driving a Foundation vehicle. These activities must only be performed with the vehicle safely stopped and parked in an appropriate and safe parking area.

In accordance with California state law, if you do choose to use a cell phone while driving, it must be a hands-free device. You may use a cell phone when driving only when it is clearly safe to do so, and only in a safe manner as noted below.

If you choose to use a hands-free cell phone while driving, the following rules must be followed:

1. Familiarize yourself with the phone and its features before driving.
2. Strictly follow all state and local vehicle codes. Please note that current California laws requires the use of a hands-free headset when using a cell phone while driving and prohibit any type of texting while driving. All such state or local laws take precedence over this policy.

3. Your first priority while driving must be safety. Your safety and the safety of your passengers, as well as that of other drivers and pedestrians, take precedence over any other concern.
4. Never engage in phone calls when poor road conditions, heavy traffic, inclement weather, or limited lighting conditions exist. Only engage in phone calls when it is clearly safe to do so. If you have any doubt at all, do not engage in phone calls.
5. Always pay attention to your driving. If you believe a phone call may distract at all from your ability to drive safely, immediately terminate the call and do not engage in any other calls unless driving conditions change and clearly allow the safe use of the phone without distracting from your focus on driving.
6. Avoid phone calls when driving on unfamiliar roads.
7. Dial numbers only while stopped, except in emergency situations; use speed dial when possible.
8. Keep the phone within easy reach and view.
9. Keep the conversation brief.
10. Never take notes while driving.

**NOTE: It is solely your choice as to whether you use a cell phone while driving.** If you choose to do so, you are expected to comply with applicable law and policy. Employees who use cell phones while driving, particularly if not using a hands-free device, will be solely responsible for any accident, claim, liability, fine or other consequence of the use of the cell phones.

## **DRIVER'S LICENSE**

Employees who drive Foundation vehicles are required to have a current and valid California driver license and a satisfactory driving record as conditions of initial and continued employment. It is the responsibility of these employees to notify their supervisors and the Human Resources Department immediately of any change in driver's license status, i.e., suspension, revocation, limitations, etc. Failure to immediately advise the Foundation of changes in driver's license status will result in corrective action up to and including termination of employment.

Employees who drive their own vehicle(s) in connection with work for the Golden Rain Foundation must have a valid California driver license, current vehicle registration and proof of insurance for that vehicle.

**As a matter of practice and in accordance with insurance regulations, the Golden Rain Foundation periodically reviews and recertifies driver's license status for those employees who drive Foundation vehicles or drive their own vehicle on GRF related business. Therefore, all employees who drive Foundation vehicles or drive their own vehicle on GRF related business must sign a DMV form INF 1101 authorizing the Foundation, at their sole discretion, to verify their driving record.**

## USE OF FOUNDATION VEHICLES

Foundation owned vehicles are to be used by authorized employees while on Foundation business only. Unauthorized riders are strictly prohibited. Driving a Foundation owned vehicle to and from an employee's home for personal use is prohibited unless expressly authorized by the General Manager. When it is necessary to use a Foundation vehicle for business purposes after hours, an employee may be allowed to do so with the specific, prior written approval of the division director.

Employees shall observe all traffic and safety laws and regulations pertaining to vehicle operations. In compliance with state law, all employees authorized to drive Foundation vehicles must have their current California driver's license in their possession while driving. Failure to do so will result in corrective action up to and including termination of employment.

In particular, Foundation employees are expected to:

1. Obey the Valley-wide posted speed limit of 25 miles per hour.
2. Come to a full stop at all posted Stop signs.
3. Use directional signals for all turns, including those into entries and parking lots.
4. Turn on headlights whenever using windshield wipers.
5. Wear a seat belt while driving or riding in a Foundation-owned vehicle.
6. Be aware of pedestrians at all times and yield right of way to them in parking lots and at crosswalks.
7. Use a hands-free headset whenever talking on a cell phone or radio while driving.
8. Refrain from texting while driving.
9. Refrain from horseplay of any nature (i.e., playful swerving, laying rubber, excessive horn use) while driving in the Valley in a Foundation or a personal vehicle.
10. Be aware of pedestrians and drive slowly and with caution in all Foundation parking lots;
11. Refrain from smoking, vaping, use of e-cigs and similar smoking alternatives, including marijuana, while driving or riding in a Foundation vehicle.

Employees driving Foundation vehicles are required to obey all California driving regulations. Failure to do so, as documented by a law enforcement-issued ticket, will result in corrective action.

As set forth in the Foundation's drug testing policy, the Foundation requires that an immediate drug and alcohol test be taken by any employee who is involved in an accident while driving a Foundation-owned vehicle or while driving in any vehicle, Foundation-owned or personally-owned, while in Rossmoor, or who is at fault in an accident outside Rossmoor while driving on Foundation business. Refusing a post-accident drug and alcohol test is grounds for immediate termination. For more

information about the Foundation's drug and alcohol testing policy please contact Human Resources.

**ACKNOWLEDGMENT OF RECEIPT AND EMPLOYMENT**  
**Non-Union Employees Only**

I acknowledge that I have received and read the Golden Rain Foundation employee handbook. I understand that I am responsible for knowing, understanding and complying with the policies set forth in this handbook. I further understand that these policies govern my employment with the Golden Rain Foundation and that failure to abide by these policies can lead to termination of my employment.

I understand that it is my responsibility to read and comply with the Policy Prohibiting Discrimination, Harassment and Retaliation.

I understand and agree that my employment is “at will” for an unspecified period of time which may be terminated at the will of either Golden Rain or me at any time, for any reason, with or without cause and with or without notice and that there are no other express or implied agreements contrary to the foregoing. I understand that nothing in this handbook is intended to create a promise or representation of continued employment. I further understand that the General Manager and the Golden Rain Foundation’s Board of Directors are the only parties who have the authority to promise, or enter into any contract or agreement for employment for any specified period of time, or to make any binding commitment which is contrary to my terminable at-will employment or which restricts the Foundation’s right in its sole discretion to modify the terms and conditions, job assignments, level of compensation and benefits of my employment; and to be enforceable, any such agreement or promise must be in writing and signed by me and the General Manager or Board President on behalf of the Board.

I further understand that included in this handbook is an alternative dispute resolution policy which requires me and the Golden Rain Foundation to arbitrate any dispute in any way arising from or related to my employment. This policy is supplemented by a separate written binding arbitration agreement, which I may be required to enter into as a condition of my continued employment. **It is the intent of both me and the Golden Rain Foundation that all employment related disputes be resolved through such binding arbitration as described therein.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Employee Printed Name



**ACKNOWLEDGMENT OF RECEIPT AND EMPLOYMENT**  
**UNION EMPLOYEES**

I acknowledge that I have received and read the Golden Rain Foundation employee handbook. I understand that I am responsible for knowing and complying with the policies set forth in this handbook to the extent they are not inconsistent with the current Collective Bargaining Agreement (CBA) between Laborer’s Local 324 and the Golden Rain Foundation of Walnut Creek. I further understand that these policies govern my employment with the Golden Rain Foundation to the extent not inconsistent with the CBA.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Employee Printed Name