



January 19, 2024

**TO:** CADA Board of Directors

**SUBJECT:** **January 26, 2024 Board Meeting**  
**AGENDA ITEM 9**  
**EMPLOYEE HANDBOOK**

**CONTACT:** Jill Azevedo, Human Resources Manager

**RECOMMENDED ACTION:**

Staff recommends the Board adopt a resolution (Attachment 2) revising the CADA Employee Handbook.

**BACKGROUND**

CADA issues its CADA Employee Handbook (“Handbook”) to all full-time and part-time employees when they are hired and annually thereafter. Staff reviews the Handbook annually to ensure CADA remains current with employment law, labor practices and CADA’s operational needs.

**POLICY ISSUES**

Changes to the Handbook are either clarifying in nature or are being made to conform to changes in applicable law or related to CADA’s operational needs.

In addition to these changes, staff has made typographical and grammatical corrections.

A complete copy of the Employee Handbook effective January 1, 2024 (pending Board action at this meeting), highlighting all changes to the handbook currently in effect, is provided as Attachment 1.

All of the proposed revisions have been reviewed by CADA’s legal counsel.

**STRATEGIC PLAN**

The Employee Handbook has proven to be an effective internal communication tool that supports CADA’s ability to achieve its strategic plan goals. The policies set forth in the Handbook help CADA to retain a high-performing staff and to sustain a professional work culture.

**FINANCIAL IMPACT**

While there may be some operational impacts, staff anticipates no financial impacts.

## **ENVIRONMENTAL REVIEW**

None. The proposed action is an administrative action and is not a project as defined by the California Environmental Quality Act (CEQA).

## **CONTRACT AWARD CONSIDERATIONS**

This action does not involve contract awards.

Attachments:

1. CADA Employee Handbook proposed to be effective January 1, 2024 (with edits showing proposed revisions to the handbook currently in effect)
2. Resolution 24-08



# Employee Handbook

January 20243

This handbook is meant to serve as a useful reference document throughout your employment with CADA. It is not, however, intended to be a contract (express or implied), nor is it intended to otherwise create any legally enforceable obligations on the part of CADA or its employees. This handbook supersedes and replaces all previous personnel policies, practices, and guidelines.

To obtain information regarding specific employment policies or procedures, whether or not they are referred to in this handbook, contact Human Resources. As CADA is a growing and changing organization, it reserves full discretion to add to, modify or delete provisions of this handbook, or the policies or procedures upon which it is based, at any time, with or without prior notice. Only the Executive Director or the Board of Directors has the authority to enter into an employment or other agreement that modifies CADA policy. Any such modification must be in writing.

This handbook is the property of CADA, and is intended for your personal use and reference as an employee of CADA. Circulation of this handbook outside of CADA requires prior written approval of the Executive Director.

It is your responsibility to know the policies set forth in this handbook and any subsequently released policy memoranda. Following review and study of this handbook, please sign the Employee Acknowledgement Form and return it to Human Resources. This will provide CADA with a record that you read and received the handbook.

January 1, 2024<sup>3</sup>

Dear CADA Employee:

We are happy to have you as part of the CADA team. The purpose of this Employee Handbook is to ensure that we share a common understanding of employment policies and procedures. All employees are expected to be familiar with this handbook in order for CADA to function as a cohesive and supportive team.

CADA is somewhat unique in that it is an at-will public agency. Employees are not civil servants. All employees serve at the will of the Executive Director, who, in turn, serves at the will and discretion of our five-member Board of Directors. Employee growth and advancement are based on the merit of an employee's performance.

CADA was created in 1978 by a joint powers agreement between the State of California and the City of Sacramento as a vehicle to implement the plans and objectives of the Capitol Area Plan- ... a mixed-use plan for the management, development, and disposition of state-owned property located directly south and east of the State Capitol in the City of Sacramento.

CADA's vision is the creation of sustainable neighborhoods that captivate city dwellers and inspires the people of California, providing a range of housing options and community experiences. This is accomplished through the construction of quality urban housing infill developments, art, events, and the excellent management of mixed-use properties.

CADA is an independent public agency that manages its own budget and does not rely upon the State or the City for operational funding. We are responsible for generating revenue through our property management and land development activities necessary to achieve the public mandates set forth in our legislation. We do partner with the State, City, and other community partners to accomplish our community development goals.

We have found that our values of teamwork, accountability, integrity, customer service, and reliability are essential to meeting this rewarding challenge. The opportunity to see the results of our daily actions positively impact so many people's lives is an especially rewarding aspect of working at CADA.

I hope that you find your employment at CADA to be fulfilling.

Sincerely,

Danielle Foster, Executive Director



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## I. Employment Basics

### A. Open Door Policy

At some time, you may have a complaint, suggestion, or question about your job, your working conditions, or the treatment you are receiving. Suggestions for improving CADA are always welcome. Your good faith complaints, questions, and suggestions are of concern to CADA.

Open communication functions best in an atmosphere of trust. In such an environment, most problems can readily be solved and do not evolve into serious conflicts. CADA is committed to responding effectively to employee concerns. Our experience has shown that when employees deal openly and directly with their supervisors, the work environment can be excellent.

Employees are encouraged to see their immediate supervisors with questions or problems relating to their jobs or interactions. Because one supervisor may not always be an appropriate outlet for communication, CADA believes that it is important to provide its employees with other avenues of communication. If you deem it appropriate and useful, you may address your concerns to Human Resources or any other supervisor.

Please remember — don't internalize a problem! Because no solution is possible without candid discussion, employees are encouraged to speak openly and are assured that they may use CADA's open door policy without fear of reprisal.

### B. Equal Employment Opportunity

It is the policy of CADA to afford equal employment opportunity to all qualified individuals regardless of

- Race and/or color, including traits historically associated with race, including but not limited to hair texture and hairstyles such as afros, braids, locks, and twists.
- (included in national origin)
- Age ( 40 and over)
- Sex
- Sexual orientation
- Gender
- Gender identity and expression
- Religion, creed, and religious observance, including dress and grooming practices
- Ancestry, National Origin, including language use restrictions
- Pregnancy, childbirth, or breastfeeding and related medical conditions
- Reproductive health decision-making includes, but is not limited to, a decision to use or access a particular drug, device, product, or medical service for reproductive health.
- Marital status
- Registered domestic partner status
- Genetic information, including family medical history
- Physical or mental disability
- Military or veteran status
- Civil Air Patrol
- Political activities or affiliations
- Citizenship and/or immigration status
- Domestic violence, assault, or stalking victim status
- Medical conditions, including cancer and AIDS/HIV
- Family or medical care leave

Any other applicable protected class, in accordance with applicable federal, state, and local laws

-Equal employment opportunity is not only the law, but our working policy, and is an integral part of CADA's philosophy. CADA provides equal employment opportunity in all phases of

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employment including, but not limited to, recruitment, selection, placement, transfers, training and development, promotions, demotions, compensation, benefits, layoff and terminations and other conditions or privileges of employment.

CADA is committed to providing a work environment that is free from discrimination and harassment. In keeping with its commitment, CADA maintains a strict policy prohibiting discrimination and harassment, including sexual harassment, on the basis of any of the protected classes listed above.

CADA will seek to make employment opportunities available to qualified individuals with disabilities. CADA will not unlawfully discriminate against any employee on the basis of their disability. Where appropriate, CADA will make reasonable accommodation to permit an otherwise qualified individual with a known disability to perform the essential functions of the job. Employees who become disabled and wish accommodation to perform their job duties must contact Human Resources. CADA reserves the right to require an employee to have a mental or physical examination, at CADA's cost, to determine disability status, ability to perform job functions ("fitness for duty examinations") or potential reasonable accommodations.-

Employees who believe they need an accommodation must specify, preferably in writing, what barriers or limitations prompted the request. CADA will evaluate information obtained from the employee, and possibly their health care provider or another appropriate health care provider, regarding any reported or apparent barriers or limitations and will then work with the employee to identify possible accommodations, if any, that will help to eliminate or otherwise address the barrier(s) or limitation(s). If an identified accommodation is reasonable and will not impose an undue hardship on CADA and/or a direct threat to the health and/or safety of the individual or others, CADA will generally make the accommodation.

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CADA may require or grant unpaid disability leave to an employee who is unable to perform an essential job function because of illness or injury or whose condition endangers the health of others.

Further information on state and federal regulations and guidelines on all employment issues, including those of discrimination, harassment, and reasonable accommodation in the workplace, is available in the Human Resources Office.

### **Procedures**

An employee who feels that ~~he or she has~~ they have not been afforded equal employment opportunity should immediately contact ~~his or her~~ their supervisor or Human Resources. CADA will promptly undertake an effective, thorough, and objective investigation of the employee's complaint. To the extent appropriate, effort will be made to maintain confidentiality throughout and following the investigation. This investigation will be completed, and a determination will be made by CADA and communicated to you as soon as practical.

If CADA determines that there has been a violation of its equal employment opportunity policy, appropriate action will be taken. CADA will not retaliate against you for filing a good-faith report and will not permit retaliation by management, employees, or co-workers.

### **C. At-Will Employment**

All CADA employees serve at the discretion of the Executive Director. Accordingly, employment by CADA is employment "at will." No supervisor, client, or representative of CADA has any authority to enter into any agreement for employment for any specific period of time or to make any agreement for employment other than at will.

Employment at CADA is also by mutual consent. CADA reserves and retains the right to terminate any employment relationship with any employee, at any time, for any reason, or for no reason, with or without advance notice. The employee also retains the right to terminate ~~his or~~

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hertheir employment at any time, for any reason, or for no reason, with or without advance notice.

Any separate, individual, or written employment contract with CADA for a specific, fixed period of time must be approved, in writing, by the Executive Director or his/her designee.

**D. Drug and Alcohol Policy**

It is the responsibility of CADA to maintain a safe and effective working environment. Employees who work while impaired by the use of drugs or alcohol present a safety hazard to themselves, their coworkers, and the public. Moreover, the presence of drugs and alcohol in the workplace limits our ability to produce high-quality work. Employees with alcohol or drug dependencies are encouraged to seek assistance.

The following conduct is considered unacceptable behavior:

- Use, possession, manufacture, distribution, transfer, sale, or solicitation of illegal drugs on CADA property, including CADA vehicles, or while conducting CADA business;
- Use, possession, manufacture, distribution, transfer, or sale of alcohol on CADA property, including CADA vehicles or while conducting CADA business (including CADA business lunches or attendance at CADA sponsored events);
- Reporting to work, conducting CADA business, or being on CADA property while impaired by the use of alcohol or drugs, including
- ~~Reporting usage of prescription drugs, prescription drugs which that~~ may impair the employee's ability to ~~safely perform essential functions of their job, function properly.~~

CADA reserves the right to investigate any possible violations of this Drug and Alcohol Policy. An investigation may involve medical testing of employees, upon reasonable suspicion, for drug and/or alcohol use. Supervisors will receive training on the detection of drug and/or alcohol use. If an employee refuses to participate in such an investigation, CADA may take such disciplinary action as it deems appropriate, up to and including termination.

**E. Policy Against Discrimination/Harassment**

CADA is committed to providing a work environment that is free from discrimination/harassment. In keeping with this commitment, CADA strictly prohibits discrimination/harassment (including sexual harassment) on the basis of

- ~~Race and/or color, including traits historically associated with race, including but not limited to hair texture and hairstyles such as afros, braids, locks, and twists.~~
- (included in national origin)
- Age ( 40 and over)
- Sex
- Sexual orientation
- Gender
- Gender identity and expression
- Religion, creed and religious observance, including dress and grooming practices
- Ancestry, National Origin, including language use restrictions
- Pregnancy, childbirth, or breastfeeding and related medical conditions
- Reproductive health decision-making includes, but is not limited to, a decision to use or access a particular drug, device, product, or medical service for reproductive health.
- Marital status
- Registered domestic partner status
- Genetic information, including family medical history

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- Physical or mental disability
- Military or veteran status
- Civil Air Patrol
- Political activities or affiliations
- Citizenship and/or immigration status
- Domestic violence, assault, or stalking victim status
- Medical conditions, including cancer and AIDS/HIV
- Family or medical care leave

Any other applicable protected class, in accordance with applicable federal, state, and local laws

Discrimination/harassment/retaliation of anyone in or from CADA, on any of these bases, is strictly prohibited whether it be committed by supervisors, managers, co-workers or third parties such as suppliers or customers. Employees should note that conduct need not be unlawful to violate CADA's policy against harassment/discrimination.

This policy prohibits harassment in any form, including:

- Verbal and/or written harassment such as epithets, jokes, derogatory comments or slurs based on the person's race and/or color including traits historically associated with race, including but not limited to hair texture and hairstyles such as afros, braids, locks, and twists.
- Age ( 40 and over)
- Sex
- Sexual orientation
- Gender
- Gender identity and expression
- Religion, creed and religious observance, including dress and grooming practices
- Ancestry, National Origin, including language use restrictions
- Pregnancy, childbirth, or breastfeeding and related medical conditions
- Reproductive health decision-making includes, but is not limited to, a decision to use or access a particular drug, device, product, or medical service for reproductive health.
- Marital status
- Registered domestic partner status
- Genetic information, including family medical history
- Physical or mental disability
- Military or veteran status
- Civil Air Patrol
- Political activities or affiliations
- Citizenship and/or immigration status
- Domestic violence, assault, or stalking victim status
- Medical conditions, including cancer and AIDS/HIV
- Family or medical care leave
- Any other applicable protected class, in accordance with applicable federal, state, and local laws
- Physical harassment such as assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual based on one of the categories above; and
- Visual harassment such as derogatory posters, cartoons or drawings, based on one of the categories above.

Such harassment includes conduct that has the purpose or effect of unreasonably interfering with the individual's work performance; creating an intimidating, hostile, threatening or offensive

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working environment; or adversely affecting the employee's performance, performance evaluation, assigned duties, or any other condition of employment or career development.

Supervisors will receive harassment prevention training consistent with State law. Other employees may be required to attend educational seminars on harassment prevention.

### **Sexual Harassment**

Sexual harassment of CADA employees or its independent contractors, by supervisors, managers, co-workers or third parties such as suppliers or customers, is strictly prohibited. Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- Submission to such conduct is made either expressly or by implication a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or when
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance; creating an intimidating, hostile, threatening or offensive working environment; or adversely affecting the employee's performance, evaluation, assigned duties, or any other condition of employment or career development.
- Sexual harassment also includes any act of retaliation against an employee for reports of violations of this policy or for participating in the investigation of a sexual harassment complaint.

Other examples of sexual harassment include unwelcome sexual flirtations or propositions, verbal abuse of a sexual nature, graphic verbal comments about an individual's body, sexually degrading words used to describe an individual, and the display in the work environment of sexually suggestive objects or pictures, posters, jokes, cartoons, or calendar illustrations.

Employees may be required to attend educational seminars on sexual harassment. In accordance with current state law, all supervisors receive at least two (2) hours of sexual harassment training every two years, and within six months of assumption of a supervisory position. All nonsupervisory employees must receive at least one (1) hour of sexual harassment training, and once every two (2) years thereafter. New nonsupervisory employees shall be provided sexual harassment training within six months of hire.

### **Procedures**

An employee ~~or independent contractor~~ who feels that ~~he or she has~~they have been or ~~is~~are being harassed/discriminated against based on one of the above protected categories, or who is aware of or suspects the occurrence of such harassment/discrimination, or who desires counseling on coping with harassment/discrimination, should immediately contact ~~his or her~~their supervisor or any other neutral member of management whom they feel comfortable speaking with.

CADA will promptly undertake a fair, thorough, timely and objective investigation of the harassment/discrimination allegations that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected. This investigation will be conducted by qualified personnel or an outside investigator. Substantial effort will be made to maintain confidentiality throughout and following the investigation to the extent appropriate. This investigation will be completed and a determination will be made by CADA and communicated to you as soon as practical.

If CADA determines that a violation of this policy has occurred, CADA will take appropriate

remedial action (e.g. training, discipline up to and including termination) commensurate with the severity of the offense. Appropriate action will also be taken to deter any future harassment/discrimination. CADA will not retaliate against you for filing a good faith report or participating in a workplace investigation and will not knowingly permit retaliation by management, employees, or co-workers.

CADA encourages employees to report immediately any incidents of harassment forbidden by this policy so that complaints can be quickly and fairly resolved. Supervisors must report all complaints of harassing, discriminatory or retaliatory misconduct immediately to the Executive Director or Human Resources Manager. Employees should also be aware that the-California Civil Rights Department (CDR) and the federal Equal Employment Opportunity Commission investigate and may prosecute complaints of prohibited harassment in employment. If an employee thinks that ~~he or she has~~they have been harassed or retaliated against for resisting or complaining, ~~he or she~~ they may file a complaint with either of these organizations. The nearest offices are listed in the telephone book and available on-line. Additional information on sexual harassment is contained in a brochure on the subject, available to all CADA employees through Human Resources.

CADA also strictly prohibits harassment/discrimination, on the bases stated above, of any member of the general public by any person conducting CADA business or otherwise representing CADA.

#### **F. Personnel Information**

All CADA personnel files are the property of CADA. An employee's permanent personnel file contains application materials, payroll records, performance appraisals, supervisory notes and records, and any administrative action related to the employee's employment. With the approval of their supervisor and Human Resources, employees may request materials be placed in their files.

This file is maintained under the supervision of Human Resources. It is confidential, to the extent prescribed by state and federal law, and only those with the responsibility and the need to know will have access to it.

Employees, both current and former, may inspect their personnel file in the presence of a CADA representative at reasonable intervals and during reasonable times (office hours). Employees should contact the Human Resources Department to schedule the time. Written requests to inspect personnel files will be honored no later than 30 days from the date CADA receives the written request. Employees may also request copies of any document that they have previously signed.

All employees are required to notify Human Resources as changes in their personal information occur. Notification of changes of address, telephone number, marital status, number of dependents, insurance beneficiaries, educational accomplishments, or emergency information should be submitted as soon as possible in order to keep payroll, insurance, benefits, and personnel information accurate and as up-to-date as possible.

#### **G. Customer Service**

Employees are expected to be polite, courteous, prompt, and attentive to every customer. When an employee encounters an uncomfortable situation that ~~he or she does~~they do not feel capable of handling, a supervisor or manager should be called immediately.

Never regard a customer's question or concern as an interruption or an annoyance. We are a service business and must remember that the customer comes first. Our customers are to be treated courteously and given proper attention and respect at all times.

**H. Employee Rent of CADA Units Prohibited**

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Effective January 1, 2022, no CADA employee may lease any CADA unit. Specifically, current employees are not eligible to apply to lease a CADA unit.

Current CADA tenants are not eligible for employment with CADA. A current tenant may apply to a CADA position but, if successful, the tenant will be required to immediately vacate ~~his or her~~ their unit or else decline CADA's offer for employment. CADA may terminate such an employee who fails to vacate ~~his or her~~ their unit prior to the employee's first day of work. Should an employee who vacated ~~his or her~~ their unit to be employed by CADA in accordance with this policy be terminated, ~~he or she is~~ they are not guaranteed return of the unit.

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A CADA employee who leased a CADA unit on or before January 1, 2022, will be exempt from this policy prohibiting current CADA employees from leasing a CADA unit. This exemption only applies so long as the employee remains continuously employed by CADA.

This policy shall not apply to CADA Resident Services Representatives ("RSRs"). For conditions regarding RSRs' occupancy of CADA units as part of their job duties, please see the Resident Services Representative Addendum available from Human Resources. RSRs who wish to have a pet must sign and comply with the terms and conditions of the CADA Lease Pet Addendum, including payment of a pet deposit at a rate of half the monthly market rate rent of ~~his or her~~ their unit

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**II. The Selection Process**

**A. Recruitment**

Employment searches for all open positions within CADA, with the exception of the Executive Director, are coordinated through Human Resources.

The recruitment and selection techniques utilized shall be impartial, of a practical nature, and shall relate to those subjects which, in the opinion of the Executive Director and Human Resource Manager, fairly measure the capabilities of applicants. Salary offers that are made to prospective applicants must be authorized by the Executive Director.

**B. Employment Applications/Requirements**

CADA relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the disqualification of an applicant from further consideration for employment or in the termination of employment of a current employee.

CADA reserves the right to condition offers of employment upon results of certain tests that include, but are not limited to, a prospective employee's DMV report, credit report, educational record, ~~a~~-drug and alcohol test, ~~a~~-criminal history check, and a medical examination.

**C. Employment Reference/Background Checks**

To ensure that individuals who join CADA are well qualified and have a strong potential to be productive and successful, it is CADA's policy to check the employment references and work history of candidates who apply for position(s) as appropriate and consistent with the law. For candidates with a conditional job offer, background checks and additional verification processes will be conducted in accordance with the law. Verification processes may include, but will not necessarily be limited to the following: physical, drug/alcohol testing, review of credit history,

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educational records, and criminal or DMV reports. Specific verification processes may differ on the basis of the job responsibilities for which the applicant is being considered. Background checks will be made in compliance with the California Fair Chance Act. CADA complies with California legal protection for off-duty cannabis use including testing and prior use.

#### **D. Employment of Relatives**

CADA will reassign or prevent the assignment of employees where there is or would be an immediate supervisory/subordinate relationship, and the employees have a potential employment conflict of interest due to the family relationship.

In addition, CADA will reassign or prevent the management of any consultant or contractor's work assignments by an employee having a family relationship to said consultant or contractor.

#### **E. Promotions and Transfers**

A willingness to learn new skills and to apply them where they are most critically needed can enhance your opportunities at CADA. Advancement opportunities at CADA are based upon individual initiative, ability, and accomplishment, as well as budgetary guidelines and availability of position(s). CADA tries to give its employees ample opportunity through programs of continuing education and training, to broaden their skills and prepare them for more responsible jobs.

Promotion occurs when an employee is placed in a new position that reflects increased responsibility and a higher salary range. The promotion may or may not warrant an increase in salary. Factors taken into consideration with promotions and with regard to salary increases include, but are not limited to, the background and skills of the employee, the current market value for the position, and the employee's current salary.

A transfer is defined as a change in position. Typically, the new position is of the same level of responsibility and salary as the former position.

### **III. Hours and Pay**

#### **A. Workweek**

The normal workweek for most CADA employees is eight hours per day, Monday through Friday. The public hours of operation of the Administration Office, located at 1522 14<sup>th</sup> Street, are 8:00 a.m. through 5:00 p.m. The public hours of operation of the Maintenance Office, located at 701 S Street, are 8:15 a.m. through 12:00 p.m. and 1:00 p.m. through 4:15 p.m. Employee work schedules, however, are set by the employee's immediate supervisor. Any work schedule that is more than one hour outside of the above limits will be reviewed on a case-by-case basis and must be approved by the Executive Director.

For purposes of computing overtime pay, each workweek begins at 12:01 a.m. on Monday. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Non-exempt employees should report to work no more than 10 minutes prior to their scheduled starting time and must not stay more than 10 minutes after their scheduled stop time without express, prior authorization from their supervisor. Employees must clock in and out as precisely as possible at their approved and scheduled start and end times unless otherwise approved by their supervisor. These arrival and departure times will be rounded to the nearest quarter hour for payroll purposes. Non-exempt employees of the Administrative Office are provided one hour for meal times. Non-exempt employees of the Maintenance Office are provided one-half hour for meal times. Non-exempt employees will not return from their lunch periods early unless specifically requested to do so in advance by their supervisor. Lunch break should be taken. Non-exempt employees are also entitled to rest breaks. Details regarding lunch and rest breaks for non-exempt employees are specified below.



Employees must call their supervisors for each day of absence unless other arrangements have been made with their supervisors. Failure to notify a supervisor in advance of an absence will constitute an unauthorized absence. In addition to contacting their supervisor, for coordination purposes, employees working out of the Administrative Office must also inform the receptionist if they are not going to be at work. Similarly, employees working out of the Maintenance Office should so inform the Maintenance dispatchers of an absence.

Any employee who is on an excused absence for more than three days due to illness or injury must contact Human Resources prior to returning to the workplace and may be required to submit a doctor's release in order to return to work. Unless otherwise stated, any employee who is absent for two days without notifying ~~his or her~~their supervisor is considered to have voluntarily resigned without notice at the close of the second day.

## **B. Classification and Categories of Employment**

CADA is governed by the provisions of the Fair Labor Standards Act, and employees will be compensated accordingly. All employees will be classified as either exempt or non-exempt, as defined by the provisions of the federal Wage and Hour Law. To determine eligibility for various benefits, the following classifications and categories of employment have been established:

### **Employment Classifications**

**Exempt Employees** -- This classification includes employees who have met the requirements of a professional, administrative, executive, or an outside salesperson, and are therefore exempt from the overtime provisions of the federal Fair Labor Standards Act. Exempt employees are paid on a salary basis; however, exempt employees are required to use vacation, management, or sick leave (if sick leave is appropriate) when they are absent for four (4) or more hours in a day.

**Nonexempt Employees** -- This classification includes employees who are covered by the overtime provisions of the federal Fair Labor Standards Act. This classification of employees is paid hourly and must receive additional pay for overtime work as legally required by federal statute. Overtime pay is calculated in accordance with applicable laws.

### **Employment Categories**

**Full-time Employees** -- Unless otherwise noted, an employee who is ordinarily and regularly scheduled to work at least 20 or more hours in a work week is considered full-time and is eligible for CADA's benefit package, subject to the terms, conditions, and limitations of each benefit program.

**Temporary Employees** -- Temporary employees are defined as those employees holding jobs of limited duration arising out of special projects, abnormal workloads, or emergencies. Retired Annuitants are a kind of temporary employee who, subject to CalPERS statutes and regulations, may not work more than 960 hours in a fiscal year. An employee will not change from a temporary status to another status unless specifically informed, in writing, of such a change by Human Resources. Temporary employees are not eligible for CADA-sponsored benefits.

**Fractional Employees** -- An employee who works less than full-time, in fractional increments and is paid on a prorated basis according to the employee's fractional time worked, is considered a fractional employee. Unless otherwise stated herein, if a fractional employee works more than 20 hours per workweek, ~~he or she~~they will be eligible for CADA's benefit package.

## **C. Timekeeping and Overtime**

### **Timekeeping**

Accurately recording time worked is the responsibility of every non-exempt employee. Federal and state laws require CADA to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is defined as the time actually spent on the job performing assigned responsibilities.

Non-exempt employees are required to accurately record the time they begin and end their work as well as the beginning and ending time of any split shift or departure from work for personal reasons on a daily basis. Altering, falsifying, tampering with time records, and destroying or recording time on another employee's time record may result in disciplinary action, up to and including immediate termination of employment.

It is the employee's responsibility to sign approve and submit his or her their time records to certify the accuracy of all time recorded and to attach all support documents. The supervisor will review and then initial approve the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing approving the time record.

### **Breaks**

During each workday, non-exempt employees are entitled to two (2) paid rest periods of 15 minutes each. To the extent possible, employees should, at their discretion, take rest periods as close to the middle of each four-hour work period as possible. Since rest periods are counted as hours worked, employees must not be absent from their workstations beyond the allotted rest period. If employees need to arrange their breaks differently, they should make arrangements with their supervisor.

Employees who work outdoors will be allowed and encouraged, on an as need basis, to take a cool-down rest (or recovery period) in the shade for a period of no less than five (5) minutes at a time when they feel the need to do so to protect themselves from overheating. When taking a cool-down rest in a shaded area, employees must be monitored for symptoms of heat illness and will not be required to resume work until all signs or symptoms of heat illness have abated, but in any event, no less than 5 minutes plus the time needed to initially access the shaded area.

Although CADA is a public agency not subject to California's meal break requirements, we ask that Non-exempt employees must receive take a minimum 30-minute meal period for every 5 hours of work. The employee may waive this meal period if the day's work will be completed in no more than six hours, provided the employer and employee mutually consent. The majority of administrative employees take their meal periods from 12:00 p.m. to 1:00 p.m. The majority of the maintenance employees take their meal periods from 12:00 p.m. to 12:30 p.m. Supervisors will try to accommodate requested scheduling variations based on operating requirements. During the meal period, employees will be relieved of all active responsibilities and restrictions and will not be compensated for that time.

### **Overtime**

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. Advance notification of these mandatory assignments will be provided whenever possible. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime is rounded to the next highest quarter hour (fifteen minute increment).

**Non-exempt overtime work must be approved before it is performed.** The employee must complete a written request to work additional hours and submit it to the appropriate supervisor for his or her their signature. Approved written requests should be attached to the employee's monthly time sheet. Because CADA is a public agency, non-exempt employees' overtime work is only compensated at the rate of one and one-half the employee's regular rate for hours worked more than 40 hours in one workweek. Failure or refusal to work scheduled overtime or working overtime without prior authorization from the supervisor may result in disciplinary action, up to and including termination of employment.

Paid time off for vacation, sick leave, bereavement leave, compensatory time off, jury duty, or

time off to vote will not be counted as hours worked for the purposes of determining overtime for nonexempt employees.

Paid time off for holidays will be counted as hours worked for the purposes of determining overtime for nonexempt employees.

#### **Out-of-Class Pay**

Employees who are assigned to work in a higher classification and work in such classification for two (2) or more consecutive weeks shall be compensated at five percent (5) above the employees' normal pay. Out-of-class assignments will be made on an as-needed basis and in accordance with past practice.

#### **D. "On-Call" Employee Requirements**

Designated non-exempt and certain exempt employees may be required to remain available after normal work hours with an electronic paging or telephone system, to respond to emergencies. Non-exempt employees assigned to "on-call" duty will be compensated for standby time at the rate of 1 hour's pay for each weekday, 3 hours' pay for Saturdays and Sundays, and 4 hours' pay for each holiday, in addition to the time actually worked. While on "on-call" duty, assigned employees must be available to contact the answering service within 15 minutes and must be available to work on-site, in a safe and sober manner, within forty-five minutes. No additional compensation will be paid to exempt employees who are required to remain available after normal work hours with an electronic paging or telephone system.

In the event an on-call Resident Services Representative or other CADA personnel need to use a CADA vehicle to perform an after-hours task, ~~he or she~~ they must contact ~~his or her~~ their supervisor first.

Emergency maintenance work performed by non-exempt employees who are assigned to be on-call is deemed pre-approved by the supervisor who assigns the employee to be on-call. Emergency work by other employees called by the on-call employee is deemed pre-approved.

#### **E. "Call-back" Employee Requirements**

Any employee who answers a call for service after ~~his or her~~ their regular work day or on a weekend (other than a Resident Services Representative as they receive on-call pay) will receive a minimum 2 hours of pay per day.

#### **F. Compensatory Time Off**

~~For each pay period in which a non-exempt employee, who is regularly scheduled to work no less than 40 hours in a week, works authorized overtime, he or she may choose whether to be paid or to receive compensatory time off (CTO). This election is made each pay period, and must be included on the employee time sheet. CTO must be provided at a rate of one and one-half hours for each overtime hour worked. Employees may accrue compensatory time off up to 60 hours, with the exception of Resident Services Representatives and Maintenance employees, who may accrue up to 80 hours.~~

~~The request for CTO must be in writing and must be agreed on before applicable overtime work begins. At the employee's request, CADA may will pay out overtime in lieu of earned CTO for at least two pay period.~~

~~Upon separation, the employee will be paid for any outstanding CTO. CADA retains the right to require employees to use compensatory time off within 12 months of its accrual.~~

#### **G. Wage and Salary Administration**

##### **Payroll**

Employees are paid on a monthly basis. Paychecks are normally available by 9 a.m. on the last

working day of the month. If there is an error or issue with your paycheck, employees should notify Human Resources as soon as possible so the error can be corrected or the issue can be resolved.

Human Resources will distribute the time sheet deadline, payday schedule, and list of holidays to all employees.

### **Payroll Deductions**

The law requires that CADA make certain deductions from an employee's compensation. Among these are applicable federal withholding, state withholding, and State Disability Insurance (SDI), Social Security, Medicare taxes, and court-ordered garnishments. Social Security is not deducted from paychecks of full-time or fractional employees consistently working more than 20 hours per week or who are participants in the CalPERS Retirement Program.

CADA offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Employees must notify Human Resources of changes to their deductions/withholdings by the 20<sup>th</sup> of each month for those changes to be included in that month's payroll. If you have any questions concerning deductions made from your paycheck, please contact Human Resources.

### **H. Outside Employment**

"Outside employment" is any employment or self-employment, regardless of hours involved for which pay is received, whether by salary, wages, commission, or sale, if such employment is carried on in addition to the employee's work for CADA.

CADA expects full commitment from its employees and discourages outside employment; however, employees may hold outside jobs that do not constitute a conflict of interest as long as they meet the performance standards of their job with CADA. Employees should consider the impact that outside employment may have on their health and physical endurance. All employees will be judged by the same performance standards and will be subject to CADA's scheduling demands, regardless of any existing outside work requirements.

If CADA determines that an employee's outside work is interfering with job performance or the ability to meet CADA's requirements as they are modified from time to time, the employee may be asked to terminate the outside employment if ~~he or she~~ they wishes to remain with CADA. A full-time or fractional CADA employee may engage in outside employment if, and only if, all of the following conditions are met:

- a. The employee has received written approval by ~~his or her~~ their supervisor, and the Executive Director, which will not be unreasonably denied. If a problem develops at any time subsequent to the written approval, the approval may be withdrawn by the Executive Director. Human Resources will maintain the approval form for each employee engaging in outside employment.
- b. The outside employment is compatible with the employee's CADA employment or CADA's activities, and the outside employment does not constitute a conflict of interest. "Incompatible employment" is outside employment that is incompatible, inconsistent or in conflict with employee's duties for CADA or any duty or function of CADA. Incompatible employment includes, but is not limited to, outside employment which:
  - Involves the use for private gain of an employee's time while engaged in CADA work or of CADA property, records, equipment, or facilities;

- Involves the personal receipt of money or gratuities in return for an act performed by the employee in the course of ~~his or her~~their CADA work;
  - Involves an act subject to review by CADA or CADA personnel;
  - Involves time demands that reduce the employee's efficiency in ~~his or her~~their CADA work;
  - Involves services or goods that directly or indirectly relate to contracts with CADA; or
  - Involves the personal receipt of money or gratuities specifically from any CADA employees, contractors, consultants, tenants, or homeowners of condominiums located on land leased from CADA.
- c. The employee's outside employment or any product of such employment, including, for example, consultation or services relating to plans, proposals, studies, artwork, or construction, is not subject to review and approval by CADA or any personnel acting for CADA. The Executive Director may, nevertheless, establish regulations which permit outside employment which is subject to CADA review, if, and only if, such regulations can assure that the employee will receive no special consideration, and no additional benefit or advantage as a result of ~~his or her~~their CADA employment.
- d. The outside employment is in accordance with rules and regulations, if any, established by the Executive Director.

**I. Compensation Philosophy**

In an effort to attract and retain qualified employees, it is CADA's policy to establish competitive salaries and merit increase programs. The Human Resources Manager is responsible for administering the wage and salary program and for recommending necessary salary ranges and position reclassifications. All salary adjustments or increases will be implemented at the recommendation of the employee's direct supervisor and the approval of the Executive Director or ~~his or her~~their designee.

The salary range limits by job classification will be determined by the Board of Directors. Salaries are included in CADA's annual operating budget, which is reviewed and acted upon by the Board of Directors.

**J. Performance Evaluation**

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Performance evaluations are conducted for those employed with CADA as of February 1. The evaluation review period is July 1 through June 30. Those hired after February 1 may receive an evaluation at the discretion of their supervisor and in consultation with Human Resources. Evaluations may be conducted more frequently at the discretion of the employee's supervisor.

Performance evaluations provide both supervisors and employees the opportunity to discuss job tasks and expected levels of performance, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. The evaluation is used as an aid to reach fair and equitable decisions regarding rewards, work assignments, training, retention, and termination.

Merit increases, if awarded, are generally effective on July 1. Any merit increases awarded will be based upon a performance evaluation. A favorable evaluation does not guarantee a merit increase. Employees are encouraged to give their views and state their concerns or disagreement with the content of the performance review. Written performance evaluations and

any written response to the review will be included in the employee's personnel file.

#### **K. Employee Performance Incentive Program**

The Performance Incentive Program (PIP) is designed to recognize and reward employees who have exhibited outstanding performance on a task/duty, whether that be individually or as a member of the team.

Employee participation is vital to this program. If you have any questions or would like to make a recommendation, please contact Human Resources. The recommendation form can be obtained from Human Resources.

### **IV. Benefits**

#### **A. Benefits Eligibility**

Eligible employees of CADA are provided a wide range of benefits. A number of the programs (workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification and the number of hours an employee works. Human Resources will identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in this handbook and/or in the summary plan descriptions made available for most benefits.

In order for a full-time employee to accrue vacation and paid holidays an employee must physically work eleven (11), eight (8) hour days in the month or use accrued vacation, sick leave, compensatory time, or other paid leave available to them to equal eleven (11) days in the month. If an employee does not physically work eleven (11) eight (8) hour days in the month or does not use paid accrued leave equivalent to at least eleven (11) days, ~~he or she~~ they will not accrue vacation or be paid for any holidays in that period.

The following benefit programs are available to eligible employees:

- Cafeteria Plan
- Medical Insurance through the California Public Employees' Retirement System (CalPERS)
- Dental Insurance
- Vision Insurance
- Retirement Plan (CalPERS)
- 457 Deferred Compensation Program (CalPERS)
- Long-term Disability Insurance
- Life and Accidental Death and Dismemberment Insurance
- Holidays
- Vacation
- Sick Leave
- Leaves of Absence
- Direct Deposit of Paychecks
- Employee Assistance Program
- Employee Apartment Rent Discount
- Parking - as available

#### **B. Insurance Benefits**

##### **Cafeteria Plan**

CADA provides a monthly health allowance that may be applied to premiums for medical, dental and vision, as well as a flex spending account for unreimbursed medical and dependent care, and/or other optional insurance plans. Eligible employees (Full Time, and fractional employees consistently working more than 50% of the month) must be on paid status for at least 50% of the month in order to receive their Cafeteria Allowance for that month. Those employees who work or are on paid status at least 50% of a month and have monies remaining in their cafeteria

allowance can receive the balance in cash or direct it towards the deferred compensation plan.

**Medical:** All full-time employees and their family members are eligible for medical coverage. Family Members are defined as:

- A spouse or domestic partner who is not currently enrolled in ~~his or her~~their own right in a CalPERS health plan.
- A child under 26 years of age who has never been married, including an adopted child, a step-child, or a child who lives with the employee in a parent-child relationship and who is economically dependent (requires an Affidavit of Eligibility Form).

All fractional employees consistently working more than 50% of the month or are on paid status 50% of the month also receive this benefit. Employees have a choice of several medical plans from which to choose. Employer contribution amounts and the amounts, if any, available for those who "opt out" are set annually by the Board of Directors. Once hired, an employee will meet with Human Resources for in-depth information regarding the various insurance plans.

In 2005, CADA's Board adopted a resolution implementing the provisions of Government Code 22893, which provides for postretirement health benefits. The principal tenets of Government Code Section 22893 are:

- Retired employees with a minimum of 10 years of service credit (five of those 10 years of service must be performed at CADA) receive 50% of CADA's contribution payable for postretirement health benefits. Each additional service credit year after 10 years increases CADA's contribution by 5%.
- At 20 years of service, the retiring employee is eligible for 100% of CADA's contribution payable for postretirement health benefits.
- For annuitants enrolling alone, the amount of CADA's health care contribution shall be at least 100% of the weighted average of the four health benefit plans that have the largest number of CalPERS "self-alone" enrollments during the previous year.
- For annuitants enrolling family members, CADA shall contribute an additional 90% of the weighted average of the additional premiums required for enrollment of those family members in the four health benefit plans that had the largest CalPERS enrollment, excluding family members, during the previous year.

All employees hired after May 1, 2005, are subject to the provisions of Government Code 22893. Employees hired prior to May 1, 2005, may elect to be subject to the provisions of Government Code 22893 or may continue to have postretirement health benefits in accordance with Government Code 22892. Once an employee elects to be bound by the provisions of 22893, it cannot be withdrawn.

**Dental:** All full-time and fractional employees who consistently work or are on paid status more than 50% of the month are eligible for dental coverage for themselves and their dependents.

**Vision:** All full-time and fractional employees who consistently work or are on paid status more than 50% of the month are eligible for vision coverage for themselves and their dependents.

#### **Retirement Plan (CalPERS)**

Full-time employees make contributions to the California Public Employees Retirement System (CalPERS). Current Members contribute 7 percent of their annual salary. New Members hired after January 1, 2013, contribute 50% of the Normal Cost, which is actuarially determined by CalPERS. In addition, CADA makes an employer contribution necessary to fund the benefits for its members, as established by PERS. Upon termination of employment, employees may either

receive a refund of their employee contributions, or they may choose to keep these contributions invested with PERS. With the exception of Medicare contributions for employees hired after 1986, full time employees do not contribute to Social Security. Summary plan descriptions are available from Human Resources. In addition, employees are encouraged to contact PERS directly to receive estimates of their retirement benefits for their personal financial planning.

**Deferred Compensation (CalPERS)**

All full-time and fractional employees consistently working more than 20 hours per workweek are eligible to participate in the PERS 457 Deferred Compensation Program. This innovative savings plan provides employees the ability to take an amount of their pay before paying taxes and invest it in their choice of investment funds offered by this plan. The money employees put into this plan reduces their taxable income dollar for dollar, which lowers both their federal and state income tax. Summary plan descriptions are available from Human Resources. In addition, employees are encouraged to contact PERS directly to receive estimates on their retirement benefits for their personal financial planning.

**Long-term Disability Insurance**

All full-time employees are eligible for long-term disability insurance, which is paid for by CADA. All fractional employees consistently working at least 30 hours per week are also eligible for this benefit.

**Life and Accidental Death and Dismemberment Insurance**

All full-time employees are eligible to receive life and accidental death and dismemberment insurance, which is paid for by CADA. All fractional employees consistently working at least 30 hours per week are also eligible for this benefit.

**C. Holidays**

All full-time employees and fractional employees who work more than or are on paid status 50% of the month in which the holiday occurs are eligible to receive holiday benefits at their normal hourly rate for:

- New Year's Day
- Martin Luther King Day (third Monday in January)
- Lincoln's Birthday
- Washington's Birthday (third Monday in February)
- Cesar Chavez Day
- Memorial Day (last Monday in May)
- Juneteenth
- Independence Day
- Labor Day (first Monday in September)
- Indigenous Peoples' Day (second Monday in October)
- Veteran's Day
- Thanksgiving and the day after
- Christmas Eve - ½ day
- Christmas Day
- New Years Eve - ½ day

Fractional employees who work less than 50% of the month or are on paid status less than 50% of the month in which the holiday occurs are ineligible for holiday benefits. Fractional employees who work more than or are on paid status 50% of the month accrue pro-rata according to the percentage of the month they work during the holiday month.

If a holiday falls on a weekend, the observed holiday will be published on the CADA Holiday Calendar.



**Religious Observances**

CADA will make every effort to allow reasonable accommodations for employees who need to take time off for religious observances. Approval will depend on whether the request would impose an undue hardship on CADA and its ability to meet its workload

**D. Vacation**

Paid vacation is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Full-time employees are eligible to earn and use vacation time as described in this policy. Fractional employees working more than or are on paid status 50% of a month are eligible to earn and use vacation time at their pro-rata rate (according to the percentage of the month they work). Fractional employees who work less than or are on paid status less than 50% of a month are ineligible for vacation benefits. Vacation cannot be substituted for insufficient sick leave accruals without Human Resource approval.

Employees must ~~complete~~submit a Request for Time Off ~~form~~ at least two weeks in advance, and approval will depend on whether the request can be accommodated within CADA's workload requirements.

The amount of paid vacation time and maximum vacation accrual amounts increase with the length of service.

**Vacation Accrual for Full-time Employees\***

Years of Eligible Service	Vacation Earned per Year (Weeks)	Monthly Accrual (Hours)	Maximum Accrual (Hours)
3 years or less	2 weeks	6.66 hours	160 hours
3+ to 10 years	3 weeks	10.0 hours	240 hours
10 years or more	4 weeks	13.3 hours	320 hours

\*Employees working or on paid status more than 50% of the month but less than 100% will earn a pro-rata amount of vacation according to the percentage of the month they work.

If an employee reaches his/her maximum accrual for vacation leave, the employee will not accrue any additional vacation until his/her accrued leave drops below the maximum (unless authorized to exceed their maximum accrual by the Executive Director).

Employees may request to cash out up to a maximum of 40 hours of unused, accrued Vacation time once per year, unless the requested amount would deplete their total unused, accrued Vacation. All such requests must be approved by the Executive Director.;

Upon separation, employees will be paid for unused vacation time ~~and compensatory time.~~

**E. Sick Leave**

Sick leave is a form of insurance that employees accumulate in order to provide a cushion for incapacitation due to illness and other situations protected by law. It is intended to be used in the situations described below, only when actually required to recover from illness or injury; sick leave is not for "personal" absences. An employee may use sick leave:

- Sick leave may be used for an employee's personal ~~diagnosis, care, or treatment of an existing health condition of, or preventive care illness, mental health, well care, and medical and dental appointments.~~ Sick leave may also be used for illness and well care of a member of an employee's family (including the employee's spouse or registered domestic partner, child, parent, parent of the employee's spouse or registered domestic partner, grandparent, grandchild, or sibling) or any "designated person", which is defined as any individual identified by an employee. An employee is limited to designating one person per 12-month period. Such designation must be done in -writing per CADA policy.

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- For certain other types of leaves as identified in this handbook- Including for an employee who is a victim of domestic violence, sexual assault, or stalking as described by law.

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In each calendar year, an employee may use up to half of the sick leave ~~-he or she-~~they would accrue in that calendar year for the diagnosis, care, or treatment of an existing health condition of, or preventive care for the employee's child, parent, grandparent, grandchild, sibling, spouse, or domestic partner or designated person. The employee may designate which type of leave ~~he or she is-~~they are using.

CADA provides paid sick leave to all employees.

- ~~Full-time employees who physically work eleven (11) eight (8) hour days in the month or use paid accrued leave equivalent to at least eleven (11) days will accrue sick leave at the rate of eight hours (8) per month. If they do not physically work eleven (11) eight (8) hour days in the month or do not use paid accrued leave equivalent to at least eleven (11) days, they will accrue sick time at a rate of one (1) hour for every thirty (30) hours worked. Accrued sick time is available for use by a new hire during the first pay period on the 90<sup>th</sup> day of their employment.~~
- ~~The accrual amount will result in- no less than 24 hours of accrued sick leave by the 120th calendar day of employment or each calendar year and no less than 40 hours of accrued sick leave or paid time off by the 200th calendar day of employment or each calendar year.~~

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- ~~Part-time employees will receive forty twenty-four (40/24) hours or 5 days of sick leave upon hire their 91<sup>st</sup>, 90<sup>th</sup> day of employment with CADA and will receive forty twenty-four (40/24) hours or 5 days of sick leave on an annual basis on January 1<sup>st</sup> of each subsequent year. There is no year to year accrual of sick leave for Part-time employees.~~

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If the need for paid sick leave is foreseeable, the employee shall provide reasonable advance notification. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable. Employees who are unable to report to work due to illness or injury are to notify their supervisor before the scheduled start of their workday. If the employee fails to notify their supervisor of the absence within one hour of the employee's start time, Human Resources will be notified and will attempt to contact the employee through ~~his or her~~their emergency contact information. Their supervisor must also be contacted on each additional day of absence, unless other arrangements have been made with the supervisor. In addition to contacting their supervisor, for coordination purposes, employees working out of the administrative office must also inform the receptionist if they are not going to be at work. Similarly, employees working out of the maintenance office must so inform the maintenance dispatchers.

CADA may require a physician's health care provider's statement verifying the need for three or

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more consecutive days of sick leave, including, medical appointments, illness, injury and beginning and expected ending dates. Any employee who is on an excused absence for more than three days, due to illness or injury, must contact Human Resources prior to returning to the workplace.

Sick leave is intended solely to provide income protection in the events protected by law of illness or injury, and may not be used for any other absence unless specifically approved by the employee's supervisor.

Employees will not be paid for unused sick leave benefits while they are employed, nor at separation from employment. An employee who retires from PERS service, however, will receive additional service credit for any unused sick leave.

If an employee separates from an employer and is rehired by the employer within one year from the date of separation, previously accrued and unused paid sick days shall be reinstated.

Paid sick leave is used in 2 hour minimum increments and compensated at the regular rate of pay.

#### **F. School Activities**

An employee may take off time from work to participate in school activities if all the following conditions are met:

- The employee is a parent, guardian, or grandparent having custody of one or more children in kindergarten or grades one to 12;
- The employee takes off no more than 40 hours each school year and does not exceed eight hours in any calendar month of the school year;
- The employee's absence is related to participation in activities of the school of any dependent children; and
- Before taking off, the employee gives reasonable notice to the employer of the planned absence.

Employees must use vacation or compensatory leave in order to receive compensation for this time off. Employees who do not have paid time off available will take the time off without pay.

#### **G. Catastrophic Leave**

Employees may donate, if they so desire, their vacation leave to another employee with the approval of their supervisor and the supervisor of the employee to whom they wish to donate their hours. Vacation leave should be donated and used by the recipient employee only when there are extraordinary circumstances of need as determined by Human Resources (and in accordance with this policy). Catastrophic leave is not intended to be used for reoccurring minor illnesses, and may not exceed 6 work weeks in a 12-month period from when the first Catastrophic leave hour was used by the recipient employee. If an employee is receiving some form of other compensation during this period (e.g. AFLAC, SDI), the employee must inform Human Resources. Such other compensation will be included when determining their Leave eligibility.

A recipient employee must exhaust the majority of ~~his or her~~ their leave accruals but may retain up to a combined total of forty (40) hours of vacation and sick time and still receive donated time. Recipient employees will not accrue vacation or sick leave during this period.

Donated hours will be placed in a "Catastrophic Leave Bank" for use by the recipient employee; the recipient employee will use the hours according to the date of the donation (i.e., those hours donated first will be used first). Any hours remaining in the "Catastrophic Leave Bank" after Human Resources indicates the catastrophic event has concluded shall be returned to the

employee who donated the hours.

Donations of accrued vacation leave by an employee to other employees upon termination of their employment are prohibited.

#### **H. Management Leave**

In recognition of the need to devote more than forty (40) hours per week to their duties, management leave in the amount of forty (40) hours per calendar year shall be granted to those in the manager classification and above each January 1. Managers hired after January 1 will receive 3.33 hours for each full month worked through December 31 of that year.

Management leave must be used in the year given; there are no carryover provisions in regard to management leave unless specifically authorized by the Executive Director.

#### **I. Leaves of Absence**

It is CADA's policy to grant leaves of absence, as described in the following "Types of Leave" section, to all eligible employees on a nondiscriminatory basis. Except as otherwise indicated, all leaves of absence are available on an unpaid basis. All leaves of absence are reviewed and granted or denied at the discretion of the Executive Director.

Subject to any applicable legal restrictions, requests for leaves of absence will be considered on the basis of the employee's length of service, performance, level of responsibility, the reason for the request, and CADA's ability to obtain a satisfactory replacement during the time the employee is away from work.

#### **Returning from a Leave of Absence/Abandonment of Employment**

When an employee is granted a leave of absence, an effort will be made to hold the employee's position open for the period of the approved leave. Due to business needs, however, (unless otherwise required by law) there will be times when the position cannot be held open. Under such conditions, it will not be possible to guarantee reinstatement. Subject to any applicable legal restrictions, an employee's reinstatement rights are as follows: If an employee's former position is unavailable when the employee is ready to return from an approved leave, CADA will make every effort to place the employee in a comparable position for which the employee is qualified. If such a position is not available, the employee will be offered the next suitable position for which the employee is qualified, if such a position exists. An employee who does not accept a position offered by CADA will be considered to have voluntarily terminated employment, effective the day such refusal is made.

An employee who accepts other employment, without prior approval, during a leave of absence, or who fails to return on the next regularly scheduled work day following the expiration of an approved leave, will be considered to have abandoned their employment and may be terminated. Exceptions will be made for those employees who have obtained an authorized extension prior to the leave of absence expiration date.

#### **Status of Benefits During Leave**

No CADA-sponsored benefits are earned or accrued during an unpaid leave of absence. When an employee returns from a leave of absence, eligibility and accrual dates will be adjusted forward to account for the period of the leave.

During an employee's leave, CADA will continue to pay for the employee's participation in CADA's health plans, to the same extent and under the same terms and conditions as would apply had the employee not taken leave, meaning employees will continue to be responsible for all employee and any dependent health insurance costs. For any unpaid period during a leave of absence, CADA will pay for the employee's participation in CADA's health plans on the employee's behalf. However, the employee will be required to reimburse CADA for such health premiums paid during their unpaid leave. When paid leave is being substituted for unpaid leave

for at least 50% of the month, through use of time off accruals, the employee will earn their Cafeteria Allowance, and health premiums will continue to be deducted as usual during that pay period.

**Misrepresentations**

Any employee who misrepresents ~~his or her~~their reasons for applying for a leave of absence may face disciplinary action, including termination.

**Types of Leaves of Absence**

**1. Family Care and Medical Leaves**

Although CADA does not have any employees who are eligible for the federal Family Medical Leave Act ("FMLA"), CADA employees may qualify for leave under the California Family Rights Act ("CFRA"). CADA has implemented this Family Care and Medical Leave policy in order to provide the rights and responsibilities included in the CFRA, as well as many, but not all, of the rights and responsibilities included in the FMLA, as detailed below.

~~CADA is subject to the New Parent Leave Act which provides unpaid leave for parental leave to bond with a new child within one year of the child's birth, adoption, or foster care placement.~~

~~The purpose of this policy is to establish conditions under which an eligible employee may request time off without pay for a limited period with job protection consistent with CADA's Family Care and Medical Leave policy and the state's New Parent Leave Act.~~

~~An eligible employee is one with at least 12 months of service who has worked at least 1,250 hours during the 12 month period prior to the taking of family care or medical leave. Such an employee will be entitled to a leave of absence not to exceed 12 workweeks in any 12 month period.~~

**California Family Rights Act Leave** may be requested for the following situations:

- An eligible employee may take job-protected leave:
- for reason of the birth of a child of the employee or the placement of a child with an employee in connection with the adoption or foster care of the child by the employee.
- care for a child of any age, spouse, domestic partner, parent, grandparent, grandchild, or sibling with a serious health condition. "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of an employee or the employee's domestic partner, or a person to whom the employee stands in loco parentis. "Parent" includes a biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child.
- Additionally, an employee may take leave to care to include a "designated person." A designated person means any individual related by blood or whose association with the employee is the equivalent of a family relationship. The designated person may be identified by the employee at the time the employee requests the leave. As allowed by the law, CADA limits an employee to one designated person per 12-month period for CFRA leave.
- because of an employee's own serious health condition that makes the employee unable to perform the functions of the position of that employee, except for leave taken for disability on account of pregnancy, childbirth, or related medical conditions.
- because of a qualifying exigency related to the covered active duty or call to covered active duty of an employee's spouse, domestic partner, child, or parent in the Armed Forces of the United States, as specified in Section 3302.2 of the Unemployment Insurance Code.
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- **A serious health condition** is an illness, injury, impairment, or physical or mental condition that involves either (A) inpatient care in a hospital, hospice, or residential health care facility; or (B) continuing treatment or continuing supervision by a health care provider

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The 12-month period during which the 12 workweeks of leave may be taken under this section shall be the 12-month period measured forward from the date upon which the employee's first family care or medical leave begins.

Leave Requests. Written requests for a family care or medical leave of absence must be submitted in writing at least 30 days before the leave is to commence or as soon as the reasons for leave become known to the employee if such prior 30-day notice is not possible. All written leave requests must include the anticipated date(s) and duration of the leave. Written requests for extension of such leave must be received by CADA at least five working days before the date on which the employee was originally scheduled to return to work and must state the revised anticipated date(s) and duration of the leave.

Terms of Family Care and Medical Leave. Family care leave taken for the birth, adoption, or foster care placement of a child must be concluded within one year of the birth, adoption, or placement, and may be taken intermittently in periods of at least two weeks. Family care, medical leave for the serious health condition of the employee's child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner, designated person or for the employee's own serious health condition, may also be taken intermittently or on a reduced work schedule when medically necessary. If leave is taken intermittently or on a reduced schedule in order to accommodate planned medical treatment of the employee or family member, CADA retains the discretion to transfer the employee temporarily to an alternative position, with equivalent pay and benefits, which better accommodates the employee's leave schedule.

If the leave is requested in connection with a planned, non-emergency medical treatment, the employee must make a reasonable effort to schedule the treatment so as to minimize the disruption of CADA's operations.

Effect of Family Care and Medical Leave on Health Benefits. During an employee's family care or medical leave, CADA will continue to pay for the employee's participation in CADA's health plans, to the same extent and under the same terms and conditions as would apply had the employee not taken leave.

For any unpaid period during a leave of absence, CADA will pay for the employee's participation in CADA's health plans on the employee's behalf. However, the employee will be required to reimburse CADA for such health premiums paid during their unpaid leave. When paid leave is being substituted for unpaid leave for at least 50% of the month, through use of time off accruals, the employee will earn their Cafeteria Allowance, and health premiums will continue to be deducted as usual during that pay period.

The employee also may, at CADA's option, be required to reimburse CADA for such health premiums paid during the employee's unpaid leave if, upon the employee's return, the employee requests and is granted a reduced work schedule for which such benefits would not be paid by CADA.

Employees on family care or medical leave accrue employment benefits, such as sick leave or vacation benefits, only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual.

Certification of Eligibility. Employees must consult with Human Resources to determine

their eligibility for the leave, the length and terms of the leave, and reinstatement.

Medical Certification. Any request for medical leave for an employee's own serious health condition or for family care leave to care for a child, spouse, or parent with a serious health condition must be supported by medical certification from a health care provider. The employee must provide the required medical certification within 15 calendar days after CADA's request for certification, unless it is not practicable under the circumstances to do so. Failure to provide the required medical certification may result in the denial of foreseeable leaves until such certification is provided. In the case of unforeseeable leaves, failure to provide the required medical certification within 15 days of being asked to do so may result in a denial of the employee's continued leave. Any request for an extension of the leave also must be supported by an updated medical certification.

Return to Work. Employees returning from family care or medical leave are entitled to reinstatement to the same or comparable position consistent with applicable law. If the employee has been on leave for their own serious health condition, before permitting the employee to return to work, the employee must provide medical certification that ~~he or she~~ they are able to return to work.

Non-Discrimination. CADA recognizes the value of family care and medical leave and will not discriminate against any employee who chooses to exercise ~~his or her~~ their right to such leave. Details concerning the applicability of the Family Medical Leave Act and California's Family Rights Act to a particular situation are available from Human Resources.

Substitution of Paid Leave. For qualifying family care or medical leaves of absence, employees are required to substitute vacation for all family care and medical leaves. Sick leave must be used for an employee's own serious health condition and may be used if the leave is for the birth, adoption, or foster care of the employee's child or for the illness of a family member. Employees, however, are not required to exhaust their leave balances and may, at their option, retain up to a maximum of forty (40) hours of combined vacation and/or sick leave. The substitution of paid leave for family care or medical leave does not extend the total duration of family care and medical leave to which an employee is entitled to beyond twelve (12) weeks in a twelve- (12-) month period.

## 2. **Pregnancy Disability Leave**

An employee disabled by pregnancy, childbirth, or a related medical condition may request a pregnancy disability leave. This leave may be for the period the employee's ~~doctor~~ health care provider verifies that the employee is disabled by pregnancy, childbirth, or a related medical condition, and that the employee is unable to perform her job, up to a maximum of four (4) months. This leave may run concurrently with any other applicable leave. The employee must consult with CADA and make a reasonable effort to schedule any planned medical treatment or supervision so as to minimize disruption to CADA's operations. Any scheduling, however, shall be subject to the approval of the employee's health care provider.

CADA will provide reasonable accommodation to an employee disabled by pregnancy, childbirth, or related medical condition, if ~~she~~ they so requests, on the advice of ~~her~~ their health care provider. Such reasonable accommodation may include a temporary transfer to a less strenuous or hazardous position, if the employee so requests and is qualified to perform the job, on the advice of her physician. However, CADA will not create an additional position for such an accommodation, nor will CADA discharge any employee or transfer an employee with more seniority.

Leave Requests. For foreseeable events, if possible, the employee must provide 30 days' advance notice of the need for such leave. For events that are unforeseeable 30 days in

advance, the employee must notify CADA as soon as practicable.

All leave requests must include the anticipated date(s) and duration of the leave. Any requests for an extension of such leave must be received by CADA at least five working days before the date on which the employee was originally scheduled to return to work and must state the revised anticipated date(s) and duration of the leave.

Terms of Pregnancy Disability Leave. Pregnancy disability leave may be taken intermittently or on a reduced work schedule, when medically advisable, as determined by the employee's health care provider. If it is medically advisable for an employee to take intermittent leave or leave on a reduced work schedule, and it is foreseeable based on planned medical treatment because of pregnancy, CADA may require the employee to transfer to an available alternative position. This alternative position will have the equivalent rate of pay and benefits; the employee must be qualified for the position, and it must better accommodate recurring periods of leave than the employee's regular job. The alternative position does not have to have equivalent duties. Transfers to an alternative position may include altering an existing job to accommodate better the employee's need for intermittent leave or a reduced work schedule.

Certification of Eligibility. Employees must consult with Human Resources to determine their eligibility for the leave, the length and terms of the leave, and reinstatement.

Medical Certification. Any request for pregnancy disability leave must be supported by medical certification from a health care provider. The employee must provide the required medical certification within 15 calendar days after CADA's request for certification, unless it is not practicable under the circumstances to do so. Failure to provide the required medical certification may result in the denial of foreseeable leaves until such certification is provided. In the case of unforeseeable leaves, failure to provide the required medical certification within 15 days of being asked to do so may result in a denial of the employee's continued leave. Any request for an extension of the leave also must be supported by an updated medical certification from their health care provider.

Effect of Pregnancy Disability Leave on Health Benefits. During an employee's pregnancy disability leave, CADA will continue to pay for the employee's participation in CADA's health plans, up to a maximum of four (4) months in a 12-month period, to the same extent and under the same terms and conditions as would apply had the employee not taken leave.

If the employee fails to return from the leave for a reason other than the recurrence, continuation, or onset of a health condition that brought about the need or qualifies for family care or medical leave or other circumstances beyond the employee's control, the employee may, at CADA's option, be required to reimburse CADA for any health premiums paid by CADA on the employee's behalf during any unpaid periods of the leave.

Paid Leave. Pregnancy disability leave will be unpaid. CADA, however, requires employees to substitute accrued and available sick leave. Employees may elect to use all available paid leave. The substitution of paid leave for pregnancy disability leave does not extend the total duration of leave to which an employee is entitled.

Return to Work. Employees returning from pregnancy-related disability leave are entitled to reinstatement to the same or comparable position consistent with applicable law. CADA retains the right to deny reinstatement when such reinstatement would substantially undermine CADA's ability to operate its business safely and efficiently. An employee who returns to work after a pregnancy disability leave must have a written release from her health care provider. This release must verify that the employee is able to return to work.



Non-Discrimination. CADA recognizes the value of pregnancy disability leave and will not discriminate against any employee who exercises her right to such leave. Details concerning the applicability of the pregnancy-related disability leave provisions in California's Fair Employment and Housing Act to a particular situation are available from Human Resources.

#### **4. Paid Family Leave**

Paid Family Leave ("PFL"), which is administered by the Employment Development Department ("EDD"), not CADA, is a partial wage replacement benefit paid to workers who suffer a wage loss when they take time off work to (1) care for a seriously ill family member, including a child, parent/parent-in-law, spouse, sibling, grandparent, grandchildren, domestic partner, or domestic partner's child, (2) bond with a new child during the first year after the birth or placement of the child in connection with foster care or adoption, or (3) participate in approved activities related to the active duty or call to duty of a spouse, domestic partner, child, or parent in the Armed Forces of the United States. Qualified employees are eligible for a maximum of six (6) weeks of benefits in a twelve- (12-) month period.

PFL does not create any rights to a leave of absence or reinstatement, but simply provides partial wage replacement for qualified employees. Employees must meet all EDD eligibility requirements to qualify for PFL benefits. The PFL program is funded by withholdings from employee paychecks.

If you are absent for a reason that qualifies you for PFL payments, CADA requires that you use any accrued and unused vacation, up to a maximum of two weeks in a 12-month period. The first week of vacation will be applied to the seven (7)- day State mandated waiting period before the PFL benefits begin. Employees are permitted, however, to elect to retain a minimum accrued leave balance of 40 hours.

An employee who is entitled to leave under the Family Care and Medical Leave policy must take PFL concurrently with leave taken under those rights.

#### **5. Organ and Bone Marrow Donation Leave**

Consistent with State law, CADA will permit an employee to take a paid leave of absence:

(1) not exceeding 30 work days to an employee who is an organ donor in any one-year period, for the purpose of donating ~~his or her~~their organ to another person. An additional unpaid leave of absence, not exceeding 30 work days in a one-year period, may be granted to an employee who is an organ donor for the purpose of donating the employee's organ to another person. The one-year period is measured from the date the employee's leave begins and shall consist of 12 consecutive months; and

(2) not exceeding five (5) work days to an employee who is a bone marrow donor in any one-year period, for the purpose of donating ~~his or her~~their bone marrow to another person.

This leave may be taken in one or more periods. In order to receive this type of leave of absence, an employee must provide written verification to CADA that s/he is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow.

This leave does not run concurrently with Family Care and Medical Leave. During the leave, CADA will continue to maintain the employee's group health coverage on the same terms as when the employee is not on leave.

CADA requires as a condition of an employee's initial receipt of organ or bone marrow

donation leave that the employee take five (5) days of earned but unused sick or vacation leave for bone marrow donation and two (2) weeks of earned but unused sick or vacation leave for organ donation.

Time off for this leave will not be considered a break in service. When the employee returns to work, CADA will restore him/her to the same or an equivalent position s/he held when the leave commenced, unless CADA declines to restore the employee because of conditions unrelated to the taking of the leave.

#### **6. Medical Leave of Absence -- Work Related**

A leave of absence will be granted to any full-time or fractional employee who sustains a work-related (occupational) illness or injury for the duration of the work-related illness or injury until one of the following situations occurs:

- The employee is released for full or partial duty;
- CADA receives satisfactory medical evidence stating that the employee will be permanently unable to return to work;
- The employee informs CADA, directly or indirectly, by accepting other employment, by moving out of state, or by other means, that ~~he or she does~~they do not intend to return to work.

Notification requirements for a work-related medical leave are the same as for medical leaves of absence that are not work related. Please see below re: Workers' Compensation Insurance.

#### **7. Personal Leave of Absence**

An unpaid Personal Leave of absence may be granted to an employee in cases where an extended period of time away from the job will be in the best interests of the employee and/or CADA. This policy is intended to outline unpaid Leaves of Absence for reasons other than those covered elsewhere in this Handbook and/or for employees who are not yet eligible for any other leaves outlined in this Handbook.

Written requests for such leave must specify the purpose, start date, and return to work date of the requested leave. Such request should also include any relevant backup documentation to support the request for a Personal Leave of Absence. All such requests should be submitted to the Human Resources Manager at least 30 days before the leave commences, or as soon as possible if the need for the leave was not foreseeable. Such leaves may be granted or denied at the sole discretion of the Executive Director and/or ~~their~~his/her designee in compliance with applicable laws.

A leave may be granted for a period not to exceed 30 days in a calendar year and may be extended only with the written approval of the Executive Director and/or his/her designee. The procedure for granting extensions shall be the same as that in granting the original leave, provided that the request for extension must be made not later than 5 days prior to the expiration of the original leave.

Whenever an employee who has been granted a Personal Leave of Absence desires to return work before expiration of such leave, the employee shall notify Human Resources at least two (2) working days in advance of the return.

No benefits shall accrue during a Personal Leave of Absence, unless eligible paid leave is substituted. During the periods for which the employee will be absent, arrangements for any benefit premium payments must be made on or before each scheduled payday by the employee in order to maintain insurance coverage.

An employee's failure to return timely from a Personal Leave of absence will be considered a voluntary separation.

### 8. Drugs and Alcohol Rehabilitation Leave

CADA wishes to assist employees who recognize that they have a problem with drugs or alcohol. Employees who have a problem with drugs and alcohol and who decide to enroll voluntarily in a drug and/or alcohol rehabilitation program may be given unpaid time off to participate in the program. If an employee requests time off to participate in such a program, CADA will also make a reasonable effort to keep the fact that the employee is enrolled in a program confidential.

The employee may use any accrued sick leave, vacation, or compensatory time while on drug and alcohol leave. However, additional benefits will not be earned during any unpaid leave of absence.

### 9. Sabbatical Leave

After 10 years of employment, an employee may request an unpaid sabbatical leave of up to six months. The Executive Director and the CADA Board of Directors will consider each request on a case-by-case basis.

### 10. Bereavement Leave

This leave of absence may be granted to any employee who requires time off due to a death of a loved one. The employee must notify their supervisor immediately, who will then notify Human Resources as to the estimated duration of the leave and estimated return date. All ~~full time employees and fractional employees consistently working more than 50% of the month or are on paid status 50% of a month (pro-rata at their fractional rate) employees working for at least 30 days before taking the leave~~ will be granted up to five days' paid time off per calendar year. Requests for leaves of a longer duration will be considered on a case-by-case basis and require the approval of the Executive Director. Upon separation, employees will not be paid for unused bereavement time.

Bereavement leave may be taken intermediately within three months of the death.

### Reproductive Loss Leave

All employees who have worked for CADA for 30 days or more before the start of the leave are eligible for reproductive loss leave.

Employees who experience a reproductive loss event as defined by law will be provided with up to five days of time off from work within three months of the event. Notwithstanding the foregoing, if prior to or immediately following a reproductive loss event, an employee is on or chooses to go on leave under another leave entitlement, such as the California Family Rights Act or PDL, the Reproductive Loss Leave will be available for use during the three months following the end date of the Other Leave. The days do not need to be used consecutively. Employees who experience more than one reproductive loss event within a 12-month period, are limited to 20 days of Reproductive Loss Leave during that a 12-month period.

In order to be paid while using Reproductive Loss Leave, accrued sick leave shall be used for all employees who have such time available. At the employee's option, unused vacation or compensatory time entitlement (if eligible) may be used instead of sick leave. Employees who have no available sick time or choose not to use vacation or compensatory time will not be paid during their Reproductive Loss Leave.

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An employee who wishes to take Reproductive Loss Leave should notify their supervisor or Human Resources as soon as possible. CADA will maintain the confidentiality of any employee requesting reproductive loss leave and will not terminate, discriminate, or retaliate against employees for exercising their rights under the law.

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## 11. Military Leaves of Absence

Any eligible employee will be granted a leave of absence for military duty in accordance with federal and state laws governing such leaves. Qualified spouses of members of the Armed Forces, National Guard, or Reserves may also be eligible for unpaid leave in accordance with state law.

## 12. Jury/Witness Duty

If an employee is requested to serve for jury or witness duty, ~~he or she~~they must bring the summons or subpoena to ~~his or her~~their supervisor within three working days of receipt. If called to jury or witness duty, employees will receive their regular pay for the working hours lost while on such duty, up to a maximum of 10 working days per year, provided the employee submits written verification from the court. The written verification must show the actual days served. Employees on jury or witness duty for more than 10 working days per year may be placed on unpaid leave for the remainder of time they are absent. At the Executive Director's discretion, paid jury duty may be extended on a case-by-case basis, considering CADA's operating needs. An employee is to inform ~~his or her~~their supervisor of any time not served as a juror or witness during the normal work schedule. The supervisor will determine if the employee must return to work for the remainder of the day. The salary of an exempt employee will not be reduced for any week in which the employee works and also misses time to serve on a jury or as a witness.

This policy does not apply to employees who elect to serve as expert witnesses. If an employee elects to do so, ~~he or she~~they may request to use accrued vacation or compensatory time.

## 13. Time Off to Vote

Employees are encouraged to fulfill their civic responsibilities by voting. If an employee is unable to vote in a statewide election during ~~his or her~~their non-working hours, CADA will grant up to two hours of paid time off to vote. Employees must request time off to vote by submitting the Request for Time Off form to their immediate supervisor at least two working days before the Election Day, including the reason that they cannot vote during non-working hours. Employees must submit a voter's receipt on the first working day following the election.

## 14. Leaves Related to Domestic Violence, Stalking or Crime Victim

Consistent with state law, an employee who has been the victim of domestic violence, stalking, or whose child has been the victim of domestic violence or stalking, or who has been the victim of a crime, or whose immediate family member has been the victim of a crime, may take unpaid time off to attend court proceedings, attend to their own, or their family member's safety, or to receive medical care or counseling. To the extent possible, employees must provide advance notice of absences/leaves associated with this policy. An employee who takes unpaid time off for any of the purposes stated in this paragraph may elect to use accrued unused vacation, sick, management, or comp time leave time in lieu of taking unpaid time off.

## 15. Lactation

CADA provides a reasonable amount of break time to accommodate an employee's need to express breast milk for the employee's infant child each time the employee has need to

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express breast milk during the workday. CADA will make a reasonable effort to provide the employee with the use of a room or other location in close proximity to the employee's work area for the employee to express milk in private. Such space will meet the requirements of the California Labor Code, including a surface to place a breast pump and personal items, a place to sit, access to electricity, a sink with running water, and a refrigerator for storing breast milk.

#### **Procedures**

An employee may request an accommodation for lactation breaks by submitting a lactation accommodation request form to Human Resources. Human Resources must respond to the employee's accommodation request form submitted by indicating the approval or denial of the break request. The completed request form must be returned to the employee, and a copy sent to Human Resources.

The requested break time should, if possible, be taken concurrently with other scheduled break periods. Nonexempt employees must clock out for any lactation breaks that do not run concurrently with normally scheduled rest periods. Any such breaks will be unpaid.

CADA reserves the right to deny, in writing, an employee's request for a lactation break if the additional break time will seriously disrupt operations.

Employees have the right to file a complaint with the labor commissioner for any violation of rights provided under Chapter 3.8 of the California Labor Code regarding lactation accommodations.

#### **J. Employee Assistance Program**

CADA is concerned about the welfare of our employees. To this end, we provide our employees with access to an Employee Assistance Program (EAP). CADA acknowledges that an employee who recognizes ~~his or her~~their need for help and takes positive action is likely to be healthier and better able to address the variety of stresses we all inevitably face in life.

All counseling provided in this program is completely confidential. The CADA EAP program provides assistance and counseling for:

- Tax Consultation
- Legal Issues and General Questions
- Child care and elder care advice and planning
- Marital, family, and relationship problems
- Financial and credit concerns
- Substance abuse
- Emotional, personal, and stress-related concerns

The EAP program is part of CADA's commitment to a healthy, productive work environment. Information regarding this program is available from Human Resources.

#### **K. Parking and Transportation**

Employees are provided one free parking space (as inventory allows) or a free Regional Transit pass. This is a benefit for use by CADA employees only. Employees submitting for reimbursement of a transit pass must submit a copy of the transit pass to Human Resources.

Free parking spaces for Maintenance staff are located in the secure parking lot at the Maintenance Warehouse for use during work hours. Free parking spots for RSR's will be at or as close as possible to the building they live in. Free parking spots for Administrative Office staff will be in any available spots within the agency's parking inventory.

Non-RSR employees who are CADA residents may rent a CADA parking space at the regular market rate and can complete the rental process through Leasing. There is no employee discount for rental of parking spaces.

If an employee needs a parking space or wants to relinquish a parking space, they should contact Leasing.

CADA assumes no responsibility or liability regarding any loss or damages to any employee's vehicle or its contents. The employee is also responsible for their own safety and well-being when in the parking areas. Caution should be taken by the employee when entering and leaving the premises.

CADA reserves the right to modify or cancel parking and transportation privileges.

#### **L. Direct Deposit of Paychecks**

As a convenience to our employees, direct deposit of paychecks is available which allows employees to direct deposit their checks to several accounts. In addition to being a timesaving feature for employees, this process assures employees of the timely availability of their funds and allows employees to reserve funds for saving or other personal purposes.

### **V. Employee Requirements**

#### **A. Employee Conduct and Work Rules**

CADA strives to operate efficiently while providing a safe and pleasant working environment for its employees. To this end, it is necessary to set certain standards of conduct and provide employees with guidance concerning unacceptable behavior. Infractions of these rules will result in disciplinary action, up to and including termination. It must be noted, however, that this list is not exhaustive and merely contains examples of the types of conduct that can lead to the imposition of disciplinary action.

The following conduct is unacceptable:

- Falsification of any CADA document, including information on an application, a physical examination questionnaire, time record, and personnel records, including falsification by omission;
- Operating machinery or equipment in an unsafe manner such that it might endanger the safety of oneself or others;
- Unauthorized possession of or intentional damage to CADA, state, or staff property;
- Altering, falsifying, tampering, removing, or destroying records without permission;
- Discourtesy to anyone;
- Possession of weapons;
- Threats of violence, either implicit or explicit, toward officers, clients, contractors, consultants, or other employees;
- Defamatory remarks or gossip about CADA, other employees, or CADA residents;
- Insubordination;
- Dishonesty;
- Excessive absences or tardiness;
- Failure to observe working schedules, including rest and lunch periods;
- Failure to report personal injury, accident, or damage to CADA equipment;
- Conduct which reflects unfavorably on CADA;
- Unsatisfactory work performance, including, but not limited to, unsatisfactory quantity or quality of work;
- Violation of fire or safety regulations;

- Smoking in unauthorized areas;
- Failure to report having a communicable disease that could endanger other employees or clients;
- Impairment by the use, possession, manufacture, distribution, transfer, or sale or solicitation of illegal drugs during work hours on CADA property, including CADA vehicles, or while conducting CADA business;
- Impairment by the use, possession, manufacture, distribution, transfer, sale of alcohol on CADA property, including CADA vehicles or while conducting CADA business;
- Being under the influence of alcohol or illegal drugs on CADA property, including CADA vehicles, or while conducting CADA business;
- Misuse of CADA funds or property for personal gain or for other unauthorized purposes;
- Committing or involvement in any act of unlawful harassment of another individual.

**B. Discipline**

When an employee engages in misconduct or an employee's job performance is unsatisfactory, CADA may initiate disciplinary procedures. The possible disciplinary actions that may be taken include oral reprimand, written reprimand, suspension without pay, demotions and/or termination. A notation or copy of all disciplinary actions will be placed in the employee's personnel file.

Employees are reminded, however, that CADA employment is at-will, and therefore, an employee who has not been disciplined may still be terminated at any time without cause or notice. Stated differently, employees should have no expectation of progressive discipline.

**C. Dispute Resolution**

Note: This policy does not apply to complaints involving harassment, discrimination, or retaliation, which are specifically addressed in CADA's harassment prohibition policy.

CADA is committed to on-going, open communication with employees regarding performance, goals, objectives, policies, benefits, and all other issues which have an impact on employees. CADA understands that during the course of agency business, questions, issues, and disputes may arise. CADA urges employees to resolve these issues/disputes through communication and compromise.

Employees who have any such questions, issues, or disputes are encouraged to bring them to the attention of their immediate supervisor. If an employee is unable to resolve the situation with the immediate supervisor, s/he may contact Human Resources for assistance in answering the question or resolving the issue/dispute. If the employee still has questions or concerns, s/he may request a meeting with the CADA Executive Director or his/her designee. The Executive Director or his/her designee will review the question, issue, or dispute and determine the appropriate action. The Executive Director or his/her designee's decision will be considered final and binding. Employees may raise their questions, issues, and disputes without fear of reprisal or discrimination. CADA strives to resolve employee concerns in a fair and equitable manner.

**D. Attendance and Punctuality**

To maintain a safe and productive work environment, CADA expects employees to be reliable and punctual in reporting for work. Absenteeism and tardiness place a burden on other employees and on CADA. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, s/he must notify the supervisor as far in advance as possible of normal business hours and/or the employee's shift. If the employee is unable to notify their supervisor, they must contact Human Resources. In addition to contacting their supervisor, administrative staff are also required to inform the reception desk, and maintenance staff are required to inform the maintenance dispatcher. With the Executive Director's approval, supervisors may institute additional requirements.

Poor attendance and excessive tardiness are disruptive and unacceptable and may lead to

disciplinary action, including termination of employment.

**E. Safety**

Establishment and maintenance of a safe work environment are the shared responsibility of CADA and all employees of the organization. CADA will take all reasonable steps to assure a safe environment and compliance with federal, state, and local safety regulations. Employees are expected to comply with safety rules and to exercise caution in all their work activities. They must immediately report any unsafe conditions to their supervisor. Not only supervisors, but all employees of the organization are expected to correct unsafe conditions as promptly and as safely as possible.

All accidents that result in injury must be reported to the affected employee's supervisor and to Human Resources, regardless of how insignificant the injury may appear. Such reports are necessary to comply with laws and, if deemed appropriate, to initiate applicable insurance and workers' compensation procedures.

CADA will train employees and provide periodic updates in accordance with CADA's Injury and Illness Prevention Program and Safety Rules. A copy of CADA's Injury and Illness Prevention Program and Safety Rules is available from either the Human Resources Manager or Risk Manager.

Each employee is responsible, once trained, to:

- Be constantly aware of potential problems within the work environment which may cause injury, and report any problems noted to his or her supervisor;
- Continually familiarize himself or herself with the safe operation of equipment and the safe use of chemicals;
- Obey all safety rules and regulations established by CADA and practice them to the best of his or her ability; and
- Report immediately to his or her supervisor all hazards that could cause or have caused injury.

All employees are responsible for complying with the safety procedures as outlined in the written CADA Injury and Illness Prevention Program and Safety Rules. Violations of safe working procedures are cause for disciplinary action, up to and including termination of employment.

**Workplace Violence Prevention Program**

Pending forthcoming guidance from the Cal-OSHA Standards Board, effective July 1, 2024, all employers are required to institute a Workplace Violence Prevention Program, including a model plan.

Generally, the law stipulates that, among other requirements:

- Workplace Violence Prevention Plans must be in writing and easily accessible by employees.
- Plan must involve employees in the development and implementation of the Plan
- Procedure for responding to potential actual violence emergencies
- Identifying and evaluating workplace hazards
- Provide training
- Record and report requirements.

**F. Workers' Compensation Insurance**

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CADA provides a comprehensive workers' compensation insurance program. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to the applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period. If hospitalization is required, benefits are provided immediately.

Any employee who sustains a work-related injury or illness is required to inform ~~his or her~~their supervisor immediately, regardless of severity. This will enable an employee to receive appropriate treatment, if necessary, as quickly as possible. When, on the advice of their health care provider, an injured employee continues to work ~~his or her~~their regular duties or is assigned modified duty, the employee is required to schedule the workers' compensation-related time off with ~~his or her~~their supervisors and to schedule such appointments or time off at times that are the least disruptive to their normal work schedule (early morning, around the lunch hour, late afternoon).

Neither CADA nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries or illnesses that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity.

Employees who wish to use their own health care provider for workers' compensation-related injuries, rather than CADA's workers' compensation health care provider, must complete the predesignation form from Human Resources (the form must be completed BEFORE any injury occurs). This predesignation form must also be signed by the employee's health care provider.

For additional information regarding workers' compensation, please refer to the informational guide provided to employees during the hiring process. Additional copies of these documents are available from Human Resources.

#### **G. Dress Standards and Personal Hygiene**

In the interest of presenting a professional image to the public, employees are expected to dress in a businesslike manner. The supervisor is responsible for enforcing proper dress and personal hygiene standards. If an employee's dress and/or grooming are determined to be inappropriate, the employee will be counseled by ~~his or her~~their supervisor. In some cases, the employee's supervisor may send the employee home to change, without pay. Violation of this policy by an employee may result in disciplinary action.

All clothing must be modest, neat, clean, and pressed. The following are examples of inappropriate dress:

- Administrative personnel - Blue jeans that have less than a new appearance. (Note: Blue jeans are only allowed in the Administrative Office on Fridays and if the employee is not participating in board or other formal meetings.)
- Bib overalls;
- Undershirts, tank tops, halter tops, midriff or tube tops;
- Clothing that is torn, has holes, or has any offensive graphics;
- Sweat suits or athletic apparel Thongs, slippers, or flip-flops

Hair is to be clean, combed, and neatly trimmed. Sideburns, moustaches, and beards should also be clean and neatly trimmed. Protective hairstyles, including braids, locks, ~~and twists, and natural hair~~twists, and natural hair, are permitted.

Any exceptions to the dress standards must be approved by the employee's supervisor based on job requirements.

#### Religious accommodation

An applicant or employee who requires an accommodation of a sincerely held religious belief or practice (including religious dress and grooming practices, such as religious clothing or hairstyles) should also contact the HR Manager to discuss the need for an accommodation. If the accommodation is reasonable and will not impose an undue hardship, CADA will make the accommodation.

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#### **H. Maintenance and Resident Services Representative Dress Requirements**

For reasons of safety and security, staff members who perform building and grounds maintenance must wear CADA-provided uniforms while performing these job functions and follow the guidelines established by their supervisors.

#### **I. Telephone, Cell Phone, and Mail Usage**

To assure effective telephone communications, employees should always speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

Cellular telephones will be provided to appropriate employees as designated by the Executive Director. The decision to supply a cellular telephone will be based on the resulting increase in efficiency, as well as the need for and absence of alternative telephones in the physical area(s) in which an employee's job is being performed. Employees are responsible for safeguarding CADA provided cell phones and may, subject to applicable laws, be required to reimburse CADA for damage/co-pays resulting from grossly negligent behavior. Employees eligible to receive a cellular phone can instead request that CADA provide a monthly monetary allowance so they may purchase their own cellular telephone and service contract. As such, CADA is not responsible for any portion of the monthly bill for those employees who choose to purchase their own cellular telephone and service contract.

To ensure that CADA meets the needs of its residents when a Resident Services Representative is away from the workplace, CADA may need to access the Resident Services Representative's cellular telephone voice mailbox. When Resident Services Representatives utilize CADA-provided cellular telephones, they are doing so knowing that these systems belong to CADA and the contents of communications are accessible at all times by CADA management for any business purpose without prior notice. As such, RSRs have no reasonable expectation of privacy with respect to their cell-phones.

CADA phones are for CADA use. Telephone bills are reviewed by Human Resources and the employee's supervisor to confirm that usage is appropriate. Use of telephones for personal calls, including local calls, is to be kept to a minimum and shall not interfere with an employee's work. Employees may be required to reimburse CADA for any charges resulting from inappropriate use of phones. Consistent with state law, it is unlawful and employees are not permitted to use hand-held cell phones while driving a motor vehicle to write, read or send text-based communications while operating a motor vehicle. Inappropriate or illegal use of phones/electronic devices may also lead to disciplinary action up to, and including, termination of employment.

Additional information regarding the use of cell phones by Resident Services Representatives is included in the Resident Services Representative Addendum.

The use of the postage machine for personal correspondence is not permitted and may be grounds for disciplinary action.

#### **J. Information Technology, Internet, and Email Usage**

**Privacy and Usage.** Usage of Information Technology, the Internet, and email services are provided to employees to assist them with their CADA work. Unless specifically authorized by

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their supervisor, non-exempt employees are prohibited from using their CADA email or CADA-provided cell phones in order to conduct CADA-related business when they are away from work and may be disciplined for doing so. Employee privacy does not extend to the employee's work-related conduct or to the use of CADA's equipment or supplies, including, but not limited to, computers, servers, files, emails, phones, cell phones, Personal Digital Assistants, or to any messages, texts, pictures, videos stored on any such CADA property. When employees utilize any such technology, they are doing so knowing that the technology and anything stored thereon, belong to CADA and the contents and information about usage are accessible at all times by CADA management for any business purpose without prior notice. As such, employees have no reasonable expectation of privacy with respect to such technology. These systems may be subject to periodic unannounced inspections and should be treated like other shared filing systems. Employees must check with their supervisor before any program is downloaded from an Internet site.

All email messages and files saved on the server are CADA records. The contents of any email or file may be disclosed within CADA without an employee's permission. Therefore, employees should not assume that messages are confidential.

**Social Media.** Personal social networking and blogging on CADA owned property, such as computers and cell phones, is prohibited during work time. Checking Facebook, Twitter, or other similar social networking sites, blogging, shopping online, personal surfing of the web or playing on-line games also should not occur during work time.

Employees may not post defamatory comments or reveal CADA's confidential or trade secret information on any social media site. [All CADA policies regarding anti-discrimination and anti-harassment are applicable to employees' use of social media.](#) Misuse of social media and violation of this policy may result in disciplinary action up to and including termination.

**Forbidden Content of Email Communications.** Employees are not permitted to use CADA's Internet or email systems in any way that may be seen as insulting, disruptive, offensive by other persons, or harmful to morale. Examples of forbidden transmissions include sexually-explicit messages, cartoons, or jokes, unwelcome propositions or love letters, ethnic or racial slurs, or any other message that can be construed to be harassment or disparagement of others based on their sex, race, sexual orientation, age, national origin, or religious or political beliefs.

Use of CADA's Information Technology, Internet, and email systems in violation of this policy will result in disciplinary action, up to and including termination of employment.

**Passwords.** Employees may not use passwords that have not been shared with the Controller. Email logins and passwords should remain strictly confidential to the person assigned them. Employees are prohibited from the unauthorized use of the passwords of other employees to gain access to the other employee's email messages and electronic information. Each time a password is changed or updated, the Controller must be informed of the new password. Employees are not permitted to access the electronic communications or data of other employees unless directed to do so by the Controller or Network Administrator, or his/her designee. The fact that a password has been created does not alter the fact that CADA has the right to access and monitor any CADA system or technology. Passwords do not create a reasonable expectation of privacy.

#### **K. Smoking**

In keeping with state law and CADA's intent to provide a safe and healthy work environment, smoking, including the use of electronic cigarettes, is prohibited inside the workplace. For the purposes of this policy, the workplace is defined as CADA buildings, CADA vehicles, or privately owned vehicles while performing CADA work, if a non-smoking employee is in the vehicle on a

work assignment.

On standard breaks, smoking is permitted outside of any CADA building in areas where the smoke will not enter the building.

#### **L. Conflict of Interest**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of CADA's business dealings. For the purposes of this policy, a relative is defined to include the employee's spouse, domestic partner, children, parents, siblings, grandparents, aunts, uncles, nieces, and nephews who have this relationship with the employee either by blood or by marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that s/he disclose to an officer of CADA as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where the employee or relative has a significant ownership in a firm with which CADA does business but also when an employee or relative receives any monetary compensation, gift, or special consideration as a result of any transaction or business dealings involving CADA. To avoid the appearance of such special consideration, staff are specifically directed to distance themselves if the performance of their job benefits them or their relatives. Examples: 1. Accounting staff who process payments must have another staff member approve reimbursements to themselves; 2. Resident Services Representative who may have relatives residing in their buildings may not be involved in management issues regarding their tenancy; and 3. Marketing agents should have other staff members process relatives' rental applications.

Additionally, no employee may accept a gift, gratuity or discount from any customer, vendor, suppliers or other person doing business with CADA if doing so gives the appearance of influencing business decisions, transactions, or service. There are two exceptions: First, an employee may accept the occasional meal of a reasonable and normal value provided in connection with CADA business. (In this instance, the employee must notify ~~his or her~~their supervisor in a timely manner). Second, as a government entity, CADA may accept gifts of a nominal value that are received for the enjoyment of its employees. Examples would include fruits and candies that are received over the Winter Holidays, as well as game tickets provided to CADA staff by the agency in recognition of their work and to promote staff morale.

All Directors, members of the Executive staff, and other designated employees of CADA must execute the required Conflicts of Interest Disclosure Statement required by the Fair Political Practices Commission, as may be amended from time to time, upon assuming their respective positions with CADA and annually thereafter, and must agree to be bound by its provisions.

CADA employees are prohibited from threatening or discriminating against consultants or contractors for arbitrary or capricious reasons, or particularly for reasons of personal gain.

State law establishes separate and distinct policies regarding the prohibition of certain defined conflicts of interest, as well as the disclosure of income, assets, and business positions. It is the employee's responsibility to comply with these laws and policies and to contact Human Resources regarding these requirements.

### M. Solicitation & Distribution

Consistent with this policy, Employees will refrain from non-CADA related solicitation/distribution during working hours and/or on CADA premises. Employees may engage in such solicitation/distribution only during non-working hours during meal or break periods and only in the Break Room, provided all employees involved are on an approved break. Employees are not permitted directly or indirectly to pressure or coerce other employees to engage in such activities. Use of CADA equipment, including but not limited to phones, copiers, printers, and/or email, is strictly prohibited for purposes of such solicitation/distribution.

Nothing in this handbook will be interpreted, applied or enforced to interfere with, restrain or coerce employees in the exercise of their rights under Section 7 of the National Labor Relations Act.

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### N. Proprietary & Confidential Information

The materials, products, designs, plans, ideas, and data of CADA are the property of CADA and should never be given to an outside firm or individual except through normal channels and with appropriate authorization. CADA employees are also responsible for the safekeeping and securing of confidential information pertaining to CADA employees, prospective employees, tenants, prospective tenants, clients, and contractors. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, up to and including termination of employment.

### O. Use of Equipment and Vehicles

Equipment and vehicles essential in accomplishing job responsibilities are expensive and may be difficult to replace. When using CADA property, employees are expected to exercise care, ensure that the equipment is maintained, and follow all operating instructions, safety standards, and guidelines.

Employees are required to notify their supervisors if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees and others. A supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

Personal use of CADA property is prohibited. Any CADA equipment assigned to an employee must be returned immediately upon CADA's demand and at its sole discretion.

The loss of, and improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to, and including, termination of employment.

#### Use of Vehicles

When available, the Facilities Maintenance Manager or his/her designee, assigns CADA-owned vehicles to maintenance employees for use in the performance of CADA work during normal business hours. In the event an on-call Resident Services Representative or other CADA personnel need to use a CADA vehicle to perform an after-hours task, ~~he or she~~ they must contact ~~his or her~~ their supervisor first. If CADA-owned vehicles are not available, employees are responsible for providing their own work vehicles.

All CADA employees driving a CADA-owned vehicle or a privately-owned vehicle in the conduct of CADA business must have a valid unexpired California driver's license and proof of appropriate insurance coverage. CADA employees who drive a CADA-owned vehicle or a privately-owned vehicle in the conduct of CADA business must also provide written authorization on a form provided by CADA releasing information on their driving record to CADA.

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CADA participates in a system that regularly checks Department of Motor Vehicle records for all employees who drive as part of their job. Additionally, CADA annually requires those employees who drive as part of their job to provide Human Resources with a valid copy of their insurance coverage.

Based on an employee's driving record, including a record that indicates an employee has been convicted of, or pleaded no contest to, reckless driving or driving under the influence of drugs or alcohol within the past five years, CADA may prohibit an employee from driving a CADA-owned vehicle. Such an employee may also be prohibited from driving a privately-owned vehicle in the conduct of CADA business.

Employees are responsible for immediately reporting such incidents or any other incidents which may result in the loss or suspension of ~~his or her~~their driver's license to Human Resources. Failure to do so may result in disciplinary action up to and including termination of employment. An employee for whom driving is an essential job function and who loses ~~his or her~~their driver's license, and/or is convicted of, or pleaded no contest to, reckless driving or driving under the influence of alcohol or drugs, or becomes uninsurable as a driver may be terminated.

When traveling on CADA business, whether in a CADA-vehicle or a privately owned vehicle, all employees shall use safety belts and observe all traffic laws. CADA shall not assume financial responsibility for traffic citations received by employees driving either CADA owned vehicles or privately owned vehicles on CADA business. Employees shall not use hand-held cell phones while driving a motor vehicle on CADA business. Appropriate hands-free equipment issued by CADA at the written discretion of the Executive Director may be used while driving when appropriate and necessary.

Employees who are assigned CADA owned vehicles are responsible for attending to routine maintenance, including, but not limited to, gas, tires, and regular safety checks. These routine maintenance expenses will be paid by CADA.

Employees who may be required to use their personal vehicles on CADA business will be reimbursed on a set mileage rate basis once per month. Employees are also required to keep their personal vehicle in safe working condition if they use their personal vehicle when conducting CADA business. If their vehicle is not in a safe working condition, they may request the use of a CADA vehicle (according to availability and conformance to this Handbook). Any questions pertaining to mileage reimbursement should be addressed to the employee's supervisor or Human Resources.

#### **Use of CADA Computer Equipment - Off-site**

Full-time exempt employees interested in accomplishing certain portions of their work from home may request the use of a CADA laptop computer or a standard computer. Such requests may be granted and will continue subject to the supervisor's recommendation, the availability of funds, and the Executive Director's approval.

When the use of a CADA computer for home use is approved, CADA will cite the employee's home address as an additional insured location for the limited coverage of property damage to its computer equipment. CADA will not, however, provide maintenance support for the equipment at these locations. For maintenance purposes, the employee must bring the computer back to CADA. In addition, CADA may require the employee to execute an agreement which sets forth the conditions (i.e., security and care) under which the equipment is being located at ~~his or~~hertheir home.

CADA will review this agreement on at least an annual basis. A copy of this agreement will be forwarded to Human Resources for placement in the employee's personnel file.

Any CADA equipment assigned to an employee must be returned immediately upon CADA's

demand and at its sole discretion. See CADA's remote work policy for more details.

**P. Emergency Closing**

Emergency conditions, such as severe weather, fire, flood, or earthquake, can disrupt CADA operations and interfere with work schedules, as well as endanger employees' well being. These extreme circumstances may require the closing of the work facility.

When operations are required to close, the resulting time off from scheduled work will be paid. If, however, CADA is open for business and an employee is unable to return to work due to an emergency condition, the employee may ask to use available paid accrued leave time such as vacation, personal holiday, sick leave, or compensatory time.

**Emergency Condition**

In the event of emergency situation, CADA will not 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, except as specified. CADA will also not 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 confirm their safety.

**"Emergency condition"** means the existence of either of the following:

- 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.
- 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.

**"A reasonable belief that workplace or worksite is unsafe"** means that a reasonable person, under the circumstances known to the employee at the time, would conclude there is a real danger of death or serious injury if that person enters or remains on the premises. The existence of any health and safety regulations specific to the emergency condition and an employer's compliance or noncompliance with those regulations shall be a relevant factor if this information is known to the employee at the time of the emergency condition or the employee received training on the health and safety regulations mandated by law specific to the emergency condition.

When feasible, an employee shall notify the employer 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 – after leaving or refusing to report as soon as possible.

**Q. After-Hours Access**

After-hours access to the Administrative and Maintenance Offices is for official purposes only and is restricted to staff who have been instructed in the security systems in effect.

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#### **R. Resident Services Representatives Addendum**

On an annual basis, Resident Services Representatives are required to sign an updated Resident Services Representative Addendum to the CADA Employee Handbook.

#### **S. Remote Work Arrangements**

From time to time, CADA management may approve, at its sole discretion, a remote work arrangement for an employee that allows the employee to work a designated portion of the employee's work schedule from home or another remote location. Such remote work arrangements will be governed by CADA's Remote Work Policy. CADA's Remote Work Policy will be made available to employees upon request.

### **VI. General Administrative Policies**

#### **A. Mileage Reimbursement**

With supervisory approval, CADA will reimburse an employee for mileage incurred while driving ~~his or her~~their personal vehicle on CADA business. This reimbursement does not include traveling between home and work unless the employee is responding to an after-hours "on-call" message or is otherwise approved by the Executive Director or his/her designee.

Reimbursement rates may be obtained from Human Resources.

#### **B. Expense Reimbursement**

CADA will reimburse employees for business expenses directly related to authorized activity of the organization. Employees must receive prior authorization from the appropriate supervisory personnel before incurring any reimbursable expense. Unauthorized or inappropriate expenditures by employees will not be reimbursed by CADA.

CADA will not reimburse employees on CADA business for parking tickets or other traffic violations. With appropriate receipts, CADA will reimburse employees on CADA business for parking charges paid to parking lots/garages.

#### **C. Credit Card Usage**

CADA maintains a restricted number of CADA credit cards for use, as authorized by the Executive Director, in instances where such usage may reduce costs and accounting delays associated with such activities as the purchase of supplies and the ordering of materials or conference registration by mail.

#### **D. Personal Property**

CADA will not reimburse employees for damages or loss of employee's personal property which may occur when they are on CADA property or conducting CADA business.

#### **E. Expenditure of CADA Funds for Political Purposes**

It is unlawful for CADA to expend any CADA funds on political fundraisers or contributions or for CADA equipment or property to be utilized for political purposes. Accordingly, such expenditures are against CADA policy and are strictly prohibited.

#### **F. Advocacy**

CADA limits its advocacy of legislation or positions on local matters to issues materially affecting its operations.

Legislation affecting CADA, as well as proposed positions taken by CADA regarding legislation, must be brought before the CADA Board by the Executive Director or ~~his or her~~their designee for direction and approval. While CADA employees may advocate for or against any legislation on



their own behalf, no CADA employee may advocate any position on behalf of CADA or purport to represent CADA in any such advocacy, unless the Board has granted its approval.

**G. Media Contact**

Employees will refer all media requests to the Executive Director. As a general rule, the Executive Director or ~~his or her~~their designee will handle all CADA contacts with the media. Employees are not permitted to communicate with the media on CADA's behalf unless they receive specific prior authorization, in writing, by the Executive Director.

**H. Years of Service Award**

In recognition of the contribution made by employees as a result of their length of service, CADA will annually award each applicable employee a service award following 5 years of service, and for every 5 years of service thereafter. The awards will be determined by CADA.

**I. Additional Policies**

The Executive Director may issue additional policies which will remain in effect unless revoked by the CADA Board of Directors or the Executive Director. Copies of such policies, when issued, will be distributed to employees and the CADA Board of Directors.

**J. Requests for References and Verification of Employment**

Employees must refer all requests, written and verbal, for references and verifications of employment to Human Resources. No other manager, supervisor, or employee is authorized to release references for current or former employees.

CADA discloses only the dates of employment and the title of the last position held of the former employee.

**VII. Separations**

**A. Separation from Employment**

There will be times when the employment relationship will be terminated, whether by CADA, the employee, or by mutual agreement. Below are examples of the most common circumstances under which an employee is separated:

- Resignation -- Separation initiated by an employee who chooses to leave CADA voluntarily.
- Discharge -- Employment termination initiated by CADA.
- Layoff -- Involuntary employment termination, initiated by CADA, due to a required reduction in force.
- Retirement -- Voluntary retirement from active employment status initiated by the employee.

Although advance notice is not required, CADA requests at least two weeks' written notice of resignation from all employees.

CADA will generally schedule an exit interview for separating employees. The exit interview will provide an opportunity to discuss such issues as employee benefits, COBRA (Title X of the Consolidated Omnibus Reconciliation Act of 1985) benefits, repayment of any outstanding debts to CADA, and return of CADA-owned property. If the employee is occupying a CADA apartment, the rent for this apartment will be adjusted back to the market rate, on a pro-rata basis, effective on the date of separation. Suggestions, complaints, and questions about CADA and an employee's employment with CADA are welcome at this time. All accrued vacation and compensatory time will be paid to the employee in compliance with applicable laws.

**B. Return of CADA Property**

Employees are responsible for all CADA property, materials, or written information issued to them or in their possession or control. Employees must return all CADA property that is in their possession or control in the event of separation of employment or immediately upon request.

Resident Services Representatives who are provided a CADA apartment as a condition of their employment are required to execute a Resident Services Representative Addendum, which addresses the terms and procedures under which this apartment will be vacated upon termination of their employment.

**CAPITOL AREA DEVELOPMENT AUTHORITY  
At-Will Statement and Employee Acknowledgment**

**A. At-Will Statement**

All CADA employees serve at the discretion of the Executive Director. Accordingly, employment by CADA is employment "at will." No manager, supervisor, client, or representative of CADA has any authority to enter into any agreement for employment for any specific period of time or to make any agreement for employment other than at will.

Employment at CADA is also by mutual consent. CADA reserves and retains the right to terminate any employment relationship with any employee, at any time, for any reason, or no reason, with or without advance notice. The employee also retains the right to terminate ~~his or her~~their employment at any time, for any reason, or no reason, with or without notice.

This handbook is not a contract of employment and is subject to change. It may be revoked, altered, amended, or modified at any time by the Board of Directors.

**B. Acknowledgment**

This is to acknowledge that I have received a copy of CADA's Employee Handbook. I understand that it contains important information on CADA's general personnel policies and on my privileges and obligations as an employee. I further understand that I should contact Human Resources to obtain more comprehensive information on CADA's personnel policies.

I understand that I am governed by its contents, and that those contents may be subject to change. Changes to this document are implemented at the sole and absolute discretion of CADA's Board of Directors, and may occur with or without prior notification. I further understand that my employment with CADA is for no fixed term and is by mutual consent. Consequently, either CADA or I may terminate the employment relationship at will, at any time, for any reason, or for no reason, with or without advance notice.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (Print)

**Employee copy to be retained in Handbook.**

**RESOLUTION NO. 24 - 08**

Adopted by the Capitol Area Development Authority

January 26, 2024

**RESOLUTION ADOPTING THE 2024 CADA EMPLOYEE HANDBOOK**

**WHEREAS**, at the January 26, 2024 Board Meeting, staff presented the CADA Board of Directors ("Board") with proposed revisions to the CADA Employee Handbook ("the Handbook") for Board approval in order to remain current with employment law and labor practices and in order to address CADA's operational needs; and

**WHEREAS**, the Board has considered staff's recommendation to adopt the revisions to the Handbook; and

**WHEREAS**, on January 26, 2024, the Board adopted the new Handbook.

**NOW, THEREFORE, BE IT RESOLVED**, by the Capitol Area Development Authority as follows:

1. That the draft Handbook dated January 1, 2024, is hereby adopted as the Employee Handbook.
2. That the draft Handbook dated January 1, 2024, supersedes all previous Handbooks adopted by the Board.
3. That the draft Handbook dated January 1, 2024, shall be effective January 1, 2024.

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Ann Bailey, Chair

**ATTEST:**

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Tara Gandara  
Secretary to the Board of Directors